



PLANNING COMMISSION REGULAR MEETING

**October 16, 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 October 2, 2019

C. BOARD ACTION

1. Public Hearing – Conditional Use Grant (CUG) for a Public Utility Installation Including Transmission Lines and Substation – Public Service Company of Colorado, applicant; Nicole Korbe, applicant's representative.
 - Quasi-judicial
 - Staff presentation: Scott Ballstadt, Director of Planning
2. Approval – Waiver of Section III.A.2.a of Commercial Corridor Plan regarding minimum building and paving setback – Westview Addition Subdivision, Lot 1 – Joe and Patty Pike, Pikes Auto Care, applicant; Sean Pike, Pikes Auto Care, applicant's representative
 - Quasi-judicial
 - Staff presentation: David Eisenbraun, Senior Planner

D. COMMUNICATIONS

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

E. ADJOURN

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

Upcoming Meeting Dates

<u>Wednesday, October 16, 2019</u>	7:00 P.M.	Regular Planning Commission meeting**
<u>Monday, November 4, 2019</u>	6:00 P.M.	Joint meeting with Town Board to review latest Land Use Code Update materials – First Floor Conference Room
<u>Wednesday, November 6, 2019</u>	7:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, November 20, 2019</u>	7:00 P.M.	Regular Planning Commission meeting**
<u>Wednesday, December 4, 2019</u>	7:00 P.M.	Regular Planning Commission meeting**

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



PLANNING COMMISSION REGULAR MEETING

October 2, 2019 // 7:00 p.m. // Town Board Chambers
301 Walnut Street, Windsor, CO 80550

AGENDA

- 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
 - Kelly Hall
 - Jerry Bushelman
 - Dan Foreman
 - Cindy Scheuerman
- Also Present:
- | | |
|-------------------|-----------------|
| Planning Director | Scott Ballstadt |
| Town Clerk | Krystal Eucker |
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, Hall, Bushelman, Foreman, Scheuerman
Nays – None
Motion carried.
3. Public Invited to be heard
Mr. Schick opened the meeting up for public comment to which there was none.
- B. CONSENT CALENDAR*
1. Approval of minutes of September 18, 2019
Mr. Tallon moved to approve the agenda as presented; Mr. Foreman seconded the motion. Roll call on the vote resulted as follows:
Yeas – Schick, Tallon, Dennison, Hall, Bushelman, Foreman, Scheuerman
Nays – None
Motion carried.
- C. BOARD ACTION
1. Public Hearing – Preliminary/Final Major Subdivision – Great Western Industrial Park 11th Filing – Dean Brown, Great Western Industrial Park, LLC, owner/applicant, and Mark Cevaal, Redland, applicant's representative
- Quasi-judicial

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

- Staff presentation: Carlin Malone, Chief Planner

Mr. Schick opened the public hearing.

Per Mr. Ballstadt, the applicant has submitted a combined preliminary/final major subdivision, known as Great Western Industrial Park Subdivision 11th Filing. The proposal is the replat of Great Western Industrial Park 7th Filing, Lot 3 and Lot A of Recorded Exemption No. 0808-26-4-RE455. The site is located directly west of WCR 23 and east of Great Western Drive; ¼ mile south of Eastman Park Drive/WCR 64 ¾, and directly south of the Whitney Ditch.

The subject subdivision encompasses approximately 37.15 acres and is zoned Heavy Industrial (I-H). The proposal replats an existing subdivision filing in Great Western Industrial Park and a recorded exemption to create three industrial lots and additional right-of-way for WCR 23. The site is entirely surrounded by I-H zoning within the Great Western Industrial Park Subdivision. The subdivision includes a non-potable water system with water line, pond, and irrigation pump station.

Combined Preliminary/Final Plat characteristics

- 37.15 acres total – 3 lots and right of way
- Heavy Industrial zone (I-H)
- Three industrial lots
 - Lot 1 – 16.145 acres
 - Lot 2 – 1.646 acres
 - Lot 3 – 18.625 acres
- Dedication of .606 acres of right-of-way

The applicant held a neighborhood meeting on July 9, 2019, in accordance with Chapter 16, Article XXXI of the Municipal Code. There were three neighbors in attendance, all with general questions about the project and no concerns regarding the subject proposal.

The application is consistent with various goals of the Comprehensive Plan as well as the Strategic Plan.

Notifications for the public hearing were completed in accordance with the Municipal Code.

Staff recommends the Planning Commission forward to the Town Board a recommendation of approval of the preliminary/final major subdivision as presented, subject to all remaining Planning Commission and staff comments being addressed.

