



PLANNING COMMISSION REGULAR MEETING

July 20, 2022 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

To view Planning Commission meeting broadcasts, visit
www.windsorgov.com/MeetingsOnDemand.

AGENDA

A. CALL TO ORDER

1. Roll Call
2. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration
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 Town Board.

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. Written comments are welcome and should be given to the Town Clerk prior to the start of the meeting.

B. CONSENT CALENDAR

1. Minutes of the July 6, 2022 Planning Commission Meeting - T. Conway - Deputy Town Clerk

C. BOARD ACTION

1. Public Hearing - Request to Rezone from RMU-1 (Residential Mixed Use One) to RMU-2 (Residential Mixed Use Two), amend a PUD (Planned Unit Development) Overlay, and a Master Plan Amendment for the Overland 368 Annexation - Bryan Reid, applicant, Forestar Group Inc., and Shelley LaMastra, applicant's representative, Russell+Mills Studios
 - Quasi-judicial action
 - Staff presentation: Sandra Mezzetti, Senior Planner
2. Recommendation to Town Board - Request to Rezone from RMU-1 (Residential Mixed Use One) zone district to RMU-2 (Residential Mixed Use Two) zone district and create a Planned Unit Development (PUD) Overlay - Overland 368 Subdivision - Bryan Reid, Forestar Group Inc., applicant, Shelley LaMastra, applicant's representative, Russell+Mills Studios
 - Quasi-judicial action
 - Staff presentation: Sandra Mezzetti, Senior Planner
3. Recommendation to Town Board - A request for a Master Plan Amendment - Overland 368 Annexation - Bryan Reid, applicant, Forestar Group Inc., and Shelley LaMastra, applicant's representative, Russell+Mills Studios
 - Quasi-judicial action
 - Staff presentation: Sandra Mezzetti, Senior Planner
4. Public Hearing - Request to Amend the Town Comprehensive Plan Land Use Map from Estate Residential to Single Family Residential - Trautman 5th Filing - Martin Lind, Owner, Vima Partners

- Legislative action
 - Staff presentation: David Eisenbruan, Senior Planner
5. Resolution PC 2022-02 - Request to Amend the Town Comprehensive Plan Land Use Map from Estate Residential to Single Family Residential - Trautman 5th Filing - Martin Lind, Owner, Vima Partners
 - Legislative action
 - Staff presentation: David Eisenbruan, Senior Planner
 6. Public Hearing - Request to Amend the Town Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Light Industrial - East Point Subdivision Lot 1 - Chris Ruff, Manager, East Pointe Windsor LLC, owner's representative
 - Legislative action
 - Staff presentation: Kimberly Lambrecht, Planner II
 7. Resolution No PC2022-03 - Amendment of the Town Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Light Industrial - East Point Subdivision Lot 1 - Chris Ruff, Manager, East Pointe Windsor LLC, owner's representative
 - Legislative action
 - Staff presentation: Kimberly Lambrecht, Planner II

D. COMMUNICATIONS

1. Communications from Planning Commission
2. Communications from Town Board Liaison
3. Communications from Staff

E. ADJOURN

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.



MEMORANDUM

Date: July 20, 2022
To: Planning Commission
From:
Re: Minutes of the July 6, 2022 Planning Commission Meeting - T. Conway - Deputy Town Clerk
Item #: B.1.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:

1. 07.06.22 PC Draft Minutes



PLANNING COMMISSION REGULAR MEETING

July 6, 2022 - 7:00 PM

Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

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www.windsorgov.com/MeetingsOnDemand.

MINUTES

A. CALL TO ORDER

Chairman Schick called the meeting to order at 7:08 p.m.

1. Roll Call

Present:

Chairman Schick
Vice-Chair Bushelman
Roger Colonnese
Maxwell Nader
David Hassard
Cindy Beemer

Also Present:

Town Board Liaison Tallon
Scott Ballstadt, Planning Director
Carlin Malone, Chief Planner
Sandra Mezzetti, Senior Planner
David Eisenbraun, Senior Planner
John Thornhill, Community Development Director
Kim Emil, Assistant Town Attorney
Doug Roth, Civil Engineer
Ben Bodiker, Visual Media Coordinator
Trisha Conway, Deputy Town Clerk

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

Vice-Chair Bushelman moved to approve the agenda as presented, Commissioner Colonnese seconded the motion. Roll call on the vote resulted as follows; Yeas - Schick, Bushelman, Colonnese, Nader, Hassard; Nays - None; Motion passed.

3. Public Invited to be Heard

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

A. CONSENT CALENDAR

1. Minutes of the May 4, 2022, Planning Commission Meeting - T. Conway, Deputy Town Clerk
2. Minutes of the June 1, 2022, Planning Commission Meeting - T. Conway Deputy Town Clerk

Vice-Chair Bushelman moved to approve the minutes of the meeting of May 4, 2022, and June 1, 2022, as presented, Commissioner Colonnese seconded the motion. Roll call on the vote resulted as follows; Yeas - Schick, Bushelman, Colonnese, Nader, Hassard; Nays - None; Motion passed.

B. BOARD ACTION

1. Public Hearing - Request to Amend Town's Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Residential Mixed Use - Larry Buckendorf, applicant, and Morgan Kidder, applicant representative, Village East II Investments, LLC
 - Legislative action
 - Staff presentation: Carlin Malone, Chief Planner

Chairman Schick opened the public hearing.

Town Board Liaison Tallon read the following statement aloud "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 a nonvoting 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.

Ms. Malone reported the owner representative/applicant, Mr. Larry Buckendorf, of Village East II Investments LLC, represented by Mr. Morgan Kidder, applicant representative, also of Village East II Investments LLC, is requesting an amendment to the Town's Comprehensive Plan Land Use Map. The subject area is located northwest of the intersection of State Highway 392 and Weld County Road 21. The applicant is proposing to change the land use designation of "Neighborhood and General Commercial" to "Mixed Use Residential" for the purpose of pursuing a request to rezone the existing zoning district of GC (General Commercial) zone district to RMU-1 (Residential Mixed Use) zone district for developing multifamily residential apartments. The proposed amendment is shown in the staff presentation and in the draft resolution

The applicant Larry Buckendorf and Morgan Kidder provided a brief presentation to the Commission.

Chairman Schick opened the meeting for public questions or comments.

Diane West 1070 Larch Drive, Windsor addressed the Commission regarding the water source, and water calculation.

Donald Scott 33111 County Road 21, Windsor addressed the Commission regarding traffic impact concerns.

Discussion ensued between the Commissioners and staff.

Vice-Chair Bushelman moved to close the public hearing; Commissioner Colonnese seconded the motion. Roll call on the vote resulted as follows; Yeas - Schick, Bushelman, Nader, Hassard; Nays - Colonnese; Motion passed.

2. Resolution No. PC2022-01 - Amendment of Town's Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Mixed Use Residential - Larry Buckendorf, applicant, and Morgan Kidder, applicant representative, Village East II Investments, LLC
 - Legislative action
 - Staff presentation: Carlin Malone, Chief Planner

Discussion ensued between the Commissioners and staff.

Vice-Chair Bushelman moved to approve Resolution No. PC2022-01, Commissioner Colonnese seconded the motion. Roll call on the vote resulted as follows; Yeas - Schick, Hassard; Nays - Bushelman, Colonnese, Nader; Motion denied.

3. Public Hearing - Request to Rezone from SF-1 (Single Family Residential One) to CB (Central Business) zone district - Town of Windsor Subdivision Block 10 Lot 27 - Vern Rasmussen, owner/applicant.
 - Quasi-judicial
 - Staff Presentation: Sandra Mezzetti, Senior Planner

Chairman Schick opened the public hearing.

Ms. Mezzetti reported the applicant and property owner, Vern Rasmussen, has submitted a rezoning petition to rezone 0.07 acres (3,000 sq. ft.), from SF-1 (Single-Family Residential-One) to CB (Central Business) zone district. The subject property is located within the Town of Windsor Subdivision, Block 10, Lot 27, north of Walnut Street, south of Main Street and on the east side of 5th Street at 217 5th Street in the Town of Windsor.

Chairman Schick opened the meeting for public questions or comments.

Matt Ashby, Downtown Development Authority addressed the Commission to read letters of approval for the Request to Rezone.

Cameron Banninga 416 Walnut Street Windsor addressed the Commission with concerns of the high modification and the building height of this rezone request.

Discussion ensued between the Commissioners and staff.

Vice-Chair Bushelman moved to close the public hearing; Commissioner Colonnese seconded the motion. Roll call on the vote resulted as follows; Yeas - Schick, Bushelman, Colonnese, Nader, Hassard; Nays - None; Motion passed.

4. Recommendation to Town Board - Request to Rezone from SF-1 (Single Family Residential One) to CB (Central Business) zone district - Town of Windsor Block 10 Lot 27 - Vern Rasmussen owner/applicant.
 - Quasi-judicial
 - Staff Presentation: Sandra Mezzetti, Senior Planner

Discussion ensued between the Commissioners and staff.

Vice-Chair Bushelman moved to forward a recommendation to Town Board to Request to Rezone from SF-1 (Single Family Residential One) to CB (Central Business) zone district, as presented by staff; Commissioner Nader seconded the motion. Roll call on the vote resulted as follows; Yeas - Schick, Bushelman, Colonnese, Nader, Hassard; Nays - None; Motion passed.

3. Recommendation to Town Board: 2020-2022 Downtown Parking Study

Mr. Eisenbraun reported on the Downtown Parking Study, and the community outreach values in the greater residential communities to develop a two-, five-, and ten- year parking outlook. Recommend downtown parking strategies to increase accessibility, decrease congestion, and update the 2012 parking study with a larger survey area. Research best practices for downtown parking management, and support multi-modal and complete street initiatives.

The parking study consultant gave a brief presentation to the Commission.

Discussion ensued between the Commissioners and staff.

Vice-Chair Bushelman moved to forward a recommendation to Town Board for the 2020-2022 Downtown Parking Study, as presented by staff; Commissioner Nader seconded the motion. Roll call on the vote resulted as follows; Yeas - Schick, Bushelman, Colonnese, Nader, Hassard; Nays - None; Motion passed.

C. COMMUNICATIONS

1. Communications from Planning Commission

Commissioner Hassard introduced himself as the new alternate member of the Planning Commission.

2. Communications from Town Board Liaison

Town Board Liaison Tallon reported on the Colorado Municipal League conference.

3. Communications from Staff

Ms. Malone reported the following Site Plans that are under review for administrative approval. The Commissioners are welcome to make any comments to the applicant by the due date in the packet.

- Greenspire Subdivision 5th Filing Tract H
- East Pointe Subdivision 3rd Filing

Ms. Conway requested written voter affirmations from all the Commissioners due to technical errors in the software.

D. ADJOURN

Upon a motion duly made, the meeting was adjourned at 9:43 p.m.

Trisha Conway, Deputy Town Clerk



MEMORANDUM

Date: July 20, 2022
To: Planning Commission
From: Sandra Mezzetti, Senior Planner
Re: Public Hearing - Request to Rezone from RMU-1 (Residential Mixed Use One) to RMU-2 (Residential Mixed Use Two), amend a PUD (Planned Unit Development) Overlay, and a Master Plan Amendment for the Overland 368 Annexation - Bryan Reid, applicant, Forestar Group Inc., and Shelley LaMastra, applicant's representative, Russell+Mills Studios
Item #: C.1.

Background / Discussion:

Proposal

The applicant, Mr. Bryan Reid, of Forestar Group, Inc., represented by Ms. Shelley LaMastra of Russell+Mills Studios, has submitted a rezoning application to rezone the existing RMU-1 (Residential Mixed Use One) zone district to RMU-2 (Residential Mixed Use Two) zone district and amend a Planned Unit Development (PUD) zoning overlay for 172.86 acres. The applicant has also submitted the Overland 368 Master Plan Amendment, concurrent with the rezone request.

The subject request proposes rezoning 172.86 acres of RMU-1 to RMU-2 with a PUD overlay. The Overland 368 Master Plan application, which has been reviewed concurrently with the rezone request, also includes 172.86 acres. The overall residential density for both the PUD and the Master Plan is four dwelling units per acre (691 dwelling units is consistent with the Town's Comprehensive Plan Land Use Map designation of single-family residential).

	Zoning	Current Use
North	SF-2 (Residential Two) and RMU-1	Undeveloped agricultural land (Tacincala Subdivision (Prairie Song)– under review)
East	RMU-1 (Residential Mixed Use One) and unincorporated Weld County (AG)	Undeveloped agricultural land (Greenspire Subdivision), agricultural land and rural residential (Weld County)
South	SF-2 (Single-Family Residential Two) and Weld Co. AG (Agricultural	Undeveloped agricultural land (Trevenna Subdivision – under review) and Weld Co. undeveloped agricultural land.
West	ROL (Recreation Open Lands), RMU-1 (Residential Mixed Use One), SF-2 (Single-Family Attached), and unincorporated Weld County (AG)	Undeveloped agricultural land (Tacincala Master Plan and Trevenna Master Plan), Windshire Park Subdivision (single family residential), rural residential/agriculture (Weld County)

Background

The subject property was annexed into the Town in February, 2021, under the name of Overland 368. The Overland 368 Annexation established zoning for the property of RMU-1 (Residential Mixed Use) with a PUD overlay. Concurrent with the annexation and establishment of zoning, the property was master planned (Overland 368 Master Plan).

Rezone/PUD proposal

The subject rezoning application will amend the underlying zone district of RMU-1 to RMU-2 and amend the PUD overlay district, which constitutes an amendment to the Town's Official Zoning District Map. The development standards approved with the PUD will be applied to future land use applications within the PUD district. In accordance with Article I of Chapter 16 of the Municipal Code:

The PUD is an overlay zone district that supplements the underlying standard zone district. A PUD is expected to preserve critical environmental resources, provide above-average open space and recreational amenities, include exceptional design, and provide greater efficiency in the layout and provision of roads, utilities and other infrastructure.

The PUD allows for more intense residential development than is allowed under the municipal code by providing for reduced lot sizes and reduced building setbacks. Despite the higher intensity allowed by the PUD, the overall density of the subject property will not exceed the four units per acre maximum allowed by the Single-Family Residential designation on the Comprehensive Plan Land Use Map. The 172.86 acres included in the rezone/PUD request encompasses the same area as the Overland 368 Master Plan.

The Overland 368 PUD and Master Plan include a maximum of 691 dwelling units. The PUD and Master Plan include six designated planning areas. The residential planning areas include a range of residential uses and densities, equating to an overall density of four dwelling units per acre. The plan allows for clustering density while preserving approximately 31 acres for open space, drainage and parks, and approximately 15 acres for a school site. The school site location is adjacent to the ten-acre site within the Tacincala (Prairie Song) Master Plan to provide for a 25-acre potential future school campus, centrally located between the two neighborhoods. The PUD and Master Plan also designate a planning area for neighborhood commercial with an option for single-family attached (duplex). If this area is developed as residential, the overall number of residential units within the PUD would remain the same (691 units). Neighborhood commercial uses within the PUD are limited to those compatible with the design and layout of the master plan.

The PUD includes design standards that exceed standard zoning requirements with the intent of creating a high-quality public realm and streetscape. Key requirements include park space and trail system throughout the development, open space/drainage/habitat areas, a variety of lot layouts, front porches on homes, garage placement that minimizes their visual impact (alley-loaded, side-loaded, or recessed garage), and a variety of housing styles and model types.

Relationship to Land Use Code

Municipal Code Section 16-1-170 lists the following specific objectives of PUD zoning:

- (1) To permit and encourage innovative design and high quality, master planned developments on large parcels of land.*
- (2) To allow and encourage compatible uses to be developed in accordance with a unified development plan in harmony with the environment and surrounding neighborhood.*
- (3) To permit greater flexibility in the application of zoning and development standards and greater freedom in providing a mix of land uses in the development of a balanced community.*

Staff Comment: The proposed PUD district is consistent with the intent of the district.

Relation to major transportation system.

Planned development districts shall be so located with respect to major streets and highways or other transportation facilities as to be directly accessible without creating traffic on minor streets in residential areas outside such districts.

The proposed PUD and master plan depict access to SH 257 on the east, WCR 70 on the north (currently proposed with the Tacincala Subdivision and under review) and North 15th Street (WCR 15)

on the west. The PUD and master plan identify trail connectivity from and within the property, consistent with the Town's Master Trails Plan.

Extension of public utilities will be the responsibility of the applicant, subject to potential reimbursement for oversizing which adds to the system capacity.

As outlined below, the proposed PUD district is in general compliance with the Comprehensive Plan. The PUD location ranges from one to two miles from the Town's downtown, core, and services.

Municipal Code Section 14-2-40 states that a Master Plan shall be required in the following situations:

- (1) Concurrently with an Annexation Application if the Town determines the Master Plan is necessary to evaluate potential impacts of a proposed Annexation.*
- (2) Prior to or concurrent with the subdivision of any parcel of land unless the Director determines it unnecessary due to existing infrastructure already being in place.*
- (3) Prior to or concurrent with a rezoning application of any parcel of land unless the Director approves submittal of a Site Plan in-lieu of a Master Plan or if the site is already fully developed and the Master Plan serves no further purpose regarding future development of the property.*
- (4) Any area where the Director determines that the coordination of future roads, utilities, parks, or other public investments requires more specific plans than currently available.*
- (5) Any area where the Director determines that the scale of future development, presence of multiple owners with anticipated development plans, or impact on adjacent properties from potential development requires further planning and coordination.*

Staff Comment: The proposed master plan amendment is consistent with the intent of the master plan requirements.

Relationship to Comprehensive Plan

The application is consistent with the Comprehensive Plan, particularly the following:

Chapter 5b – Growth Framework

Goal:

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

Staff comment: The type of more compact development proposed by the PUD has been shown to create less of a fiscal burden on municipalities by having less utility and road infrastructure to maintain on a per unit basis. Similarly, compact development has been shown to be more environmentally responsible, as it takes less resources to construct and maintain, and it can also make alternative forms of transportation such as walking, biking, and transit more viable due to the compact layout.

Objective(s):

3. Develop new neighborhoods adjacent to the Town core.

Staff comment: The proposed development is near the Town core, being approximately one to two miles northwest of downtown.

Chapter 5c – Residential Areas Framework Plan

Goal:

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

Staff comment: The proposed PUD standards will allow for a diverse style of housing types including, single-family detached, single-family attached (duplex, townhomes), and multifamily dwellings. Some single-family residential lots will also allow for accessory dwelling units (ADUs), adding another housing

opportunity. The PUD includes a variety of residential lot sizes, lot layouts, and residential types. Such variety can help meet the needs of varying family sizes, lifestyles, and income levels.

Objective(s):

1. Promote multi-modal connectivity to increase neighborhood access and resident mobility.

Staff comment: The proposed PUD includes multi-modal connectivity by providing trails, future road connections, such as WCR 70, and a focus on pedestrian-friendly design.

2. Utilize conservation design and traditional neighborhood design for new residential growth areas and promote overall community livability. Staff comment: The proposed PUD can be described as traditional neighborhood design with a focus on the public realm and streetscape. Key requirements include front porches, garage placement to minimize visual impact, a variety of lot layouts and home types and home models to avoid monotony, and staggered massing of homes to create visual interest.

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

Staff comment: The PUD includes six (6) planning areas, designating a range of dwelling units per acre, housing types, compatible neighborhood commercial uses, and a school site. Fifty acres of the property is designated open space.

Notification - Neighborhood Meeting

As required by the Municipal Code for a rezoning application, the applicant held a neighborhood meeting on June 28, 2022 at the Town of Windsor Parks, Recreation and Culture facility. A summary of the neighborhood meeting is attached.

Notification – Public Hearing

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

- July 01, 2022 – public hearing notice published on the Town's website
- July 01, 2022 - applicant mailed letters to surrounding property owners
- July 01, 2022 – public hearing notice published in Greeley Tribune
- July 08, 2022 – two development signs posted on property

Financial Impact:

Rezone/PUD and Master Plan Amendment applications are not for development purposes, but for planning future infrastructure. Major Subdivision land use applications will further identify unique developer obligations and provide specific information regarding public infrastructure improvements.

Relationship to Strategic Plan:

The application is consistent with the Strategic Plan, particularly the following:

- **Infrastructure** – Internal future road connections between SH 257 and North 15th Street and extension of water and sewer utilities are proposed with the Master Plan.
- **Quality of Life** – A 15-acre school site, open space, parks and a regional trail connection are proposed with the Master Plan.
- **Downtown** – The site is in proximity (approximately one to two miles) to downtown and additional homes in the area may increase demand for investment and businesses downtown.

Recommendation:

Staff recommends Planning Commission forward to Town Board a recommendation of approval of the Overland 368 Rezone and PUD zoning overlay, subject to any outstanding Planning Commission and staff comments being addressed.

Staff recommends Planning Commission forward to Town Board a recommendation of approval of the Overland 368 Master Plan Amendment, subject to the approval of the PUD rezone and any outstanding Planning Commission and staff comments being addressed.

CC:

Scott Ballstadt, Director of Planning

Omar Herrera, Deputy Director of Engineering

Attachments:

1. Draft Ordinance Approving Overland 368 Rezone and PUD Overlay
2. Draft Resolution Approving Overland 368 Master Plan Amendment
3. Overland 368 Rezone-PUD-Master Plan Narrative
4. Overland 368 Neighborhood Meeting Summary
5. Overland 368 Rezone-PUD Plat
6. Overland 368 Master Plan Amendment
7. Overland 368 PUD Rezone and Master Plan - Staff Presentation

TOWN OF WINDSOR

ORDINANCE NO. 2022-xxxx

AN ORDINANCE APPROVING A REZONE FROM MIXED USE RESIDENTIAL-ONE (“RMU-1”) AND TO MIXED USE RESIDENTIAL-TWO (“RMU-2”) AND AMENDING A PLANNED UNIT DEVELOPMENT (“PUD”) OVERLAY – OVERLAND 368 ANNEXATION

WHEREAS, the Town of Windsor is a home rule municipality with all powers conferred under Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land use regulations, the purpose of which is to promote the public health, safety, and welfare; and

WHEREAS, the Town has adopted the zoning regulations set forth in Chapter 16 of the *Windsor Municipal Code* (“Zoning Code”), under which parcels of land are identified and classified for regulatory purposes; and

WHEREAS, the *Tacincala Annexation to the Town of Windsor* (“Property”), is presently zoned “Mixed Use Residential – RMU-1”, pursuant to the regulations found in Chapter 16, Article I – Zone Districts; and

WHEREAS, the owner of the Property has requested approval for RMU-2 zoning and amending the existing Planned Unit Development (“PUD”) district overlay on the Property; and

WHEREAS, in accordance with the requirements for RMU-2 zoning and PUD district overlay approval, the request has been reviewed by staff and referred to the Planning Commission on July 20, 2022, for review and recommendation following a public hearing; and

WHEREAS, the Planning Commission has recommended that the Town Board approve the request for RMU-2 rezoning and the PUD district overlay, subject to certain conditions to which the property owner has no objection; and

WHEREAS, pursuant to the requirements for PUD district overlay approval found in Chapter 16, Article I of the Zoning Code, the Town Board has convened a public hearing and heard relevant evidence with respect to the merits of the rezoning and PUD request; and

WHEREAS, based upon the evidence presented at the public hearing, the Town Board concludes that the rezoning and PUD district overlay should be approved.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The Overland 368 Annexation depicted in the Overland Rezone Plat is hereby approved for the rezoning from RMU-1 to RMU-2.
2. A planned unit district (“PUD”) regulatory overlay is hereby approved for the Overland 368 Annexation to the Town of Windsor as depicted in the “Overland 368 Planned Unit Development” submittal presented for the record during the Town Board public hearing.
3. The Overland 368 Annexation shall be subject to the Planned Unit Development regulations found in Chapter 16, Article I of the *Windsor Municipal Code*, and further subject to the following additional condition:

All outstanding Planning Commission and staff comments, if any, shall be addressed prior to recordation of the Overland 368 Rezone and PUD Plats.

Introduced, passed on first reading and ordered published this 25th day of July, 2022.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

Introduced, passed on second reading and ordered published this 8th day of August, 2022.

TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]

TOWN OF WINDSOR

RESOLUTION NO. 2022-XX

A RESOLUTION APPROVING AND CONFIRMING THE MASTER PLAN AMENDMENT FOR THE OVERLAND 368 ANNEXATION TO THE TOWN OF WINDSOR

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers and authority vested in accordance with Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land use regulation, the purpose of which is the protection of the public health, safety, and welfare; and

WHEREAS, the owner of the property within the Overland 368 Annexation to the Town of Windsor has presented a Master Plan Amendment, a reduced copy is depicted in the attached **Exhibit A** (“Master Plan Amendment”) for illustrative purposes, the full-size original of which is incorporated herein by this reference as if set forth fully; and

WHEREAS, a public hearing on Master Plan Amendment was presented to the Windsor Planning Commission on July 20, 2022, and received a recommendation for Town Board approval; and

WHEREAS, a public hearing on the proposed Master Plan Amendment was presented to the Windsor Town Board and has been reviewed in accordance with applicable planning criteria.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN BOARD FOR THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. Pursuant to *Windsor Municipal Code* Sections 14-2-40, the Master Plan Amendment for the Overland 368 Annexation to the Town of Windsor is hereby approved.
2. The Master Plan approved herein shall henceforth be known as “Overland 368 Annexation Master Plan Amendment”.
3. The owner is hereby instructed to comply with the requirements of *Windsor Municipal Code* Sections 14-2-40 within thirty (30) days.
4. The approval of this Master Plan Amendment is conditioned upon the effective date of Ordinance 2022-xxxx-An Ordinance Approving a Rezone from Mixed Use Residential-One (“RMU-1”) to Mixed Use Residential-Two (“RMU-2”) and Amending a Planned Unit Development (“PUD”) Overlay – Overland 368 Annexation.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 25th day of July, 2022.

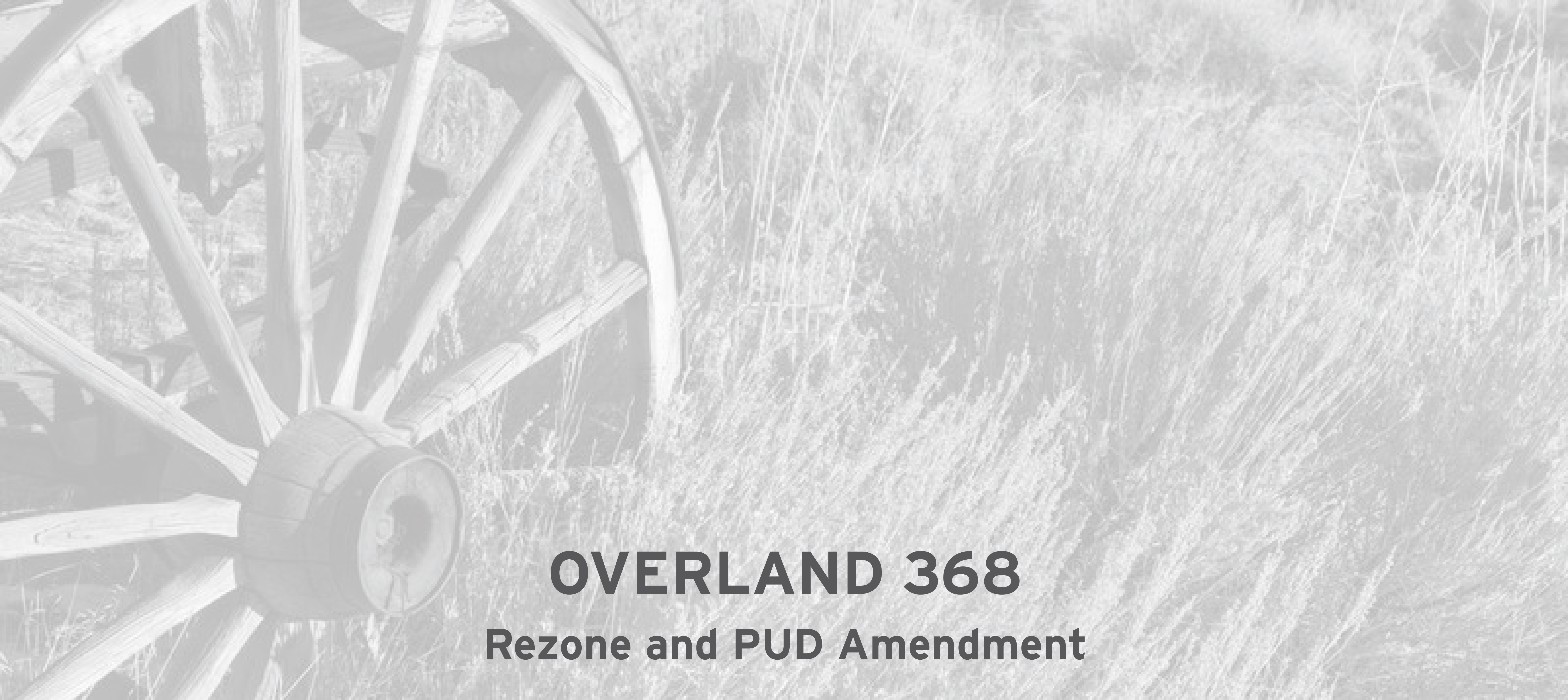
TOWN OF WINDSOR, COLORADO

Paul Rennemeyer, Mayor

ATTEST:

Karen Frawley, Town Clerk

[Seal]



OVERLAND 368

Rezone and PUD Amendment



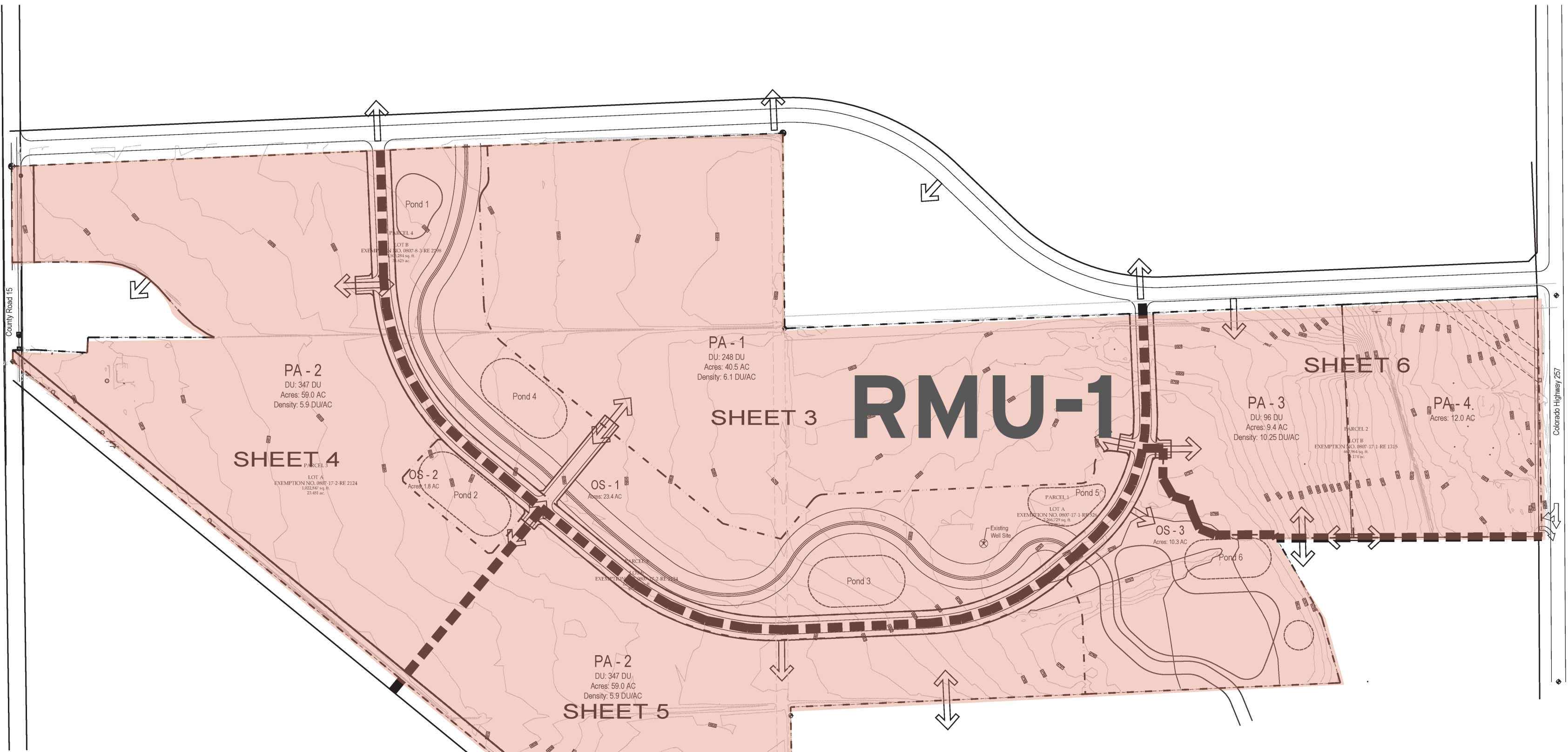
FORESTAR

Galloway

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Underlying Rezoning

- Rezone provides a underlying zone district that is more in line with the diverse lots sizes proposed in the Overland 368 PUD



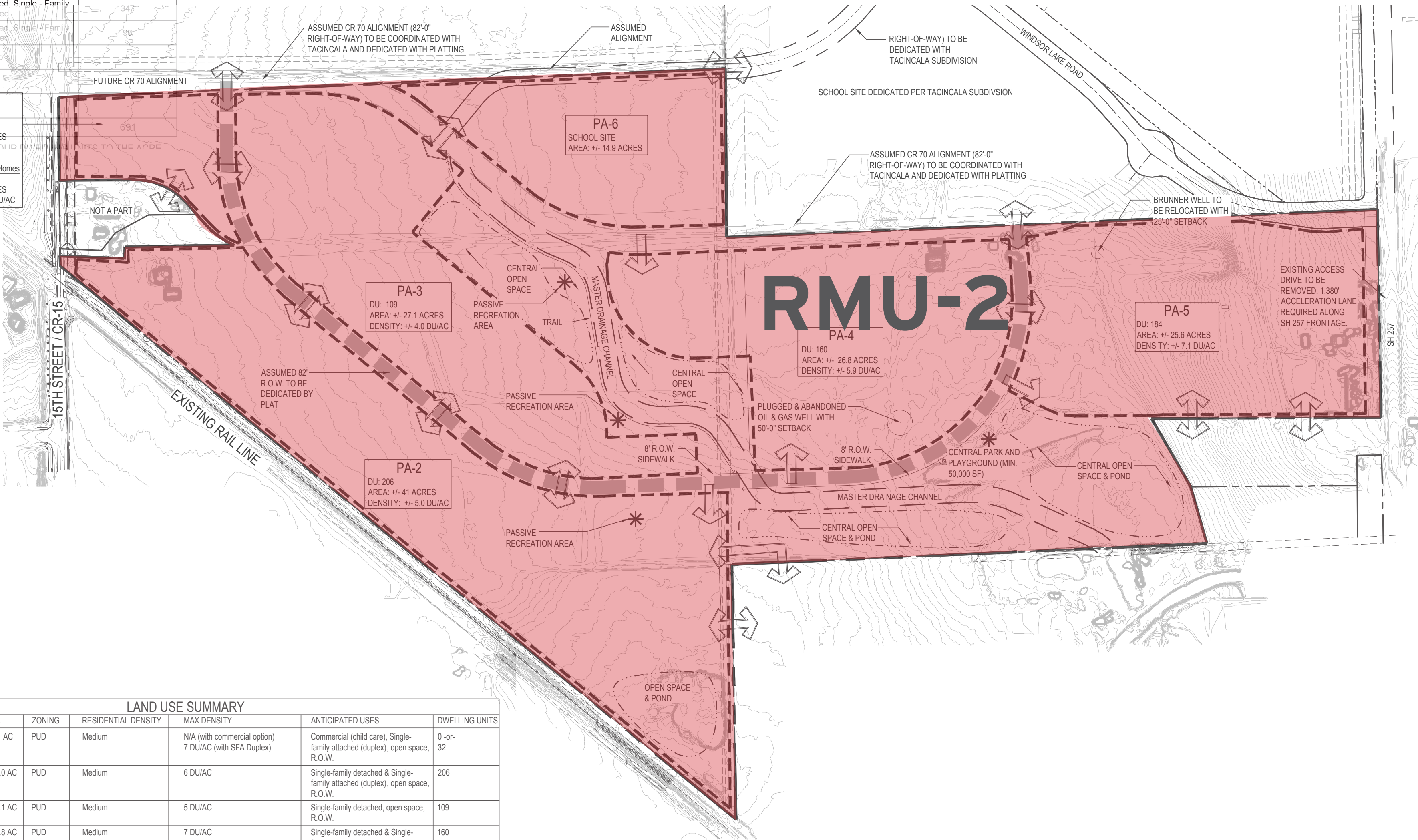
Existing Underlying Zoning RMU-1

Land Use Summary						
Planning Area	Acres	Zoning Classification	Residential Density	Max Density (Du/Ac)	Anticipated Uses	Dwelling Units
PA - 1	± 40.5	PUD	Medium	6	Single - Family Detached, Single - Family Attached	248
PA - 2	± 59.0	PUD	Medium	9	Single - Family Detached, Single - Family Attached	
PA - 3	± 9.4	PUD	High	24	Single - Family Detached, Single - Family Attached	
PA - 4	± 12.0	PUD	-	-	School	
Open Space / Drainage	± 44.4	PUD	-	-		
Misc / Roads	± 7.5	PUD	-	-		
Project Total	± 172.86					

NOTE: THE AVERAGE DENSITY FOR THE ENTIRE PROJECT AREA IS TO BE 1.0 DU/AC

PA-1
With Commercial
DU: 0
AREA: ± 6.1 ACRES
DENSITY: N/A

With SFA (Duplex) Homes
DU: 32
AREA: ± 6.1 ACRES
DENSITY: ± 5.2 DU/AC



LAND USE SUMMARY						
PLANNING AREA	AREA	ZONING	RESIDENTIAL DENSITY	MAX DENSITY	ANTICIPATED USES	DWELLING UNITS
PA-1	± 6.1 AC	PUD	Medium	N/A (with commercial option) 7 DU/AC (with SFA Duplex)	Commercial (child care), Single-family attached (duplex), open space, R.O.W.	0 - 32
PA-2	± 41.0 AC	PUD	Medium	6 DU/AC	Single-family detached & Single-family attached (duplex), open space, R.O.W.	206
PA-3	± 27.1 AC	PUD	Medium	5 DU/AC	Single-family detached, open space, R.O.W.	109
PA-4	± 26.8 AC	PUD	Medium	7 DU/AC	Single-family detached & Single-family attached (duplex), open space, R.O.W.	160
PA-5	± 25.6 AC	PUD	Medium-High	10 DU/AC	Single-family detached & Single-Family attached (townhomes/duplex) and/or Multi-Family, open space, R.O.W.	184
PA-6	± 14.9 AC	PUD	N/A	N/A	School, open space, R.O.W.	N/A
MASTER DRAINAGE & OPEN SPACE	± 31.3 AC	PUD	N/A	N/A	Master drainage channel, open space, trails, park/playground, R.O.W.	N/A
TOTAL	± 173 AC				TOTAL UNITS	659 (w/ commercial) 691 (w/out commercial)

LEGEND

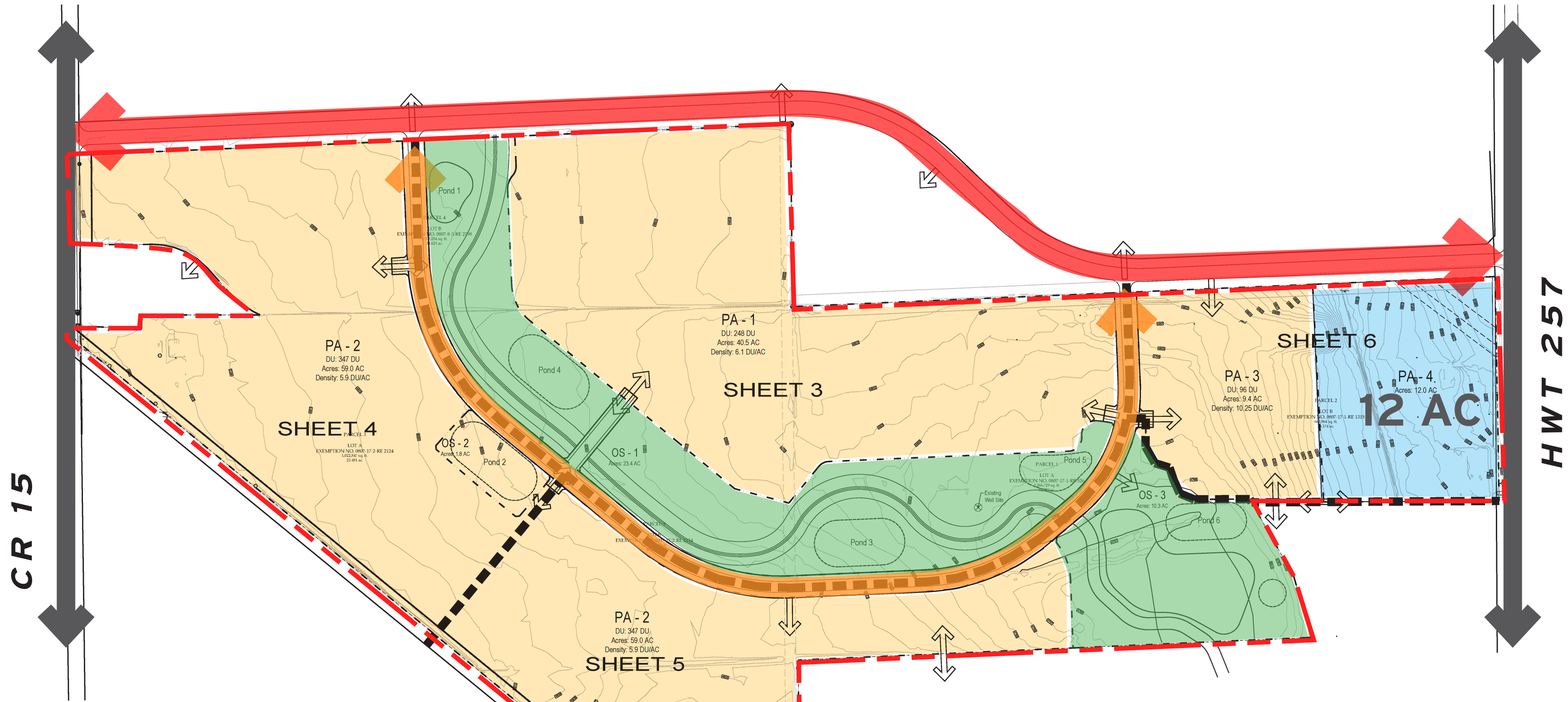
PROPERTY LINE

ACCESS POINT

82' MAJOR COLLECTOR ROAD

Proposed Underlying Zoning RMU-2

Circulation and Uses



- Single-Family Detached
- Single-Family Detached & Single-Family Attached
- Single-Family Attached
- Commercial -or- Single Family Attached
- Future School
- Central Open Space
- CR 15 to Hwy 257 Connection
- Internal Collector

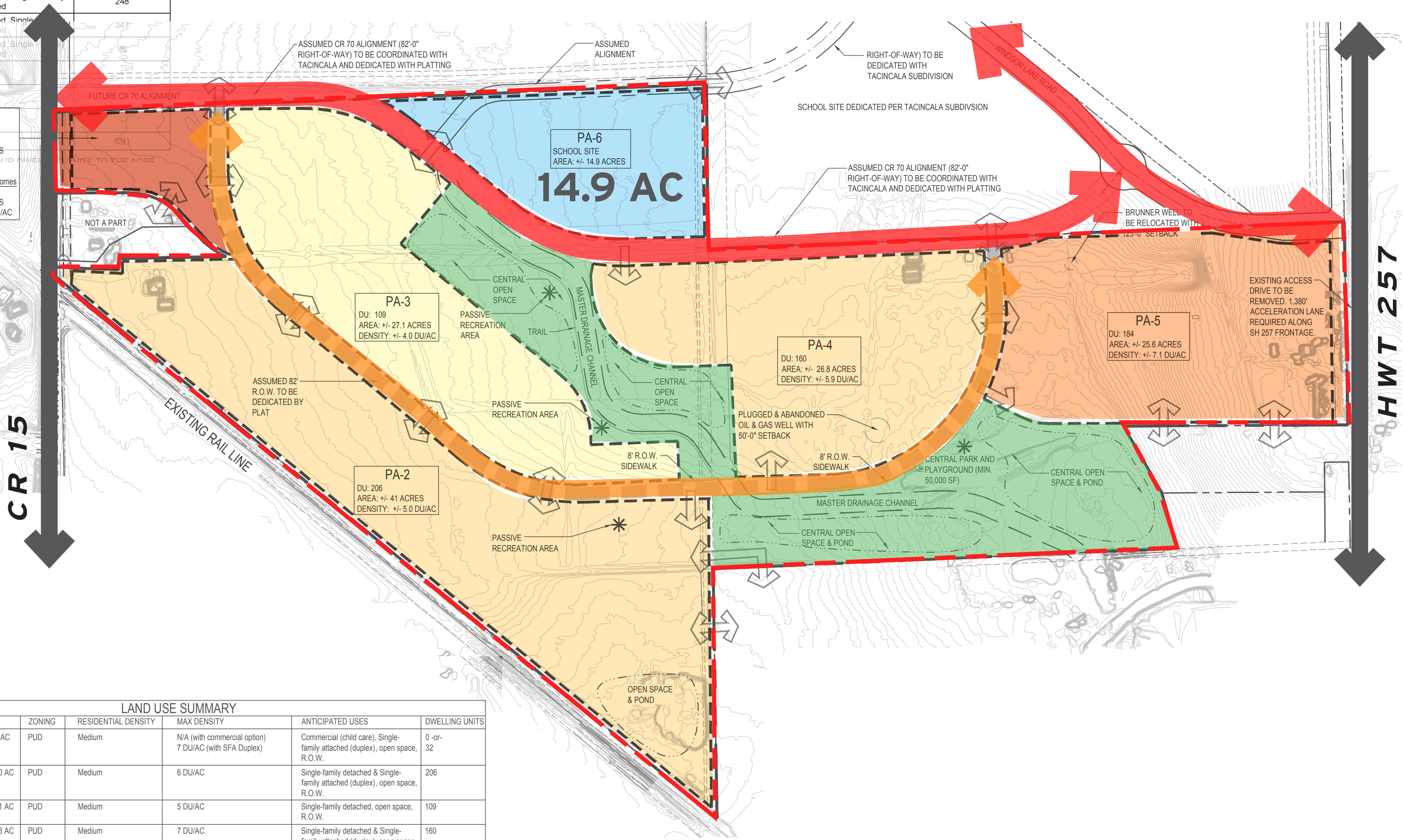
Recorded PUD

Land Use Summary						
Planning Area	Acres	Zoning Classification	Residential Density	Max Density (Du/Ac)	Anticipated Uses	Dwelling Units
PA - 1	± 40.5	PUD	Medium	6	Single - Family Detached, Single - Family Attached	248
PA - 2	± 59.0	PUD	Medium	9	Single - Family Detached, Single - Family Attached	347
PA - 3	± 9.4	PUD	High	24	Single - Family Detached, Single - Family Attached	28
PA - 4	± 12.0	PUD	-	-	School	-
Open Space / Drainage	± 44.4	PUD	-	-	-	-
Misc / Roads	± 7.5	PUD	-	-	-	-
Project Total	± 172.86					

NOTE: THE AVERAGE DENSITY FOR THE ENTIRE PROJECT AREA IS TO BE 1.55 DU/AC

PA-1
With Commercial
DU: 0
AREA: ± 6.1 ACRES
DENSITY: N/A

With SFA (Duplex) Homes
DU: 32
AREA: ± 6.1 ACRES
DENSITY: ± 5.2 DU/AC

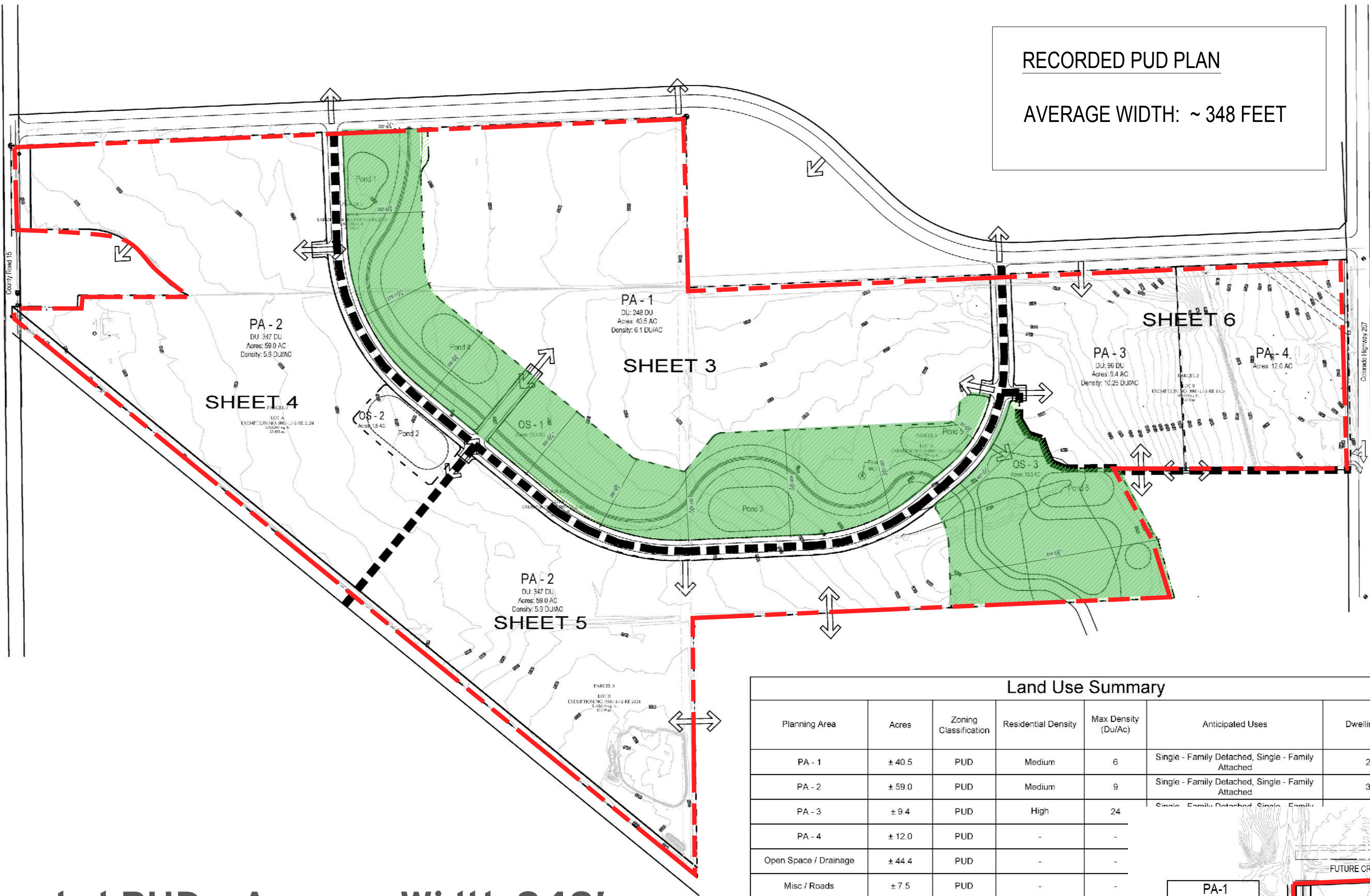


LAND USE SUMMARY						
PLANNING AREA	AREA	ZONING	RESIDENTIAL DENSITY	MAX DENSITY	ANTICIPATED USES	DWELLING UNITS
PA-1	± 6.1 AC	PUD	Medium	N/A (with commercial option) 7 DU/AC (with SFA Duplex)	Commercial (child care), Single-family attached (duplex), open space, R.O.W.	0 - 32
PA-2	± 41.0 AC	PUD	Medium	6 DU/AC	Single-family detached & Single-family attached (duplex), open space, R.O.W.	206
PA-3	± 27.1 AC	PUD	Medium	5 DU/AC	Single-family detached, open space, R.O.W.	109
PA-4	± 26.8 AC	PUD	Medium	7 DU/AC	Single-family detached & Single-family attached (duplex), open space, R.O.W.	160
PA-5	± 25.6 AC	PUD	Medium-High	10 DU/AC	Single-family detached & Single-Family attached (townhomes/ duplex) and/or Multi-Family, open space, R.O.W.	184
PA-6	± 14.9 AC	PUD	N/A	N/A	School, open space, R.O.W.	N/A
MASTER DRAINAGE & OPEN SPACE	± 31.3 AC	PUD	N/A	N/A	Master drainage channel, open space, trails, park/playground, R.O.W.	N/A
TOTAL	± 173 AC				TOTAL UNITS 659 (w/ commercial) 691 (w/out commercial)	

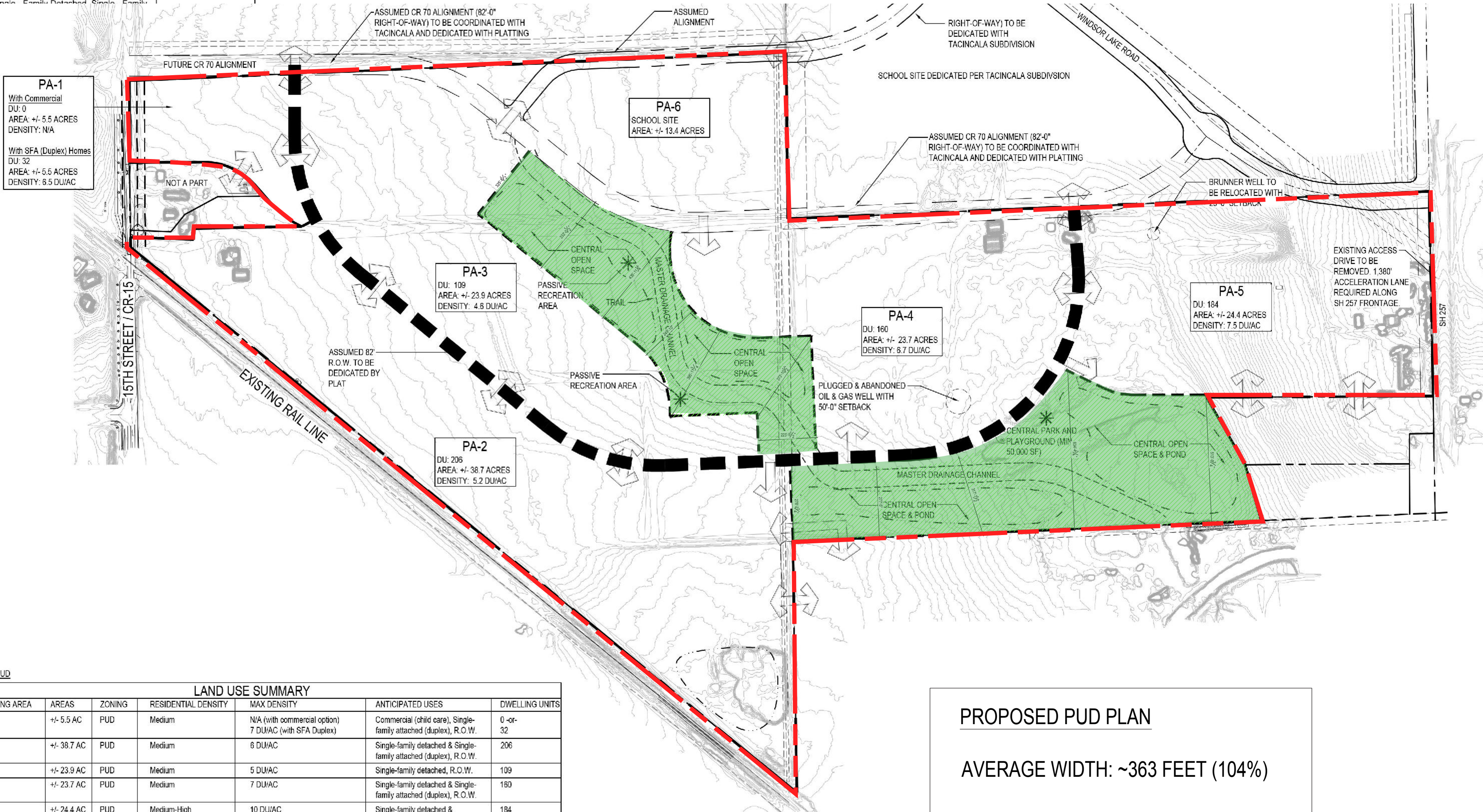
LEGEND

- PROPERTY LINE
- ACCESS POINT
- 82' MAJOR COLLECTOR ROAD

Proposed PUD



Land Use Summary						
Planning Area	Acres	Zoning Classification	Residential Density	Max Density (DU/Ac)	Anticipated Uses	Dwelling Units
PA - 1	± 40.5	PUD	Medium	6	Single - Family Detached, Single - Family Attached	248
PA - 2	± 59.0	PUD	Medium	9	Single - Family Detached, Single - Family Attached	347
PA - 3	± 9.4	PUD	High	24	Single - Family Detached, Single - Family Attached	
PA - 4	± 12.0	PUD	-	-		
Open Space / Drainage	± 44.4	PUD	-	-		
Misc / Roads	± 7.5	PUD	-	-		
Project Total	± 172.86					



ZONE: PUD

LAND USE SUMMARY						
PLANNING AREA	AREAS	ZONING	RESIDENTIAL DENSITY	MAX DENSITY	ANTICIPATED USES	DWELLING UNITS
PA-1	± 5.5 AC	PUD	Medium	N/A (with commercial option) 7 DU/Ac (with SFA Duplex)	Commercial (strip care), Single-family attached (duplex), R.O.W.	0 - or 32
PA-2	± 38.7 AC	PUD	Medium	6 DU/Ac	Single-family detached & Single-family attached (duplex), R.O.W.	206
PA-3	± 23.9 AC	PUD	Medium	5 DU/Ac	Single-family detached, R.O.W.	109
PA-4	± 23.7 AC	PUD	Medium	7 DU/Ac	Single-family detached & Single-family attached (duplex), R.O.W.	180
PA-5	± 24.4 AC	PUD	Medium-High	10 DU/Ac	Single-family detached & Single-Family attached (townhomes) and/or Multi-Family, R.O.W.	184
PA-6	± 13.4 AC	PUD	N/A	N/A	School, R.O.W.	N/A
MASTER DRAINAGE & OPEN SPACE	± 54 AC	PUD	N/A	N/A	Master drainage channel, open space, trails, park/playground	N/A
TOTAL	± 173 AC				TOTAL	659 (w/ commercial) 691 (w/out commercial)

LEGEND

PROPERTY LINE

ACCESS POINT

Pedestrian Oriented Streetscapes

- **Direct pedestrian connection from front entry to R.O.W. sidewalk**
- **Detached sidewalks with tree lawns**
- **Alley loaded duplexes and townhomes**
- **70% of all dwellings shall be architecture forward**
- **All remaining dwellings shall have windows in garage doors**
- **Front porches - posts shall have stone/brick/equivelant base or railings shall be provided**
- **Three car garages shall be tandem loading to prevent larger garages along streetscape**
- **Wider R.O.W. sidewalk along main collector to connect and facilitate pedestrian connection from main drainage open space to community park**

Conceptual example



Front porch or habitable space forward minimum 5' of garage face

Architecture forward shall mean:

- Alley loaded homes with front facing public right-of-way.
- Front facing garages setback from front of porch or front of house a minimum of 5'-0".

Architecture forward units provided:

- 70% of all dwellings shall be architecture forward
- De-emphasize the visual prominence of garage doors of all non-architecture forward homes with garage door windows.

Conceptual example

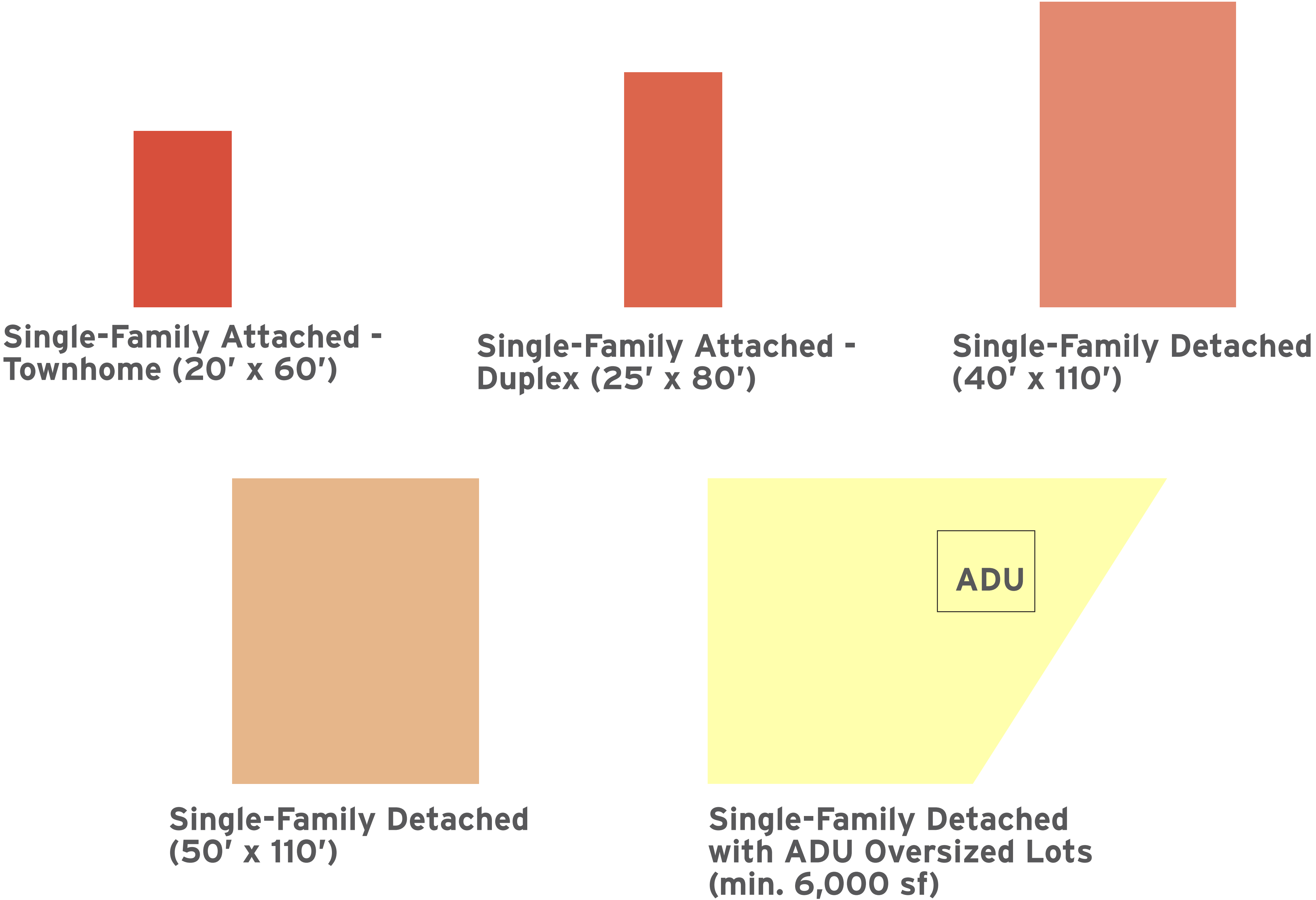


Alley Load Product

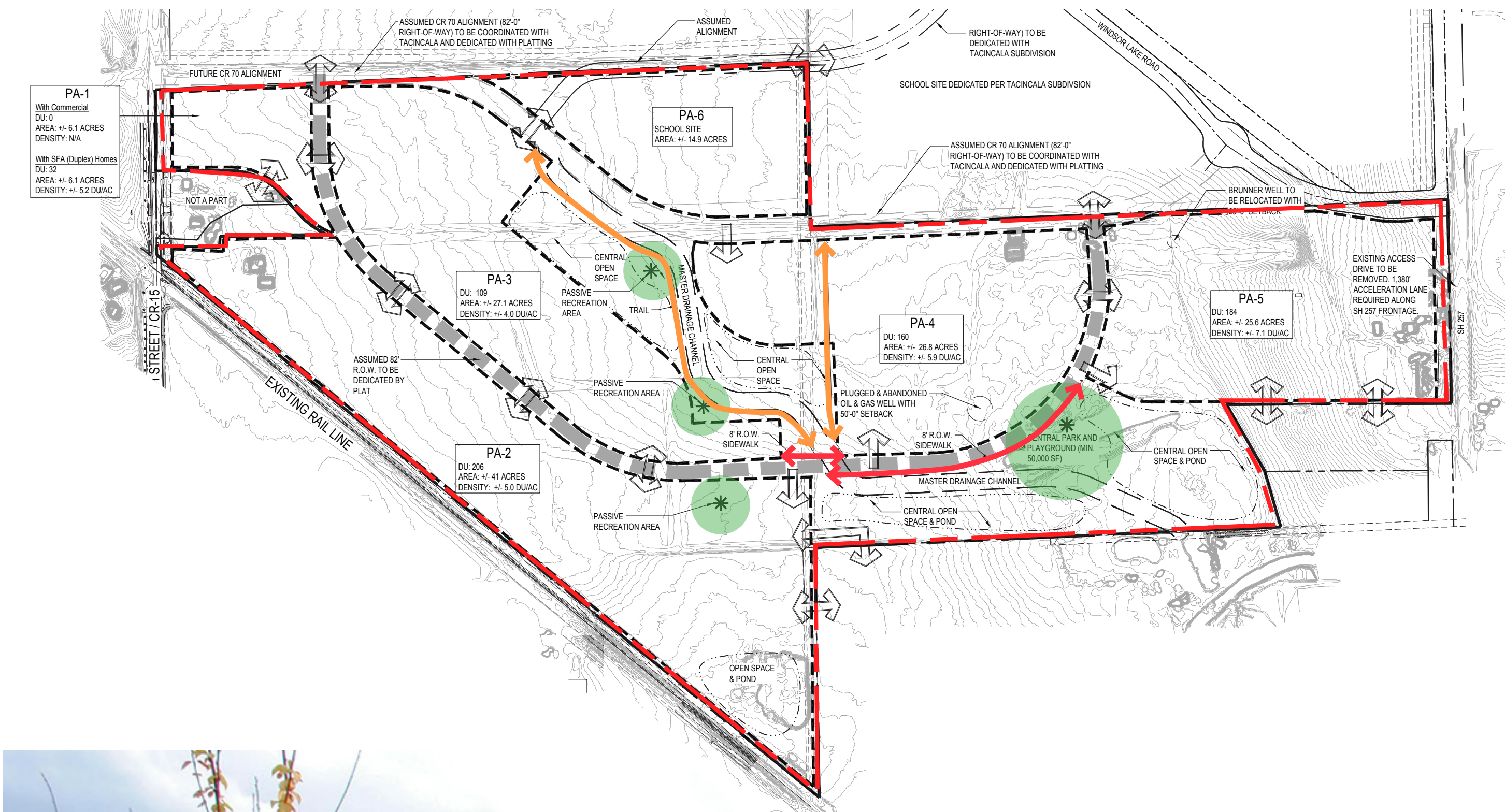
Conceptual example



Non-Architecture forward shall have windows in garage door



Amenities | Community Benefits



- Neighborhood playground
- Gathering areas with shelters and tables
- Lawn area for recreation
- Trail Network
- Detention pond | drainage channel - habitat value



Images are conceptual

Sec. 14-2-80. - Planned Unit Development.

- 1. The proposal complies with the Comprehensive Plan's goals and policies, this Code, and all other applicable adopted plans and policies.**
 - The proposed PUD provides for housing diversity
 - Land Use Map identifies area as Single-Family Residential
 - Open Space & Trails Strategic Plan - new road alignment provides for on street trail
- 2. The proposed development does not result in undue or unnecessary burdens on the existing public infrastructure and public improvements, or that arrangements are made to mitigate such impacts.**
 - The central open space will be provide a new community drainage way
- 3. Density is consistent with the Comprehensive Plan Land Use Plan, and applicable the utility capacity studies.**
 - Density - a maximum density of 4 du/ac - Overland 368 has a maximum density of 4 du/ac
 - Master Utility Report submitted to Town of Windsor - reviewed and recommended by staff
- 4. The proposal serves a community need or amenity that was not considered at the time of the initial zoning of the property.**
 - A diverse group of product types will be provided that enable more residents to find housing.
 - The large open space and drainage channel will provide for recreation and serves community drainage need.

5. The proposal shall be reviewed concurrently with a Master Plan that demonstrates compatibility with adjacent uses.
 - The Master Plan has been submitted and reviewed concurrently with the PUD.
 - The subdivision to the north (Prairie Song/Tacinala) developer and Overland 368 developer have been working to plan for roadway connections and future school site.
6. The proposed PUD provides a greater variety of housing types and densities, building design, employment, shopping, services, and public facilities than would otherwise be provided.
 - Provided 6 different planning for different products and densities
 - Development clustering provides for the higher density areas and then lower density area adjacent to them.
 - Commercial area is proposed with the PUD in the north-west to offer neighborhood.
7. The proposed PUD protects unique or sensitive natural or cultural resources, if applicable.
 - Not applicable
8. The proposed PUD provides open space amenities beyond the requirements of this Code.
 - RMU-2 requires 20% open space
 - Proposed plan provides ~29 AC (17%) in the central open space and ~25 AC (14%) of additional open space for a total of ~ 54 AC (31%) open space

- 9. The proposed PUD prioritizes pedestrian and bicycle facilities designed for user comfort and convenience, including but not limited to detached sidewalks on all streets.**
 - Detached sidewalk are located on all streets
 - 8' wide sidewalk provided on the main collector to provide for increased pedestrian connection between central drainage channel open sapce and central park area.
 - Additional trails through out for mid-block connections
 - Trail from collector road to north to connect to future school site
- 10. The proposed benefits of the PUD offset the proposed variations from this Code.**
 - The benefits provide for community at large with diverse housing types, trails, open space for recreation and views, protection and facilitation of stormwater, parks and playgrounds.
- 11. Any variations from this Code are in the best interest of the public health, safety, and welfare.**
 - There are no variations proposed that would comprise the public health, safety or welfare.



OVERLAND 368 PUD AND MASTER PLAN AMENDMENT NEIGHBORHOOD MEETING SUMMARY

Meeting Date: June 28, 2022

Meeting Time: 6:00-8:00pm

Meeting Location: Windsor Community Recreation Center - Redwood Buckeye Room

Attendees:

Bryan Reid, Forestar

Ashley Norton, Forestar

Shelley LaMastra, Russell + Mills Studios

Rob Van Uffelen, Galloway

Brian Horan, Galloway

Max Rush, Galloway

Carlin Malone, Town of Windsor

Sandra Mezzetti, Town of Windsor

Brian Mannlein - Cushman Wakefield

Jerry and Peggy Windsor

Hunter Donaldson

Eric and Zada Steidl - Seller

Mr. & Mrs. Ronald Schnell

Meeting:

- Russell + Mills Studios gave a presentation that focused on the existing PUD and the similarities and difference from the two in land use, circulation and open space.
- Architecture was discussed on how lots will be accessed, either street side or alleys. Architecture forward definition given with example images to further explain.
- Amenities and landscape approach were also discussed.

Questions/Comments

- Mrs and Mrs Schnell indicated that they have water rights from the Brunner Well that needs to be maintained. They said they would provide legal documentation to the Applicant. Applicant agreed to work with the Schnell's as needed.
- Fencing: Windsor family wanted to know if fencing would be added along the south property line. Applicant noted that fencing will be coordinated during development plans and coordinated for water drainage issues as well.
- Highway 257 Vehicular Speeds: Concern was brought up about traffic speeds along Hwy 257 and safety concerns. Applicant noted that is within CDOT's jurisdiction to lower speeds. The project proposes turn lanes to the new east-west collector, but not into property south of the proposed project where the concern is.
- Landscape Irrigation: Applicant clarified that landscape would be irrigated with non-potable system and irrigation pond would be located in the southern tip of the project boundary. Landscape material also pointed out to be native/low water with focused lawn areas at the parks.
- School: A question on how the project contributes for school. Clarification that the acreage will be dedicated for the future school and pay additional amounts due if needed. The Town will ultimately determine type of school. Staff clarified at this time they do not know what kind of school it will be.



- Access to adjacent properties: clarification that the access to adjacent properties are shown so that future connections could be made through the design. No access will be built until that time.
- Wetlands/Pond: Clarification that existing wetland and pond area will need to be regraded, but the wetland will be able to reestablish in the same area.
- Off site grading. No grading is anticipated to occur off site on adjacent properties. In the event that off-site grading is required the applicant will work with the adjacent property owners to acquire grading easements.

OVERLAND 368

PUD AMENDMENT

PLANNED UNIT DEVELOPMENT ZONING - 1ST AMENDMENT

Parcels Of Land Located In Section 8 And Section 17, Township 6 North, Range 67 West Of The 6TH P.M., County Of Weld, State Of Colorado
APN: 0807-8-3RE 2798, 0807-17-1-RE 2124, 0807-17-2-RE 2124, 0807-17-1-RE 1315, 0807-17-2-RE 1315

ACKNOWLEDGMENT OF OWNERSHIP INTEREST

THE UNDERSIGNED, BEING ALL THE OWNERS, LIENHOLDERS, AND HOLDERS OF ANY OWNERSHIP INTEREST AS DEFINED BY THE TOWN OF WINDSOR, OF THE LAND DESCRIBED HEREON, HAVE CAUSED SUCH LAND TO BE REZONED AS INDICATED ON THIS PLAT. THE WITHIN REZONING PLAT IS SUBMITTED IN ACCORDANCE WITH THE WINDSOR MUNICIPAL CODE. IT IS HEREBY ACKNOWLEDGED THAT ALL CONSTRUCTION, USE AND DEVELOPMENT OF THIS PROPERTY WILL BE IN STRICT ACCORDANCE WITH THIS REZONING PLAT. IT IS FURTHER ACKNOWLEDGED THAT DEVIATION FROM THIS REZONING PLAT WITHOUT THE EXPRESS WRITTEN CONSENT OF THE TOWN OF WINDSOR MAY RESULT IN REVOCATION OF THE TOWN'S APPROVAL OF THE REZONING PLAT, DENIAL OF BUILDING PERMITS, REFUSAL TO ISSUE CERTIFICATES OF OCCUPANCY, INJUNCTIVE RELIEF PROHIBITING USE OF THE PROPERTY AND OTHER REMEDIES AVAILABLE TO THE TOWN UNDER THE WINDSOR MUNICIPAL CODE AND OTHER APPLICABLE LAWS OF THE STATE OF COLORADO. THE UNDERSIGNED HAVE CAUSED SAID LAND TO BE LAID OUT AND REZONED UNDER THE NAME OF OVERLAND 368.

IN WITNESS WHERE OF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS THE _____ DAY OF _____, 20____.

OVERLAND 368 REPRESENTATIVE _____

NOTARIAL CERTIFICATE

STATE OF _____)
COUNTY OF _____) SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE MY BY _____ AS _____ OF _____ THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC (SEAL)

ENGINEERING DEPARTMENT APPROVAL

APPROVED THIS THE _____ DAY OF _____, 20____.

DEPUTY DIRECTOR OF ENGINEERING _____

PLANNING DEPARTMENT APPROVAL

APPROVED THIS THE _____ DAY OF _____, 20____.

DIRECTOR OF PLANNING _____

MAYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT A MASTER PLAN OF THE PROPERTY DESCRIBED HEREIN WAS APPROVED BY RESOLUTION NO. _____ OF THE TOWN OF WINDSOR PASSED AND ADOPTED ON THE DAY OF _____, 20____, A.D. AND THAT THE MAYOR OF THE TOWN OF WINDSOR, AS AUTHORIZED BY SAID RESOLUTION ON BEHALF OF THE TOWN OF WINDSOR, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID REZONING MAP UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

ATTEST: _____ TOWN CLERK
MAYOR

TOWN MANAGER'S APPROVAL

APPROVED THIS THE _____ DAY OF _____, 20____.

TOWN MANAGER _____

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.

DESCRIPTION

A PARCEL OF LAND SITUATE IN THE NORTH HALF (N1/2) OF SECTION SEVENTEEN (17) AND THE SOUTHWEST QUARTER (SW1/4) OF SECTION EIGHT (8), BOTH IN TOWNSHIP SIX NORTH (T.6N.), RANGE SIXTY-SEVEN WEST (R.67W.), SIXTH PRINCIPAL MERIDIAN (6TH P.M.), TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 17 AND ASSUMING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17 TO BEAR NORTH 87° 33' 06" EAST A DISTANCE OF 2630.74 FEET WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.
THENCE SOUTH 87° 33' 06" WEST ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17 A DISTANCE OF 64.73 FEET TO A WESTERLY LINE OF THE WINDSOR NORTH ANNEXATION, RECORDED JANUARY 29, 1986 AS RECEPTION NO. 02040927 OF THE RECORDS OF WELD COUNTY, TO THE SOUTHEASTERLY CORNER OF THE TACINCALA ANNEXATION RECORDED APRIL 6, 2007 AS RECEPTION NO. 3467435, AND TO THE POINT OF BEGINNING.
THENCE SOUTH 01° 03' 22" EAST CONTINUING ALONG SAID WESTERLY LINE OF THE WINDSOR NORTH ANNEXATI ON A DISTANCE OF 818.34 FEET TO THE SOUTH LINE OF LOT B, RECORDED EXEMPTION NO. 0807-17-1-RE 1315, RECORDED JANUARY 29, 1991 AS RECEPTION NO. 2239763 OF THE RECORDS OF WELD COUNTY;
THENCE SOUTH 89° 39' 48" WEST ALONG SAID SOUTH LINE OF LOT B A DISTANCE OF 903.72 FEET TO AN EASTERLY LINE OF LOT A OF SAID RE 1315;
THE FOLLOWING THREE (3) COURSES ARE ALONG EASTERLY AND SOUTHERLY LINES OF SAID RECORDED EXEMPTION NO. 0807-17-1-RE 1315.
THENCE SOUTH 29° 45' 38" EAST A DISTANCE OF 309.99 FEET;
THENCE SOUTH 15° 52' 07" EAST A DISTANCE OF 232.32 FEET;
THENCE SOUTH 87° 28' 32" WEST A DISTANCE OF 1873.89 FEET TO THE EAST LINE OF LOT B, RECORDED EXEMPTION NO. 0807-17-2-RE 2124, RECORDED JANUARY 6, 1998 AS RECEPTION NO. 2587737 OF THE RECORDS OF WELD COUNTY AND TO THE CENTER-NORTH QUARTER SECTION LINE OF SAID SECTION 17;
THENCE SOUTH 00° 54' 08" EAST ALONG SAID EAST LINE OF LOT B A DISTANCE OF 1005.79 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE GREAT WESTERN RAILROAD OF COLORADO;
THENCE NORTH 50° 40' 00" WEST ALONG SAID NORTHEASTERLY RAILROAD RIGHT OF WAY LINE A DISTANCE OF 3405.87 FEET TO THE EASTERLY RIGHT OF WAY LINE OF WELD COUNTY ROAD 15 AND TO AN EASTERLY LINE OF THE 15TH STREET PARK SITE ANNEXATION, RECORDED OCTOBER 24, 2012 AS RECEPTION NO. 3883428 OF THE RECORDS OF WELD COUNTY;
THENCE NORTH 00° 45' 28" WEST ALONG SAID EASTERLY LINE OF SAID 15TH STREET PARK SITE ANNEXATION A DISTANCE OF 23.95 FEET;
THENCE NORTH 00° 21' 44" WEST CONTINUING ALONG SAID EASTERLY LINE OF SAID 15TH STREET PARK SITE ANNEXATION A DISTANCE OF 38.80 FEET TO A SOUTHERLY LINE OF SUBDIVISION EXEMPTION SE-832, RECORDED JANUARY 18, 2002 AS RECEPTION NO. 2918250 OF THE RECORDS OF WELD COUNTY;
THE FOLLOWING SIX (6) COURSES ARE ALONG THE SOUTHERLY AND NORTHEASTERLY LINES OF SAID SUBDIVISION EXEMPTION SE-832.
THENCE NORTH 89° 38' 16" EAST A DISTANCE OF 50.22
THENCE SOUTH 86° 48' 39" EAST A DISTANCE OF 173.70 FEET;
THENCE NORTH 03° 11' 28" EAST A DISTANCE OF 44.67 FEET;
THENCE NORTH 88° 58' 10" EAST A DISTANCE OF 430.51 FEET TO A SOUTHWESTERLY LINE OF LOT B, RECORDED EXEMPTION 0807-8-3-RE 2798 RECORDED JANUARY 18, 2002 AS RECEPTION NO. 2918249 OF THE RECORDS OF

WELD COUNTY:

THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST AND NONTANGENT TO THE AFORESAID COURSE A DISTANCE OF 144.11 FEET, SAID CURVE HAS A RADIUS OF 330.00 FEET, A DELTA OF 25° 01' 17" AND IS SUBTENDED BY A CHORD BEARING NORTH 53° 53' 58" WEST A DISTANCE OF 142.97 FEET TO A POINT OF TANGENCY;
THENCE NORTH 41° 23' 19" WEST A DISTANCE OF 108.70 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST A DISTANCE OF 230.78 FEET, SAID CURVE HAS A RADIUS OF 270.00 FEET, A DELTA OF 48° 58' 24" AND IS SUBTENDED BY A CHORD BEARING NORTH 65° 52' 31" WEST A DISTANCE OF 223.82 FEET TO A POINT OF TANGENCY;
THENCE SOUTH 89° 38' 16" WEST CONTINUING ALONG SAID LOT B, RE 2798 A DISTANCE OF 266.81 FEET TO AN EASTERLY LINE OF SAID 15TH STREET PARK SITE ANNEXATION;
THENCE NORTH 00° 21' 44" WEST A DISTANCE OF 327.60 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 8 AND TO A SOUTHERLY LINE OF THE TACINCALA ANNEXATION;
THE FOLLOWING THREE (3) COURSES ARE ALONG THE SOUTHERLY LINES OF SAID TACINCALA ANNEXATION.
THENCE NORTH 87° 31' 39" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 8 A DISTANCE OF 2598.60 FEET TO THE CENTER-SOUTH-SOUTH SIXTY-FOURTH (C-S-S 1/64) CORNER;
THENCE SOUTH 00° 33' 50" EAST ALONG THE CENTER-SOUTH QUARTER SECTION LINE A DISTANCE OF 665.11 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 17;
THENCE NORTH 87° 33' 06" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 A DISTANCE OF 2566.01 FEET TO A WESTERLY LINE OF SAID WINDSOR NORTH ANNEXATION, THE WESTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 257 AND TO THE POINT OF BEGINNING.
SAID DESCRIBED PARCEL OF LAND CONTAINS 172.86 ACRES, MORE OR LESS.