Staff requests the following be entered into the records:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Testimony presented during the public hearing
- Recommendation

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

Mr. Tallon moved to close the public hearing; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows:

Yeas – Schick, Tallon, Dennison, Hall, Bushelman, Foreman, Scheuerman

Nays – None

Motion carried.

2. Recommendation to Town Board – Preliminary/Final Major Subdivision – Great Western Industrial Park 11th Filing – Dean Brown, Great Western Industrial Park, LLC, owner/applicant, and Mark Cevaal, Redland, applicant's representative

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

Mr. Ballstadt had nothing further to add.

Mr. Schick opened the meeting for comment from the applicant to which they had none.

Mr. Tallon moved to forward to the Town Board a recommendation of approval of the preliminary/final major subdivision as presented, subject to all remaining Planning Commission and staff comments being addressed; Mr. Dennison seconded the motion. Roll call on the vote resulted as follows:

Yeas – Schick, Tallon, Dennison, Hall, Bushelman, Foreman, Scheuerman

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
Mr. Ballstadt commented that the Colorado State APA Conference was a good conference this year.
Mr. Ballstadt also reminded the Planning Commission of the joint work session with the Town Board that has been scheduled for November 4, 2019 to review land use code updates.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:13 p.m.

Krystal Eucker, Town Clerk



MEMORANDUM

Date: October 16, 2019
To: Planning Commission
From: Scott Ballstadt, Director of Planning
Re: Public Hearing and Conditional Use Grant (CUG) for a Public Utility Installation Including Transmission Lines and Substation - Public Service Company of Colorado, Applicant; Nicole Korbe, Applicant's Representative
Location: One-third mile east of Latham Parkway/Weld County Road 13 and one-third mile north of WCR 76
Item #: C.1

Request

The Town requests that this item be postponed to the regular Planning Commission meeting of November 6, 2019, due to an error with the public hearing sign posting on the property.

cc: Nicole Korbe, Public Service Company of Colorado
City of Thornton, property owner



MEMORANDUM

Date: October 16, 2019
To: Planning Commission
From: David Eisenbraun, Senior Planner
Re: Request for Waiver of Section III.A.2.a of Commercial Corridor Plan regarding a 30' minimum building and paving setback – Westview Addition Subdivision, Lot 1 – Joe and Patty Pike, Pikes Auto Care, applicant/ Sean Pike, Pikes Auto Care, Applicant's Representative
Item #: C.2

Background / Discussion

Mr. and Mrs. Joe and Patty Pike, represented by Mr. Sean Pike, are requesting a waiver from Section III.A.2.a of the Commercial Corridor Plan regarding a 30' building and paving setback from sites that abut Main Street. The site is located on the northeast corner of 8th and Main Street and is therefore subject to the Commercial Corridor Plan design criteria.

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

"In addition thereto, there shall be a thirty foot (30') minimum building and paving setback where sites adjoin Main Street."

The existing building already lies within this setback and the proposed renovations will not change the historical footprint of the building. Additionally, the site plan application does not include any changes to the existing pavement which also lies within this setback.

Commercial Corridor Plan Section II.B.(2) states that requests for design criteria waivers shall be subject to review and determination by the Planning Commission. The Planning Commission may grant, conditionally grant or deny any waiver request brought under this sub-section. In order to receive a waiver, the applicant shall have the burden of establishing justification for waiver approval under the following criteria:

1. *Strict application of the applicable standard will result in either extraordinary practical difficulties or undue hardship.*
The building and paved drives already exist within the setback and to change this would be onerous and impractical on the property owner in an effort to come into compliance with the 30' setback.
2. *The proposed waiver, if approved, will protect the public interest equally or better than the standard for which the waiver is requested; and*
The proposed entry feature will add a clear and safe point of egress into the business while also providing more shelter from the elements than what currently

exists on the building today. The entry feature and additional glazing also bolster the building's architectural features which further add interest to the building façade along a primary commercial corridor.

3. *Approval of the waiver request will not be detrimental to the public interest.*
The public interest, public safety, and public welfare will not be detrimentally impacted by the proposed building materials or architectural renovations.

Relationship to Comprehensive Plan

The application is consistent with the Comprehensive Plan, specifically the following goal(s) and objective(s):

Chapter 5b – Growth Framework

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

Objective 1: Prioritize new growth in areas currently served by Town infrastructure and services.

Relationship to Strategic Plan

The application is consistent with the Strategic Plan, particularly Prosperous Local Economy.

Notification

Notification is not required with a waiver request.

Recommendation

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

Strict application of the applicable standard will result in a practical difficulty;

The proposed waiver will protect the public interest equally or better than the standard for which the waiver is requested; and

Approval of the waiver request will not be detrimental to the public interest.