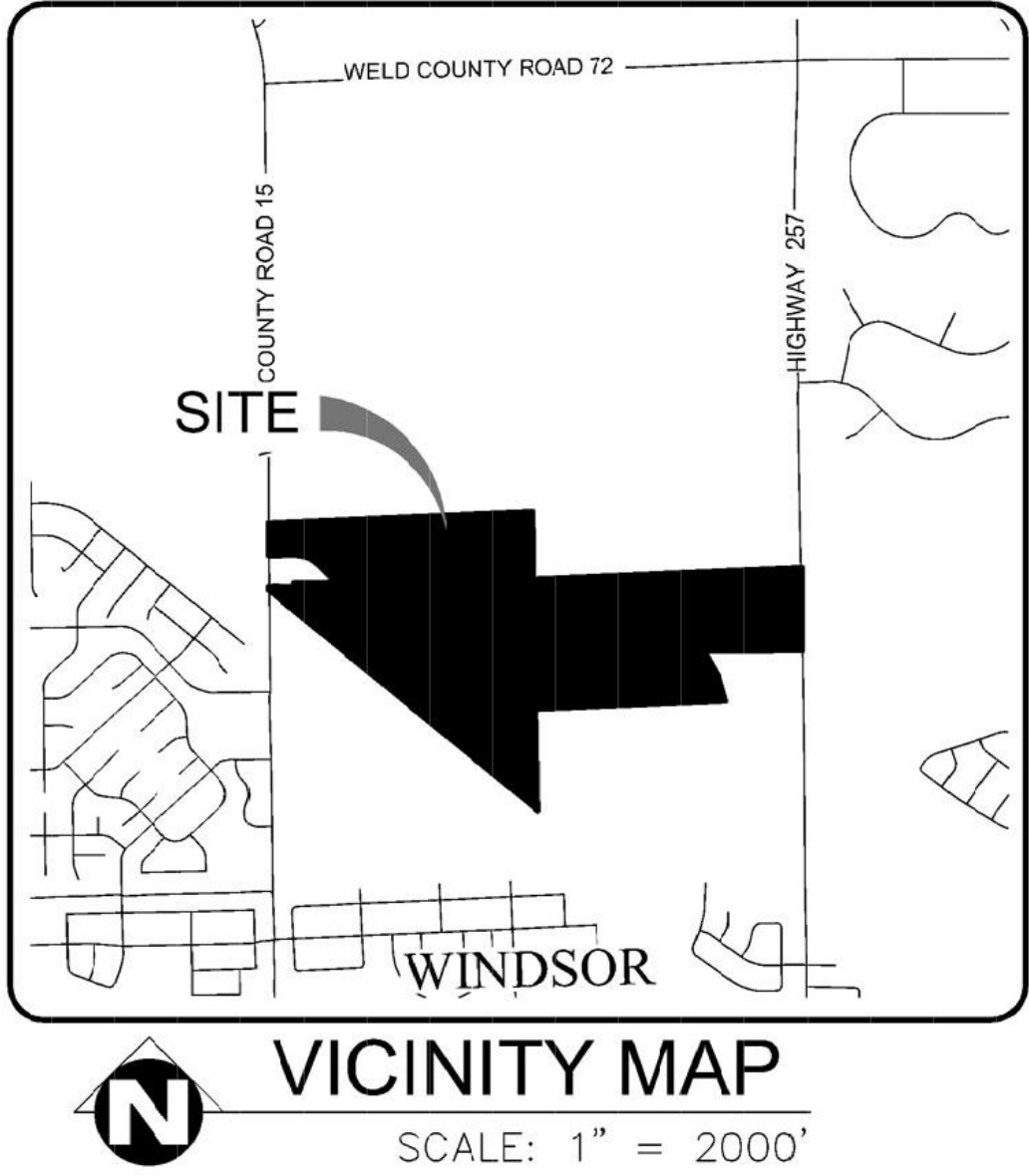
INTENT OF THIS PLAN

OVERLAND IS A 172.86-ACRE PROPERTY LOCATE D IN THE TOWN OF WINDSOR. THE PROPERTY IS LOCATED NORTHWEST OF WINDSOR LAKE. IT IS LESS THAN ONE MILE NORTH OF THE TOWN CENTER BOUNDED ON THE EAST BY NORTH 7TH STREET, ON THE WEST BY 15TH STREET, ON THE SOUTH BY THE GREAT WESTERN RAILWAY, AND AGRICULTURAL LANDS TO THE NORTH (FUTURE PRAIRIE SONG DEVELOPMENT). CURRENTLY DESIGNATED AS A PUD FOR LAND USE, THE PROPERTY WAS FORMALLY BLUE SKY FARMS WHICH OPERATED AS A FARMING AND LIVESTOCK BUSINESS. OVERLAND IS A MASTER PLANNED COMMUNITY FOR UP TO 691 HOMES. IT IS ENVISIONED TO BE A THOUGHTFULLY CRAFTED COMMUNITY, COMPLIMENTING THE SMALL TOWN CULTURE OF WINDSOR AND EMBRACING THE ACTIVE LIFESTYLE OF THE WESTERN FRONT.

THE PURPOSE OF THE OVERLAND MASTER PLAN AND PLANNED UNIT DEVELOPMENT (PUD) DOCUMENT IS TO ESTABLISH ARCHITECTURAL AND SITE DESIGN REGULATIONS THAT WILL GOVERN THE DEVELOPMENT OF THE PROJECT. THIS DOCUMENT IS CRAFTED TO PROMOTE A HIGH STANDARD OF NEIGHBORHOOD DESIGN AND ARCHITECTURAL QUALITY AS WELL AS PROMOTE INNOVATIVE AND DIVERSE HOUSING CHOICES. THESE GUIDELINES ARE INTENDED TO GUIDE DEVELOPMENT BUT ALSO PROVIDE FLEXIBILITY TO ADDRESS FUTURE MARKET CONDITIONS.

NOTES:

1. BASIS OF BEARINGS IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17 AS BEARING NORTH 87°33'06" EAST.
2. THE LINEAL UNIT OF MEASUREMENT FOR THIS PLAT IS U.S. SURVEY FEET.
3. ACCESS EASEMENT LOCATIONS ARE SUBJECT TO CHANGE AT SITE PLAN PHASE.



OWNER/DEVELOPER:



DEVELOPER
FORESTAR
188 INVERNESS DRIVE WEST, SUITE 420
ENGLEWOOD, CO 80112
303-669-5133

OWNER
OVERLAND 368, LLC
P.O. BOX 368
WINDSOR, CO 80550
970-22-7147

CONSULTING TEAM:



PLANNING
RUSSELL + MILLS STUDIOS
506 S. COLLEGE AVE, UNIT A
FORT COLLINS, CO 80524
970-484-8855



CIVIL ENGINEERING
GALLOWAY
5265 RONALD REAGAN BLVD., SUITE 210
JOHNSTOWN, CO 80534
970-800-3300

SHEET INDEX

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TYPICAL LOT CONFIGURATIONS, ADMINISTRATION & IMPLEMENTATION	6

OVERLAND 368

WINDSOR, COLORADO
PUD AMENDMENT
PLANNED UNIT DEVELOPMENT - 1ST AMENDMENT



FORESTAR



REV.	COMMENT	DATE

Date: 06.22.2022

Drawn By: SL

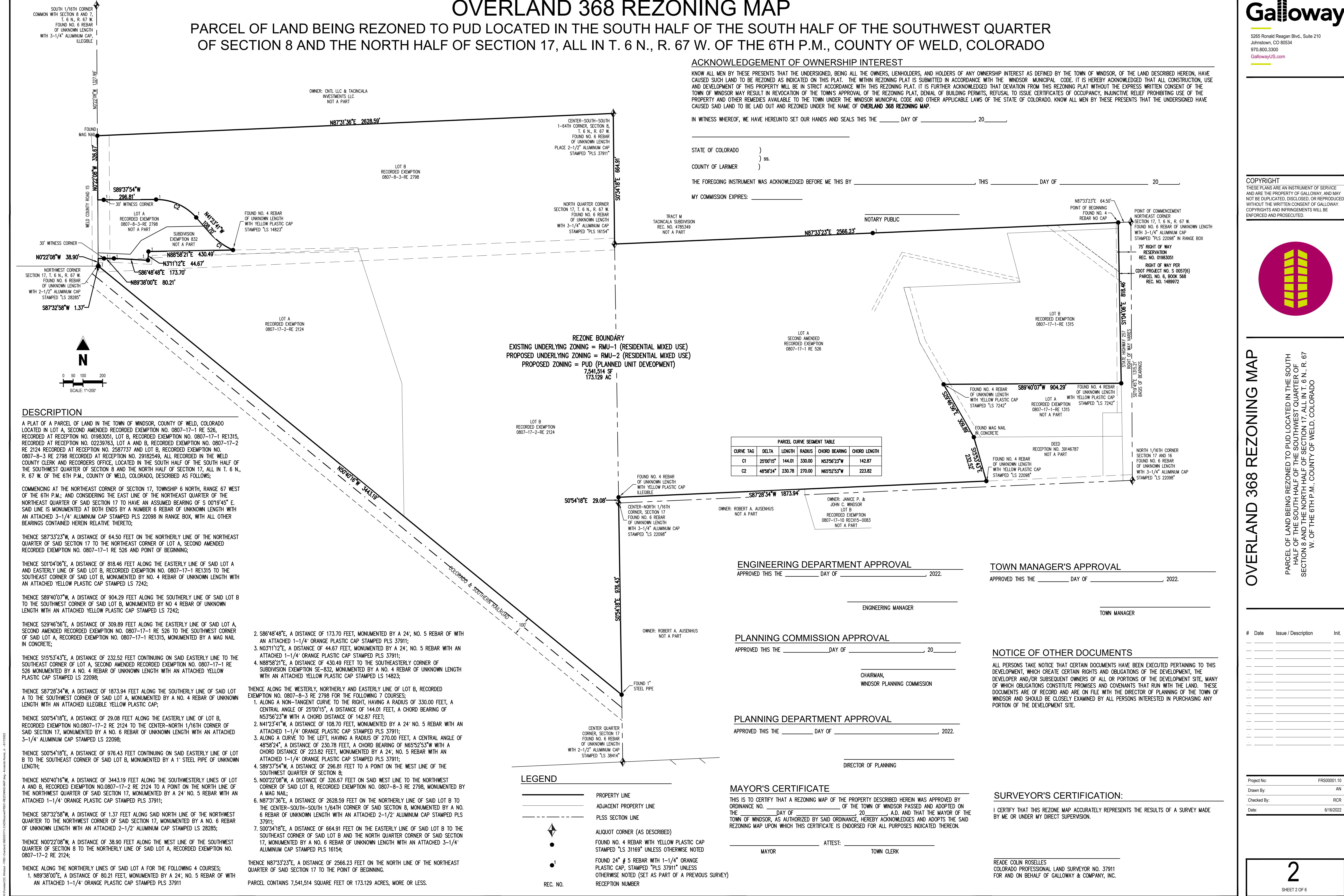
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Sheet Name

COVER SHEET

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OVERLAND 368 REZONING MAP

PARCEL OF LAND BEING REZONED TO PUD LOCATED IN THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 8 AND THE NORTH HALF OF SECTION 17, ALL IN T. 6 N., R. 67 W. OF THE 6TH P.M., COUNTY OF WELD, COLORADO

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LAND USE STANDARDS:

THE INTENT OF THESE LAND USE STANDARDS IS TO ESTABLISH AND ENTITLE THE LOT REQUIREMENTS THAT WILL FACILITATE THE DEVELOPMENT OF A MORE URBAN, WALKABLE AND ATTAINABLE COMMUNITY. TO CREATE SUCH A COMMUNITY, THESE STANDARDS ENABLE SMALLER LOTS, A DIVERSITY OF HOUSING TYPES THAT ARE VIABLE GIVEN CURRENT HOUSING TRENDS, AND PEDESTRIAN-ORIENTED STREETSCAPES. REDUCTIONS IN ON-LOT OPEN SPACE AS A RESULT OF THE SMALLER LOTS WILL BE OFFSET BY INCREASED COMMUNITY OPEN SPACE.

Development Area															Accessory Uses			
Use	Permitted Maximum Density (A)	Minimum Lot Area (Square Foot)	Minimum Lot Width	Minimum On-Lot Open Space	Maximum Building Height	Min. Setback for all Structures from Arterials	Min. Setback for all Structures from Collectors	Min. Front Yard Setback (non-garage door side) (G) (I)	Min. Front Yard Setback-Garage (garage door side) (H)(J)	Min. Side Setback	Min. Side Corner Yard Setback * (F)	Min. Building Separation (L)	Min. Rear Yard Setback (non-alley loaded)	Min. Rear Yard Setback (alley loaded)	Max. Height	Front Setback	Side Setback	Rear Setback
(SFA) 25' X 80' (MDR) (DUPLEX - AL)	8 DU/AC	2,000	25' (AL)	20%	35-45' (D)	20'	15'	15'	N/A (AL)	5' (K) 0' on Interior Wall	15' *	10'	N/A	5'	N/A	N/A	N/A	N/A
(SFD) 40' X 95' (MDR-AL)	6 DU/AC	3,800	40'	30%	35-45' (D)	20'	15'	15'	20'	5' (K)	15' *	10'	NA	5'	N/A	N/A	N/A	N/A
(SFD) 50' X 110' (MDR)	6 DU/AC	5,500	50'	40%	35-45' (D)	20'	15'	15'	20'	5' (K)	15' *	10'	20'	N/A	PC	PC	PC	PC
(SFA) 20' X 60' (MDR) (TOWNHOMES - AL)	10 DU/AC	1,500	20'	N/A	35'-45' (D)	20'	15'	N/A	N/A	5' (K) 0' on Shared Wall	15'	10'	N/A	5'	N/A	N/A	N/A	N/A
(MF) MULTI-FAMILY	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	N/A	N/A	N/A	N/A
COMMERCIAL	N/A	PC	PC	PC	50' (E)	0' (F)	0' (F)	N/A	N/A	0' (F)	PC	PC	PC	PC	N/A	N/A	N/A	N/A

MDR = MEDIUM DENSITY RESIDENTIAL
SFD = SINGLE-FAMILY DETACHED
SFA = SINGLE-FAMILY ATTACHED (DUPLEX OR TOWNHOMES)
MF = MULTI-FAMILY
PC = PER TOWN WINDSOR MUNICIPAL CODE

AL = ALLEY LOADED HOMES AND IMPLIES GARAGE ACCESS IS TAKEN OFF OF ALLEY AND NOT A STREET
RMU = RESIDENTIAL MIXED-USE
ALL DEVELOPED AREA MAY INCLUDE A VARIETY OF OTHER LAND USES, INCLUDING OPEN SPACE. OPEN SPACE MAY INCLUDE BUT IS NOT LIMITED TO PARKS, RECREATION IMPROVEMENTS, TRAILS, AND AGRICULTURE

* SIDE YARD SETBACK IS FROM STREET RIGHT OF WAY. IN MOST INSTANCES A 10' LANDSCAPE AREA SEPARATES THE LOT LINE AND PUBLIC RIGHT-OF-WAY LINE. IN THESE CASES ONLY THE STANDARD 5' SIDE YARD SETBACK IS NEEDED. IF THE LOT LINE AND PUBLIC RIGHT-OF-WAY ARE ONE IN THE SAME THEN THE 15' SETBACK APPLIES TO ALL STRUCTURES.
** SINGLE-FAMILY ATTACHED WITH MORE THAN 2 DWELLINGS UNITS REQUIRE 20' BETWEEN BUILDINGS OR CURRENT BUILDING AND FIRE CODE REQUIREMENTS.

LANDSCAPE USE STANDARDS NOTES:

- A. MAXIMUM NUMBER OF UNITS SHALL BE 691. IN THE EVENT THE SCHOOL SITE DOES NOT DEVELOP AS A SCHOOL, NO ADDITIONAL RESIDENTIAL DENSITY SHALL BE AUTHORIZED WITHOUT FURTHER STUDY, REVIEW, AND APPROVAL BY THE TOWN. THE PLANNING DIRECTOR MAY AUTHORIZE ADMINISTRATIVE AMENDMENTS TO THE MASTER PLAN TO TRANSFER RESIDENTIAL DENSITY WITHIN OVERLAND 368 PROVIDED THE PROPERTY REMAINS UNDER UNIFIED OWNERSHIP OR, IF NOT UNDER UNIFIED OWNERSHIP, IF ALL APPLICABLE PROPERTY OWNERS PROVIDE WRITTEN CONSENT TO THE TRANSFER OF DENSITY.
- B. THE AVERAGE DENSITY FOR THE ENTIRE OVERLAND PROJECT IS TO BE LESS THAN OR EQUAL TO FOUR DWELLING UNITS TO THE ACRE (4 DU/ AC). DENSITY WITHIN THE PLANNING AREAS MAY BE HIGHER THAN 4 DU/ AC AS LONG AS THE OVERALL PROJECT DENSITY DOES NOT EXCEED 4 DU/AC OR 691 UNITS. ADDITIONALLY, UNITS MAY BE TRANSFERRED FROM ONE PLANNING AREA TO ANOTHER WITHIN OVERLAND SO LONG AS THE MAXIMUM UNIT COUNT OVER THE ENTIRE OVERLAND COMMUNITY DOES NOT EXCEED 691 UNITS.
- C. REFERS TO THE PERCENT OF OPEN SPACE ON A RESIDENTIAL LOT. ON-LOT OPEN SPACE INCLUDES LAWN AREA, DECORATIVE ROCK, PLANT MATERIAL, PAVERS AND LANDSCAPED AREAS. ON-LOT OPEN SPACE DOES NOT INCLUDE ANY STRUCTURES BUILT UPON OR OVER THE PROPERTY, INCLUDING BUT NOT LIMITED TO: DETACHED GARAGES, CARPORTS, SHEDS, GAZEBOs, PERGOLAS, DECKs, PATIOS, IMPERVIOUS SURFACES, CONCRETE OR ASPHALT DRIVEWAYS, PARKING AREAS OR PEDESTRIAN PATHWAYS.
- D. MAXIMUM TWO-STORY HEIGHT IS 35', 45' FOR THREE-STORY. BUILDING HEIGHT EXCLUDES PROJECTIONS WHICH ARE INTEGRAL TO ANY PRINCIPAL STRUCTURE SUCH AS CLOCK TOWERS, CUPOLAS, PARAPETS, ROOFTOP MECHANICAL SCREEN TREATMENTS, CHIMNEYS, SMOKESTACKS, FLUES, COOLING TOWERS, VENTILATORS, ELEVATOR BULKHEAD, STAIRWAY ENCLOSURES, FIRE TOWERS, UTILITY POLES, SUPPORT STRUCTURES, ORNAMENTAL STRUCTURES, AND SOLAR ENERGY SYSTEMS. THESE ITEMS ARE SUBJECT TO HEIGHT LIMITATIONS AS DEEMED APPROPRIATE DURING THE DEVELOPMENT REVIEW PROCESS AND BUILDING CODE. IF SFD AND 45' IN HEIGHT, THE SETBACKS MAY NEED TO BE GREATER TO MEET BUILDING AND FIRE CODE.
- E. 50' FOR ANY COMMERCIAL STRUCTURE SHALL BE THE MAXIMUM ALLOWED HEIGHT; PROJECTIONS THAT ARE INTEGRAL TO ANY PRINCIPAL STRUCTURE SUCH AS CLOCK TOWERS, CUPOLAS, PARAPETS, ROOFTOP MECHANICAL SCREEN TREATMENTS, CHIMNEYS, SMOKESTACKS, FLUES, COOLING TOWERS, VENTILATORS, ELEVATOR BULKHEAD, STAIRWAY ENCLOSURES, FIRE TOWERS, UTILITY POLES, SUPPORT STRUCTURES, ORNAMENTAL STRUCTURES, AND SOLAR ENERGY SYSTEMS MAY EXTEND AN ADDITIONAL 20'-0" ABOVE THE PRIMARY STRUCTURE.
- F. COMMERCIAL DEVELOPMENT ONLY: 0' SETBACK PERMITTED IN PA-1 AND ON STREETS WHERE DEVELOPMENT IS PEDESTRIAN-ORIENTED. PEDESTRIAN-ORIENTED DEVELOPMENTS INCLUDE BUT ARE NOT LIMITED TO: PEDESTRIAN PATHWAYS, DECKS, PATIOS, CAFE SEATING AREAS, TREE GRATES, PERGOLAS OR SHADE STRUCTURES. PEDESTRIAN-ORIENTED DEVELOPMENTS GENERALLY ENTAIL MORE URBAN DEVELOPMENT PATTERNS

- WHERE BUILDINGS ARE TYPICALLY LOCATED CLOSER TO THE STREET. WHERE NECESSARY, UTILITIES ARE TO BE LOCATED IN THE REAR OF THE LOT WHEN 0' LOT LINES ARE USED. SIGHT DISTANCE EASEMENTS SHALL BE PLATTED WHERE NECESSARY TO ACHIEVE REQUIRED SIGHT DISTANCE. ROAD SAFETY CLEAR ZONES TO BE MET DURING PLATTING.
- G. SETBACK MEANS THE HORIZONTAL DISTANCE BETWEEN ANY STRUCTURE AND THE ESTABLISHED PROPERTY LINES. PROJECTIONS INCLUDING BUT NOT LIMITED TO COVERED PORCHES, COURTYARDS, BAY WINDOWS, AND CANTILEVERS CAN ENCROACH INTO SETBACK UP TO THE UTILITY EASEMENTS. IN NO CASE SHALL THEY BE CLOSER THAN 10' FROM THE FRONT PROPERTY LINE.
- H. THE MINIMUM FRONT YARD SETBACK IS DEFINED FROM THE RIGHT-OF-WAY TO THE STREET-FACING BUILDING PLANE OR A SIDE LOAD GARAGE.
- I. MINIMUM FRONT YARD SETBACK TO GARAGE DOES NOT APPLY TO SINGLE-FAMILY RESIDENTIAL LOTS THAT ARE REAR LOADED.
- J. IN SIDE LOADED CONDITIONS, THE MINIMUM SIDE CORNER YARD SETBACK TO GARAGE DOOR SHALL BE 20' TO EQUAL THE MINIMUM FRONT YARD SETBACK TO GARAGE.
- K. EXTERIOR WALLS FOR SINGLE-FAMILY ATTACHED DWELLINGS SHALL HAVE A 5' MINIMUM SIDE OFFSET (CREATING A 10' MINIMUM BUILDING SEPARATION). WHEN DWELLINGS HAVE A SHARED/COMMON WALL CONDITION, NO SIDE OFFSET WILL BE PROVIDED.
- L. EXTERIOR WALLS FOR MULTIFAMILY DWELLINGS SHALL HAVE A 10' MINIMUM SIDE OFFSET FROM PROPERTY LINE OR MEET CURRENT BUILDING CODE. 15' MINIMUM BUILDING SEPARATION IS ACCEPTABLE BETWEEN BUILDINGS. WHEN DWELLINGS HAVE A SHARED/COMMON WALL CONDITION, NO SIDE OFFSET WILL BE PROVIDED. MINIMUM SEPARATION IS ALSO DEPENDENT UPON BUILDING CODE REQUIREMENTS WHICH DEPEND ON HEIGHT.
- M. 0' BUILDING SEPARATION IS REQUIRED FOR COMMON WALL LOTS.
- N. PARKING IS NOT ALLOWED BETWEEN ALLEY AND GARAGE IN 5' CONDITION.
- O. ACCESSORY DWELLING UNITS ARE PERMITTED, PER TOWN CODE.

GENERAL NOTES:

- P. PRINCIPAL STRUCTURES DO NOT INCLUDE DETACHED GARAGES OR OTHER ACCESSORY STRUCTURES.
- Q. A TANDEM GARAGE CONFIGURATION IS CALCULATED THE SAME WAY AS A GARAGE WITH STANDARD CONFIGURATION FOR MEETING RESIDENTIAL PARKING REQUIREMENTS. TANDEM GARAGE CONFIGURATIONS ARE ONLY PERMITTED WHEN ON-STREET PARKING IS PROVIDED.
- R. ROOF OVERHANGS ARE PERMITTED IN THE BUILDING SETBACK AND ARE NOT INCLUDED AS A PART OF LOT COVERAGE. IN NO INSTANCE MAY AN ENCROACHMENT CROSS THE PROPERTY LINE. WHEN AN ENCROACHMENT IS LESS THAN 5' FROM THE PROPERTY LINE, THE THEN CURRENT IBC AND/OR IRC CODE REQUIREMENTS AND AMENDMENTS WITHIN THE GOVERNING MUNICIPALITY WILL BE ENFORCED WITH REGARD TO EXTERIOR WALL FIRE-RESISTANT RATING AND MINIMUM FIRE-SEPARATION DISTANCE REQUIREMENTS. ALL STRUCTURAL PROJECTIONS SUCH AS CANTILEVERED BAY WINDOWS, BALCONIES, CHIMNEYS, EAVES, OR OTHER NON-FOUNDATIONAL OVERHANGS OR PROJECTIONS MAY ENCROACH INTO

- SIDE SETBACK UP TO 2' AND MAY ENCROACH INTO FRONT OR REAR SETBACKS UP TO 3'.
- S. ALL DETACHED RESIDENCES SHALL HAVE A USABLE COVERED PORCH AND ALL OTHER RESIDENTIAL STRUCTURES SHALL HAVE A USABLE COVERED STOOP OR EQUIVALENT COVERED AREA ON ALL GROUND FLOORS. MINIMUM DIMENSION FOR THESE FEATURES SHALL BE 6' WIDE AND 6' DEEP. POSTS SHALL HAVE STONE/BRICK/EQUIVALENT BASE OR RAILINGS SHALL BE PROVIDED BETWEEN POSTS.
- T. THE MAXIMUM HEIGHT OF THE TWO STORY RESIDENTIAL UNITS SHALL BE 40'. MIXED USE AND MULTI- FAMILY BUILDINGS GREATER THAN 3-STORIES ARE SUBJECT TO THE INTERNATIONAL BUILDING CODE (IBC). THE MAXIMUM HEIGHT OF A SINGLE FAMILY RESIDENCE SHALL NOT EXCEED 3-STORIES IN HEIGHT WHEN CONSTRUCTED OF V-B MATERIALS (COMBUSTIBLE) PER TABLE 503 OF THE 2006 IBC. A MAXIMUM OF 4-STORIES IS PERMITTED FOR A SINGLE FAMILY RESIDENCE IF USING A CONSTRUCTION TYPE OF IV, ILL, II PER TABLE 503 OF THE IBC. SUBJECT TO THE TOWNS BUILDING CODE, CHAPTER 18 BUILDING REGULATIONS, AS AMENDED.
- U. HABITABLE SPACE PERMITTED OVER GARAGE STRUCTURE SHALL MEET THE REQUIREMENTS OF THE THEN CURRENT IRC AND IECC AND ARE SUBJECT TO THE TOWNS BUILDING CODE, CHAPTER 18 BUILDING REGULATIONS, AS AMENDED.
- V. WINDOW WELLS ARE PERMITTED TO ENCROACH INTO ANY SETBACKS UP TO 2' AS LONG AS ADEQUATE DRAINAGE AND ACCESS CLEARANCE IS ACCOMMODATED. ALL CONSTRUCTION SHALL ADHERE TO ALL BUILDING AND FIRE CODES IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE.
- W. ON CUL-DE-SC LOTS FRONTAGE REQUIREMENTS SHALL BE MEASURED AT THE SETBACK LINES. 40' LOTS SHALL REQUIRE FRONT SETBACK LINES TO BE 30' ARC LENGTHS AND 50' LOTS SHALL REQUIRE SETBACK LINES TO BE 40' ARC LENGTHS.

OPEN SPACE / DRAINAGE CORRIDOR STANDARDS:

OVER 50 ACRES OF OPEN SPACE WILL BE PROVIDED. RUNNING THROUGH THE MIDDLE OF OVERLAND IS AN OPEN SPACE CORRIDOR ENVISIONED TO HAVE ACTIVE AND PASSIVE RECREATION AREAS. THIS OPEN SPACE WILL ALSO SERVE AS THE MAJOR DRAINAGE CORRIDOR FOR THE COMMUNITY.

ALTHOUGH A FUNCTIONAL USE, DETENTION PONDS AND WATERWAYS CAN BE DESIGNED TO MEET ENGINEERING REQUIREMENTS WHILE ALSO SERVING AS ATTRACTIVE OPEN SPACES. WHILE MAINTAINING STORMWATER DETENTION AND WATER QUALITY IMPROVEMENT FUNCTIONS, THESE OPEN SPACES SHALL GENERALLY INCLUDE: NATURALIZED AREAS, WALKING PATHS, SITTING/ PICNIC LOCATIONS, PLAYGROUNDS, EDUCATIONAL AND RECREATIONAL OPPORTUNITIES, AND POCKET PARK(S). POCKET PARKS SHALL INCLUDE A MIX OF LAWN AREA, NATURALIZED OR PLANTED AREAS, SEATING, AND STRUCTURED PLAY AREAS (E.G. ATHLETIC COURT, PLAYGROUND)

- X. WHEN USING IRRIGATION AREAS FOR RECREATION USES, GENTLE SLOPES SHALL BE DESIGNED FOR EASY ACCESS.
- Y. DESIGN DETENTION PONDS WITH POSITIVE SLOPES (2% MINIMUM) NEAR THE

Developed Areas		Anticipated Uses	Max. Density
PA1	RMU-2	Commercial -or- SFA (Duplex)	7 DU/AC
PA2	RMU-2	SFD, SFA (Duplex)	6 DU/AC
PA3	RMU-2	SFD	5 DU/AC
PA4	RMU-2	SFD, SFA (Duplex)	7 DU/AC
PA5	RMU-2	SFD, SFA (Townhomes Duplexes), Multi-Family	10 DU/AC
PA6	RMU-2	SCHOOL	N/A

Product Type	Minimum percentage of overall dwelling units**	Maximum percentage of overall dwelling units**
SFA - TOWNHOMES -or- MULTI-FAMILY	20%	30%
SFA - DUPLEX	20%	30%
SFD - 40'X110' LOT *	20%	30%
SFD - 50'X110' LOT *	15%	25%
* approximately 10-15% of the SFD lots will be larger than these standard sizes in areas such as around cul-de-sacs, curved roadways, and corners. These lots will have an additional 50 SF to up to an additional 7,500 SF. **Based on the total number of allowed dwellings units 691		

- OUTLET TO AVOID STANDING WATER AND LIMIT MOSQUITO HABITAT. MANICURED TURF AREAS THAT REQUIRE REGULAR MOWING SHOULD ALSO BE SLOPED TO DRAIN APPROPRIATELY (4:1 MAX). HOWEVER, FLATTER AREAS ARE ENCOURAGED TO INCREASE INFILTRATION, BUT MUST BE LANDSCAPED APPROPRIATELY WITH WETLAND PLANTS, FORBS AND SHRUBS THAT DO NOT REQUIRE REGULAR MOWING AND WILL TOLERATE WET AND DRY CONDITIONS.
- Z. AVOID THE USE OF CONCRETE TRICKLE PANS IN AREAS WITH WELL-DRAINING SOILS AS THEY REDUCE INFILTRATION AND PROMOTE EVAPORATION AND INCREASED RUNOFF. WHERE NECESSARY, TRICKLE PANS SHALL BE DESIGNED AS AN INTEGRATED PART OF THE LANDSCAPE. HORIZONTAL ALIGNMENT SHOULD COMPLEMENT TOPOGRAPHIC CHARACTER AND BE NON LINEAR. EMBEDDED COBBLES AND/OR BOULDERS ARE ENCOURAGED. COLOR SHOULD BE A SUBTLE EARTH TONE.
- AA. SLOPE BOTTOMS SHALL EITHER BE AT 1% OR USE OF PANS WILL BE REQUIRED.
- AB. SIDE SLOPES SHOULD VARY AND RANGE FROM 4:1 AND 20:1.
- AC. NO VEGETATED SLOPE SHOULD EXCEED 4:1.
- AD. LANDSCAPED AREAS SHOULD SLOPE TO DRAIN (1.5% MINIMUM) OR BE PLANTED APPROPRIATELY SO REGULAR MOWING IS NOT REQUIRED (SEE PLANTING DESIGN SECTION).
- AE. BASIN AREA CANNOT BE 100% BOUND BY WALLS. ALL WALLS PROPOSED FOR THE POND PERIMETER ARE REQUIRED TO HAVE A HIGH QUALITY VISUAL CHARACTER (SUCH AS NATURAL STONE OR INTEGRAL COLOR CONCRETE WITH FORM LINER). WALLS SHOULD NOT EXCEED 30" IN HEIGHT. FENCES MAY BE REQUIRED FOR SAFETY.
- AF. PROVIDE A MINIMUM OF ONE ENTRY POINT FOR REGULAR ACCESS BY MAINTENANCE VEHICLES AND MOWERS, AND FOR OCCASIONAL ACCESS BY HEAVY EQUIPMENT IF NECESSARY.
- AG. PROVIDE ADEQUATE EGRESS TO ALLOW USERS TO SAFELY EVACUATE THE AREA IN THE EVENT OF HIGH WATER.
- AH. PLANTING DESIGN SHALL RESPOND TO SITE SPECIFIC STORMWATER FUNCTIONS, SOIL TYPES AND HYDROLOGY, SLOPES, SOLAR ASPECT, AVAILABILITY AND TYPE OF IRRIGATION, HABITAT CREATION, PLANNED USES AND PLANNED MAINTENANCE.
- AI. INVASIVE PLANT TYPES ARE PROHIBITED, NATIVE AND ADAPTED PLANTS ARE STRONGLY ENCOURAGED.
- AJ. ALL OPEN SPACE WILL BE MAINTAINED BY THE METRO DISTRICT OR HOMEOWNERS ASSOCIATION (HOA).
- AK. MINIMIZE THE USE OF EXPOSED RIP-RAP. RIP-RAP IF USED SHALL BE A SUBTLE EARTH TONE COLOR AND SHOULD BE BURIED AND INTEGRATED WITH EROSION CONTROL MATTING. PLANTING SHALL ALSO BE INCLUDED TO SOFTEN THE VISUAL IMPACT AND PROVIDE OPPORTUNITIES FOR HABITAT ESTABLISHMENT.

OVERLAND 368

WINDSOR, COLORADO

PUD AMENDMENT

PLANNED UNIT DEVELOPMENT - 1ST AMENDMENT



REV.	COMMENT	DATE

Date: 06.17.2022

Drawn By: SL

Checked By: CR

Sheet Name

LAND USE STANDARDS

Sheet

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STAGGERED FRONT YARD MASSING

IN ORDER TO ENSURE VISUAL INTEREST AND CHARM WITHIN THE STREET SCENE, DETACHED HOMES ARE REQUIRED TO PROVIDE A STAGGERED ARRAY OF MASSING SETBACKS ALONG RESIDENTIAL STREETS WITH FRONT-LOADED HOMES. THE TECHNIQUES USED SHALL VARY DEPENDING ON PRODUCT TYPE, RANGING FROM MASSING SETBACKS AT THE SECOND STORY ON SMALLER LOTS TO GROUND FLOOR SETBACKS ON MODERATE AND LARGE LOTS. THE STAGGERING SHOULD BE ACHIEVED WITHOUT SACRIFICING BACK YARD AREA. DESIGN TO BE REVIEWED BY MASTER DEVELOPER DESIGN REVIEW BOARD. BOARD COMPOSITION TO BE DETERMINED BY DEVELOPMENT ENTITY.

STREETSCAPE DIVERSITY AND DESIGN

- ORIENT HOMES TOWARD THE STREET WITH THE ENTRY TOWARD THE FRONT OF THE LOT;
- PROVIDE A DIRECT PEDESTRIAN PATH BETWEEN THE HOME AND THE SIDEWALKS;
 - CONSIDER THE SEQUENCE OR TRANSITION OF PUBLIC, SEMI-PUBLIC, SEMI-PRIVATE, AND PRIVATE SPACES THROUGH THE USE OF ENTRIES, PORCHES, COURTYARDS, AND OTHER ARCHITECTURAL ELEMENTS;
 - CREATE MEANINGFUL FRONT PORCHES OF AT LEAST 6' DEEP, IF PROVIDED;
 - USE LOW COURTYARD WALLS OR FENCES OF 42" IN HEIGHT, IF WHEN DESIRED;
 - CLEARLY DEFINE ENTRIES;
 - PROVIDE NIGHT LIGHTED BUILDING ADDRESS NUMBERS.

DESIGN TO BE REVIEWED BY MASTER DEVELOPER DESIGN REVIEW BOARD.

PLOTTING

EACH PLANNING AREA SHALL CONTAIN AT LEAST 3 MODELS AND 3 ELEVATIONS FOR EACH MODEL. DIFFERENT PLANS ARE DEFINED AS THOSE WITH SIGNIFICANT VARIATION IN FLOOR PLANS, MASSING, AND MINOR VARIATIONS IN SIZE OR THE NUMBER OF BEDROOMS. IN ORDER TO ENSURE ARCHITECTURAL DIVERSITY, LIKE ELEVATIONS CANNOT BE PLOTTED ADJACENT TO OR IMMEDIATELY ACROSS THE STREET FROM ONE ANOTHER.

PROHIBIT THE SAME PLAN AND ELEVATION ON THE LOT MOST DIRECTLY ACROSS FROM IT AND ON THE ONE LOT ON EACH SIDE;

PROHIBIT THE SAME COLOR SCHEME ON TWO ADJACENT HOMES THAT USE THE SAME ELEVATION STYLE;

DON'T REPEAT LIKE COLOR SCHEMES (EVEN IF ON A DIFFERENT PLAN) FOR THE THREE LOTS MOST DIRECTLY ACROSS FROM IT AND ON THE SINGLE LOT TO EACH SIDE OF IT; AND

PROVIDE VARIATION IN GARAGE ORIENTATION (PAIRED OR UNPAIRED) IN THE FRONT ELEVATION AND MASSING TO ALLOW HOMES TO UNDULATE ALONG THE STREETSCAPE.

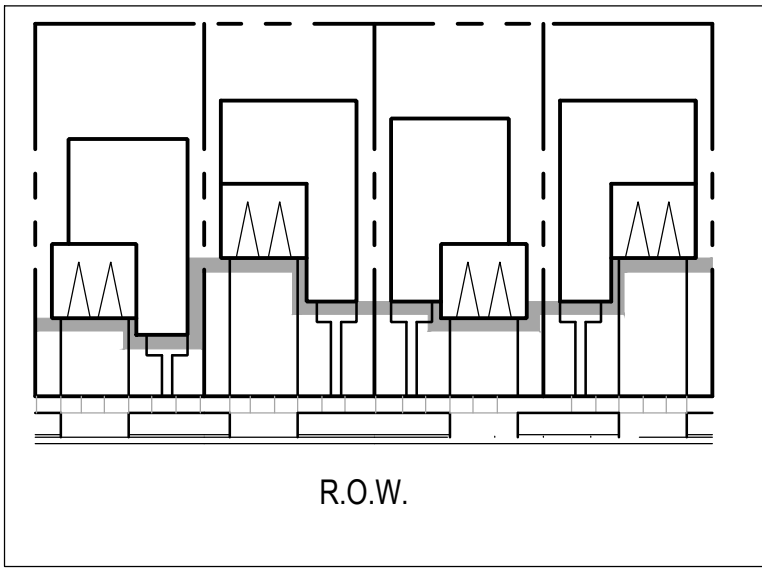
DESIGN TO BE REVIEWED BY MASTER DEVELOPER DESIGN REVIEW BOARD.

VISIBLE EDGES

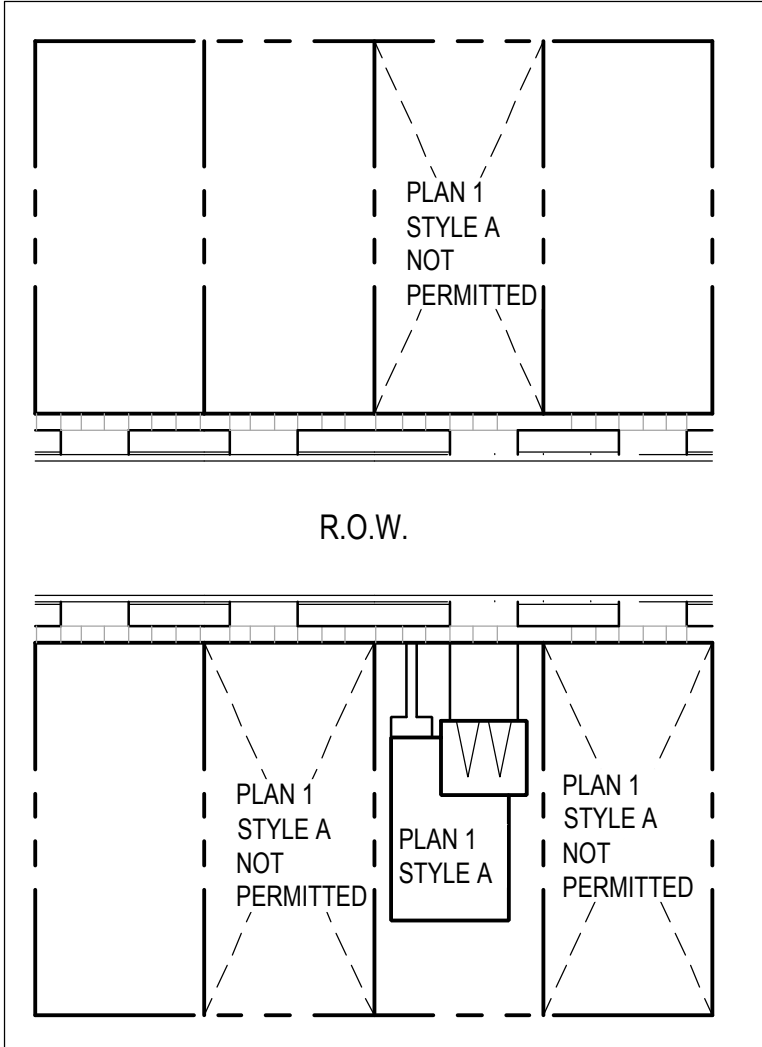
HOMES ALONG VISIBLE EDGES (I.E. VISIBLE FROM PROMINENT ROADS AND OPEN SPACES) OF THE NEIGHBORHOODS IMPACT HOW RESIDENTS AND VISITORS VIEW THE COMMUNITY. TO MINIMIZE THE VISUAL IMPACT OF REPETITIOUS FLAT PLANES, SIMILAR BUILDING SILHOUETTES AND SIMILAR RIDGE HEIGHTS, DISCERNIBLY DIFFERENT ROOF PLANS FOR EACH HOME PLAN SHALL BE DESIGNED. HOMES ALONG HIGHLY VISIBLE EDGES SHALL BE DESIGNED TO PROVIDE THE FOLLOWING:

- DESIGN EXTERIOR MASSING AND VARIED ARTICULATION TO IMPROVE THE FRONT AND REAR STREET SCENES.
- CREATE ROOF LINES THAT PROVIDE A VARIETY OF SILHOUETTES ALONG THE FRONTS AND REARS THAT ALSO STRENGTHEN THE AUTHENTICITY OF THE STYLE. IF INSTALLING PHOTOVATAIC PANELS, ALSO CONSIDER ROOF DESIGN TO MAXIMIZE SOLAR ORIENTATION.
- PROVIDE ATTRACTIVE MASSING ALONG HIGHLY VISIBLE FRONT AND REAR EDGES.
- BALANCE THE MAIN ROOF SPAN DIRECTION BETWEEN PLANS.
- INCORPORATE SINGLE-STORY HOMES AND SINGLE-STORY ELEMENTS.

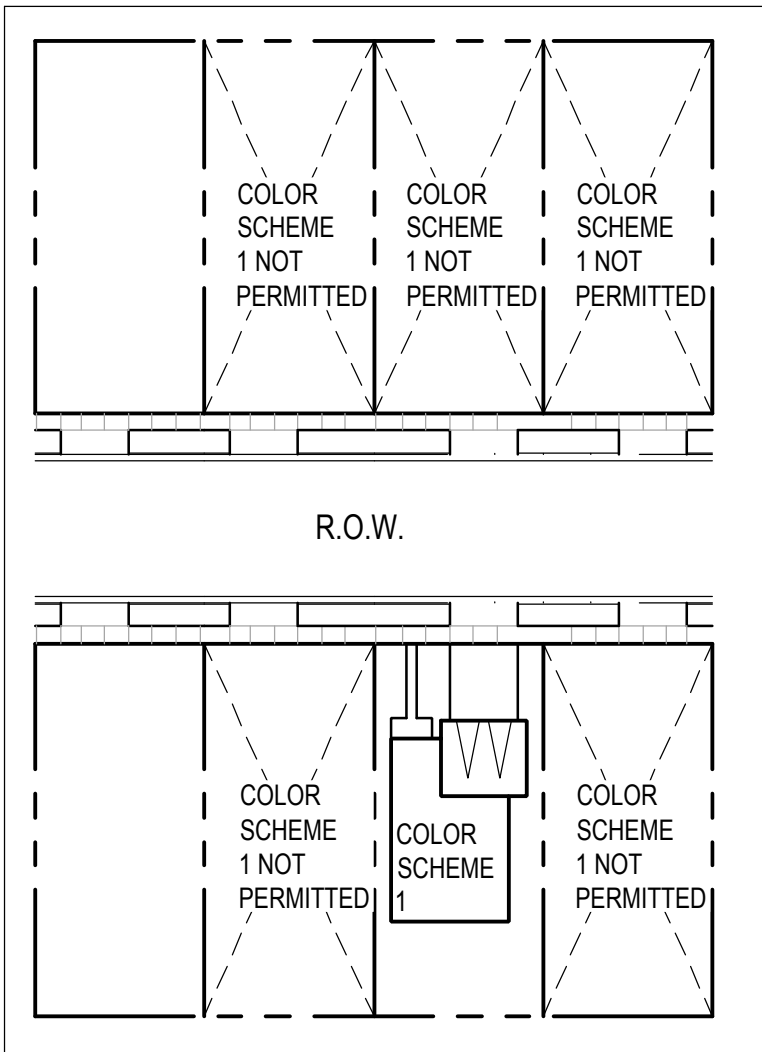
STAGGERED FRONT YARD MASSING AND GARAGE PLACEMENT



PLAN / ELEVATION STYLE PLOTTING



COLOR SCHEME PLOTTING



CORNER LOTS

CORNER LOTS HAVE HIGH VISIBILITY AND ARE IMPORTANT TO THE DESIGN QUALITY. CORNER LOT AESTHETICS ARE OF PARTICULAR IMPORTANCE ESPECIALLY THOSE WITH HIGH VISIBILITY AREAS SUCH AS COMMUNITY ENTRANCES OR ACROSS FROM PARKS. OTHER CORNER LOTS ARE IMPORTANT AS THEY MAY NOT BE IN SUCH PROMINENT LOCATIONS, BUT ARE STILL EXPOSED TO PUBLIC VIEW.

CORNER LOTS THAT HAVE HOA LANDSCAPE AREA BETWEEN THE RIGHT-OF-WAY AND LOT LINE WILL NOT BE SUBJECT TO THE CONDITIONS BELOW. REFER TO PAGE 5 FOR TYPICAL LOT CONFIGURATION THAT DIAGRAM SAID CONDITION.

IN INSTANCES WHERE CORNER LOTS ARE WIDER TO ACCOMMODATE THE LARGER SIDE YARD SETBACK ADJACENT TO RIGHT-OF-WAY THE FOLLOWING ARE DESIGN CRITERIA CONDITIONS:

- PROVIDE DIFFERENT ELEVATION ON CORNER LOTS OPPOSITE OF EACH OTHER TO IMPLEMENT VARIETY.
- PLANT TWO ADDITIONAL TREES (NOT INCLUDING REQUIRED STREET TREES).
- GARAGE VEHICLE UTILITY DOORS, IF EXPOSED, SHALL COMPLEMENT THE ARCHITECTURAL STYLE THROUGH THE USE OF WINDOWS OR ARCHITECTURAL PATTERN.
- ENHANCE CORNER LOT HOME ELEVATION THROUGH SPECIAL COLOR OR MATERIALS TREATMENT.
- CORNER FENCING SHALL NOT ENCROACH INTO VISIBILITY TRIANGLES.

GARAGES

WHERE FEASIBLE, FLOOR PLANS ARE TO BE PLOTTED SO THAT GARAGES OR ENTRIES ARE PAIRED NEXT TO EACH OTHER. OCCASIONALLY, THIS PATTERN SHOULD BE BROKEN SO THAT IT WILL NOT BECOME OVERLY REPETITIOUS OR REFLECT THE MASSING DIRECTLY ACROSS THE STREET. FINAL GARAGE PLOTTING WILL BE DETERMINED DURING SUBDIVISION DESIGN.

GARAGES GENERAL

- 20' X 20' CLEAR MINIMUM 2-CAR GARAGE DIMENSION AND 16' WIDE DOOR OR TWO (2) SINGLE DOORS.
- TANDEM GARAGES ARE RECOMMENDED TO BE A MINIMUM OF 36' DEEP.
- DESIGN GARAGE DOOR PATTERNS CONSISTENT WITH THE STYLE OF THE HOME.
- PROVIDE DIFFERENT STYLE DOOR PATTERNS FOR EACH ARCHITECTURAL STYLE.
- USE A GARAGE LIGHT OCCUPANCY SENSOR WHEN PROVIDING GARAGE DOOR WINDOWS.

FRONT-FACING GARAGES

70% OF HOMES (SINGLE-FAMILY DETACHED AND SINGLE-FAMILY ATTACHED) SHALL BE ARCHITECTURE FORWARD.

ARCHITECTURE FORWARD SHALL MEAN:

- ALLEY LOADED HOMES WITH FRONT FACING PUBLIC RIGHT-OF-WAY.
- FRONT FACING GARAGES SETBACK FROM FRONT OF PORCH OR FRONT OF HOUSE A MINIMUM OF 5'-0".

DE-EMPHASIZE THE VISUAL PROMINENCE OF GARAGE DOORS OF ALL NON-ARCHITECTURE FORWARD HOMES WITH GARAGE DOOR WINDOWS.

SETBACKS

WHERE GARAGES ARE ADJACENT TO ONE ANOTHER AT COMMON PROPERTY LINES, A 2'-0" MINIMUM DIFFERENCE IN FRONT SETBACKS SHALL OCCUR. REFER TO STAGGERED FRONT YARD MASSING AND GARAGE PLACEMENT DIAGRAM.

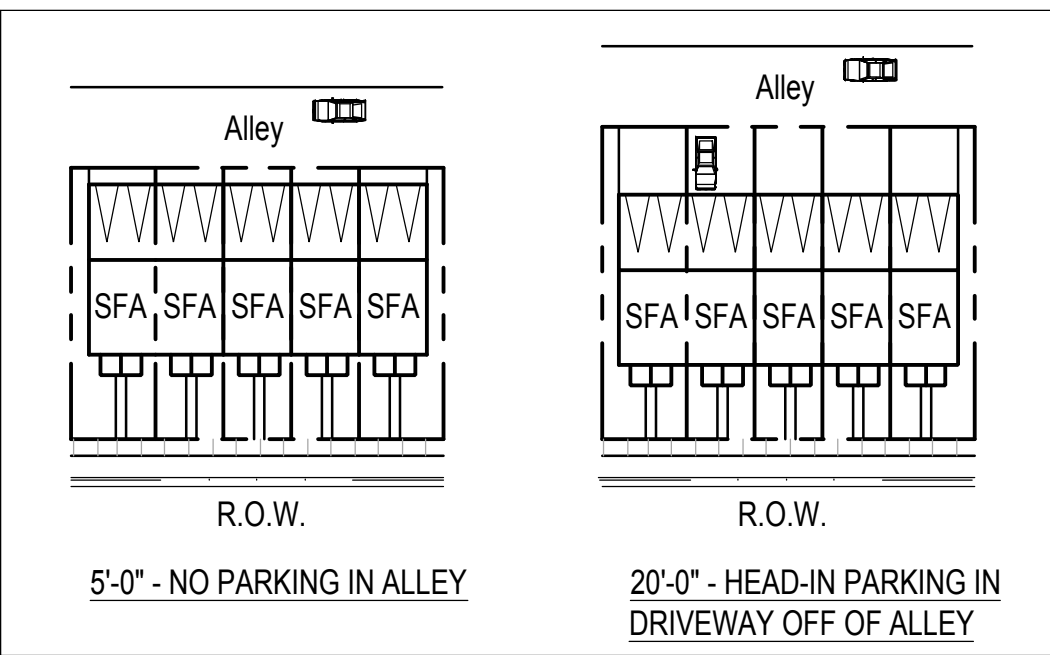
DRIVEWAYS

- MINIMIZE WIDTHS AS MUCH AS POSSIBLE (MAX WIDTH 20').
- LOTS LESS THAN 40'-0" IN WIDTH SHALL HAVE ALLEY LOADED GARAGES.
- TAPER DRIVEWAYS WHEN GARAGE FACE IS MORE THEN 30' FROM BACK OF SIDEWALK.

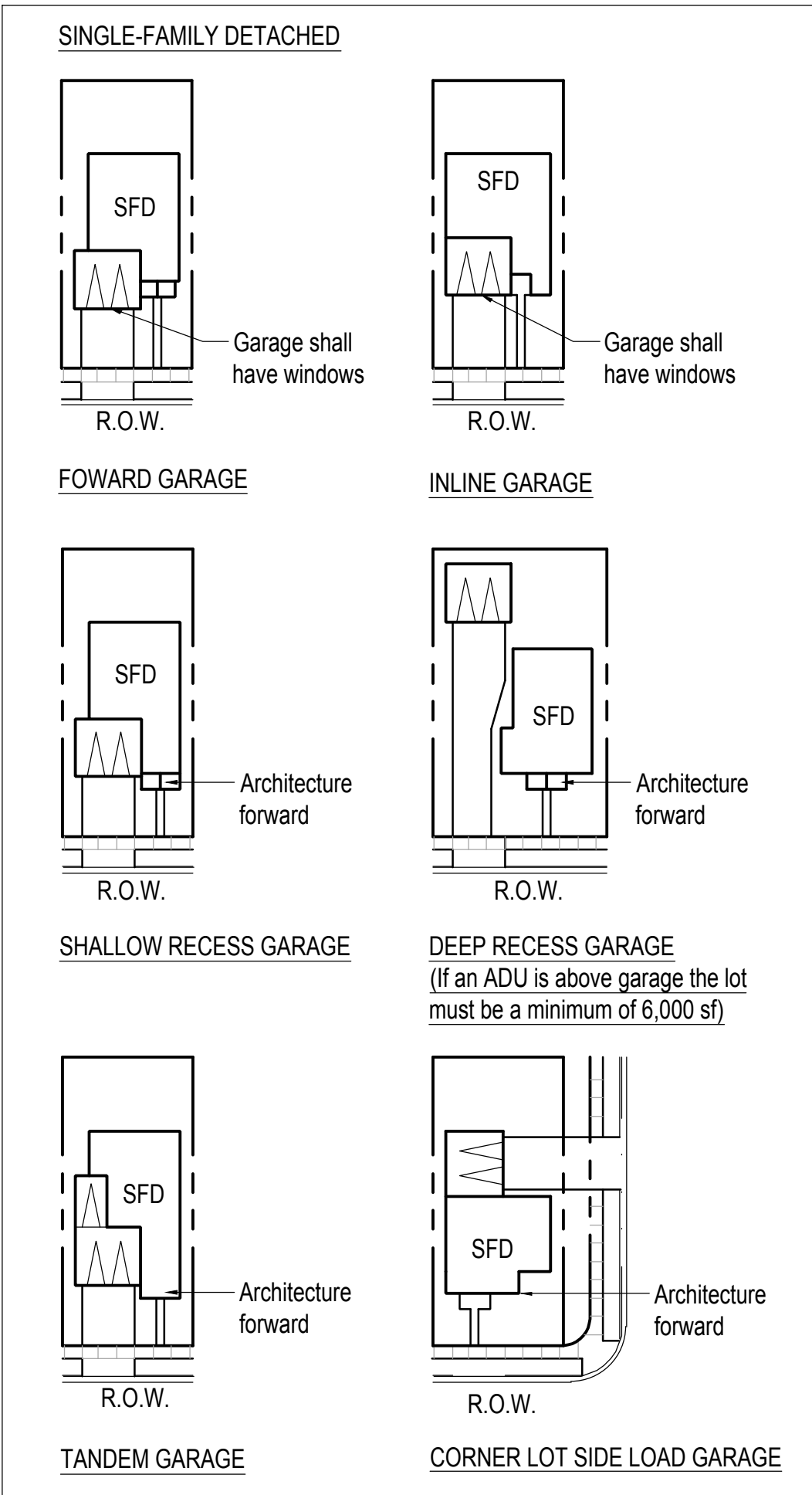
NON-RESIDENTIAL DESIGN

NON-RESIDENTIAL USES ARE SUBJECT TO THE TOWN OF WINDSOR COMMERCIAL ARCHITECTURE STANDARDS.

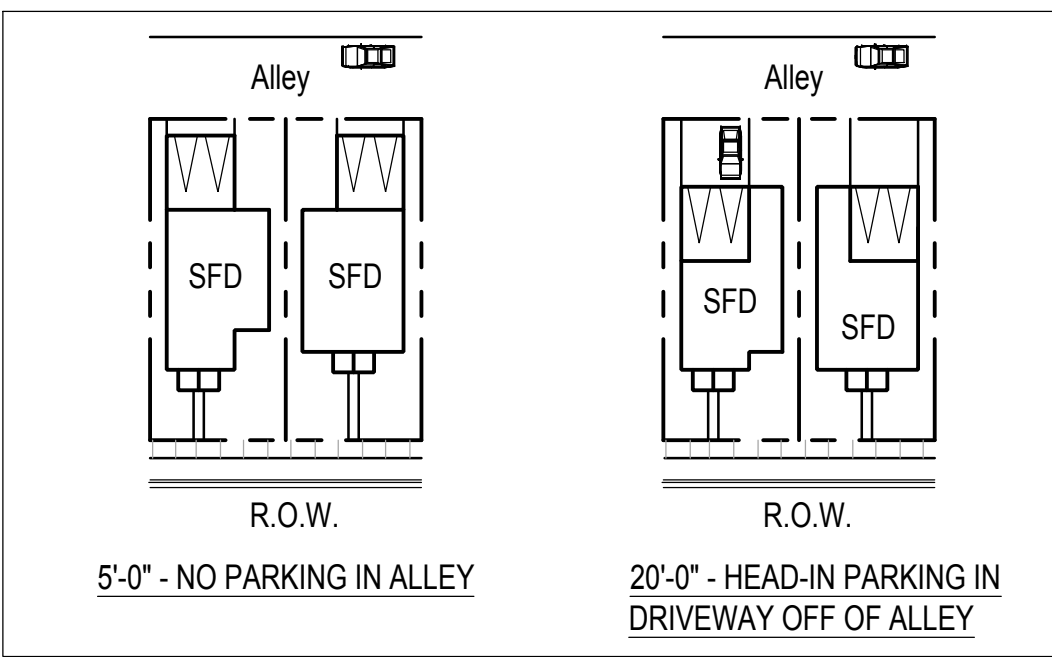
SINGLE-FAMILY ATTACHED (TOWNHOMES - ALLEY LOAD)



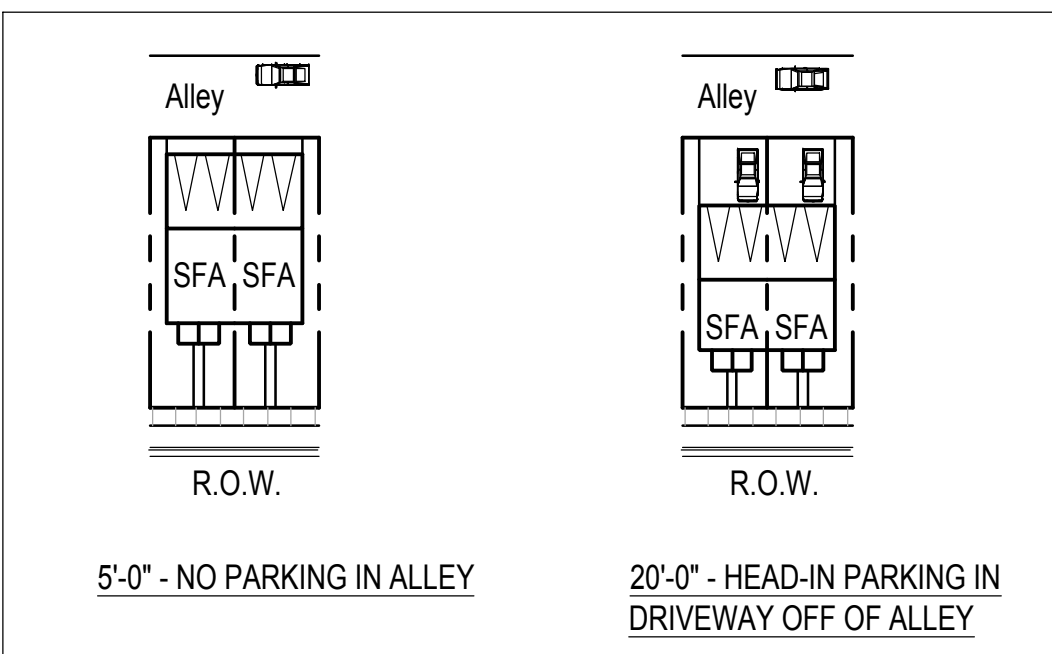
SINGLE-FAMILY DETACHED(50'X110') FRONT LOAD GARAGE OPTIONS



SINGLE-FAMILY DETACHED (40'X95' - ALLEY LOAD)



SINGLE-FAMILY ATTACHED (DUPLEX - ALLEY LOAD)



REV.	COMMENT	DATE

Date: 06.22.2022

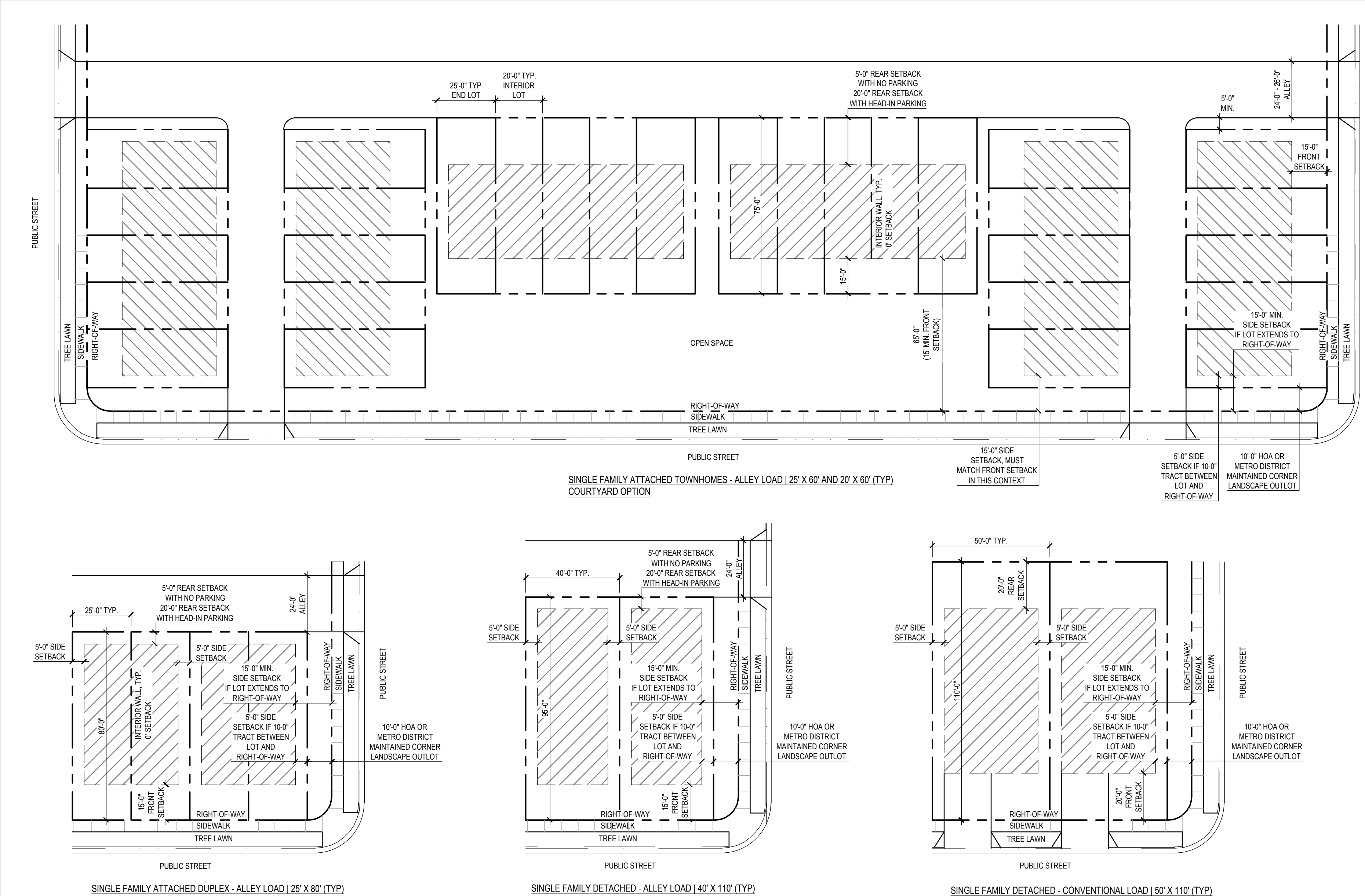
Drawn By: SL

Checked By: CR

Sheet Name

DESIGN CRITERIA

Sheet



IMPLEMENTATION GENERAL NOTES

ALL CONSTRUCTION SHALL ADHERE TO ALL BUILDING AND FIRE CODES IN EFFECT AT THE TIME OF BUILDING PERMIT ISSUANCE. PRINCIPAL STRUCTURES DO NOT INCLUDE ATTACHED OR DETACHED GARAGES OR OTHER ACCESSORY STRUCTURES.ACCESSORY DWELLING UNITS ARE PERMITTED PER TOWN CODE.

MODIFICATIONS

FLEXIBILITY IN INTERPRETATION OF DEVELOPMENT STANDARDS:

THE DIRECTOR OF PLANNING MAY ADMINISTRATIVELY APPROVE AN ALTERNATIVE STANDARD THAT DIFFERS FROM THE PUD OVERLAY STANDARDS IF THE DIRECTOR OF PLANNING DETERMINES THAT THE APPLICANT'S PROPOSED ALTERNATIVE IS SUBSTANTIALLY EQUIVALENT TO THE STANDARD AT ISSUE. THE BURDEN OF PROVING ELIGIBILITY FOR APPROVAL SHALL BE UPON THE APPLICANT THE PUD STANDARD SHALL BE PRESUMED APPLICABLE UNLESS AND UNTIL OVERCOME BY THE APPLICANT.

THE APPLICANT SHALL PROVIDE THE TOWN A NARRATIVE OF THE REQUESTED CHANGE, INCLUDING AN EXPLANATION OF WHY THE CHANGE IS NECESSARY AND HOW IT IS CONSISTENT WITH THE LARGER VISION FOR THE OVERLAND PUD. THE APPLICANT SHALL ALSO SUBMIT PROPOSED FINDINGS OF FACT SUPPORTING THE CHANGE. IN MAKING A DETERMINATION, THE DIRECTOR OF PLANNING SHALL RENDER A WRITTEN DECISION, CONTAINING A STATEMENT OF FINDINGS AND CONCLUSIONS WHICH SHALL BE PROVIDED TO THE APPLICANT AND RETAINED IN THE PERMANENT DEVELOPMENT APPLICATION FILE.

ANY DECISION OF THE DIRECTOR OF PLANNING UNDER THIS PROVISION MAY BE APPEALED BY THE APPLICANT TO THE PLANNING COMMISSION BY THE FILING OF A NOTICE OF APPEAL WITHIN TWENTY-EIGHT (28) DAYS OF THE DIRECTOR OF PLANNING'S WRITTEN DECISION. FAILURE TO OBSERVE THE 28-DAY DEADLINE WILL BE DEEMED A WAIVER OF ALL OBJECTIONS TO THE DIRECTOR OF PLANNING'S DECISION. THE APPEAL WILL BE SCHEDULED BY THE PLANNING DEPARTMENT WITHIN 90 DAYS OF THE NOTICE OF APPEAL. THE SOLE QUESTION FOR THE PLANNING COMMISSION ON APPEAL SHALL BE WHETHER THE DIRECTOR OF PLANNING ABUSED HIS/HER DISCRETION IN REACHING THE DECISION.

DESIGN REVIEW BOARD

AS PART OF THE OVERLAND DEVELOPMENT PROPOSAL APPROVALS, A DESIGN REVIEW BY THE OVERLAND DESIGN REVIEW BOARD (ORB) WILL BE CONDUCTED TO ENSURE ALL BUILDING AND LANDSCAPE PROPOSALS MEET IN THE INTENT OF THIS PUD. THE ORB IS MADE UP OF THE FOLLOWING MEMBERS:

1. OVERLAND MASTER DEVELOPER REPRESENTATIVE
2. OVERLAND MASTER PLANNER/ ARCHITECT
3. OVERLAND MASTER LANDSCAPE ARCHITECT
4. OVERLAND MASTER CIVIL ENGINEER

THE CONCEPTUAL DESIGN PROPOSAL SUBMITTAL INCLUDES REVIEW OF THE DEVELOPMENT SITE PLAN, CONCEPT FLOOR PLANS, ALL FRONT ELEVATIONS AND ROOF PLANS (BLACK AND WHITE), SKETCH-UP MASSING MODELS OF EACH PLAN DEMONSTRATING PROPER SCALE AND MASSING AND A STATISTICAL SUMMARY.

THE SUBMITTAL MUST INCLUDE CONCEPTUAL GRADES, DENSITY, PRODUCT SQUARE FOOTAGE RANGE, EDGE CONDITION GRADING, SETBACK CRITERIA, AS WELL AS, COLOR AND MATERIAL PALETTES, PRODUCT MIX AND STYLE ASSIGNMENTS. PROPOSED STORM DRAIN, WATER AND SEWER CONNECTION POINTS, AS IDENTIFIED BY THE MASTER DEVELOPER, MUST ALSO BE REFLECTED.

NOTE: THE DESIGN REVIEW BOARD IS NOT RESPONSIBLE FOR REVIEWING ANY SUBMITTALS FOR CONFORMANCE TO CODES, LAWS, REGULATIONS, AND STANDARDS BY APPLICABLE GOVERNMENT AUTHORITIES.

THE REQUIRED MATERIALS FOR THE SUBMITTALS ARE DESCRIBED BELOW. PLEASE SUBMIT ONLY ITEMS THAT ARE COMPLETE.

- 1. ONE FULL SIZE SET AND DIGITAL COPIES
- 2. ALL SHEET SIZES TO BE CONSISTENT WITH THE TOWN OF WINDSOR REQUIREMENTS
- 3. 40 SCALE (UNLESS OTHERWISE NOTED) SITE PLANS AND GRADING PLANS
- 4. 20 SCALE LANDSCAPE PLANS FOR COMMON AREAS
- 5. 10 SCALE FOR MODEL HOMES
- 6. ELEVATIONS AND FLOOR PLANS

APPLICABILITY

ANY PERSON OR ENTITY APPLYING TO THE TOWN FOR APPROVAL OF A SITE PLAN OR BUILDING PERMIT TO CONSTRUCT A NEW BUILDING, EXCLUDING ACCESSORY BUILDINGS, SHALL BE SUBJECT TO REVIEW AND RECOMMENDATION BY THE ORB TO THE TOWN.

REVIEW

THE DEIGN REVIEW BOARD SHALL REVIEW THE APPLICATION AND FORWARD TO THE PLANNING DEPARTMENT A WRITTEN RECOMMENDATION OF APPROVAL OR DENIAL BASED SOLELY ON COMPLIANCE WITH THE STANDARDS CONTAINED IN THIS PUD DOCUMENT. THE RECOMMENDATION SHALL INDICATE WHETHER THE APPLICATION IS IN CONFORMANCE WITH THE REQUIREMENTS OF THIS PUD DOCUMENT.

PRIVATE COVENANTS

THE DESIGN REVIEW BOARD MAY REVIEW AND ENFORCE PRIVATE COVENANTS, CONDITIONS, AND RESTRICTIONS, BUT SUCH REVIEW SHALL BE SEPARATE FROM AND INDEPENDENT FROM THE RECOMMENDATION TO THE TOWN.

TIMELY REVIEW

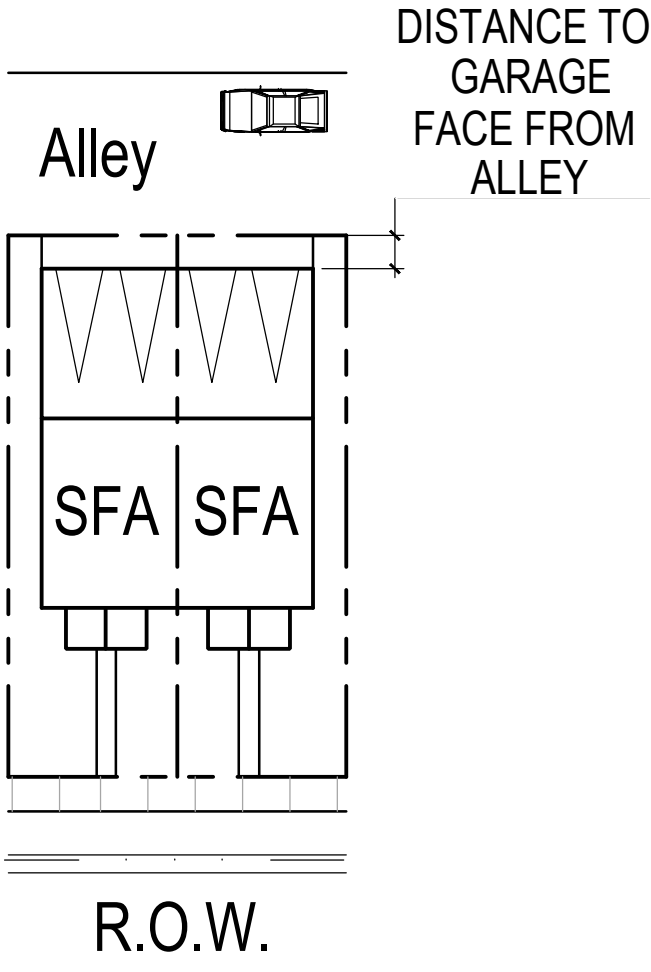
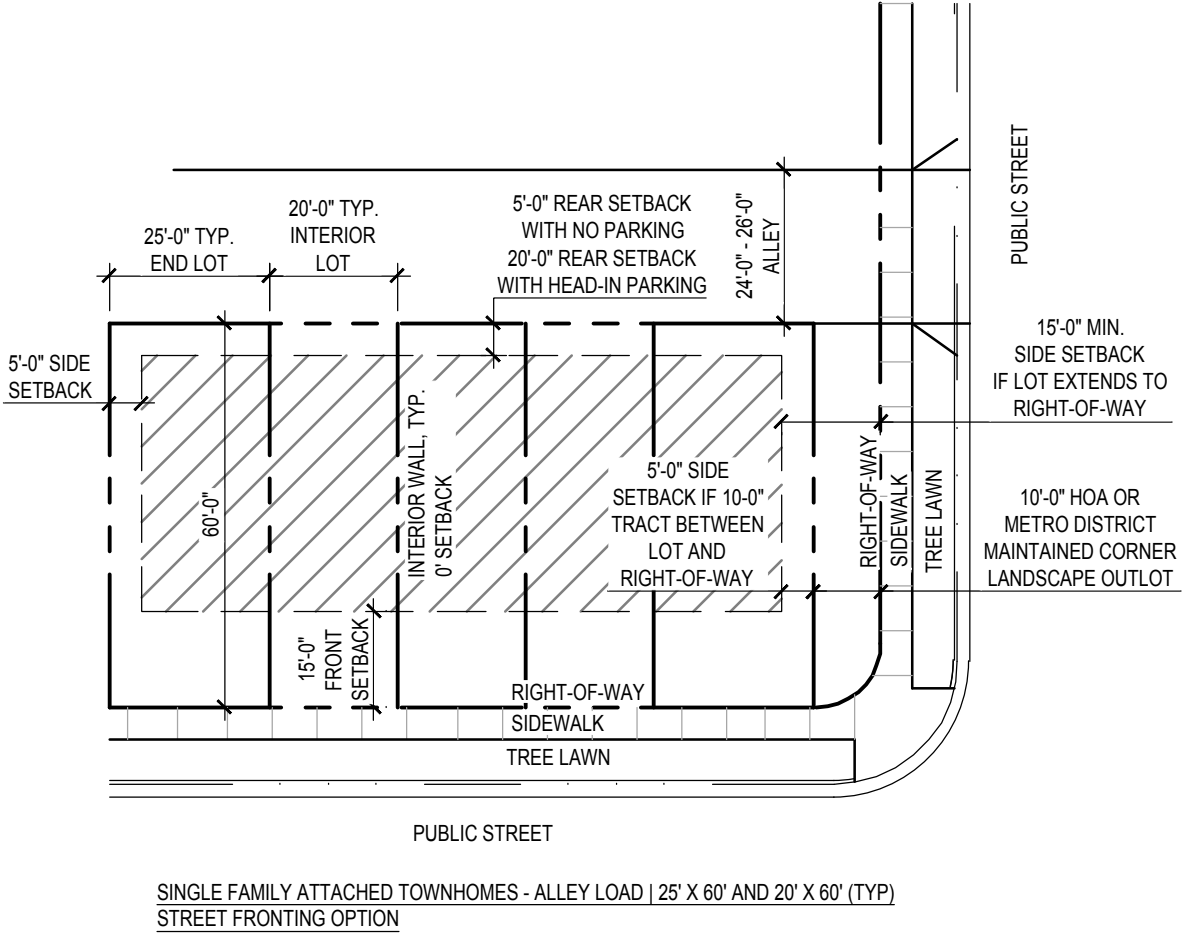
THE DESIGN REVIEW BOARD SHALL REVIEW ALL SUCH APPLICATIONS IN A TIMELY MANNER IN ACCORDANCE WITH ESTABLISHED SCHEDULES.

WAIVERS

THE DIRECTOR MAY WAIVE THE REQUIREMENT FOR REVIEW BY THE ORB IF IT IS DETERMINED IT IS UNNECESSARY TO IMPLEMENT THE REQUIREMENTS OF THE PUD.

LOT TYPICAL NOTES

- 1. THE SMALLER LOT SIZES, SETBACKS, AND OTHER UNIQUE ASPECTS OF THIS PUD MAY NOT ACCOMMODATE STANDARD RESIDENTIAL DEVELOPMENT AND MAY REQUIRE THE APPROVAL A TOWN OF WINDSOR SUBDIVISION PROCESS TO RE- PLAT THE SUBJECT PROPERTY.
- 2. GENERALLY, ALL HOUSING PRODUCT TYPES WILL BE DESIGNED TO MEET THE STANDARDS OF THIS PUD AND SHALL NOT TYPICALLY REQUIRE THE APPROVAL OF FURTHER VARIANCES TO STANDARDS OF THIS PUD OR THE MUNICIPAL CODE.
- 3. FOR EACH PHASE THE DEVELOPER SHALL SUBMIT, CONCURRENTLY WITH THE PLAT AND/OR SITE PLAN AS APPROPRIATE, A PUD COMPLIANCE SUMMARY, OUTLINING COMPLIANCE WITH THIS PUD. THE PUD COMPLIANCE SUMMARY IS TO BE UPDATED AS NECESSARY THROUGH THE PLATTING PROCESS. THE PUD COMPLIANCE SUMMARY SHALL INCLUDE, AT A MINIMUM, THE FOLLOWING ELEMENTS:
 - 3.A.A NARRATIVE DESCRIPTION OF THE OVERALL AREA TO BE PLATTED AND HOW THE PLAT COMPLIES WITH THE PUD.
 - 3.B.A TABLE LISTING THE EASEMENTS AND SETBACKS/OFFSET FOR EACH LOT.
 - 3.C. A TABLE LISTING THE TRACTS TO BE OWNED AND MAINTAINED BY THE METROPOLITAN DISTRICT.
- 4. THE DEVELOPER SHALL SUBMIT, CONCURRENTLY WITH THE PLAT AND/OR SITE PLAN. THE PUD COMPLIANCE SUMMARY IS TO BE UPDATED AS NECESSARY THROUGH THE PLATTING AND/OR SITE PLANNING PROCESS.
- 5. ALL RESIDENTIAL BUILDING SETBACKS WITHIN INDIVIDUAL NEIGHBORHOODS CONFORM WITH LARIMER COUNTY DISTANCE AT INTERSECTIONS (UNSIGNALIZED SIGHT DISTANCE/SIGHT TRIANGLE) FOR STREETS WITH DESIGN SPEEDS UP TO 40MPH. PLEASE SEE FIGURE 7-16 IN LARIMER COUNTY URBAN AREA STREET STANDARDS.



ALLEY OFFSETS	
Parking Type	Distance to Garage Face from Alley
Garage parking only	5' (min.)
Garage parking with head-in parking	20' (min.)