Attachments

Application Materials
PowerPoint Presentation

Cc: Joe and Patty Pike, applicant
Sean Pike, applicant's representative



9/16/19

Pikes Automotive

728 Main Street, Windsor, CO 80550

Waiver Request:

Pikes Automotive would like to request one waiver to the site plan requirements. The waiver comes in response to the requirement stated in the Town of Windsor Commercial Corridor Plan Section III.A.2. a, which states a 30' minimum setback building and paving setback where sites adjoin Main Street and SH 257. We believe that the following items have been met to justify this request.

Strict application of the applicable standard will result in either extraordinary practical difficulties or undue hardship.

The building is already setting within that minimum setback and does not allow for any covered entrance into the business. There will be no addition paving into the existing setback.

The proposed waiver, if approved, will protect the public interest equally or better than the standard for which the waiver is requested.

The covered entry way will add to the public safety by allowing the customers a safe and weatherproof way to enter the business. It also adds an additional architectural feature to an otherwise simple façade.

Approval of the waiver request will not be detrimental to the public interest.

970-566-9336

JGibbs2711@gmail.com

JGibbsConstruction.com

1601 Pelican Lake Pt. St 201, Windsor, Co 80550





We believe that adding a covered entryway into the business will add a safe and comfortable access into the building. Adding these architectural features, in our opinion, will add a much-needed facelift to this building.

970-566-9336



JGibbs2711@gmail.com

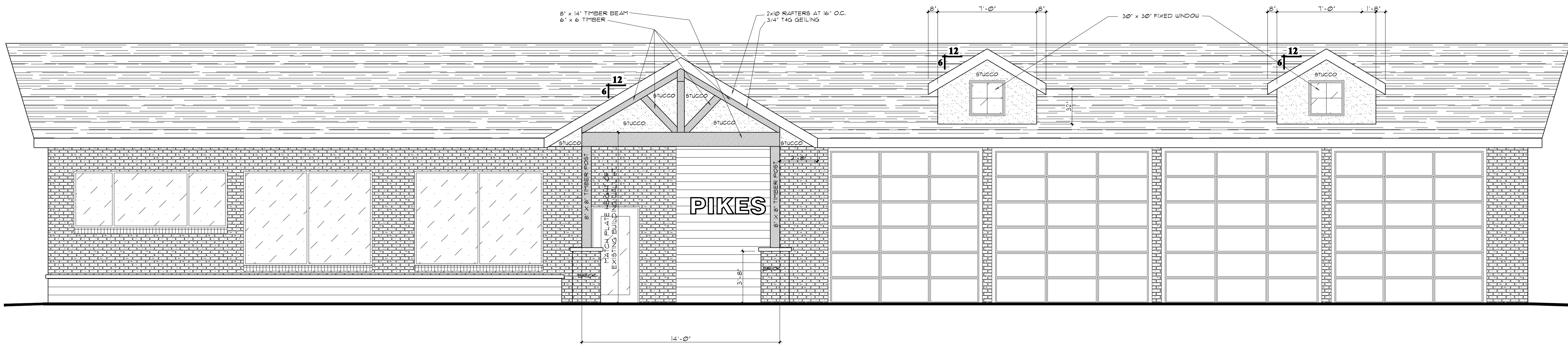


JGibbsConstruction.com

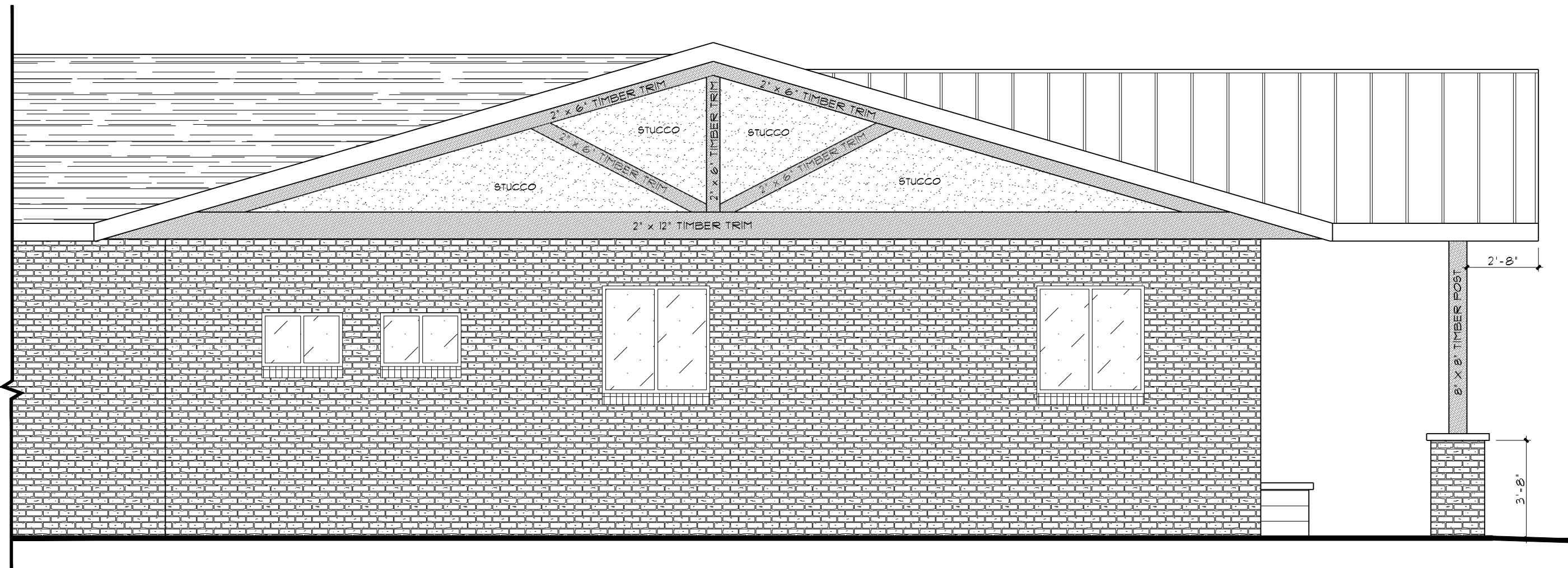


1601 Pelican Lake Pt. St 201, Windsor, Co 80550

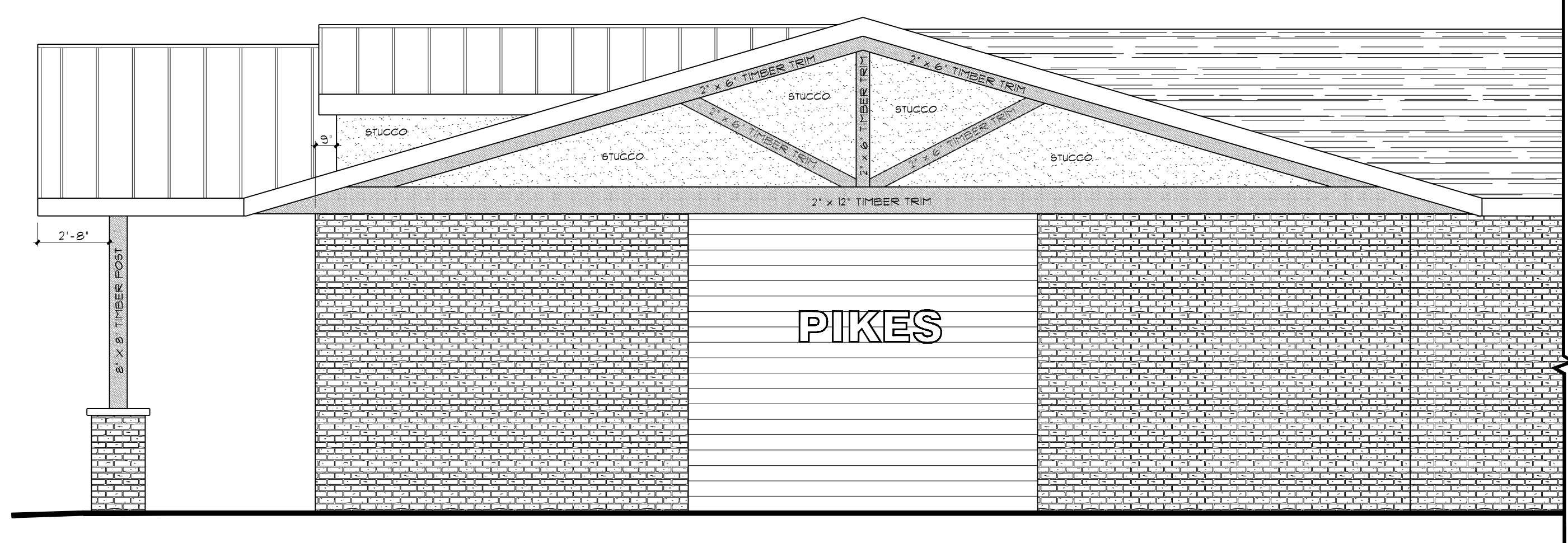




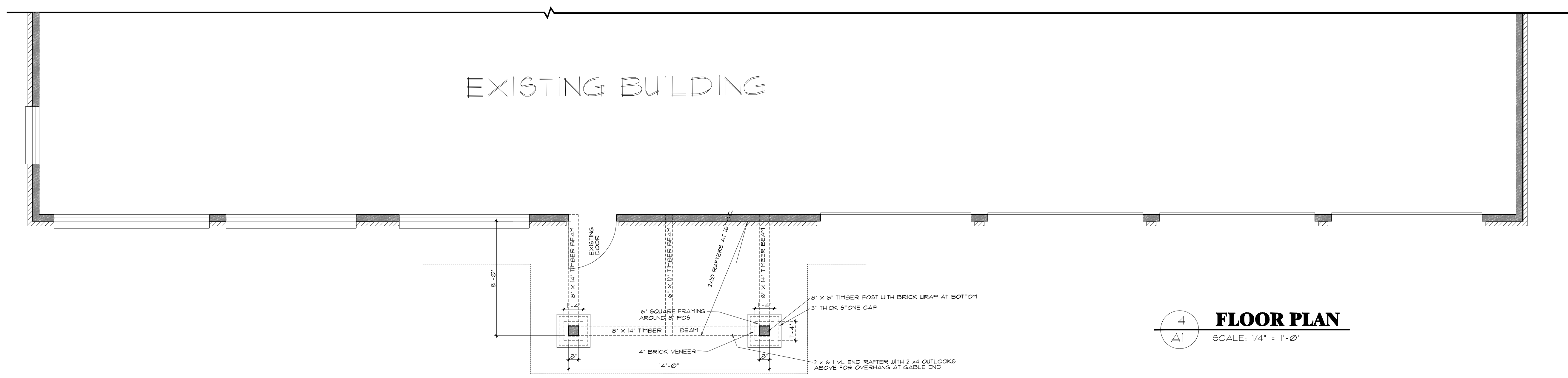
1 **SOUTH EXTERIOR ELEVATION**