OVERLAND 368

WINDSOR, COLORADO

PUD AMENDMENT

PLANNED UNIT DEVELOPMENT - 1ST AMENDMENT



REV.	COMMENT	DATE

Date: 06.22.2022

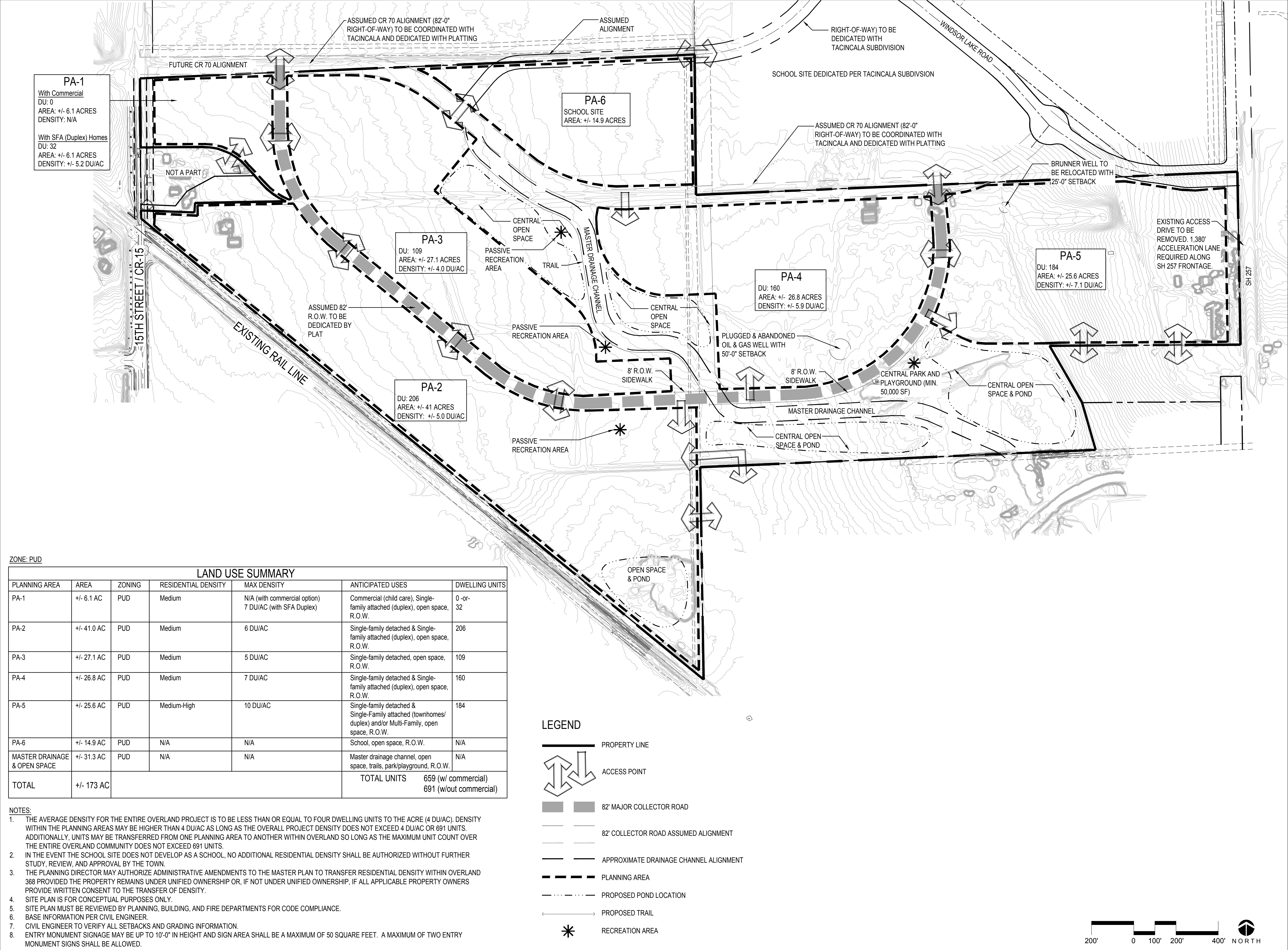
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Sheet Name

TYPICAL LOT CONFIGURATIONS, ADMINISTRATION & IMPLEMENTATION

Sheet



OVERLAND 368

WINDSOR, COLORADO

PUD AMENDMENT

PLANNED UNIT DEVELOPMENT - 1ST AMENDMENT



REV.	COMMENT	DATE

Date: 06.22.2022

Drawn By: SL

Checked By: CR

Sheet Name

OVERALL MASTER PLAN

Sheet

OVERLAND 368

MASTER PLAN AMENDMENT

Parcels Of Land Located In Section 8 And Section 17, Township 6 North,Range 67 West Of The 6TH P.M., County Of Weld, State Of Colorado
APN: 0807-8-3RE 2798, 0807-17-1-RE 2124, 0807-17-2-RE 2124, 0807-17-1-RE 1315, 0807-17-2-RE 1315

ACKNOWLEDGMENT OF OWNERSHIP INTEREST
THE UNDERSIGNED, BEING ALL THE OWNERS, LIENHOLDERS, AND HOLDERS OF ANY OWNERSHIP INTEREST AS DEFINED BY THE TOWN OF WINDSOR, OF THE LAND DESCRIBED HEREON, HAVE CAUSED SUCH LAND TO BE ANNEXED AND MASTER PLANNED AS INDICATED ON THIS MASTER PLAN. THE WITHIN MASTER PLAN IS SUBMITTED IN ACCORDANCE WITH THE WINDSOR MUNICIPAL CODE. IT IS HEREBY ACKNOWLEDGED THAT ALL CONSTRUCTION, USE AND DEVELOPMENT OF THIS PROPERTY WILL BE IN STRICT ACCORDANCE WITH THIS MASTER PLAN. IT IS FURTHER ACKNOWLEDGED THAT DEVIATION FROM THIS MASTER PLAN WITHOUT THE EXPRESS WRITTEN CONSENT OF THE TOWN OF WINDSOR MAY RESULT IN REVOCATION OF THE TOWN'S APPROVAL OF THE MASTER PLAN, DENIAL OF BUILDING PERMITS, REFUSAL TO ISSUE CERTIFICATES OF OCCUPANCY, INJUNCTIVE RELIEF PROHIBITING USE OF THE PROPERTY AND OTHER REMEDIES AVAILABLE TO THE TOWN UNDER THE WINDSOR MUNICIPAL CODE AND OTHER APPLICABLE LAWS OF THE STATE OF COLORADO. THE UNDERSIGNED HAVE CAUSED SAID LAND TO BE LAID OUT AND MASTER PLANNED UNDER THE NAME OF OVERLAND 368.

IN WITNESS WHERE OF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS THE _____ DAY OF _____, 20____.

OVERLAND 368 REPRESENTATIVE _____

NOTARIAL CERTIFICATE
STATE OF _____)
COUNTY OF _____) SS.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE MY BY _____ AS _____ OF _____ THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC (SEAL)

ENGINEERING DEPARTMENT APPROVAL
APPROVED THIS THE _____ DAY OF _____, 20____.

DEPUTY DIRECTOR OF ENGINEERING _____

PLANNING DEPARTMENT APPROVAL
APPROVED THIS THE _____ DAY OF _____, 20____.

DIRECTOR OF PLANNING _____

MAYOR'S CERTIFICATE
THIS IS TO CERTIFY THAT A MASTER PLAN OF THE PROPERTY DESCRIBED HEREIN WAS APPROVED BY RESOLUTION NO. _____ OF THE TOWN OF WINDSOR PASSED AND ADOPTED ON THE DAY OF _____, 20____, A.D. AND THAT THE MAYOR OF THE TOWN OF WINDSOR, AS AUTHORIZED BY SAID RESOLUTION ON BEHALF OF THE TOWN OF WINDSOR, HEREBY ACKNOWLEDGES AND ADOPTS THE SAID MASTER PLAN UPON WHICH THIS CERTIFICATE IS ENDORSED FOR ALL PURPOSES INDICATED THEREON.

MAYOR

TOWN CLERK

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

PREPARER'S CERTIFICATE
I CERTIFY THAT THIS MASTER PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION.

PRINT NAME
PREPARER OF MASTER PLAN

SIGNATURE
PREPARER OF MASTER PLAN

PRINT NAME
PREPARER OF MASTER PLAN

SIGNATURE
PREPARER OF MASTER PLAN

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.

DESCRIPTION
A PARCEL OF LAND SITUATE IN THE NORTH HALF (N1/2) OF SECTION SEVENTEEN (17) AND THE SOUTHWEST QUARTER (SW1/4) OF SECTION EIGHT (8), BOTH IN TOWNSHIP SIX NORTH (T.6N.), RANGE SIXTY-SEVEN WEST (R.67W.), SIXTH PRINCIPAL MERIDIAN (6TH P.M.), TOWN OF WINDSOR, COUNTY OF WELD, STATE OF COLORADO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 17 AND ASSUMING THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17 TO BEAR NORTH 87° 33' 06" EAST A DISTANCE OF 2630.74 FEET WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.
THENCE SOUTH 87° 33' 06" WEST ALONG SAID NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17 A DISTANCE OF 64.73 FEET TO A WESTERLY LINE OF THE WINDSOR NORTH ANNEXATION, RECORDED JANUARY 29, 1986 AS RECEPTION NO. 02040927 OF THE RECORDS OF WELD COUNTY, TO THE SOUTHEASTERLY CORNER OF THE TACINCALA ANNEXATION RECORDED APRIL 6, 2007 AS RECEPTION NO. 3467435, AND TO THE POINT OF BEGINNING.
THENCE SOUTH 01° 03' 22" EAST CONTINUING ALONG SAID WESTERLY LINE OF THE WINDSOR NORTH ANNEXATION A DISTANCE OF 818.34 FEET TO THE SOUTH LINE OF LOT B, RECORDED EXEMPTION NO. 0807-17-1-RE 1315, RECORDED JANUARY 29, 1991 AS RECEPTION NO. 2239763 OF THE RECORDS OF WELD COUNTY;
THENCE SOUTH 89° 39' 48" WEST ALONG SAID SOUTH LINE OF LOT B A DISTANCE OF 903.72 FEET TO AN EASTERLY LINE OF LOT A OF SAID RE 1315;
THE FOLLOWING THREE (3) COURSES ARE ALONG EASTERLY AND SOUTHERLY LINES OF SAID RECORDED EXEMPTION NO. 0807-17-1-RE 1315.
THENCE SOUTH 29° 45' 38" EAST A DISTANCE OF 309.99 FEET;
THENCE SOUTH 15° 52' 07" EAST A DISTANCE OF 232.32 FEET;
THENCE SOUTH 87° 28' 32" WEST A DISTANCE OF 1873.89 FEET TO THE EAST LINE OF LOT B, RECORDED EXEMPTION NO. 0807-17-2-RE 2124, RECORDED JANUARY 6, 1998 AS RECEPTION NO. 2587737 OF THE RECORDS OF WELD COUNTY AND TO THE CENTER-NORTH QUARTER SECTION LINE OF SAID SECTION 17;
THENCE SOUTH 00° 54' 08" EAST ALONG SAID EAST LINE OF LOT B A DISTANCE OF 1005.79 FEET TO THE NORTHEASTERLY RIGHT OF WAY LINE OF THE GREAT WESTERN RAILROAD OF COLORADO;

THENCE NORTH 50° 40' 00" WEST ALONG SAID NORTHEASTERLY RAILROAD RIGHT OF WAY LINE A DISTANCE OF 3405.87 FEET TO THE EASTERLY RIGHT OF WAY LINE OF WELD COUNTY ROAD 15 AND TO AN EASTERLY LINE OF THE 15TH STREET PARK SITE ANNEXATION, RECORDED OCTOBER 24, 2012 AS RECEPTION NO. 3883428 OF THE RECORDS OF WELD COUNTY;
THENCE NORTH 00° 45' 28" WEST ALONG SAID EASTERLY LINE OF SAID 15TH STREET PARK SITE ANNEXATION A DISTANCE OF 23.95 FEET;
THENCE NORTH 00° 21' 44" WEST CONTINUING ALONG SAID EASTERLY LINE OF SAID 15TH STREET PARK SITE ANNEXATION A DISTANCE OF 38.80 FEET TO A SOUTHERLY LINE OF SUBDIVISION EXEMPTION SE-832, RECORDED JANUARY 18, 2002 AS RECEPTION NO. 2918250 OF THE RECORDS OF WELD COUNTY;
THE FOLLOWING SIX (6) COURSES ARE ALONG THE SOUTHERLY AND NORTHEASTERLY LINES OF SAID SUBDIVISION EXEMPTION SE-832.
THENCE NORTH 89° 38' 16" EAST A DISTANCE OF 50.22
THENCE SOUTH 86° 48' 39" EAST A DISTANCE OF 173.70 FEET;
THENCE NORTH 03° 11' 28" EAST A DISTANCE OF 44.67 FEET;
THENCE NORTH 88° 58' 10" EAST A DISTANCE OF 430.51 FEET TO A SOUTHWESTERLY LINE OF LOT B, RECORDED EXEMPTION 0807-8-3-RE 2798 RECORDED JANUARY 18, 2002 AS RECEPTION NO. 2918249 OF THE RECORDS OF WELD COUNTY;
THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHEAST AND NONTANGENT TO THE AFORESAID COURSE A DISTANCE OF 144.11 FEET, SAID CURVE HAS A RADIUS OF 330.00 FEET, A DELTA OF 25° 01' 17" AND IS SUBTENDE BY A CHORD BEARING NORTH 53° 53' 58" WEST A DISTANCE OF 142.97 FEET TO A POINT OF TANGENCY;
THENCE NORTH 41° 23' 19" WEST A DISTANCE OF 108.70 FEET TO A POINT OF CURVATURE;
THENCE ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHWEST A DISTANCE OF 230.78 FEET, SAID CURVE HAS A RADIUS OF 270.00 FEET, A DELTA OF 48° 58' 24" AND IS SUBTENDE BY A CHORD BEARING NORTH 65° 52' 31" WEST A DISTANCE OF 223.82 FEET TO A POINT OF TANGENCY;
THENCE SOUTH 89° 38' 16" WEST CONTINUING ALONG SAID LOT B, RE 2798 A DISTANCE OF 266.81 FEET TO AN EASTERLY LINE OF SAID 15TH STREET PARK SITE ANNEXATION;
THENCE NORTH 00° 21' 44" WEST A DISTANCE OF 327.60 FEET TO THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 8 AND TO A SOUTHERLY LINE OF THE TACINCALA ANNEXATION;
THE FOLLOWING THREE (3) COURSES ARE ALONG THE SOUTHERLY LINES OF SAID TACINCALA ANNEXATION.
THENCE NORTH 87° 31' 39" EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 8 A DISTANCE OF 2598.60 FEET TO THE CENTER-SOUTH-SOUTH SIXTY-FOURTH (C-S-S 1/64) CORNER;
THENCE SOUTH 00° 33' 50" EAST ALONG THE CENTER-SOUTH QUARTER SECTION LINE A DISTANCE OF 665.11 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 17;
THENCE NORTH 87° 33' 06" EAST ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 17 A DISTANCE OF 2566.01 FEET TO A WESTERLY LINE OF SAID WINDSOR NORTH ANNEXATION, THE WESTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 257 AND TO THE POINT OF BEGINNING.
SAID DESCRIBED PARCEL OF LAND CONTAINS 172.86 ACRES, MORE OR LESS.

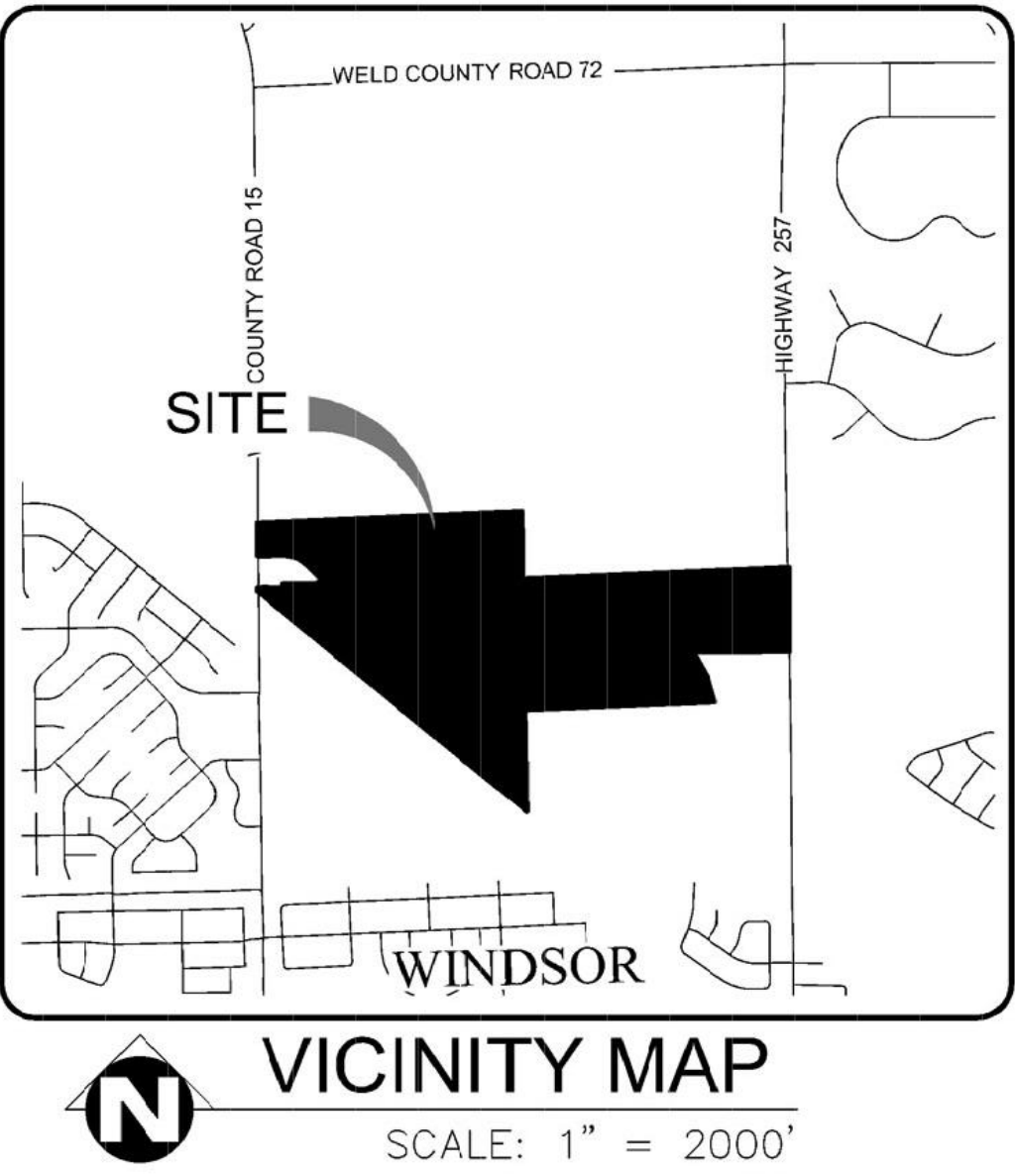
INTENT OF THIS PLAN
OVERLAND IS A 172.86-ACRE PROPERTY LOCATED IN THE TOWN OF WINDSOR. THE PROPERTY IS LOCATED NORTHWEST OF WINDSOR LAKE. IT IS LESS THAN ONE MILE NORTH OF THE TOWN CENTER BOUNDED ON THE EAST BY NORTH 7TH STREET, ON THE WEST BY 15TH STREET, ON THE SOUTH BY THE GREAT WESTERN RAILWAY, AND AGRICULTURAL LANDS TO THE NORTH (FUTURE PRAIRIE SONG DEVELOPMENT). CURRENTLY DESIGNATED AS A PUD FOR LAND USE, THE PROPERTY WAS FORMALLY BLUE SKY FARMS WHICH OPERATED AS A FARMING AND LIVESTOCK BUSINESS.
OVERLAND IS A MASTER PLANNED COMMUNITY FOR UP TO 691 HOMES. IT IS ENVISIONED TO BE A THOUGHTFULLY CRAFTED COMMUNITY, COMPLEMENTING THE SMALL TOWN CULTURE OF WINDSOR AND EMBRACING THE ACTIVE

LIFESTYLE OF THE WESTERN FRONT.

THE PURPOSE OF THE OVERLAND MASTER PLAN AND PLANNED UNIT DEVELOPMENT (PUD) DOCUMENT IS TO ESTABLISH ARCHITECTURAL AND SITE DESIGN REGULATIONS THAT WILL GOVERN THE DEVELOPMENT OF THE PROJECT. THIS DOCUMENT IS CRAFTED TO PROMOTE A HIGH STANDARD OF NEIGHBORHOOD DESIGN AND ARCHITECTURAL QUALITY AS WELL AS PROMOTE INNOVATIVE AND DIVERSE HOUSING CHOICES. THESE GUIDELINES ARE INTENDED TO GUIDE DEVELOPMENT BUT ALSO PROVIDE FLEXIBILITY TO ADDRESS FUTURE MARKET CONDITIONS.

OPEN SPACE PROTECTION
ALL AREAS DEPICTED HEREON AS "OPEN SPACE" SHALL REMAIN UNDEVELOPED, REGARDLESS OF OWNERSHIP AND REGARDLESS OF OFFICIAL ZONING DESIGNATION. NO PERMANENT STRUCTURES OF ANY KIND MAY BE ERECTED UPON AREAS DEPICTED HEREON AS "OPEN SPACE" WITHOUT THE PRIOR WRITTEN CONSENT OF THE TOWN MANAGER FOR THE TOWN OF WINDSOR.

NOTES:
1. BASIS OF BEARINGS IS THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 17 AS BEARING NORTH 87°33'06" EAST.
2. THE LINEAL UNIT OF MEASUREMENT FOR THIS PLAT IS U.S. SURVEY FEET.
3. ACCESS EASEMENT LOCATIONS ARE SUBJECT TO CHANGE AT SITE PLAN PHASE.



OWNER/DEVELOPER:

DEVELOPER
FORESTAR
188 INVERNESS DRIVE WEST, SUITE 420
ENGLEWOOD, CO 80112
303-669-5133

OWNER
OVERLAND 368, LLC
P.O. BOX 368
WINDSOR, CO 80550
970-22-7147

CONSULTING TEAM:

PLANNING
RUSSELL + MILLS STUDIOS
506 S. COLLEGE AVE, UNIT A
FORT COLLINS, CO 80524
970-484-8855

CIVIL ENGINEERING
GALLOWAY
5265 RONALD REAGAN BLVD., SUITE 210
JOHNSTOWN, CO 80534
970-800-3300

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OVERLAND 368

WINDSOR, COLORADO

MASTER PLAN AMENDMENT

MASTER PLAN - 1ST AMENDMENT



REV.	COMMENT	DATE

Date: 06.17.2022

Drawn By: SL

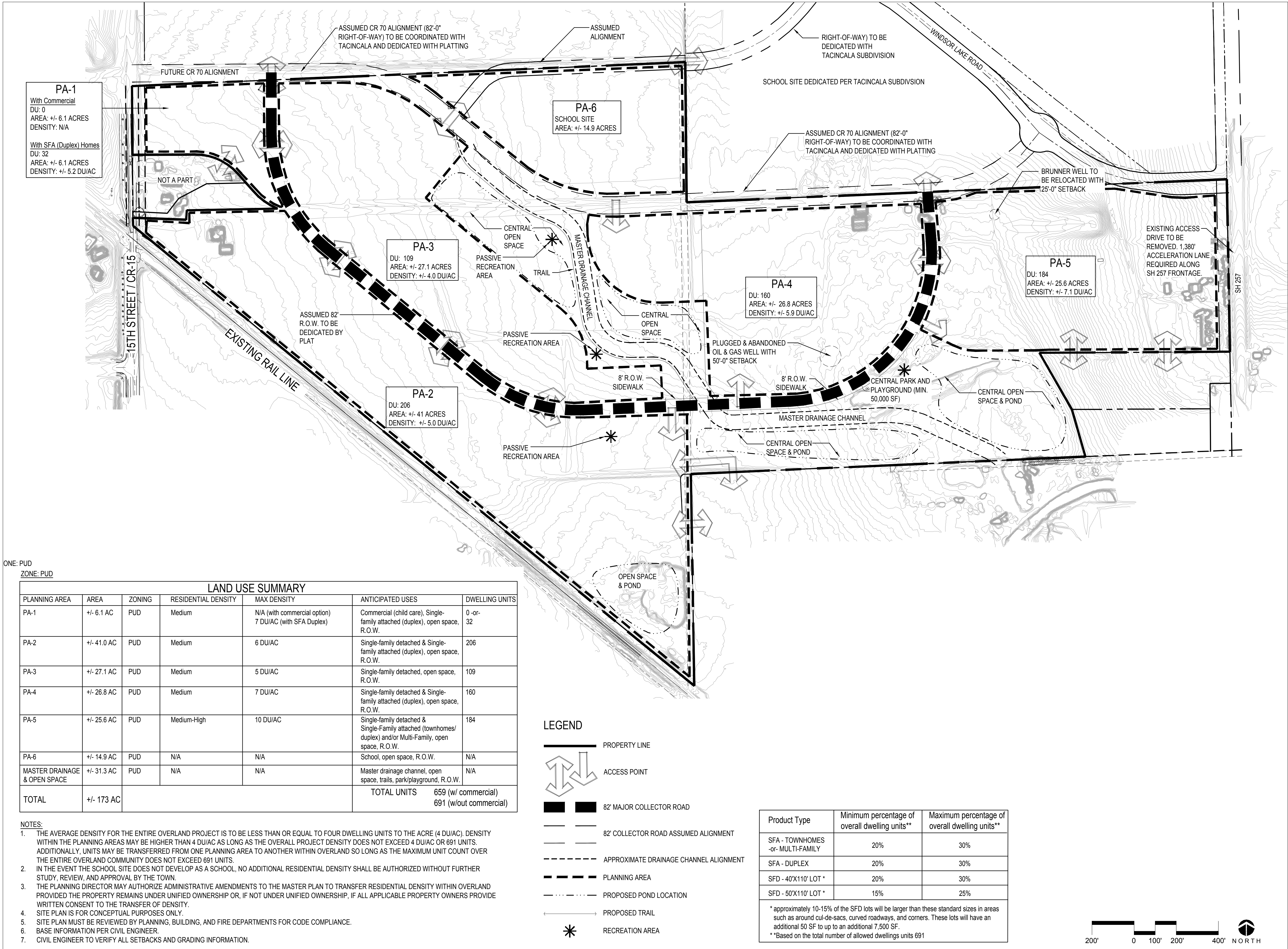
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COVER SHEET

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1 of 11



OVERLAND 368

WINDSOR, COLORADO

MASTER PLAN AMENDMENT

MASTER PLAN - 1ST AMENDMENT



REV.	COMMENT	DATE

Date: 06.17.2022

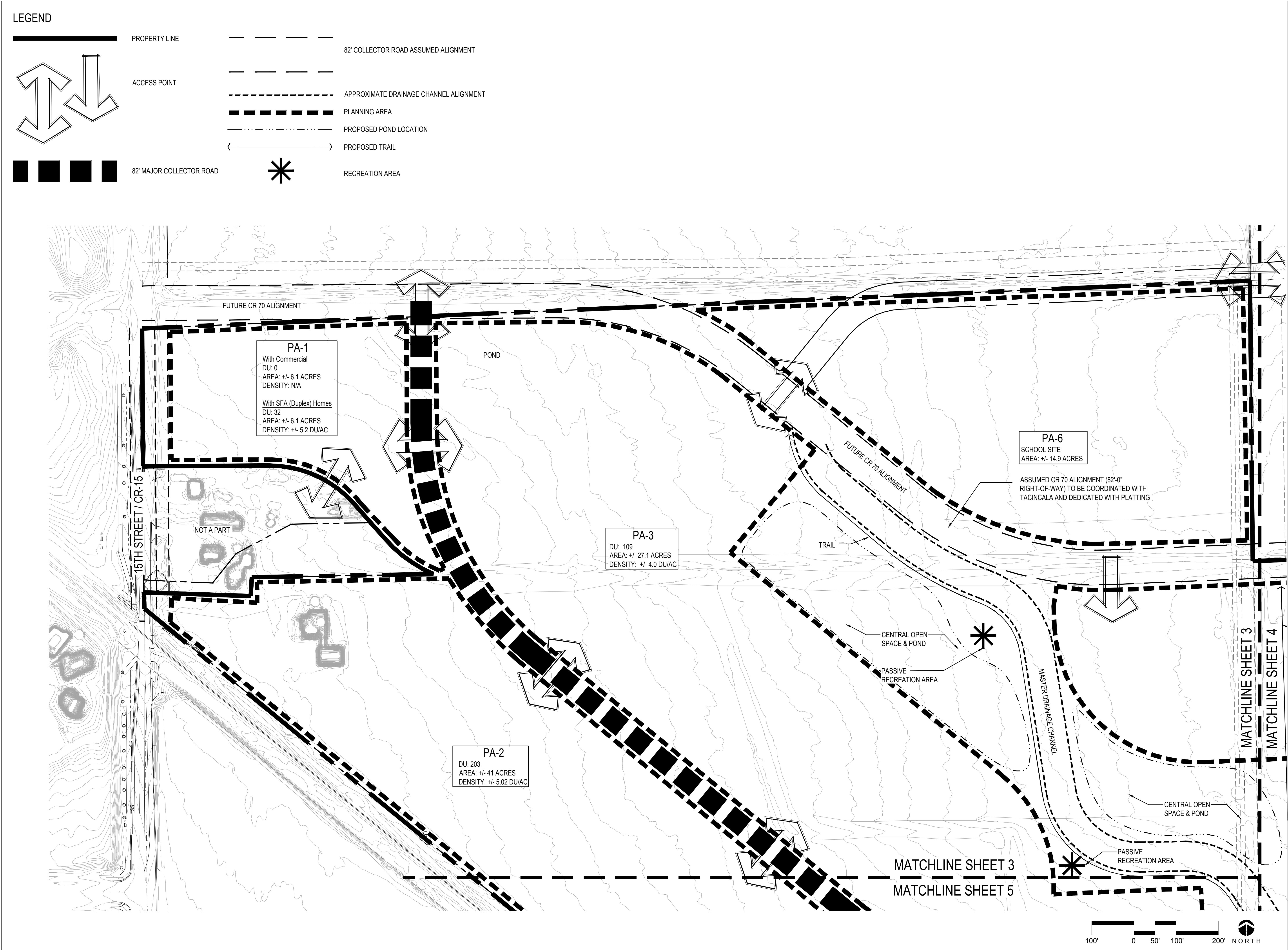
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Sheet Name

OVERALL MASTER PLAN

Sheet



OVERLAND 368

WINDSOR, COLORADO

MASTER PLAN AMENDMENT

MASTER PLAN - 1ST AMENDMENT



REV.	COMMENT	DATE

Date: 06.17.2022

Drawn By: SL

Checked By: CR

Sheet Name

MASTER PLAN ENLARGEMENT

Sheet

PRELIMINARY
NOT FOR BIDDING
NOT FOR CONSTRUCTION

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OVERLAND
MASTER PLAN

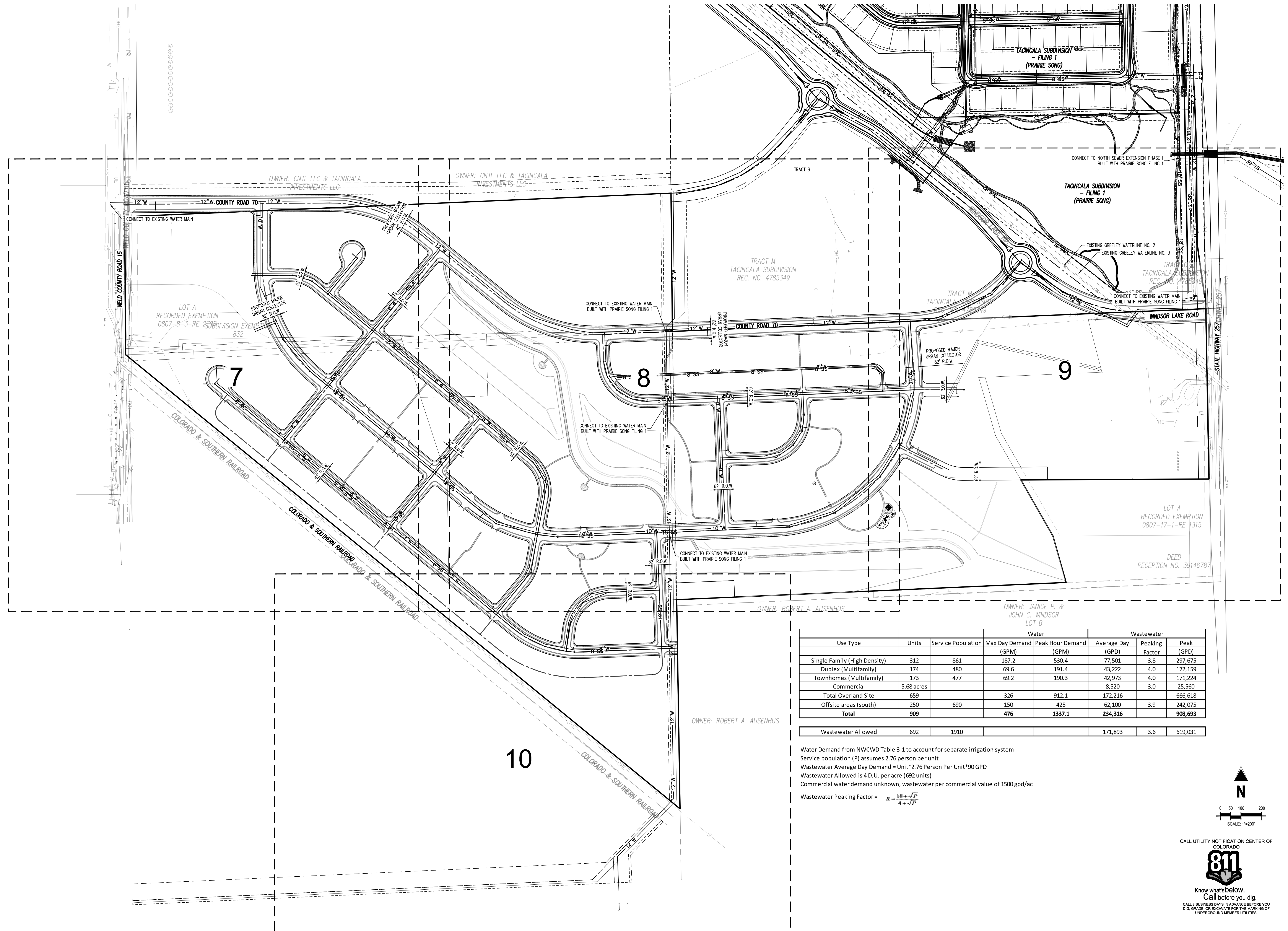
WINDSOR, CO

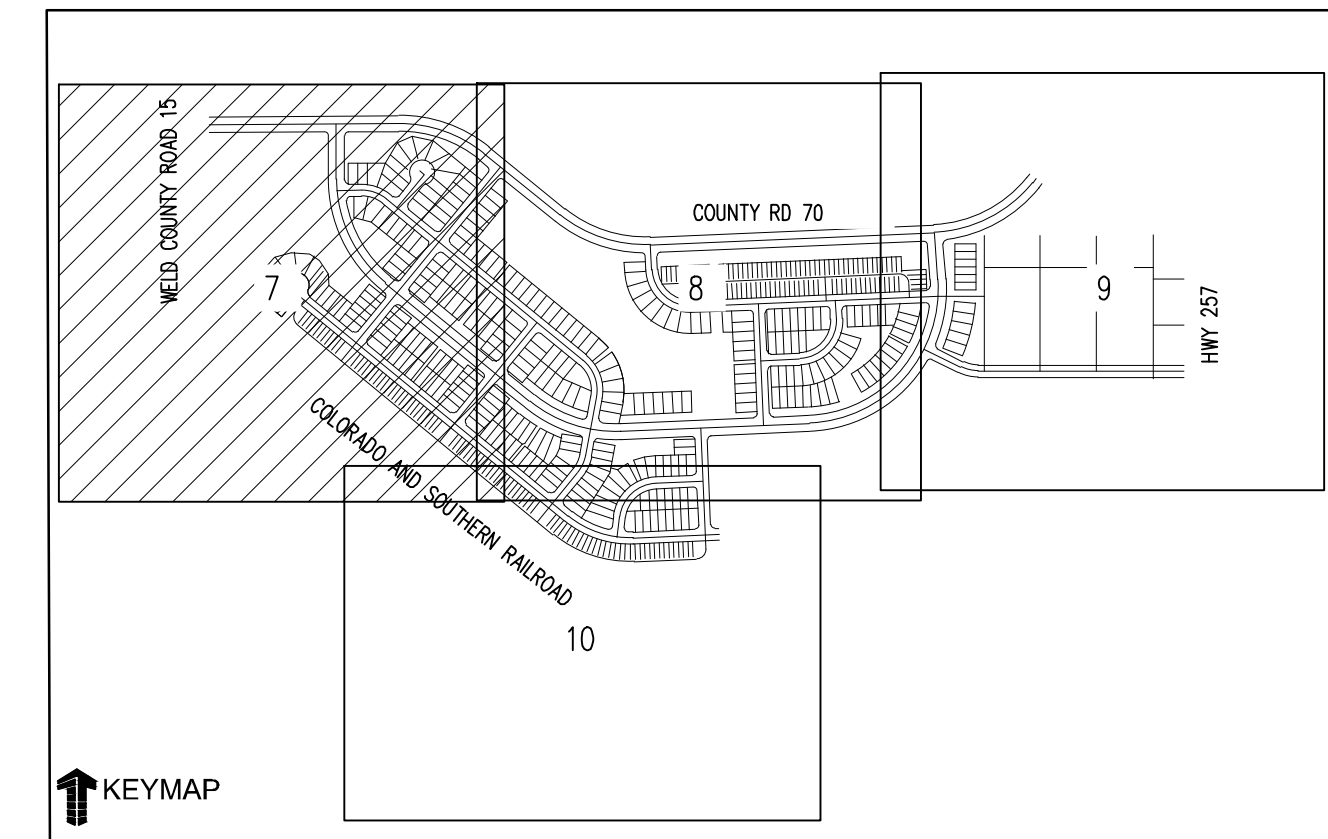
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Project No:	FRS0000001
Drawn By:	CMV
Checked By:	SMB
Date:	06/16/2022