SCALE: 1/4" = 1'-0"



2 **WEST EXTERIOR ELEVATION**
SCALE: 1/4" = 1'-0"



3 **EAST EXTERIOR ELEVATION**
SCALE: 1/4" = 1'-0"



4 **FLOOR PLAN**
SCALE: 1/4" = 1'-0"

E

C

D

Elk Creek Design

Jim Richter
970-412-2839

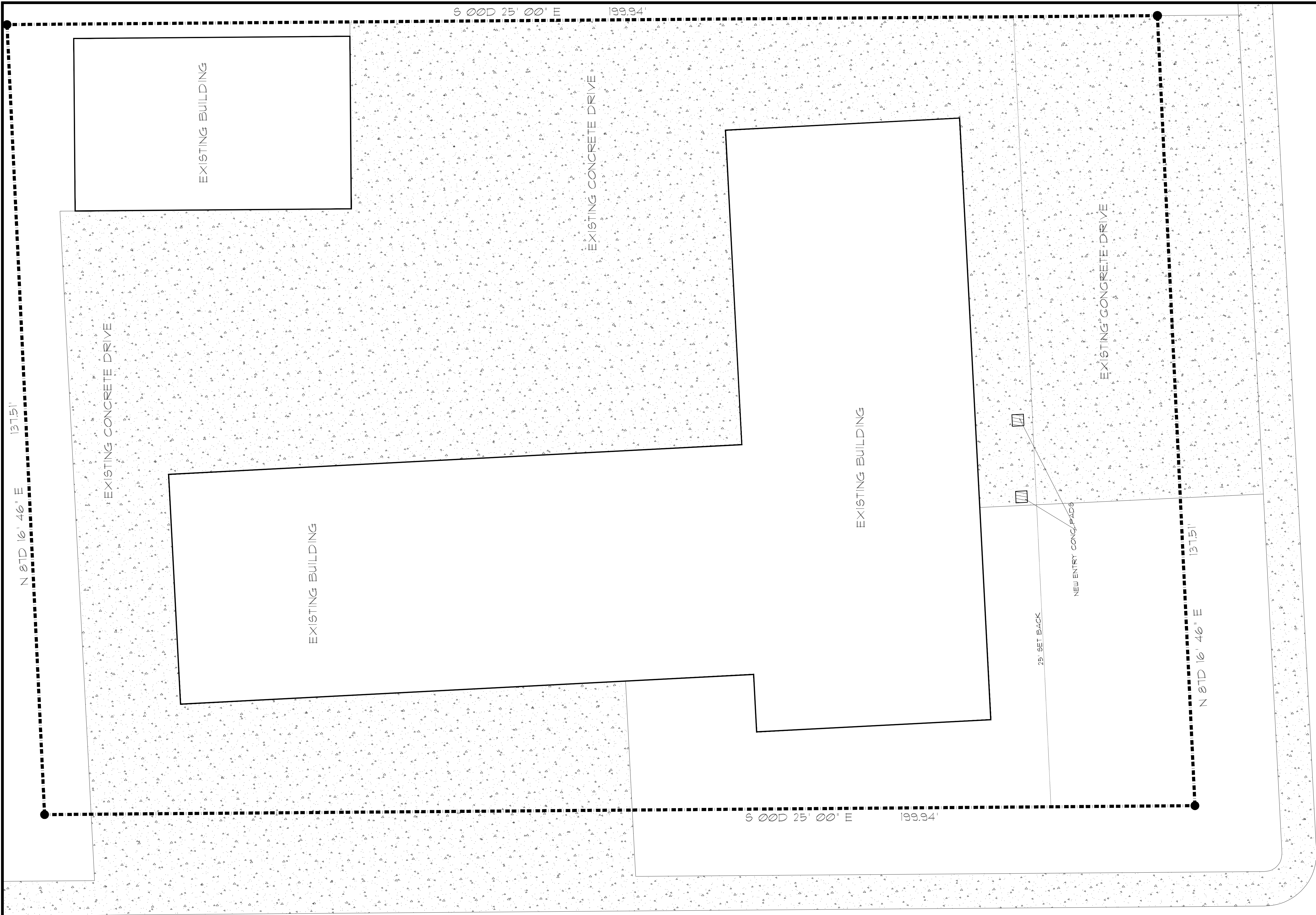
183 Tidewater Drive
Windsor, CO 80550
970-674-0420 fax