OVERALL MASTER UTILITY
PLAN

6 of 11





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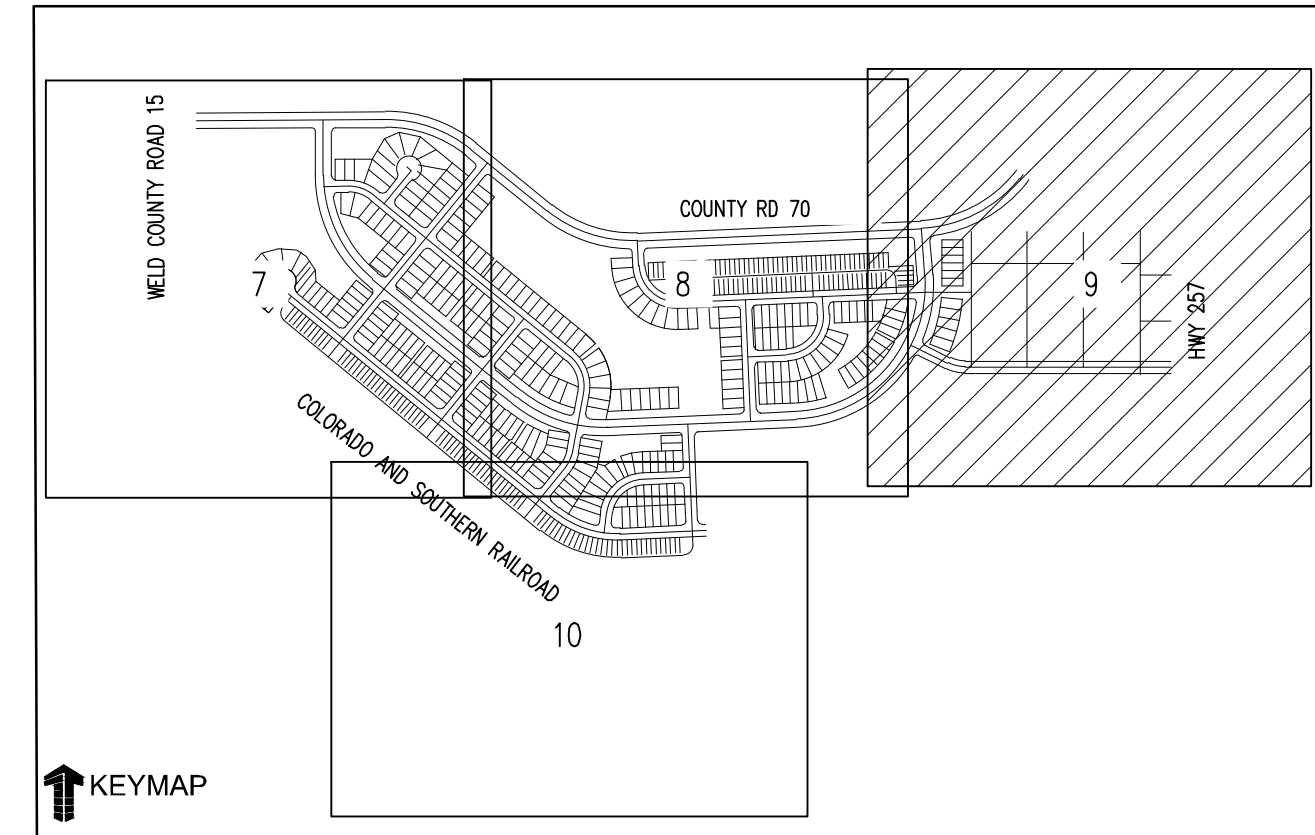
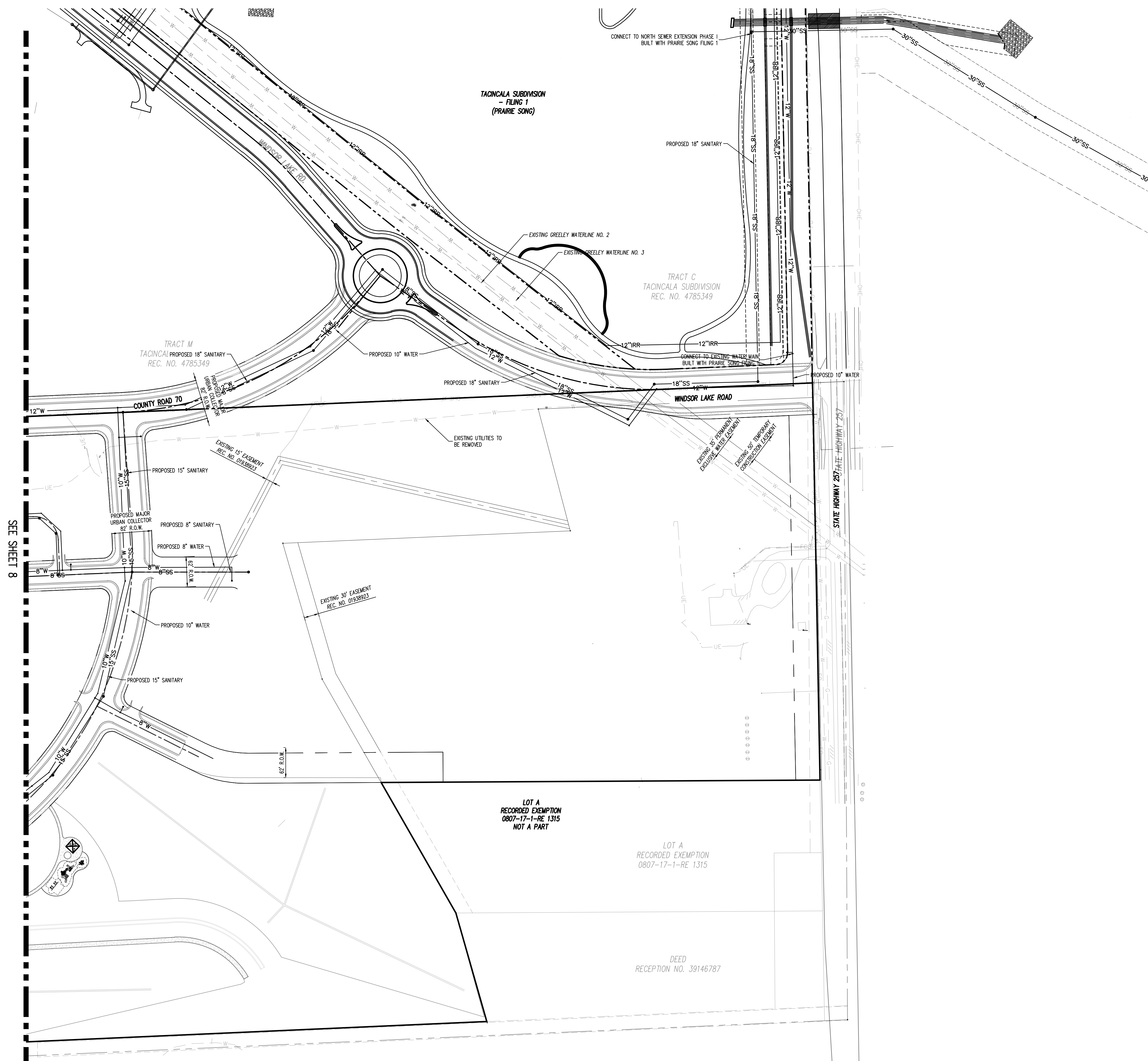
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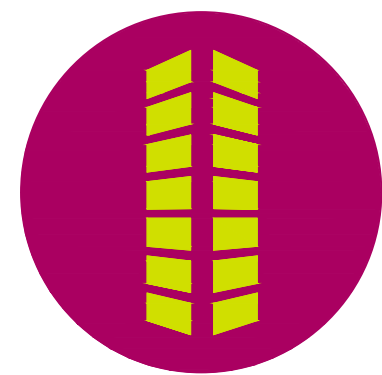


Galloway

5265 Ronald Reagan Blvd., Suite 210
Johnstown, CO 80534
970.800.3300
GallowayUS.com

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OVERLAND
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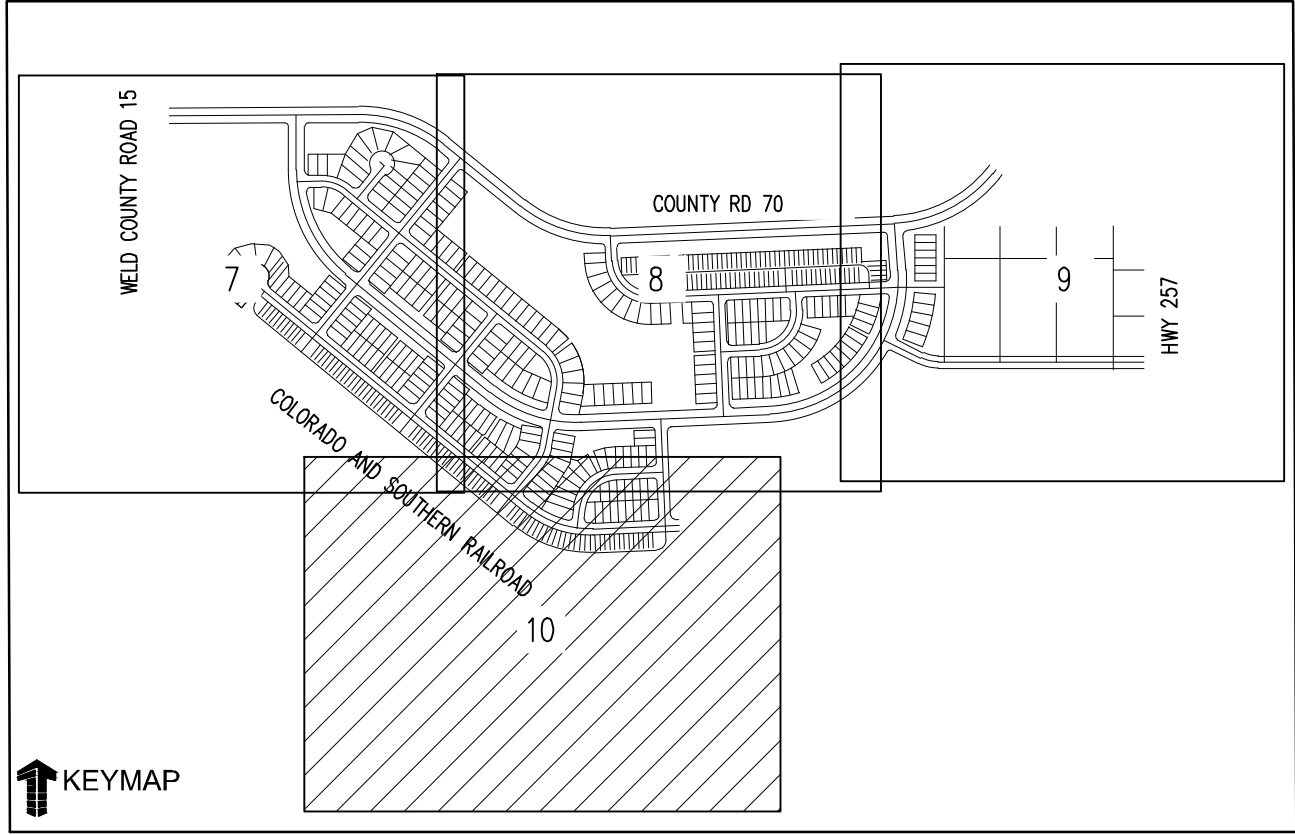
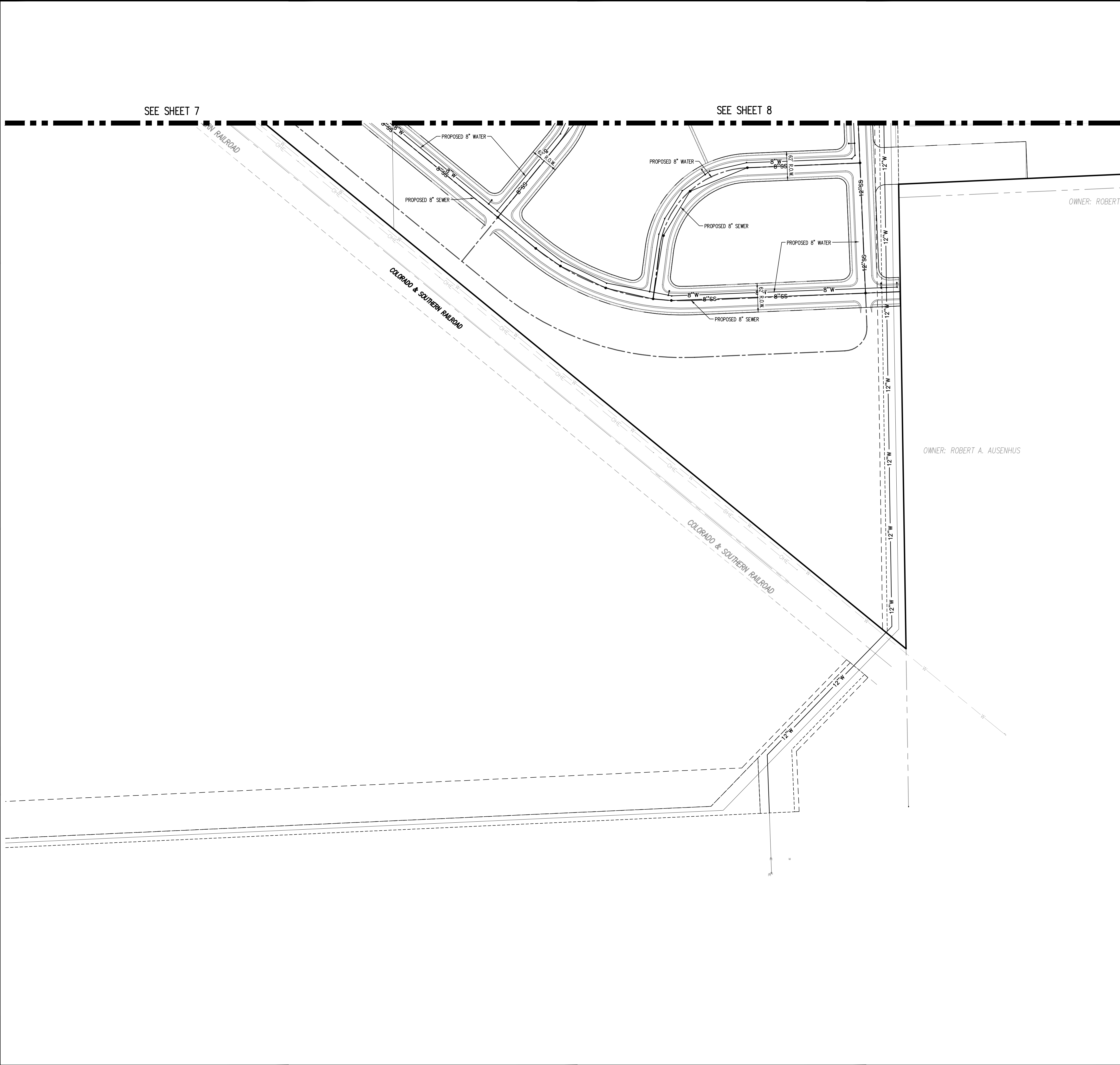
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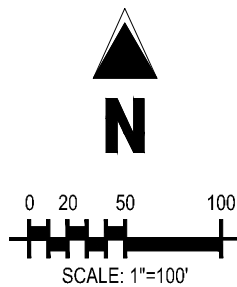
OVERLAND
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WINDSOR, CO

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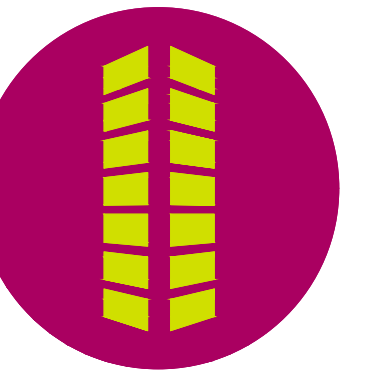
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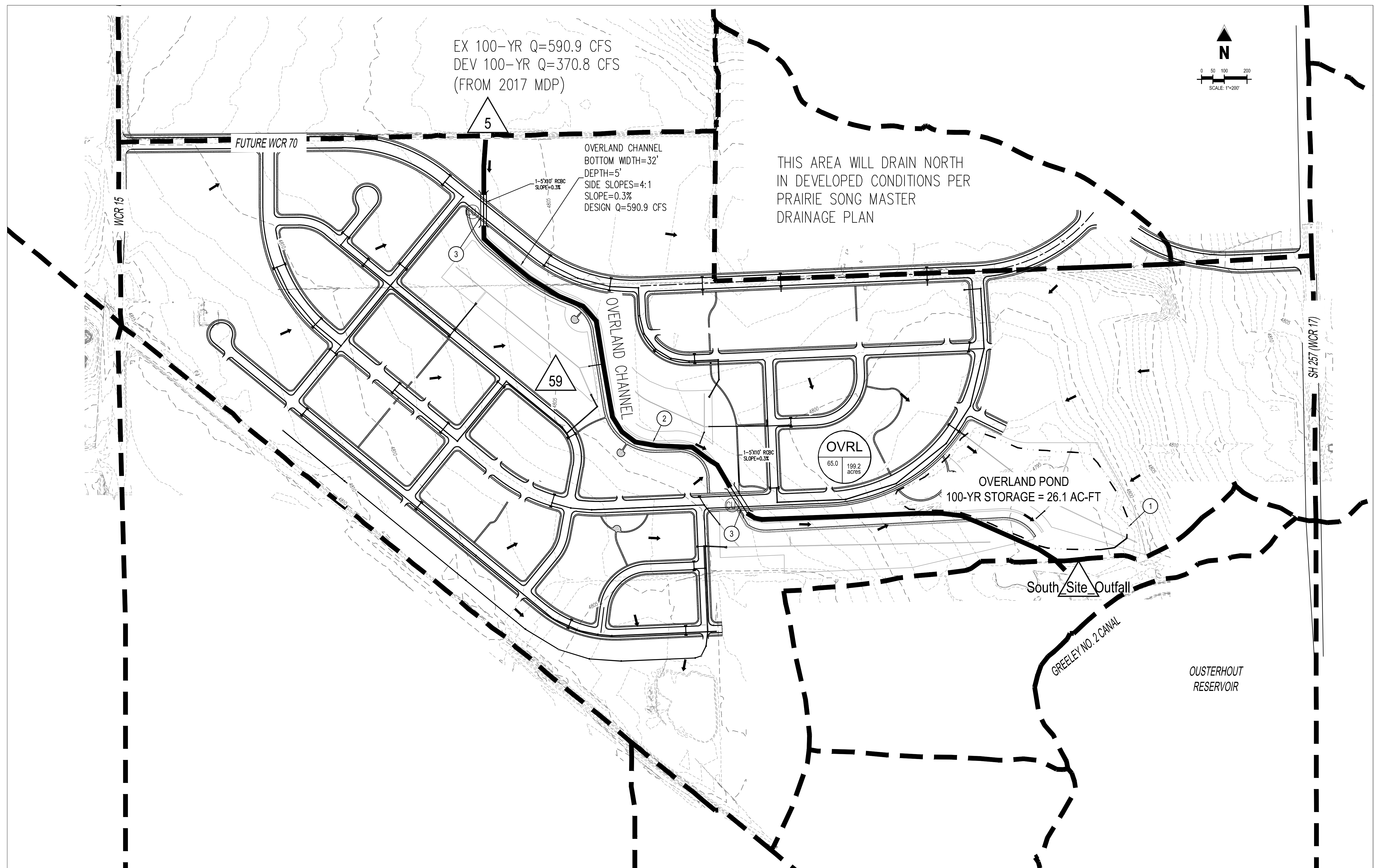
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Checked By:	SA
Date:	04/15/2022

DEVELOPED CONDITION
SITE MASTER DRAINAGE
PLAN

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PEAK BASIN RUNOFF SUMMARY TABLE			
BASIN NAME	AREA (Acre)	% IMPERVIOUS	Q100 (cfs)
Overland	199.2	65.0	382.63

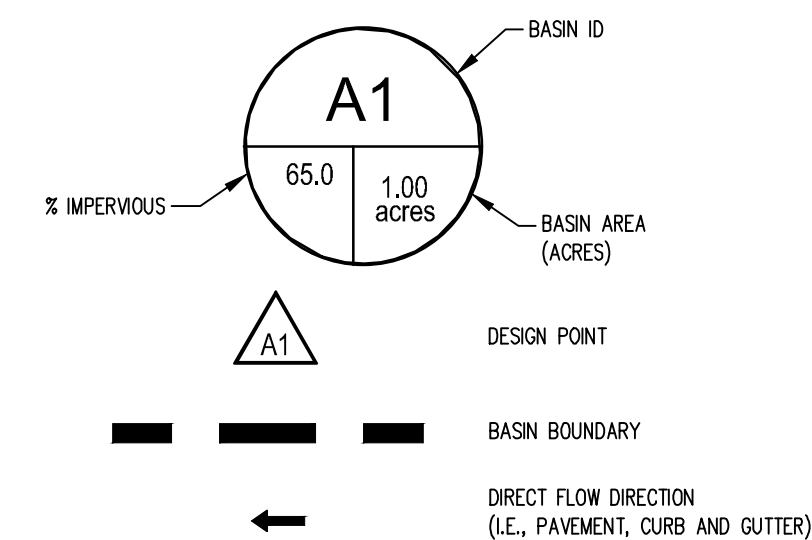
DETENTION POND SUMMARY TABLE		
DETENTION POND	STORAGE VOLUME (ac-ft)	100-YEAR DEVELOPED RELEASE RATE
Overland Pond	26.1	41.5

CULVERT CROSSING TABLE					
DRAINAGE CHANNEL (CROSSING LOCATION)	TYPE	NUMBER OF BARRELS	RISE	SPAN	SLOPE (ft/ft)
Overland Channel (WCR 70 EXT)	RCBC	1	5	10	0.003
Overland Channel (Future Local Road)	RCBC	1	5	10	0.003

NODE DISCHARGE SUMMARY TABLE	
NODE ID	Q100 (cfs)
5	370.83
Offsite_Runoff_Concentration_Point	366.98
Site_South_Outfall	408.51
Overland_Pond	382.63

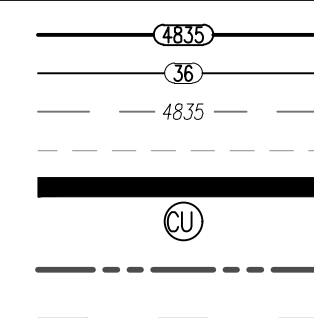
DRAINAGE NOTES	
①	PROPOSED POND
②	PROPOSED CHANNEL
③	PROPOSED CULVERT

DRAINAGE SYMBOLS:



LEGEND:

PROPOSED MAJOR CONTOUR
PROPOSED MINOR CONTOUR
EXISTING MAJOR CONTOUR
EXISTING MINOR CONTOUR
PROPOSED DRAINAGE CHANNEL
PROPOSED CULVERT GROUP
LOTLINE
PROPOSED DETENTION POND



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Rezone, PUD Overlay & Master Plan Amendment Overland 368

*Sandra Mezzetti, Senior Planner
Planning Commission, July 20, 2022*



Rezone Request

Article II of Chapter 14 of the Municipal Code outlines the purpose and procedures of the Rezoning process, including:

Applicability. The rezoning process provides review of changes to the boundary of zoning districts that may be necessary to implement the Comprehensive Plan, to account for changed conditions in the general area, or to reflect a change in public policies with respect to future development.



Planned Unit Development Request

Article II of Chapter 14 of the Municipal Code outlines the purpose and procedures of the Planned Unit Development process, including:

Applicability. A Planned Unit Development (PUD) application is a subtype of a rezoning application and is authorized in accordance with Section 16-1-170. A PUD is an overlay zone district that supplements the underlying standard zone district.

A PUD is expected to preserve critical environmental resources, provide above-average open space and recreational amenities, include exceptional design, and provide greater efficiency in the layout and provision of roads, utilities and other infrastructure.



Master Plan Request

Article II of Chapter 14 of the Municipal Code outlines the purpose and procedures of the Master Plan, including:

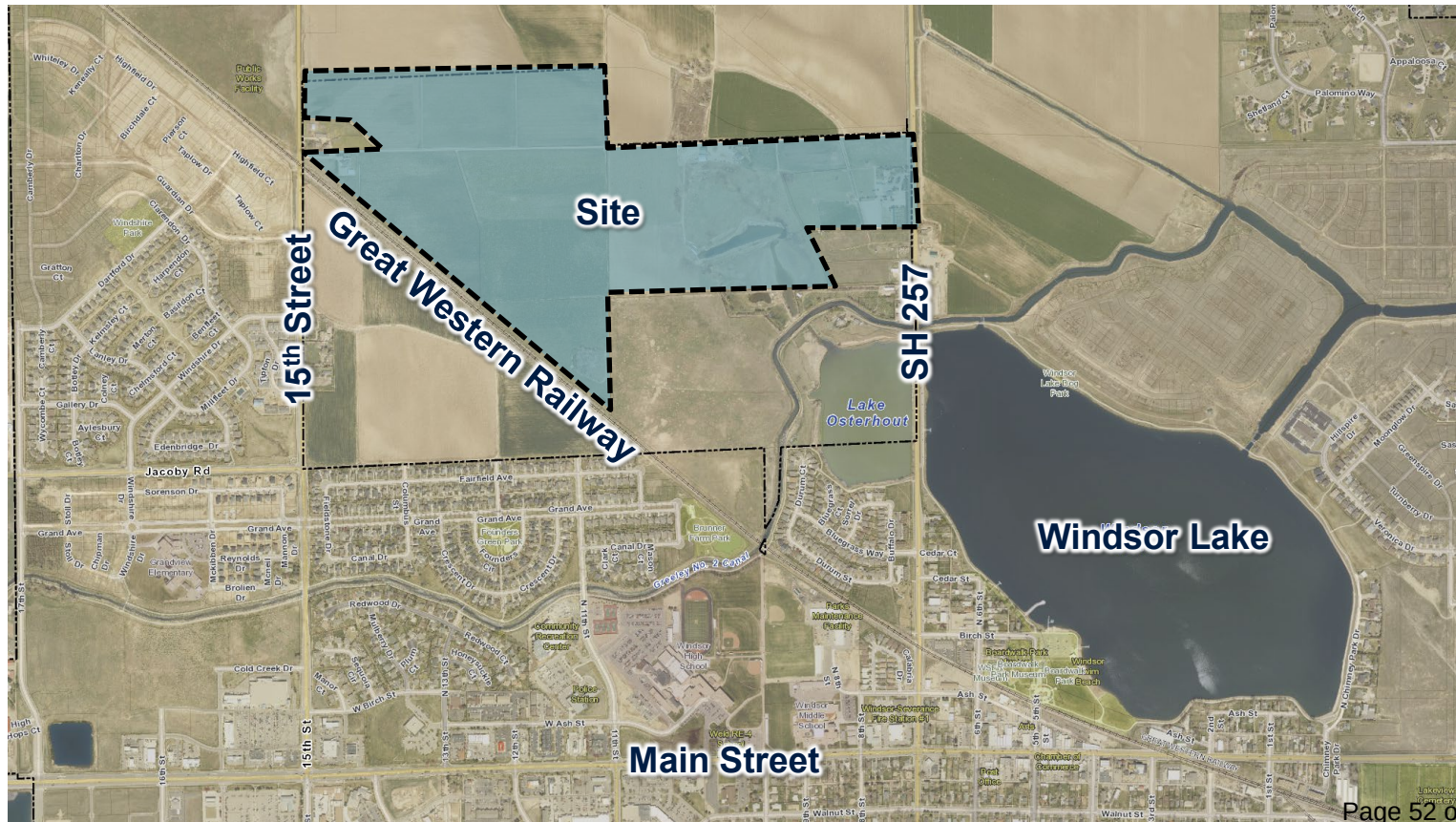
Applicability. A Master Plan shall be required in the following situations:

- (1) Concurrently with an Annexation Application if the Town determines the Master Plan is necessary to evaluate potential impacts of a proposed Annexation.
- (2) Prior to or concurrent with the subdivision of any parcel of land unless the Director determines it unnecessary due to existing infrastructure already being in place.

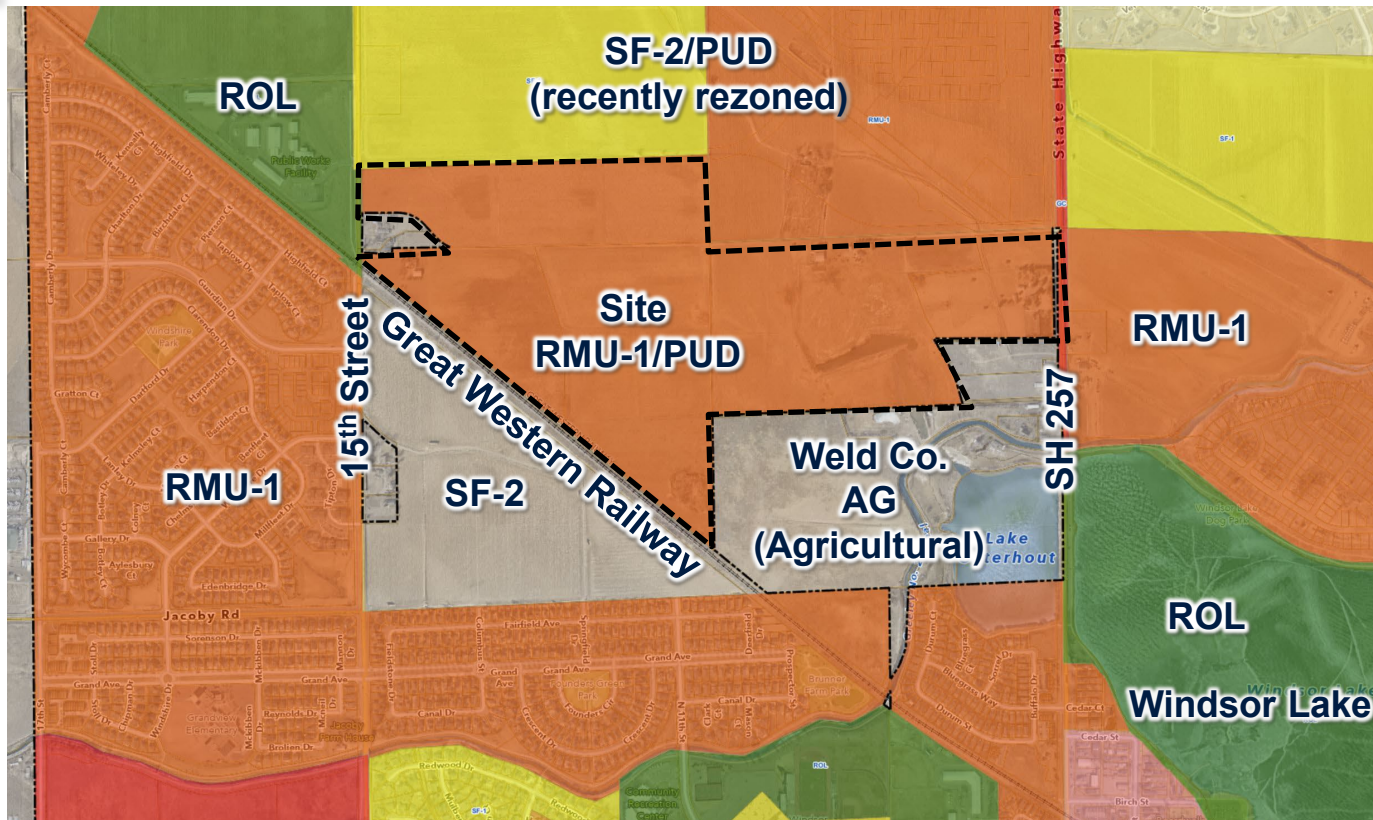
Master Plan Request (cont.)

- (3) Prior to or concurrent with a rezoning application of any parcel of land unless the Director approves submittal of a Site Plan in-lieu of a Master Plan or if the site is already fully developed and the Master Plan serves no further purpose regarding future development of the property.
- (4) Any area where the Director determines that the coordination of future roads, utilities, parks, or other public investments requires more specific plans than currently available.
- (5) Any area where the Director determines that the scale of future development, presence of multiple owners with anticipated development plans, or impact on adjacent properties from potential development requires further planning and coordination.

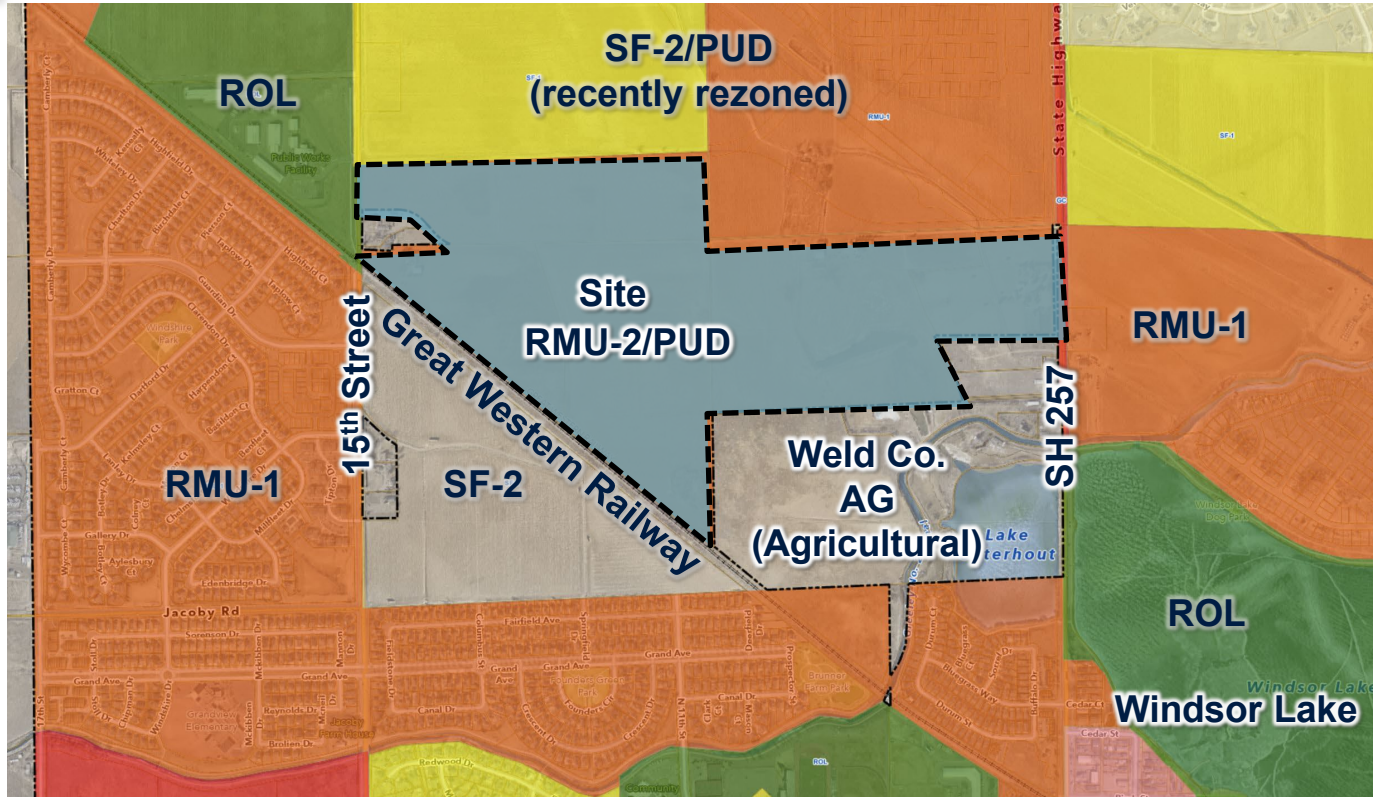
Site Vicinity Map



Zoning Map – Existing Zoning



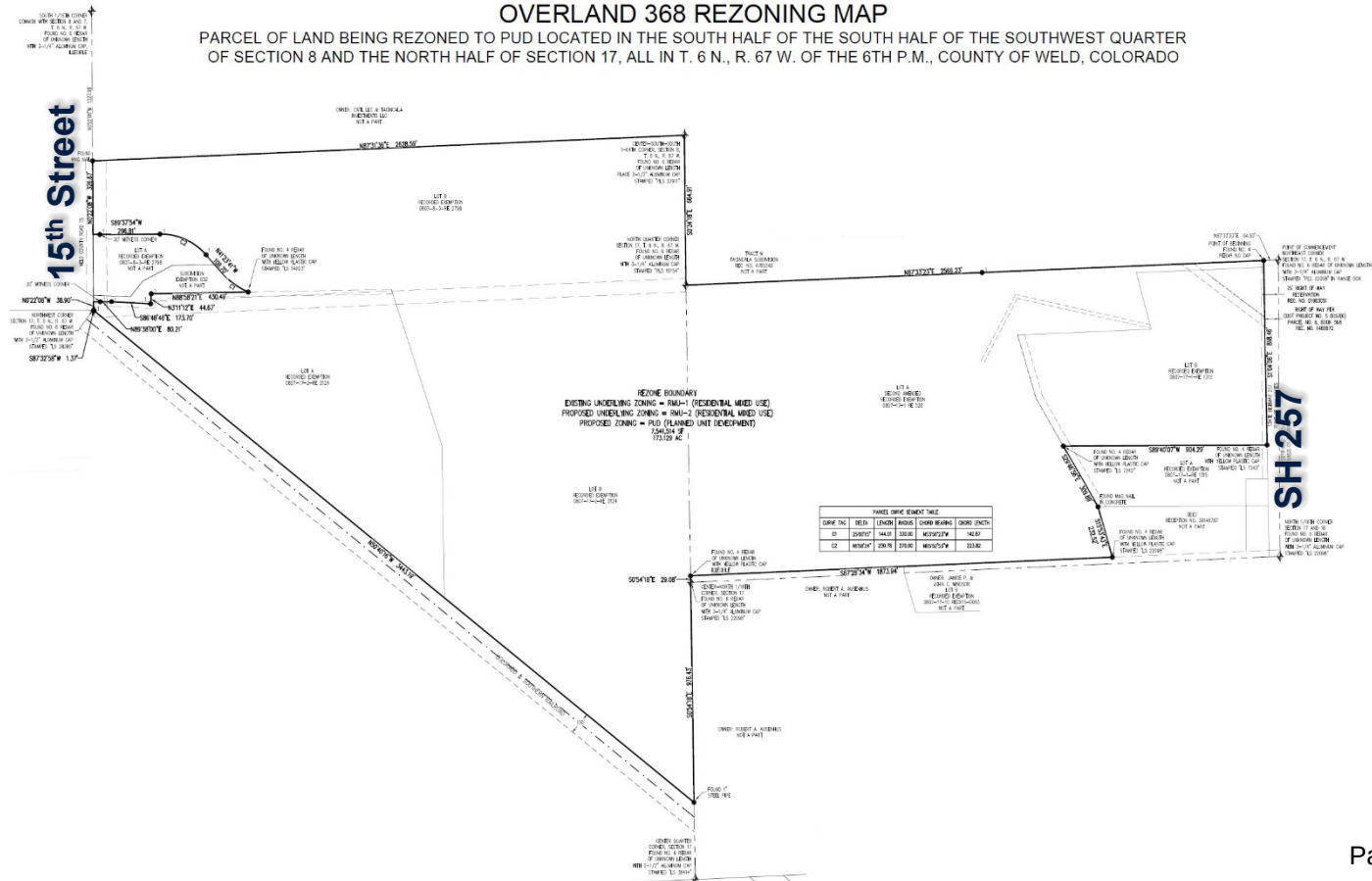
Zoning Map – Proposed Zoning



Rezone Plat

OVERLAND 368 REZONING MAP

PARCEL OF LAND BEING REZONED TO PUD LOCATED IN THE SOUTH HALF OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 8 AND THE NORTH HALF OF SECTION 17, ALL IN T. 6 N., R. 67 W. OF THE 6TH P.M., COUNTY OF WELD, COLORADO





Proposed Zoning

Residential Mixed Use-Two (RMU-2) with a PUD overlay allows for the following residential building types:

- Single Family detached
- Single Family attached:
 - Standard Duplex
 - Over-Under Duplex
 - Townhouse
 - Multiplex
- Multi-Family



PUD Summary

Design standards that exceed standard zoning requirements with an intent of creating a high-quality public realm and streetscape. Key elements include:

- Active and passive park space throughout the development
- Approximately 50 acres of open space/natural habitat areas/drainage corridor
- 14.9-acre school site
- Variety of lot layouts and sizes
- A variety of housing styles and model types (single-family detached and attached, multi-family)
- Pedestrian Oriented Streetscapes:
 - Architecture forward – 70% of all dwelling units
 - Front Porches
 - Garage placement that minimizes their visual impact
 - Direct pedestrian connection from front entry to R.O.W. sidewalk
 - Detached sidewalks with tree lawns
- Neighborhood Commercial Option

Open Space Comparison



Approved PUD – Average Width 348'

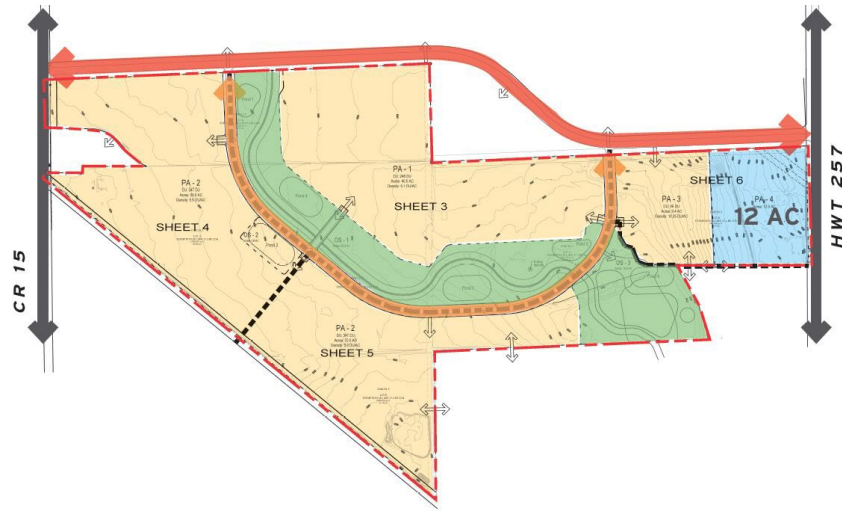


Proposed PUD – Average Width 363'

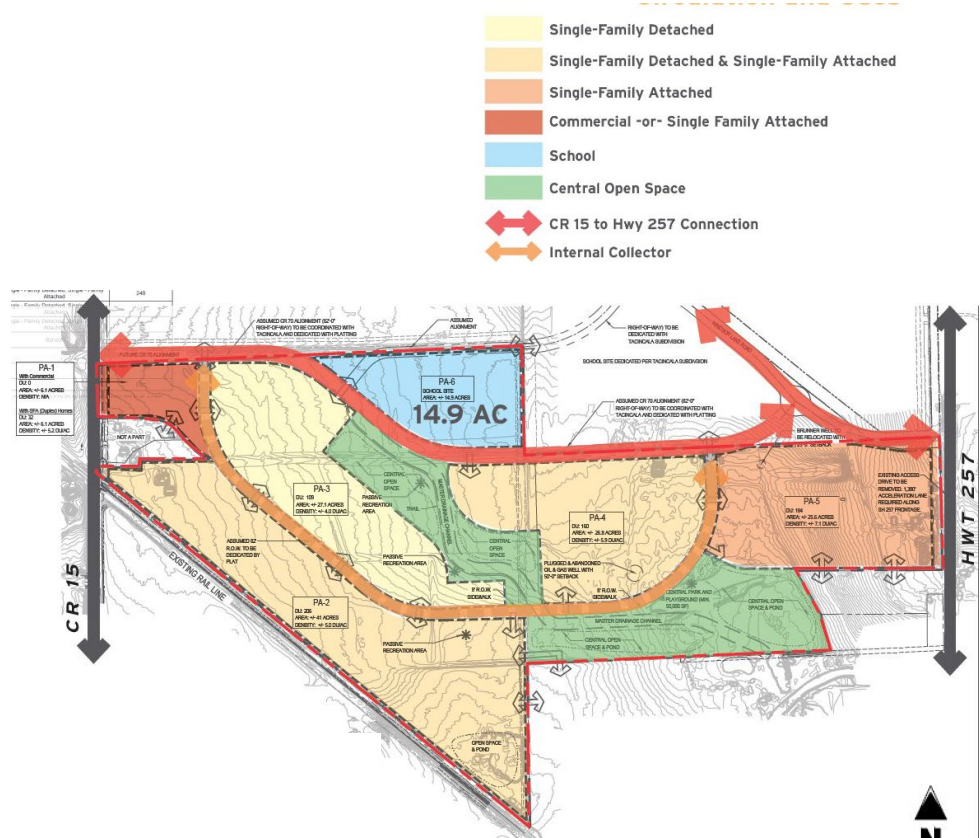




Circulation Comparison



Approved PUD Circulation



Proposed PUD Circulation



Excerpt of PUD Standards

	Development Area														Accessory Uses			
Use	Permitted Maximum Density (A)	Minimum Lot Area (Square Foot)	Minimum Lot Width	Minimum On-Lot Open Space	Maximum Building Height	Min. Setback for all Structures from Arterials	Min. Setback for all Structures from Collectors	Min. Front Yard Setback (non-garage door side) (G) (I)	Min. Front Yard Setback-Garage (garage door side) (H) (J)	Min. Side Setback	Min. Side Corner Yard Setback * (F)	Min. Building Separation (L)	Min. Rear Yard Setback (non-alley loaded)	Min. Rear Yard Setback (alley loaded)	Max. Height	Front Setback	Side Setback	Rear Setback
(SFA) 25' X 80' (MDR) (DUPLEX - AL)	8 DU/AC	2,000	25' (AL)	20%	35-45' (D)	20'	15'	15'	N/A (AL)	5' (K) 0' on Interior Wall	15' *	10'	N/A	5'	N/A	N/A	N/A	N/A
(SFD) 40' X 95' (MDR-AL)	6 DU/AC	3,800	40'	30%	35-45' (D)	20'	15'	15'	20'	5' (K)	15' *	10'	NA	5'	N/A	N/A	N/A	N/A
(SFD) 50' X 110' (MDR)	6 DU/AC	5,500	50'	40%	35-45' (D)	20'	15'	15'	20'	5' (K)	15' *	10'	20'	N/A	PC	PC	PC	PC
(SFA) 20' X 60' (MDR) (TOWNHOMES - AL)	10 DU/AC	1,500	20'	N/A	35-45' (D)	20'	15'	N/A	N/A	5' (K) 0' on Shared Wall	15'	10'	N/A	5'	N/A	N/A	N/A	N/A
(MF) MULTI-FAMILY	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	PC	N/A	N/A	N/A	N/A
COMMERCIAL	N/A	PC	PC	PC	50' (E)	0' (F)	0' (F)	N/A	N/A	0' (F)	PC	PC	PC	PC	N/A	N/A	N/A	N/A

MDR = MEDIUM DENSITY RESIDENTIAL

SFD = SINGLE-FAMILY DETACHED

SFA = SINGLE-FAMILY ATTACHED (DUPLEX OR TOWNHOMES)

MF = MULTI-FAMILY

PC = PER TOWN WINDSOR MUNICIPAL CODE

AL = ALLEY LOADED HOMES AND IMPLIES GARAGE ACCESS IS TAKEN OFF OF

ALLEY AND NOT A STREET

RMU = RESIDENTIAL MIXED-USE

ALL DEVELOPED AREA MAY INCLUDE A VARIETY OF OTHER LAND USES, INCLUDING OPEN SPACE. OPEN SPACE MAY INCLUDE BUT IS NOT LIMITED TO PARKS, RECREATION IMPROVEMENTS, TRAILS, AND AGRICULTURE

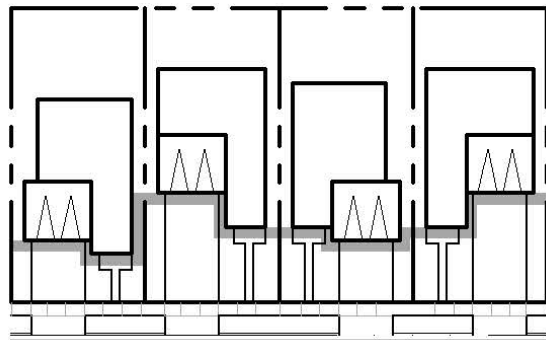
* SIDE YARD SETBACK IS FROM STREET RIGHT OF WAY. IN MOST INSTANCES A 10' LANDSCAPE AREA SEPARATES THE LOT LINE AND PUBLIC RIGHT-OF-WAY LINE. IN THESE CASES ONLY THE STANDARD 5' SIDE YARD SETBACK IS NEEDED. IF THE LOT LINE AND PUBLIC RIGHT-OF-WAY ARE ONE IN THE SAME THEN THE 15' SETBACK APPLIES TO ALL STRUCTURES.

** SINGLE-FAMILY ATTACHED WITH MORE THAN 2 DWELLINGS UNITS REQUIRE 20' BETWEEN BUILDINGS OR CURRENT BUILDING AND FIRE CODE REQUIREMENTS.

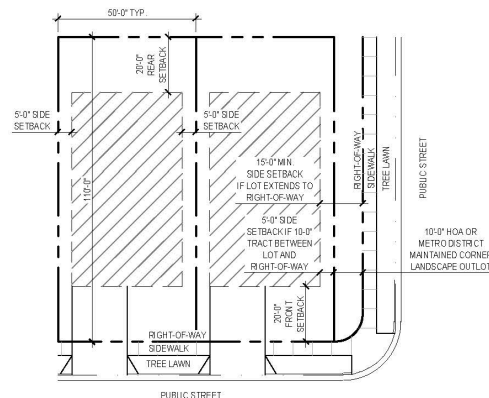
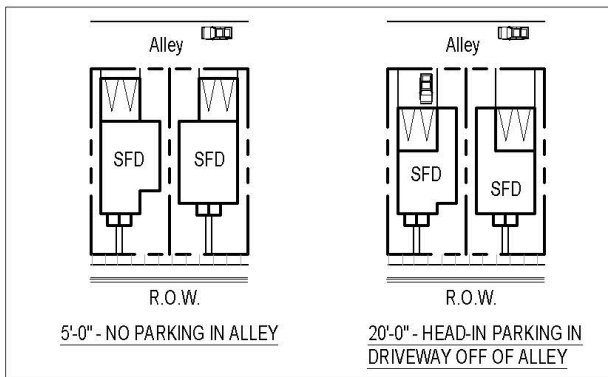
Product Type	Minimum percentage of overall dwelling units**	Maximum percentage of overall dwelling units**
SFA - TOWNHOMES -or- MULTI-FAMILY	20%	30%
SFA - DUPLEX	20%	30%
SFD - 40'X110' LOT *	20%	30%
SFD - 50'X110' LOT *	15%	25%
* approximately 10-15% of the SFD lots will be larger than these standard sizes in areas such as around cul-de-sacs, curved roadways, and corners. These lots will have an additional 50 SF to up to an additional 7,500 SF. **Based on the total number of allowed dwellings units 691		



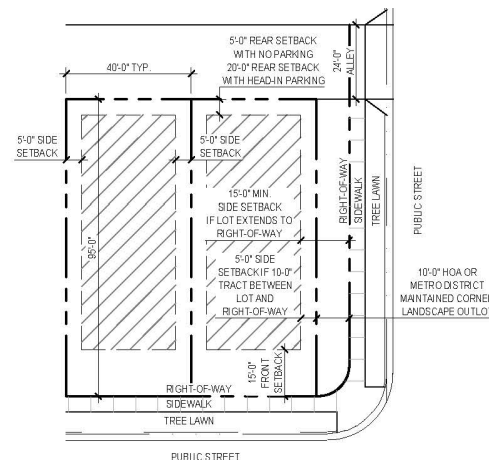
Excerpt of PUD Standards - Single-Family Detached



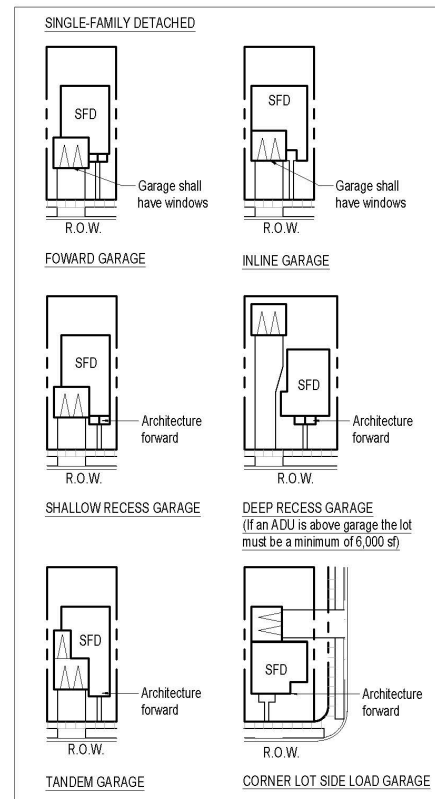
Staggered Front Yard Massing



SFD – 50'x110'



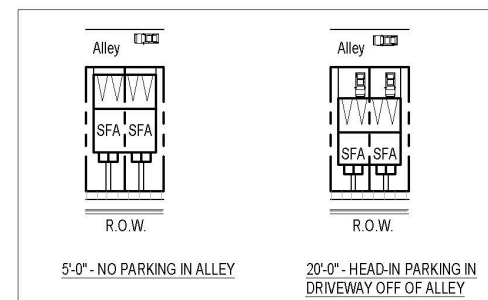
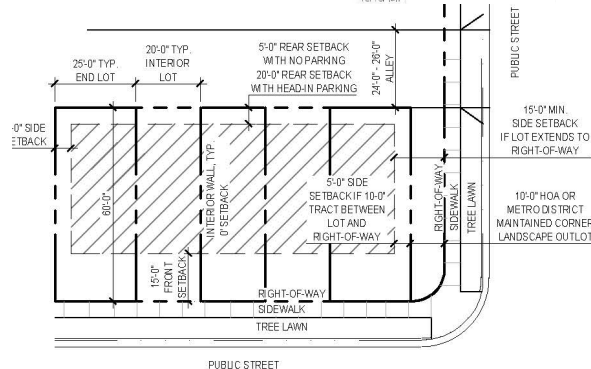
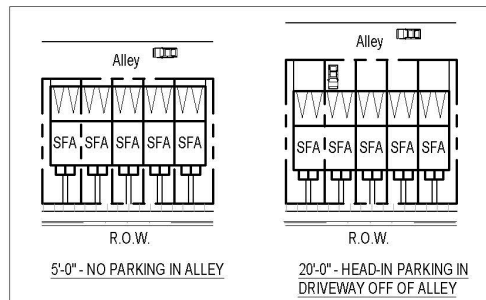
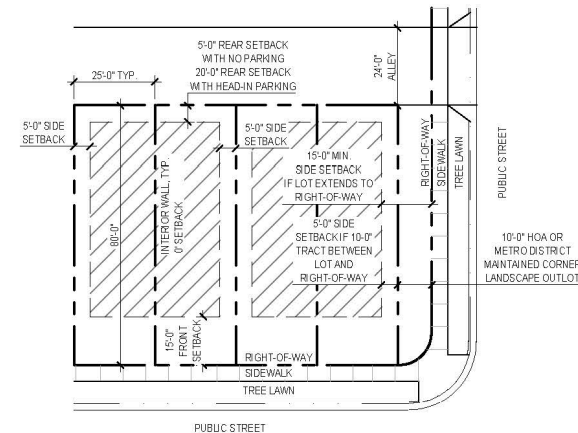
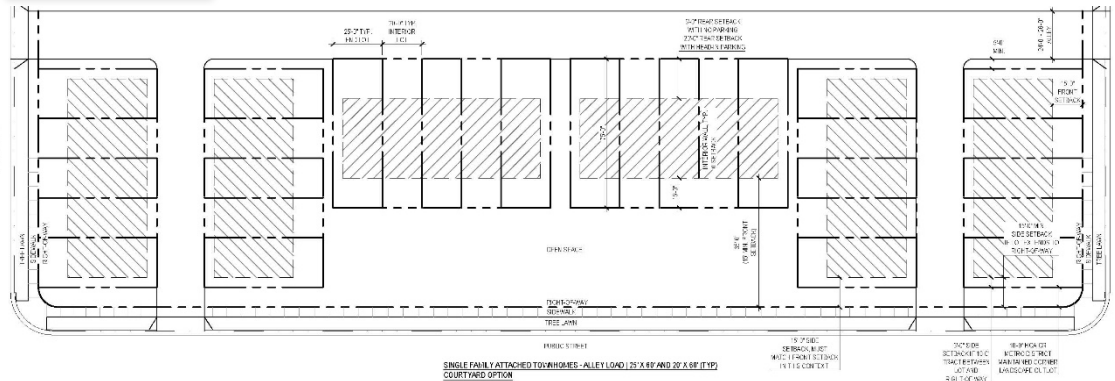
SFD – 40'x110' - Alley Load



Garage Options



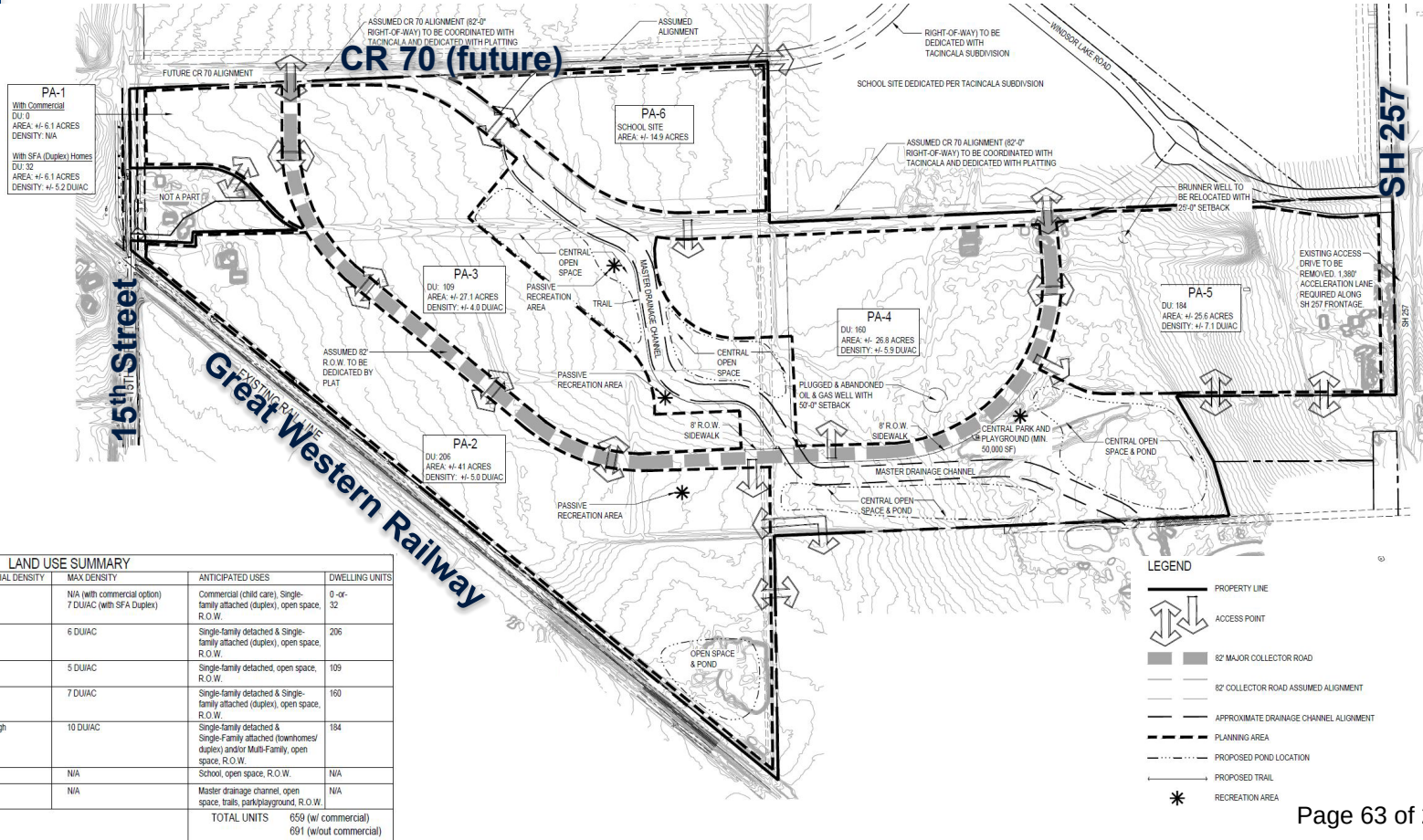
Excerpt of PUD Standards - Single-Family Attached



SFA – Townhomes (25'x60' & 20'x60')
Alley Load

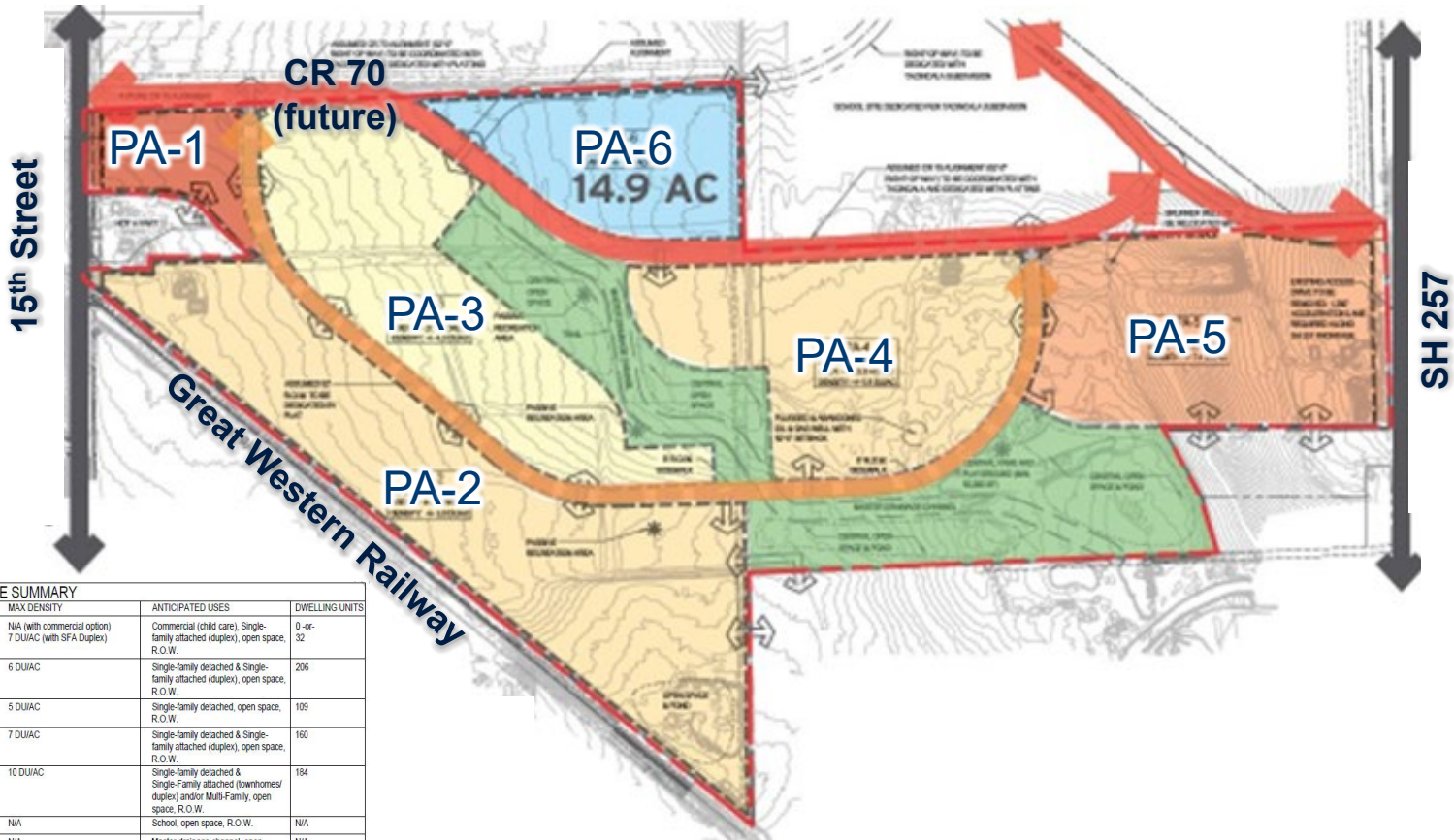
SFA – Duplex (25'x80')
Alley Load

Master Plan





Illustrative Master Plan

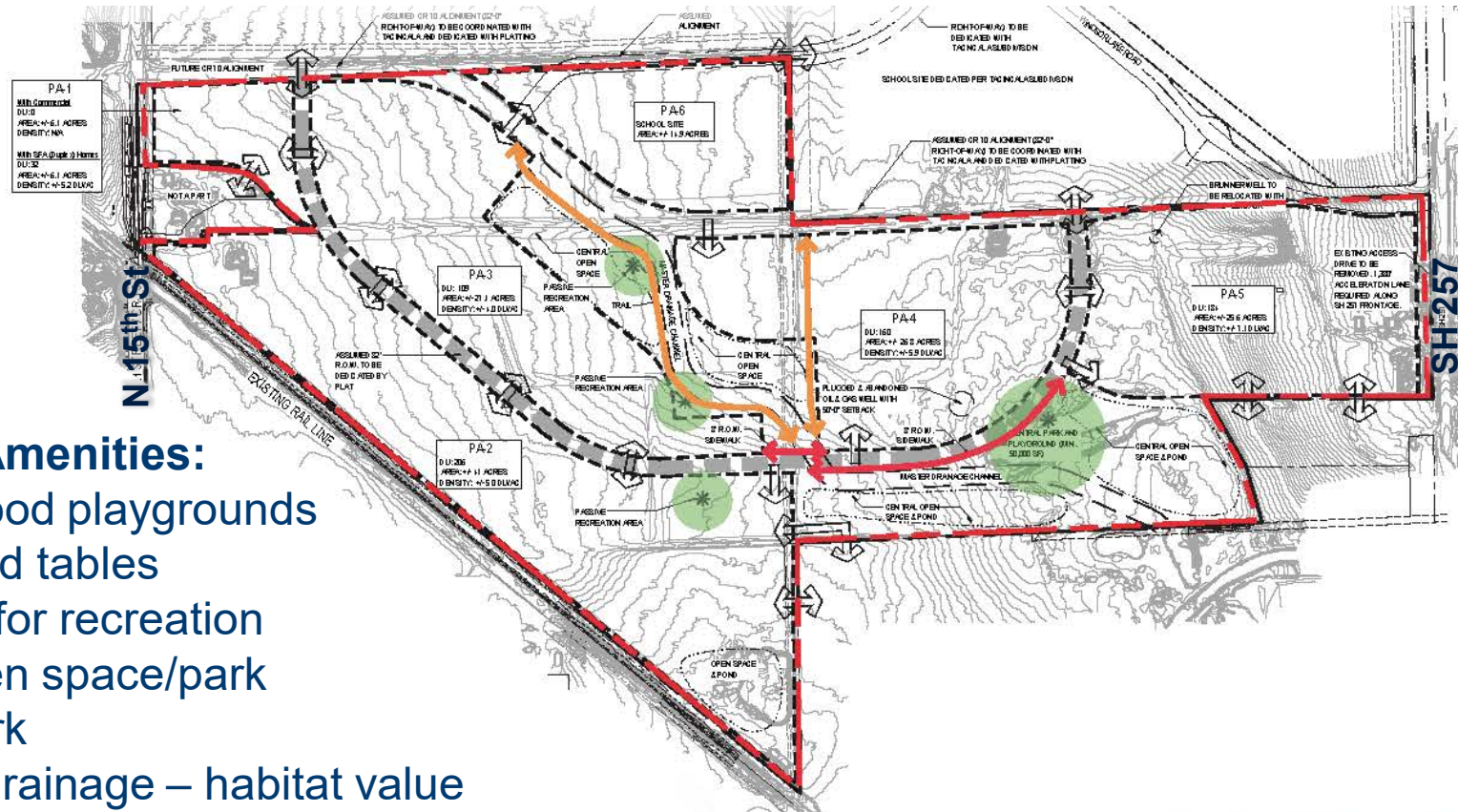


LAND USE SUMMARY						
PLANNING AREA	AREA	ZONING	RESIDENTIAL DENSITY	MAX DENSITY	ANTICIPATED USES	DWELLING UNITS
PA-1	± 6.1 AC	PUD	Medium	N/A (with commercial option) 7 DU/AC (with SFA Duplex)	Commercial (child care), Single-family attached (duplex), open space, R.O.W.	0 - 32
PA-2	± 41.0 AC	PUD	Medium	6 DU/AC	Single-family detached & Single-family attached (duplex), open space, R.O.W.	206
PA-3	± 27.1 AC	PUD	Medium	5 DU/AC	Single-family detached, open space, R.O.W.	109
PA-4	± 26.8 AC	PUD	Medium	7 DU/AC	Single-family detached & Single-family attached (duplex), open space, R.O.W.	160
PA-5	± 25.6 AC	PUD	Medium-High	10 DU/AC	Single-family detached & Single-Family attached (townhomes), duplex) and/or Multi-Family, open space, R.O.W.	184
PA-6	± 14.9 AC	PUD	N/A	N/A	School, open space, R.O.W.	N/A
MASTER DRAINAGE & OPEN SPACE	± 31.3 AC	PUD	N/A	N/A	Master drainage channel, open space, trails, park/playground, R.O.W.	N/A
TOTAL	± 173 AC				TOTAL UNITS 650 (w/ commercial) 691 (w/out commercial)	



Amended Master Plan - Summary

- 691 dwelling units (maximum), overall density 4 units/acre which is consistent with Comprehensive Plan
- The higher intensity development allows for clustering density while preserving open space.
- 50 acres open space and drainage
 - Park/playground
 - Trails
 - Open space/natural habitat areas
 - Master drainage corridor
- 15-acre school site
- Mix of residential product types
- Neighborhood commercial uses - optional



- Neighborhood playgrounds
- Shelters and tables
- Lawn area for recreation
- Central open space/park
- Trail network
- Detention/drainage – habitat value



Relationship to the 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.*

- The type of more compact development proposed by the PUD has been shown to create less of a fiscal burden on municipalities by having less utility and road infrastructure to maintain on a per unit basis.
- Compact development has been shown to be more environmentally responsible, as it takes less resources to construct and maintain, and it can also make alternative forms of transportation such as walking, biking, and transit more viable due the compact layout.

Relationship to the Comprehensive Plan

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

Objective 3: *Develop new neighborhoods adjacent to the Town core.*

- The proposed development is near the Town core, being approximately one to two miles northwest of downtown.





Relationship to the Comprehensive Plan

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

Chapter 5c – Residential Areas Framework Plan

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

- The proposed PUD standards will allow for a diverse style of housing types including, single-family detached, single-family attached, and multifamily dwellings. Some single-family residential lots will also allow for accessory dwelling units (ADUs), adding another housing opportunity.
- The PUD includes a variety of residential lot sizes, lot layouts, and residential type. Such variety can help meet the needs of varying family sizes, lifestyles, and income levels.



Relationship to the Comprehensive Plan

Objective 1: *Promote multi-modal connectivity to increase neighborhood access and resident mobility.*

- The proposed PUD includes multi-modal connectivity by providing trails, future road connections, such as WCR 70, and a focus on pedestrian-friendly design.



Relationship to the Comprehensive Plan

Objective 2: *Utilize conservation design and traditional neighborhood design for new residential growth areas and promote overall community livability.*

The proposed PUD can be described as traditional neighborhood design with a focus on the public realm and streetscape. Key requirements include front porches, garage placement to minimize visual impact, a variety of lot layouts and home types and home models to avoid monotony, and staggered massing of homes to create visual interest.

Objective 4: *Foster a diversity of housing types and sizes through coordinated land use planning and zoning.*

The PUD includes six (6) planning areas, designating a range of dwelling units per acre, housing types, compatible neighborhood commercial uses, and a school site. Fifty acres of the property is designated open space.



Relationship to the Land Use Code

Municipal Code Section 16-1-170 lists the following specific objectives of PUD zoning:

- 1) *To permit and encourage innovative design and high quality, master planned developments on large parcels of land.*
- 2) *To allow and encourage compatible uses to be developed in accordance with a unified development plan in harmony with the environment and surrounding neighborhood.*
- 3) *To permit greater flexibility in the application of zoning and development standards and greater freedom in providing a mix of land uses in the development of a balanced community.*



Relationship to the Land Use Code

The proposed PUD district is consistent with the intent of the district in the following areas.

- Relation to major transportation system.
 - The proposed PUD and master plan depict access to SH 257 on the east, WCR 70 on the north (currently proposed with the Tacincala Subdivision and under review) and North 15th Street (WCR 15) on the west.
 - The Overland 368 Master Plan Amendment identifies trail connectivity from and within the property, consistent with the Town's Master Trails Plan.
 - Extension of public utilities will be the responsibility of the developer.
 - The proposed PUD district is in general compliance with the Comprehensive Plan.
 - The PUD location is approximately one to two miles from the Town's downtown core and services.



Strategic Plan Conformance

The application is consistent with the Strategic Plan, particularly the following:

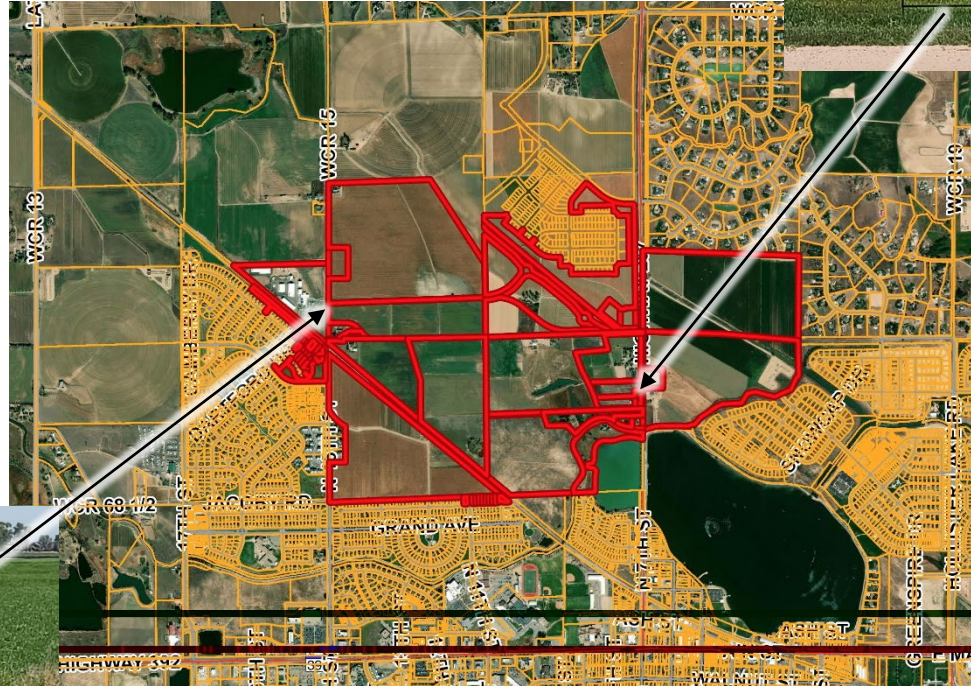
- **Infrastructure** – Internal future road connections between SH 257 and North 15th Street and extension of water and sewer utilities are proposed with the Master Plan.
- **Quality of Life** – A 15-acre school site, open space, parks and a regional trail connection are proposed with the Master Plan.
- **Downtown** – The site is approximately one mile to two miles to downtown and additional homes in the area may increase demand for investment and businesses downtown.



Public Hearing Notification

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

- July 01, 2022 – notice sent to property owners within 500 feet
- July 01, 2022– legal ad published in newspaper
- July 01, 2022– legal ad posted on the Town’s website
- July 8, 2022 - Sign posted on property





Recommendations: Rezone, PUD & Master Plan

Staff recommends Planning Commission forward to Town Board a recommendation of approval of the Overland 368 Rezone and PUD zoning overlay subject to any outstanding Planning Commission and staff comments being addressed.

Staff recommends Planning Commission forward to Town Board a recommendation of approval of the Overland 368 Master Plan Amendment, subject to approval of the PUD rezone, and any outstanding Planning Commission and staff comments being addressed.



Record

Staff requests that the following be entered into the record:

- Rezoning Application Materials
- Planned Unit Development Overlay
- Master Plan Amendment
- Staff memorandum and supporting documents
- Public hearing testimony
- Recommendations (Rezone, PUD & Master Plan Amendment)



Review Criteria - Rezone

- 1) The proposal complies with the Comprehensive Plan's goals and objectives, this Code, the applicable Master Plan, and all other applicable adopted plans or policies.
- 2) The proposed development does not result in undue or unnecessary burdens on the existing public infrastructure and public improvements, or that arrangements are made to mitigate such impacts.
- 3) Density is consistent with the Comprehensive Plan Land Use Plan, and applicable the utility capacity studies.
- 4) The proposal serves a community need or amenity that was not considered at the time of the initial zoning of the property.
- 5) The proposal shall be accompanied by a Master Plan or Site Plan that demonstrates compatibility with adjacent uses.



Review Criteria - PUD

- 1) The proposal complies with the Comprehensive Plan's goals and policies, this Code, and all other applicable adopted plans and policies.
- 2) The proposed development does not result in undue or unnecessary burdens on the existing public infrastructure and public improvements, or that arrangements are made to mitigate such impacts.
- 3) Density is consistent with the Comprehensive Plan Land Use Plan, and applicable the utility capacity studies.
- 4) The proposal serves a community need or amenity that was not considered at the time of the initial zoning of the property.
- 5) The proposal shall be reviewed concurrently with a Master Plan that demonstrates compatibility with adjacent uses.
- 6) The proposed PUD provides a greater variety of housing types and densities, building design, employment, shopping, services, and public facilities than would otherwise be provided.
- 7) The proposed PUD protects unique or sensitive natural or cultural resources, if applicable.
- 8) The proposed PUD provides open space amenities beyond the requirements of this Code.
- 9) The proposed PUD prioritizes pedestrian and bicycle facilities designed for user comfort and convenience, including but not limited to detached sidewalks on all streets.
- 10) The proposed benefits of the PUD offset the proposed variations from this Code.
- 11) Any variations from this Code are in the best interest of the public health, safety, and welfare.



Review Criteria - Master Plan

- 1) Consistency with Comprehensive Plan
- 2) The proposed development does not result in undue or unnecessary burdens on the existing public infrastructure and public improvements
- 3) Density is consistent with the subject zone district, Comprehensive Plan Land Use Plan, and applicable the utility capacity studies.
- 4) Transportation improvements are consistent with the following:
 - Roadway Improvement Plan
 - Subdivision street standards
 - Design Criteria and Construction Specifications
 - Transportation Master Plan
 - Trails Plan
 - Complete Streets Guide.
- 5) Capability of utilities to serve the development.
- 6) The proposal shall demonstrate compatibility with adjacent uses.



MEMORANDUM

Date: July 20, 2022
To: Planning Commission
From: Sandra Mezzetti, Senior Planner
Re: Recommendation to Town Board - Request to Rezone from RMU-1 (Residential Mixed Use One) zone district to RMU-2 (Residential Mixed Use Two) zone district and create a Planned Unit Development (PUD) Overlay - Overland 368 Subdivision - Bryan Reid, Forestar Group Inc., applicant, Shelley LaMastra, applicant's representative, Russell+Mills Studios
Item #: C.2.

Background / Discussion:

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:



MEMORANDUM

Date: July 20, 2022
To: Planning Commission
From: Sandra Mezzetti, Senior Planner
Re: Recommendation to Town Board - A request for a Master Plan Amendment - Overland 368 Annexation - Bryan Reid, applicant, Forestar Group Inc., and Shelley LaMastra, applicant's representative, Russell+Mills Studios
Item #: C.3.

Background / Discussion:

Please refer to public hearing materials.

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

CC:

Attachments:



MEMORANDUM

Date: July 20, 2022
To: Planning Commission
From: David Eisenbraun, Senior Planner
Re: Public Hearing - Request to Amend the Town Comprehensive Plan Land Use Map from Estate Residential to Single Family Residential - Trautman 5th Filing - Martin Lind, Owner, Vima Partners
Item #: C.4.

Background / Discussion:

The subject area, now known as Trautman 5th Filing, is part of the South Gate 5th Annexation in 2005. 2007 – Trautman 2nd filing subdivided a total of 110 acres, including additional General Commercial area and residential lots along Crossroads.

2017 – The GC area, about 20 acres on the north side, was sold to Timberline Church.

The Trautman Farms project area contains 78.73 acres and is petitioning to change Land Use Designation, from High Density Estate Residential to Single Family Residential. The project is located on Lots 7-19 and 23-36 of the Second Filing and Tract B, Fourth Filing Trautman Farms. It is bordered by Weld County Road 17 to the west, with the closest intersection being the Round a Bout at East Crossroads Boulevard and WCR 17.

The intent of the change in Land Use Designation, is to create more flexible development parcels than the High Density Estate Residential designation allows to adapt to the current market conditions. The applicant is seeking to modify the current layout to provide a more traditional single-family development. The Single Family Residential land use designation provides the flexibility for these adaptations.

This land use change will also require a rezoning request for this property. Currently zoned as ER (Estate Residential), the property would require a rezoning from ER to SF-1 (Single Family Detached) as a separate process.

Financial Impact:

Relationship to Strategic Plan:

Infrastructure – The Town's Engineering staff have reviewed the request and adequate sewer capacity is available for single family in this area. Raw water dedication is required prior to development.

Vibrant & Healthy Economy – We maintain a viable, stable, diverse, and strategic economic base which supports the needs and enhances the lifestyles of those living and working in our community.

Recommendation:

On Monday July 11, 2022 the Town Board unanimously forwarded to the Planning Commission a recommendation of approval of the LUMA request as presented.

CC:

Attachments:



MEMORANDUM

Date: July 20, 2022
To: Planning Commission
From: David Eisenbraun, Senior Planner
Re: Resolution PC 2022-02 - Request to Amend the Town Comprehensive Plan Land Use Map from Estate Residential to Single Family Residential - Trautman 5th Filing - Martin Lind, Owner, Vima Partners
Item #: C.5.

Background / Discussion:

The subject area, now known as Trautman 5th Filing, is part of the South Gate 5th Annexation in 2005. 2007 – Trautman 2nd filing subdivided a total of 110 acres, including additional General Commercial area and residential lots along Crossroads.

2017 – The GC area, about 20 acres on the north side, was sold to Timberline Church.

The Trautman Farms project area contains 78.73 acres and is petitioning to change Land Use Designation, from High Density Estate Residential to Single Family Residential. The project is located on Lots 7-19 and 23-36 of the Second Filing and Tract B, Fourth Filing Trautman Farms. It is bordered by Weld County Road 17 to the west, with the closest intersection being the Round a Bout at East Crossroads Boulevard and WCR 17.

The intent of the change in Land Use Designation, is to create more flexible development parcels than the High Density Estate Residential designation allows to adapt to the current market conditions. The applicant is seeking to modify the current layout to provide a more traditional single-family development. The Single Family Residential land use designation provides the flexibility for these adaptations.

This land use change will also require a rezoning request for this property. Currently zoned as ER (Estate Residential), the property would require a rezoning from ER to SF-1 (Single Family Detached) as a separate process.

Financial Impact:

Relationship to Strategic Plan:

Infrastructure – The Town's Engineering staff have reviewed the request and adequate sewer capacity is available for single family in this area. Raw water dedication is required prior to development.

Vibrant & Healthy Economy – We maintain a viable, stable, diverse, and strategic economic base which supports the needs and enhances the lifestyles of those living and working in our community.

Recommendation:

On Monday July 11, 2022 the Town Board unanimously forwarded to the Planning Commission a recommendation of approval of the LUMA request as presented.