Not Just Designing A House, But A Home
ecohouseplans.com
elkcreekdesign@comcast.net

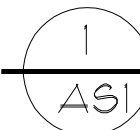
PIKES

728 MAIN ST

DATE	8/27/2019
JOB NO.	19-063
DRAWN	
CHECKED	
REVISED	9/18/2019



8TH STREET



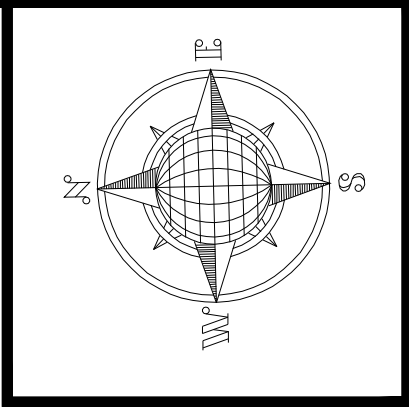
SITE PLAN

SCALE: 1/8" = 1'-0"

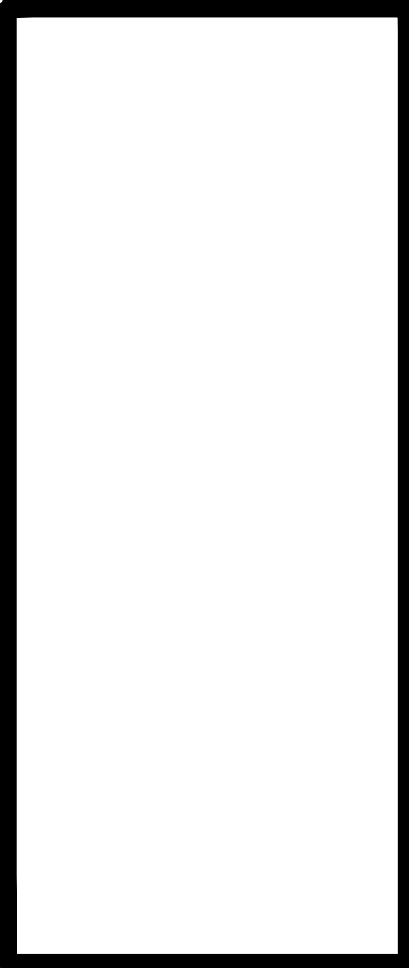
WESTVIEW ADDITION SUBDIVISION
LOT 1

PART OF THE SOUTHEAST QUARTER OF SECTION 17,
TOWNSHIP 6 NORTH, RANGE 61 WEST, SIXTH PRINCIPAL
MERIDIAN, TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO

DATE 8/27/2019
JOB NO. 19-063
DRAWN
CHECKED
REVISED 9/18/2019



E C D
Elk Creek Design
Jim Richter
970-412-2839
183 Tidewater Drive
Windsor, CO 80550
970-614-0420 fax
Not Just Designing A House, But A Home
ecohouseplans.com
elkcreekdesign@comcast.net



PIKES
728 MAIN ST

DATE 8/27/2019
JOB NO. 19-063
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REVISED 9/18/2019

A1



Commercial Corridor Plan Waiver Request

Westview Addition
Subdivision, Lot 1
728 Main Street

David Eisenbraun, Senior Planner

Planning Commission October 16, 2019



Commercial Corridor Plan Waiver

II.B.2 - Waivers. Requests for design criteria waivers shall be subject to review and determination by the Planning Commission. The Planning Commission may grant, conditionally grant or deny any waiver request brought under this sub-section. Any person aggrieved by a Planning Commission decision with respect to a waiver may seek review by the Town Board by submitting a written request for review within thirty (30) days of the Planning Commission decision, setting forth the specific grounds for appeal.



Requested Waiver

III.A.2.a – 30' Building and Paving Setback.

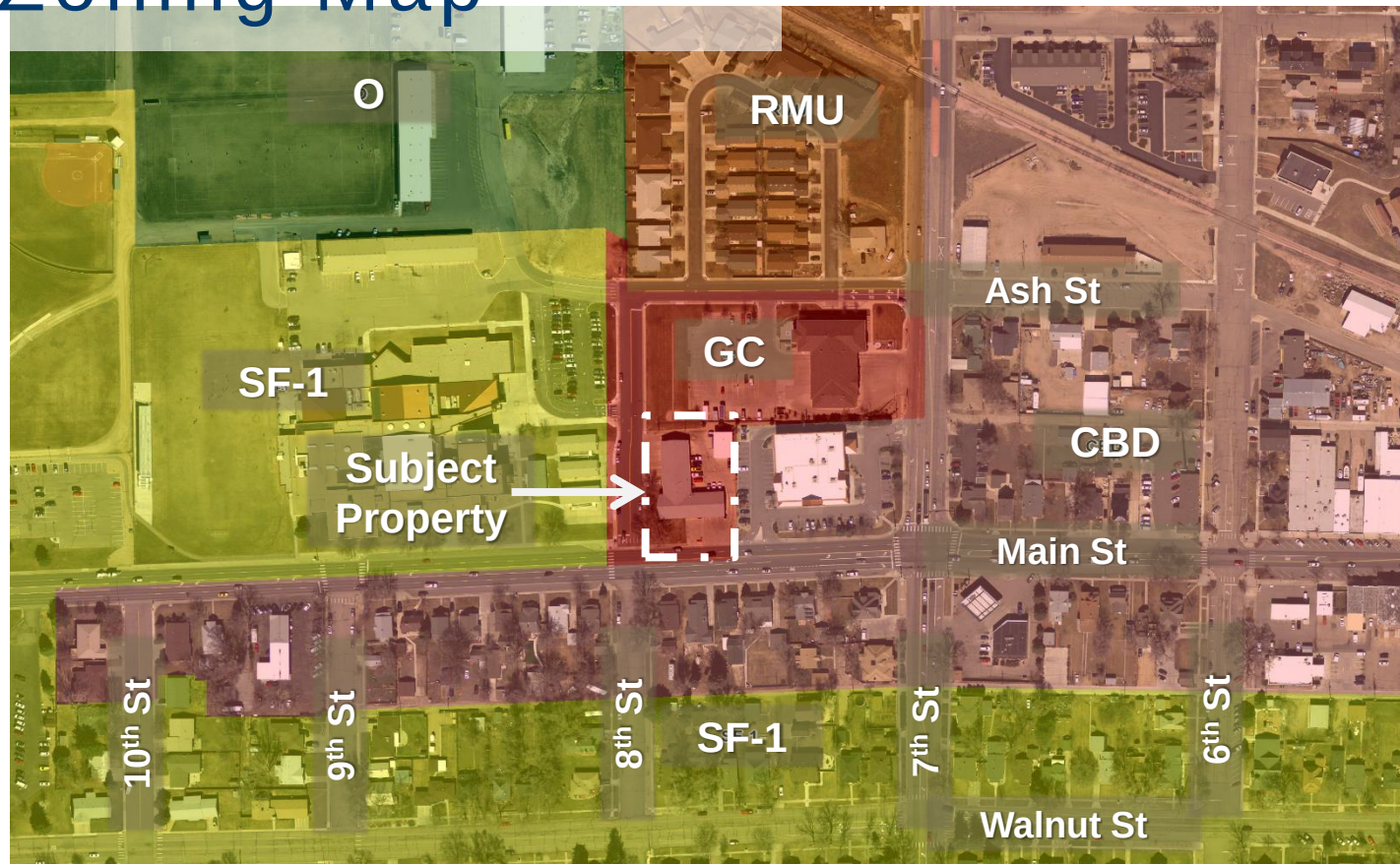
The corridor plan states: There shall be a thirty foot (30') minimum building and paving setback where sites adjoin Main Street.

The Applicant is requesting a waiver from this requirement.

Site Vicinity Map

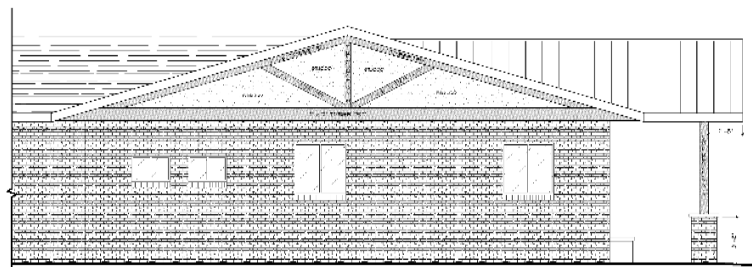
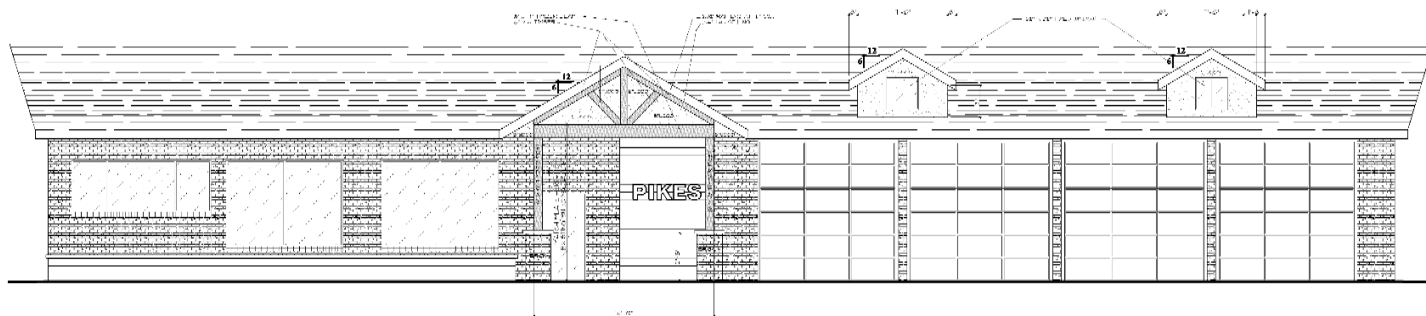


Zoning Map

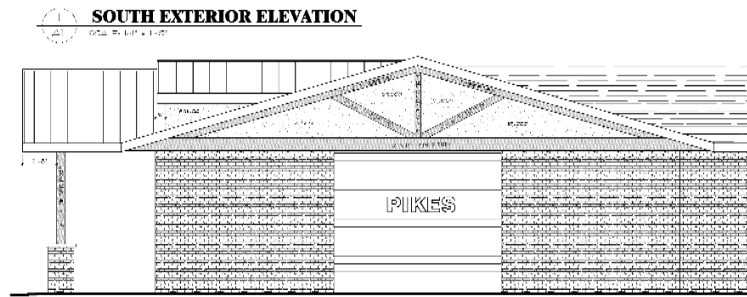




Building Elevations



WEST EXTERIOR ELEVATION
Scale: 1/8" = 1'-0"



EAST EXTERIOR ELEVATION
Scale: 1/8" = 1'-0"



Review Criteria

1. Strict application of the applicable standard will result in either extraordinary practical difficulties or undue hardship.

The building and paved drives already exist within the setback and to change this would be onerous and impractical on the property owner in an effort to come into compliance with the 30' setback.

2. The proposed waiver, if approved, will protect the public interest equally or better than the standard for which the waiver is requested; and

The proposed entry feature will add an increased safe point of egress into the business while also providing more shelter from the elements than what currently exists on the building today. The entry feature and additional glazing also bolster the building's architectural features which further add interest to the building façade along a primary commercial corridor.



Review Criteria

3. Approval of the waiver request will not be detrimental to the public interest.

The public interest, public safety, and public welfare will not be detrimentally impacted by the proposed building materials.



Comprehensive Plan Conformance

Chapter 5b – Growth Framework Plan

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



Relationship to Strategic Plan

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



Recommendation

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

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



Waiver

Staff requests that the following be entered into the record:

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