CC:

Attachments:

1. Item -Staff Powerpoint - Trautman LUMA PC
2. 2022 - 02 PC Resolution Approving 2016 Comp Plan Amendment.Trautman 5th



Land Use Map Amendment

Trautman Subdivision 5th Filing

David Eisenbraun, Senior Planner
Planning Commission - July 20, 2022

Site Vicinity Map

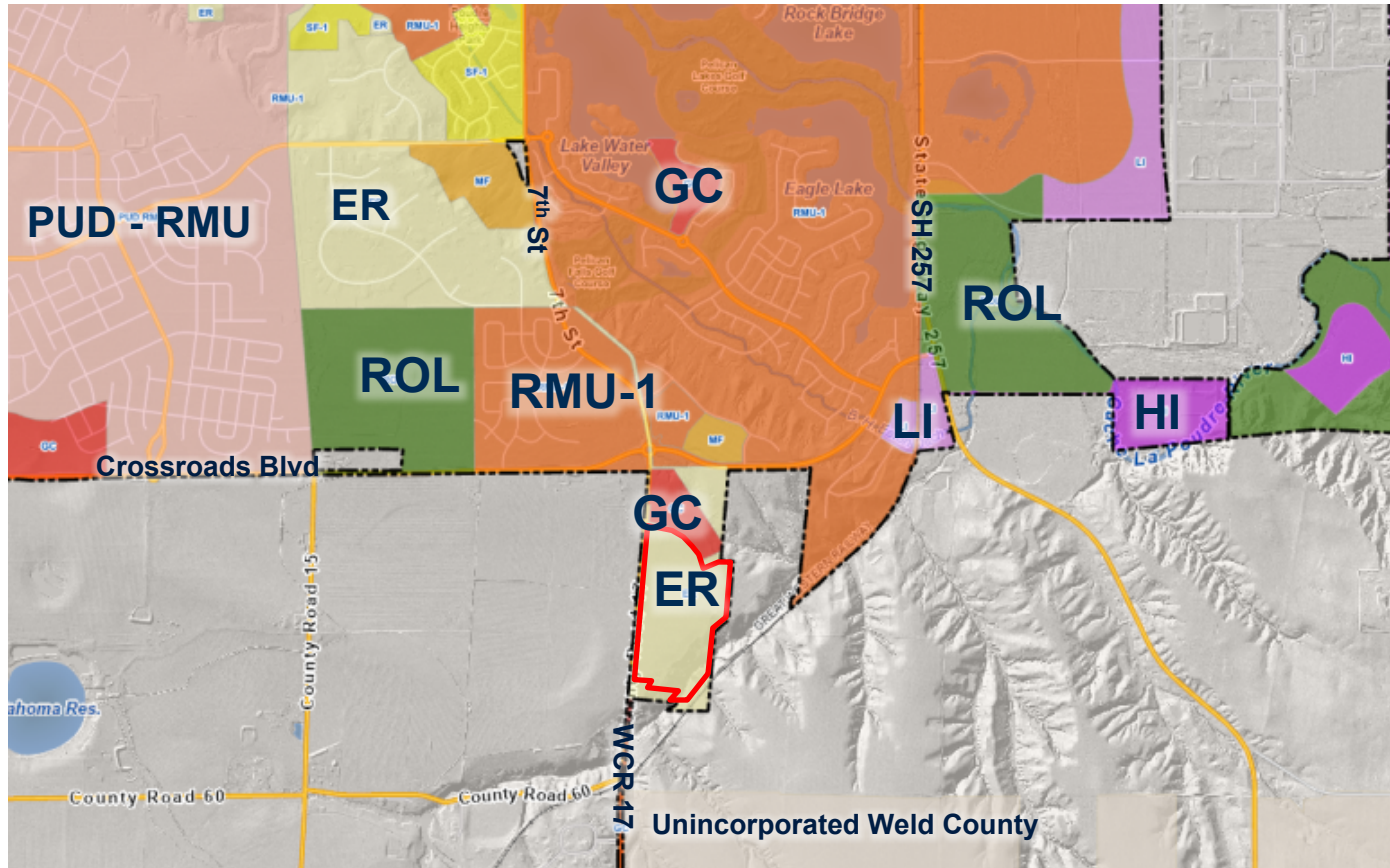


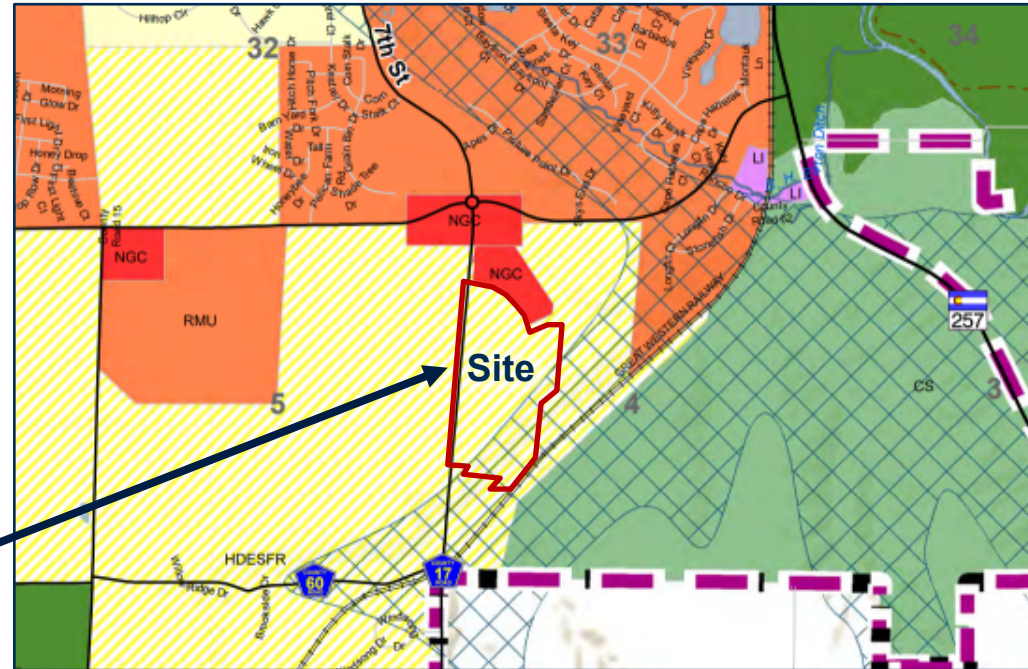
Site Vicinity Map





Zoning Map



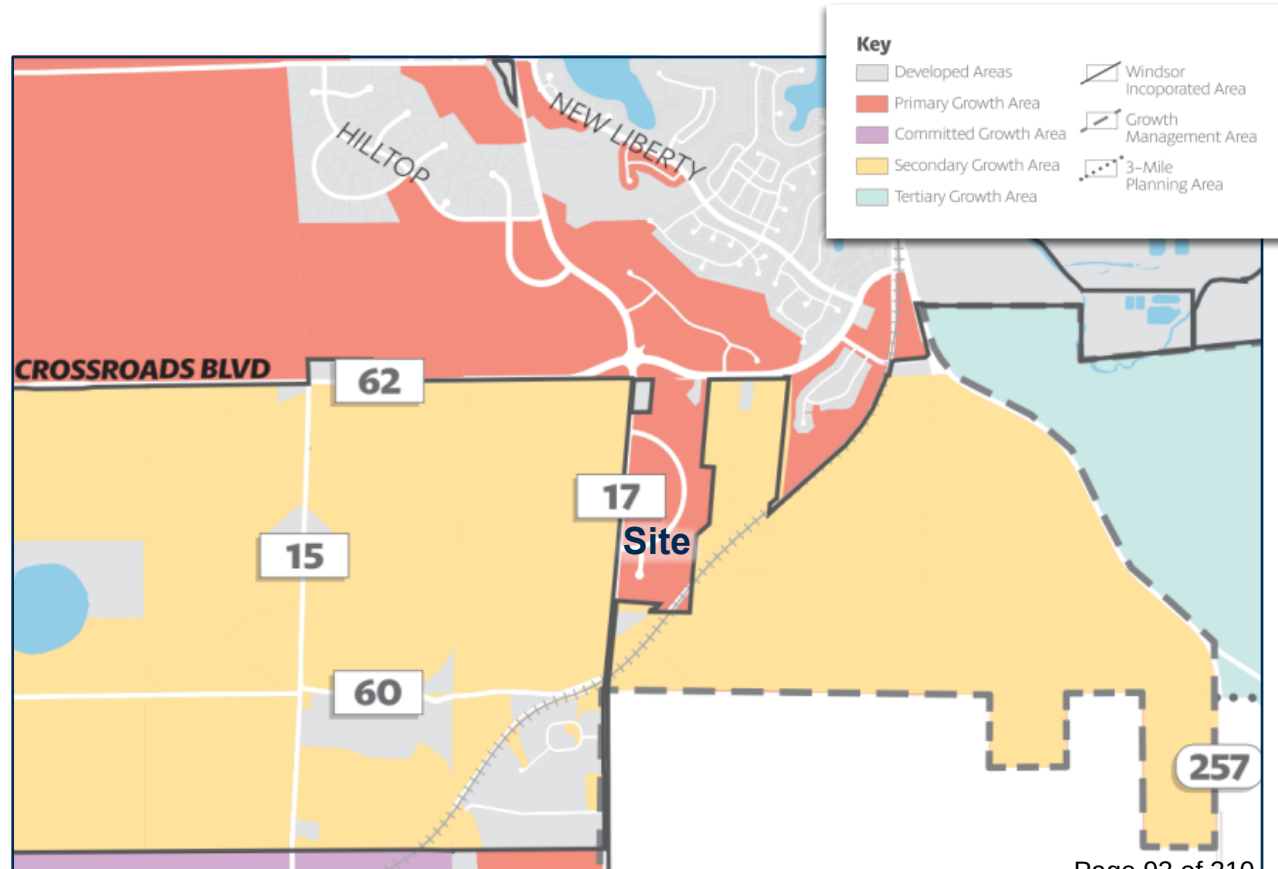


Growth Strategy - Primary

- The Primary Growth Area includes vacant infill properties, redevelopment opportunities, and underutilized agricultural parcels adjacent to urbanized areas.

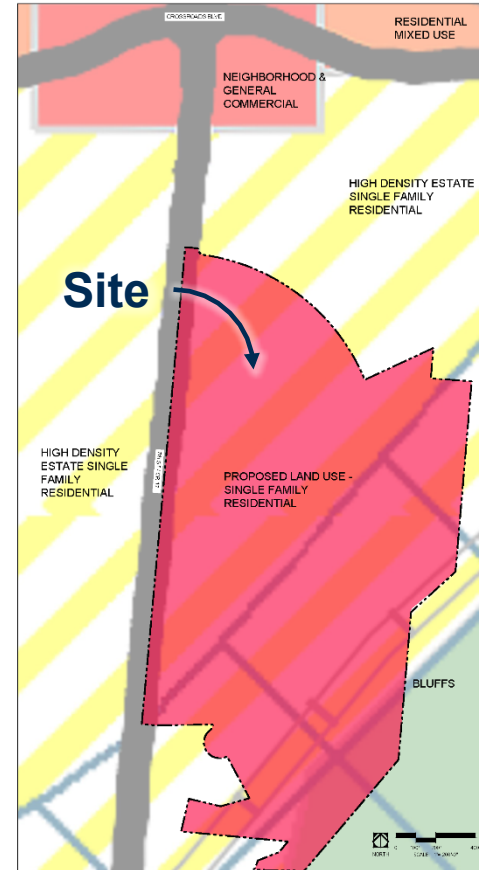
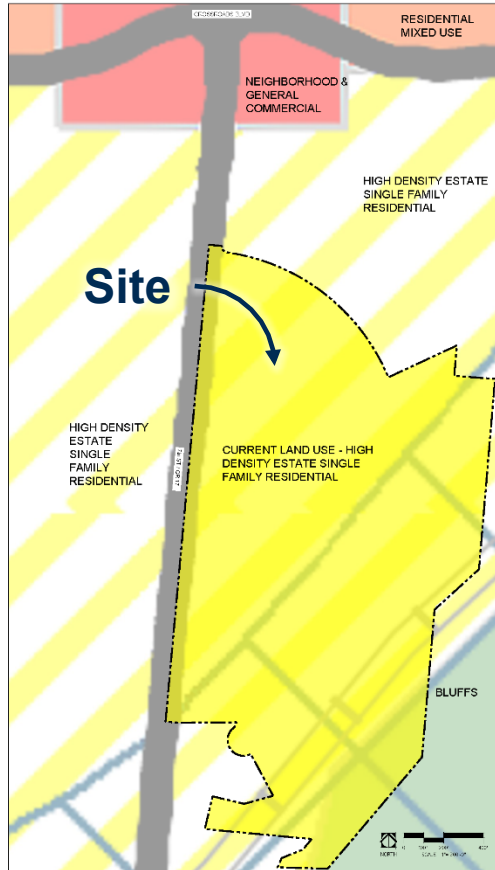
Parcels within the Primary Growth Area are limited to those that are within existing Town boundaries.

Future development should be prioritized within the Primary Growth Area to utilize existing infrastructure and services.



Existing vs. Proposed Land Use

**Existing
Zoning:**
High Density
Estate
Residential



**Proposed
Zoning:**
Single Family
Residential

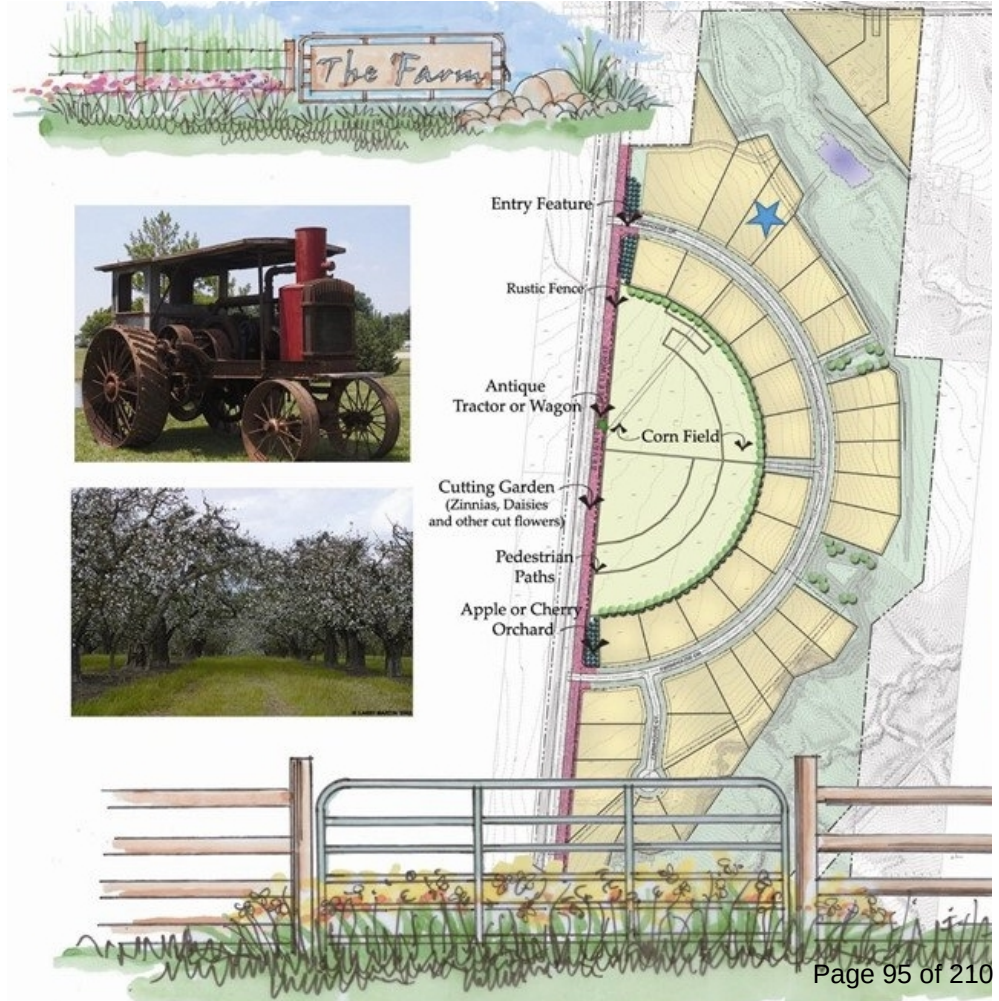


Background

The subject area, now known as Trautman 5th Filing, is part of the South Gate 5th Annexation in 2005.

2007 – Trautman 2nd filing subdivided a total 110 acres including additional General Commercial area and residential lots along Crossroads.

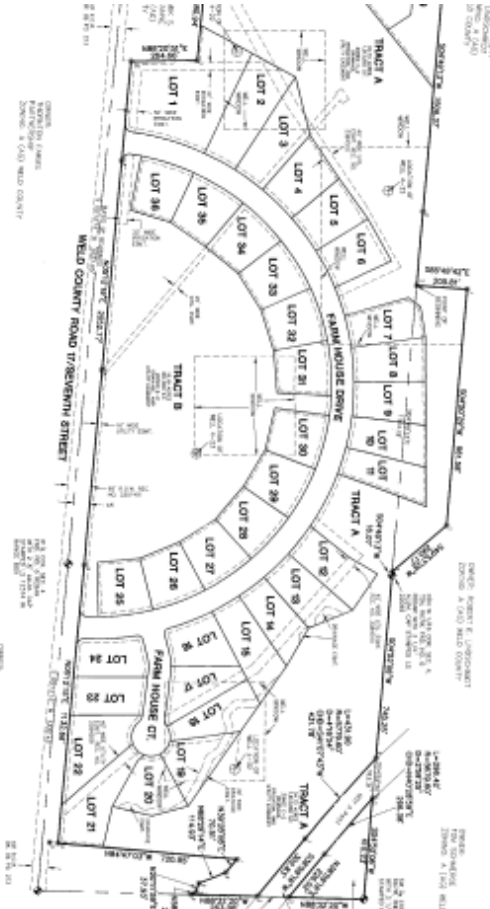
2017 – The GC area, about 20 acres on the north side, was sold to Timberline Church.



Proposal

- The intent of the change in Land Use Designation is to create more flexible development parcels than the High Density Estate Residential designation allows to adapt to the current market conditions. The applicant is seeking to modify the current layout to provide a more traditional single-family development. The Single Family Residential land use designation provides the flexibility for these adaptations.
- 36 dwelling units approved
- 229 dwelling units proposed

Existing



Proposal





Land Use Map Amendment Criteria

- Conformance with the goals and policies outlined in the Comprehensive Plan
- Compatibility with Existing and Planned Land Uses
- Minimizing Detrimental Impacts to Existing or Planned Transportation System
- Adequacy of Existing or Planned Service Capabilities (sanitary sewer, water, etc.)



Comprehensive Plan Conformance

Goals and Policies

The proposed land use, single family residential, is inconsistent with the land use designation of Estate Residential. Typically, the use of residential is compatible with other residential uses; however, based on the rural nature of the existing plat and the lack of services in proximity for future residents, an update is required.



Comprehensive Plan Conformance

Chapter 5c – Residential Areas Framework Plan:

Objective 5: *Support high-density residential near Downtown, commercial centers, and mixed-use nodes.*

Staff Comment: The proposed land use of single family residential is near a newer commercial center and mixed-use node known as Farmer's Corner. The current land use designation of estate residential is complimentary to the surrounding natural bluffs and agricultural lands, however, this development proposal plans to integrate into the landscape and remain sensitive to the rural character.



Comprehensive Plan Conformance

Chapter 5d – Commercial & Industrial Areas Framework Plan

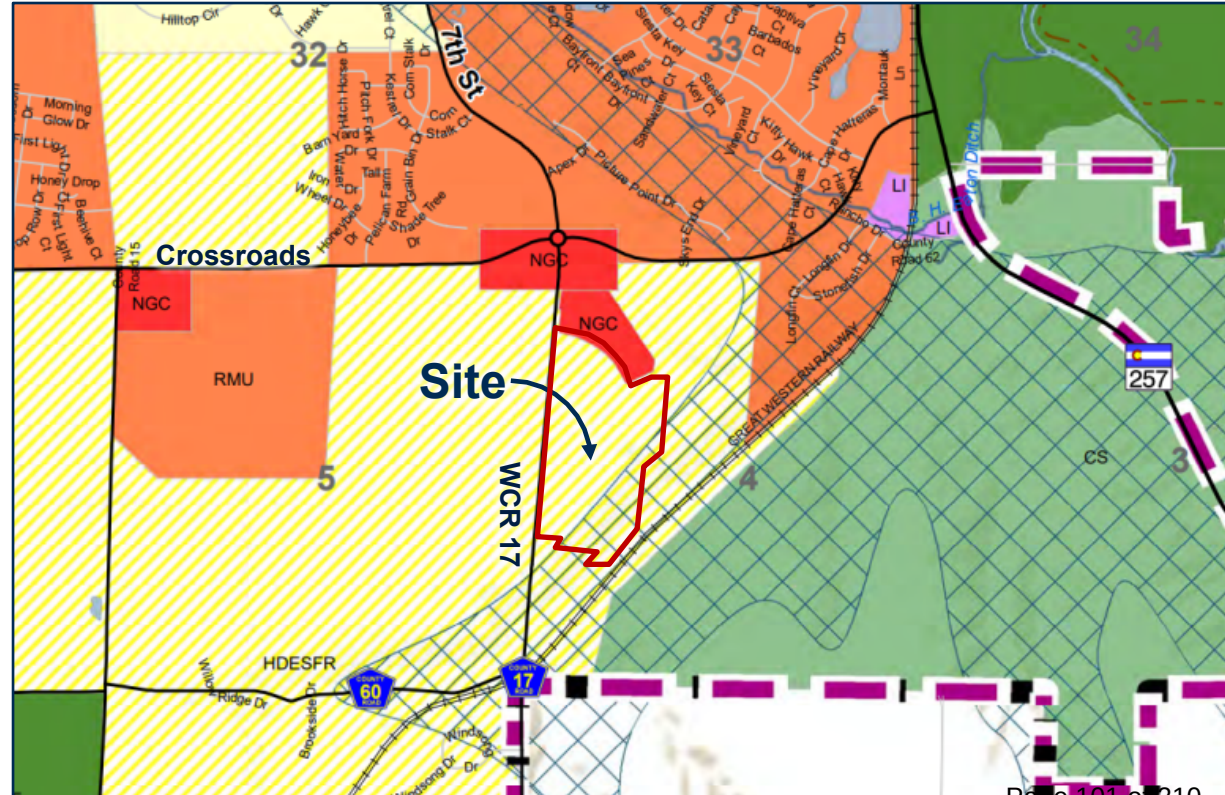
Objective 3: *Develop new neighborhoods adjacent to existing neighborhoods and urbanized areas.*

Staff Comment: Located between Pelican Farms, Water Valley and Farmer's Corner to the North and South Gate directly South, this new neighborhood will build out a missing link along WCR 17. This will provide additional residents for area businesses as well as create new opportunities for future trail connections.



Compatibility with Existing and Planned Land Uses

Typically, the use of residential is compatible with other residential uses; however, based on the rural nature of the existing plat and the lack of services in proximity for future residents, an update is required.

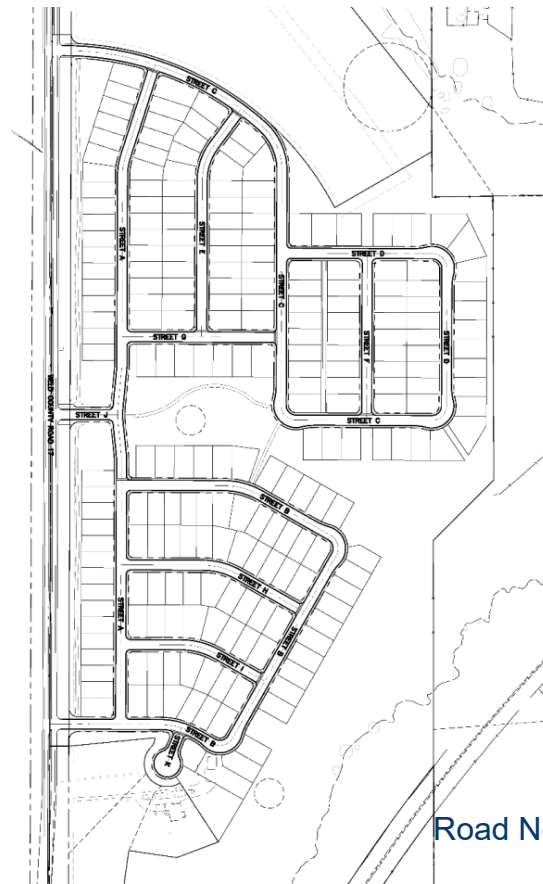




Compatibility with Existing and Planned Land Uses

Minimizing Detrimental Impacts to Existing or Planned Transportation System

- It is not anticipated that the proposal would create detrimental impacts to the planned transportation system.
- The proposal will update the road network from a rural section to adding in turn lanes and a trail connecting into the system currently stopping at Crossroads.

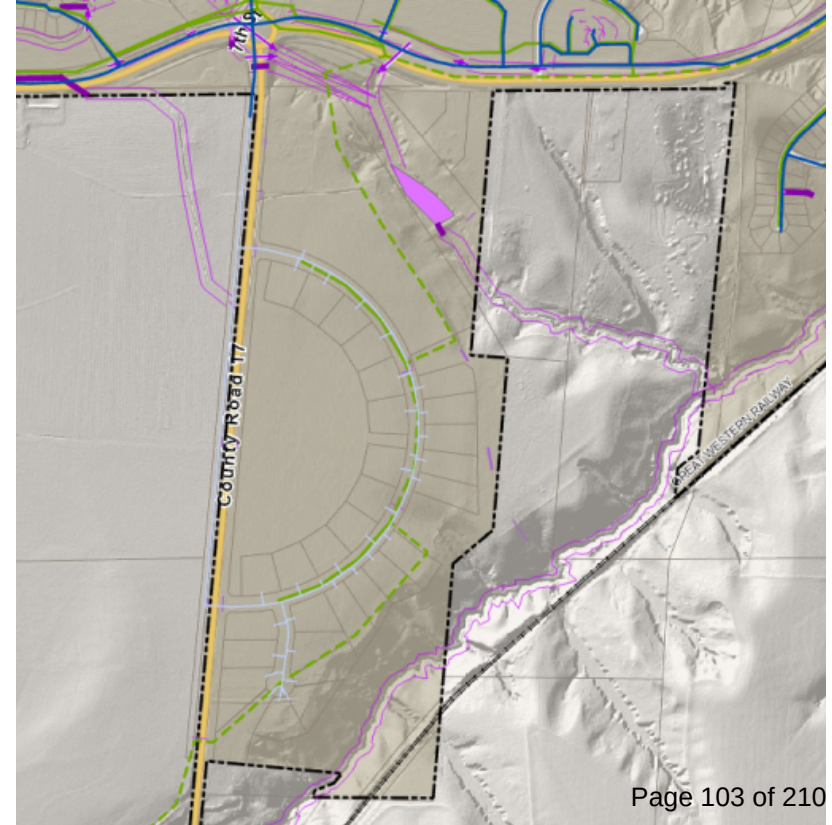




Compatibility with Existing and Planned Land Uses

Adequacy of Existing or Planned Service Capabilities (sanitary sewer, water, etc.)

- Town Engineering staff has reviewed the request and the site has adequate sanitary sewer capacity once transferred from the parcels to the west.
- It is anticipated that water would be available from the developer.





Compatibility with the Strategic Plan

The application is **consistent** with the Strategic Plan, particularly the following:

- ***Infrastructure*** – The Town’s Engineering staff have reviewed the request and adequate sewer capacity is available for single family in this area. Raw water dedication is required prior to development.
- ***Vibrant & Healthy Economy*** – We maintain a viable, stable, diverse, and strategic economic base which supports the needs and enhances the lifestyles of those living and working in our community.



Notifications

Notifications were completed in accordance with the Municipal Code as follows:

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

- June 28, 2022 – development sign posted on property
- June 28, 2022 – public hearing notice published to Town website
- June 29, 2022 - applicant mailed letters to surrounding property owners within 500 feet of the property.
- July 1, 2022 – public hearing notice published in Greeley Tribune





Recommendation

On Monday July 11, 2022, the Town Board unanimously forwarded to the Planning Commission a recommendation of approval of the LUMA request as presented, finding that:

1. The land use map amendment review criteria have been met;

Staff requests that the following be entered into the record:

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



Land Use Map Amendment Review Criteria

- Conformance with the goals and policies outlined in the Comprehensive Plan
- Compatibility with Existing and Planned Land Uses
- Minimizing Detrimental Impacts to Existing or Planned Transportation System
- Adequacy of Existing or Planned Service Capabilities (sanitary sewer, water, etc.)

TOWN OF WINDSOR

PLANNING COMMISSION RESOLUTION NO. 2022-02

A RESOLUTION APPROVING AND ADOPTING AMENDMENTS TO THE TOWN OF
WINDSOR 2016 COMPREHENSIVE PLAN

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers and authority vested in accordance with Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land use regulation, the purpose of which is the protection of the public health, safety, and welfare; and

WHEREAS, the owner of the property within the South Gate Fifth Filing Annexation, concerning the Trautman 5th Filing, to the Town of Windsor has presented a Comprehensive Plan Amendment, depicted in **Exhibit A**, attached hereto, and incorporated herein by reference; and

WHEREAS, the proposed amendment will change the existing designation from High Density-Estate Residential (“ER-2”) to Single Family Residential (“SF-1”); and

WHEREAS, a public hearing on Comprehensive Plan Amendment was presented to the Windsor Town Board on July 11, 2022, and received a recommendation for Planning Commission approval; and

WHEREAS, a public hearing on the proposed Comprehensive Plan Amendment was presented to the Windsor Planning Commission, and has been reviewed in accordance with applicable planning criteria.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION FOR THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The Windsor Planning Commission hereby approves and adopts the amendment to the 2016 Update to the Town of Windsor Comprehensive Plan, to amend the land use depictions of the areas depicted on Exhibit A within the South Gate Fifth Filing Annexation, concerning the Trautman 5th Filing, to the Town of Windsor.
2. The Windsor Planning Commission hereby authorizes its Chair to execute this Resolution, and its Vice-Chair to attest thereto.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 20th day of July, 2022.

TOWN OF WINDSOR PLANNING COMMISSION

ATTEST:

By: Gale Schick, Chair

By: Jerry Bushelman, Vice-Chair



MEMORANDUM

Date: July 20, 2022
To: Planning Commission
From: Kimberly Lambrecht
Planner II
Re: Public Hearing - Request to Amend the Town Comprehensive Plan Land Use Map from Neighborhood and General Commercial to Light Industrial - East Point Subdivision Lot 1 - Chris Ruff, Manager, East Pointe Windsor LLC, owner's representative
Item #: C.6.

Background / Discussion:

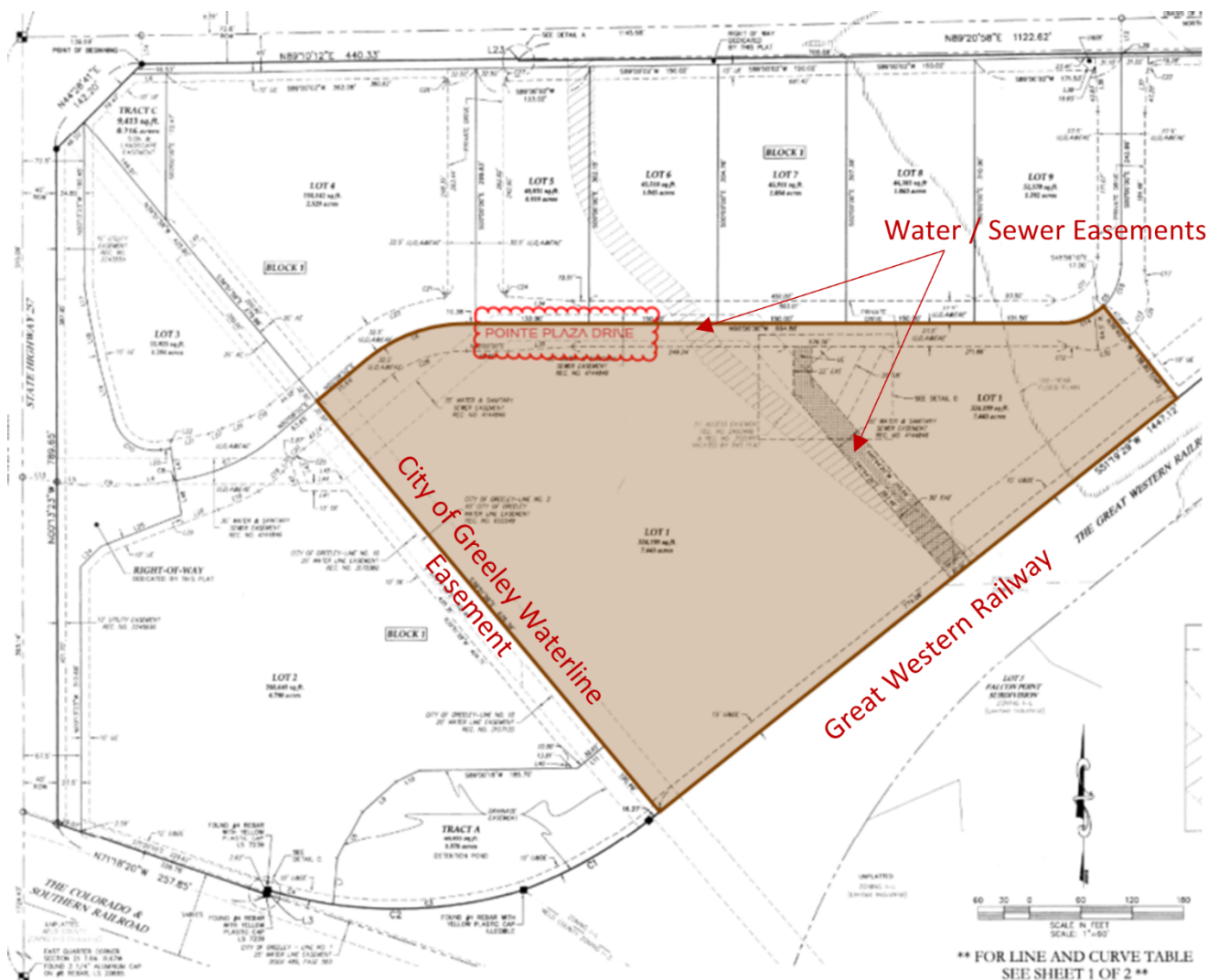
The owner / applicant, Mr. Chris Ruff, of East Pointe LLC, is requesting an amendment to the Town's Comprehensive Plan Land Use Map. The subject area is located within the East Pointe Subdivision, southeast of the intersection of State Highway 392 and State Highway 257 (more particularly, south of Pointe Plaza Drive, approximately 700 feet east of State Highway 257). The applicant is proposing to change the land use designation of "Neighborhood and General Commercial" to "Light Industrial" for the purpose of rezoning a portion of the existing General Commercial (GC) zone district to the Limited Industrial (LI) zone district, subdividing the Lot, and developing flex commercial/industrial spaces. The proposed amendment is shown in the staff presentation and in the draft resolution.

The subject area, now known as Lot 1, Block 1, East Pointe Subdivision, is part of the Ruff Third Annexation, annexed in 2006. With the annexation, the property was master planned for 24.42 acres of commercial and industrial zoning (General Commercial (GC) and Limited Industrial (LI)). The annexation, zoning and platting for this property has the following timeline (note: this does not include the Windsor-Severance IGA and IGA amendments, which are highlighted later).

- In 2006, the Ruff Third Annexation and Master Plan were approved, which zoned 18.67 acres as General Commercial (GC) and 4.76 acres as Limited Industrial. The Master Plan is consistent with the annexation.
- In 2017, the property was subdivided, with 26.70 acres being divided to create nine (9) lots along with supporting tracts and right-of-way – all zoned General Commercial (GC).
- In 2017, the first of several projects (Kum & Go) were approved, with the Human Bean (2018), Doug's Day Diner (2018) and Freddy's following (2021).
- 2022 has brought additional commercial projects that are currently under review.

Additionally, the site has several constraints impacting the development of the parcel: water/sewer easements bisecting the property; a City of Greeley waterline easement along the easterly boundary; and the Great Western Railway along the southern property line. These elements are proving to be a negative impact in attracting the types of end users that might otherwise be drawn to this location.

SITE CONSTRAINTS



In 2021 the applicant presented a concept to Staff, proposing a development consisting of flex style buildings across the entire 7.42-acre site. Given that this style of building (small office spaces with warehouse style storage) tends to attract industrial types of uses, Staff recommended a different approach for the Lot that maintained a more traditional style of building that would attract commercial uses along the north half of the parcel, while allowing a more industrial style of building at the south side of the parcel. Again, because flex buildings attract industrial typed of uses, the need for industrial zoning became apparent. After evaluating the existing adjacent zoning and uses, Staff recommended that the parcel (Lot 1) be subdivided and rezoned, along with the Land Use Map Amendment.

CONCEPT PLAN

Town Comprehensive Plan Land Use Plan Amendments

The Town's Comprehensive Plan is a tool for guiding long-range planning decisions for the benefit of existing and future residents. The Planning Commission approves the Town's Comprehensive Plan and Land Use Map, and proposed amendments thereof, per Colorado State Statutes. Therefore, staff requests that the Town Board forward to the Planning Commission a recommendation on the proposed Land Use Map Amendment.

Additionally, the proposed Land Use Map Amendment is part of an Intergovernmental Agreement (IGA) between the Town of Windsor and the Town of Severance. This agreement includes a cooperative planning area ("CPA") outlining permitted land uses, design standards, and revenue sharing. The proposed East Pointe development will be required to comply with the criteria of the IGA. The Windsor-Severance IGA was first adopted in 2000, amended in 2004, 2014, and 2017. The proposed Land Use Map Amendment has been referred to the Town of Severance. In preliminary discussions with Severance, no issues were found with the proposed Land Use Map Amendment. Future development proposals for this project site will also be referred to Severance.

The Town's Comprehensive Plan states that the Planning Commission shall consider the following criteria regarding the approval or rejection of any proposed amendment to the Plan:

1. Conformance with the goals and policies outlined in the Comprehensive Plan
2. Compatibility with existing and planned land uses;
3. Minimizing detrimental impacts to the existing or planned transportation system; and
4. Adequacy of existing or planned service capabilities (i.e. sanitary sewer, water, etc.)

The applicant provided a narrative outlining the background of the existing uses, and how the success of those businesses is providing an opportunity to seek other business types that might be a better fit for the location (behind already established commercial / retail, and adjacent to the railroad). The narrative begins to address the Comprehensive Plan criteria, as outlined below. (see attached narrative)

1. Conformance with the goals and policies outlined in the Comprehensive Plan

Conformance with the Land Use Map – While the proposed land use (Light Industrial), may not be consistent with the land use designation of Neighborhood and General Commercial, it does provide an opportunity to not only serve as a transition from higher intensity uses to Commercial uses, but also does not exclude Commercial types of uses from being developed.

Chapter 5d – Commercial & Industrial Areas Framework Plan

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

- Neighborhood commercial is fiscally responsible by providing opportunities for increased tax revenue, jobs and services.
- As previously noted, the conversion of Neighborhood and General Commercial uses to Light Industrial uses will provide expanded opportunities for *diverse business development* while creating a buffered transition between established Limited Industrial (LI) uses and the less intense General Commercial (GC) uses.

2. Compatibility with existing and planned land uses

The use of Light Industrial is compatible with Neighborhood and General Commercial, and additionally serves as a land use transition / buffer to the more intense types of industrial developments (including the railroad line) found nearby.

3. Minimizing detrimental impacts to the existing or planned transportation system; and

It is not anticipated that the proposal would create detrimental impacts to the planned transportation system. The area under consideration, consisting of approximately 4.2 acres, would have similar traffic patterns. The proposal would not change the road network from what has already been planned.

4. Adequacy of existing or planned service capabilities (i.e., sanitary sewer, water, etc.)

Town Engineering staff has reviewed the request and the site has adequate sanitary sewer capacity. It is anticipated that water will be available. The applicant would be responsible for bringing raw water for the project, if required.

Notification

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

- June 28, 2022 – ‘Development Under Review’ sign posted on property
- June 28, 2022 – public hearing notice published on the Town’s website
- June 19, 2022 – applicant mailed letters to surrounding property owners within 500 feet of the property.
- July 1, 2022 – public hearing notice published in Greeley Tribune

Financial Impact:

Relationship to Strategic Plan:

The application is consistent with the following:

- **Vibrant & Healthy Economy** – This land use designation will support the goal of providing a viable, stable, diverse, and strategic economic base which supports the needs and enhances the lifestyles of those living and working in our community.
- **Infrastructure** – The Town’s Engineering staff have reviewed the request and adequate capacity is available for light industrial development in this area.
- **Goals:**
 - Promote business diversification in the community
 - Attract balanced commercial development that will sustain the future of Windsor
 - The priorities in this area are economic sustainability and vibrancy, and infrastructure.

Recommendation:

The Town Board unanimously forwarded a recommendation of approval to the Planning Commission. Staff requests the Planning Commission approve the LUMA request, finding that adequate justification for the request has been provided.

CC:

Carlin Malone, Chief Planner

Scott Ballstadt, Director of Planning

Attachments:

1. Land Use Map Amendment (LUMA) - Application
2. Land Use Map Amendment (LUMA) - Narrative
3. Land Use Map Amendment (LUMA) - Map
4. Hwy 392 Development Plan - Windsor-Severance IGA (2000)
5. Hwy 392 Development Plan - Windsor-Severance IGA (2004) (reduced)
6. Hwy 392 Development Plan - Windsor-Severance IGA (2014) (reduced)
7. Staff Presentation - PC - East Pointe LUMA_7-20-2022



LAND USE MAP AMENDMENTS CHECKLIST

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. 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.

The Planning Commission shall consider the following criteria in regard to the approval or rejection of any proposed amendment to the Plan:

- a. Conformance with the goals and policies outlined in the Comprehensive Plan;
- b. Compatibility with existing and planned land uses;
- c. Minimizing detrimental impacts to the existing or planned transportation system; and
- d. Adequacy of existing or planned service capabilities i.e. sanitary sewer, water, etc.

Adoption of the proposed amendments to the Plan shall be in full compliance with all requirements for such comprehensive plan amendments as outlined in the Colorado Revised Statutes and the Windsor Municipal Code.

1

SUBMITTAL REQUIREMENTS:

Planning
Department
Checklist

*Applicant
Checklist

☐
☐
☒
☒

Completed checklist. Items not checked are explained in the narrative

☐
☒

Narrative description of request detailing reasons for the request and how it is consistent with amendment criteria

☐
☒

Map of property depicting property lines and proposed changes to the Town's Land Use Plan Map

☐
☐

If proposed change involves potential increase in land use density, sewer calculations demonstrating that the change would not exceed the sewer capacity planned for the subject property

2

LAND USE MAP AMENDMENT DRAWING REQUIREMENTS:

Planning
Department
Checklist

*Applicant
Checklist

☐
☒

Drawing shall be legible and accurately drawn to an appropriate scale

☐
☒

Indication of drawing scale and symbol designating true north

☐
☒

Existing and proposed land use depiction boundaries clearly shown

☐
☒

Existing and proposed Growth Management Area boundaries clearly shown

☐
☒

Property address, legal description (*township, range, section, lot, block, subdivision*) or location depicted on a detailed vicinity map



APPLICATION FORM

1

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

2

Project Name*: East Pointe Subdivision Third Filing -- Replat Lot 1

Legal Description*: Lot 1 Block 1 East Pointe Subdivision

Address/Location*: 443 Pointe Plaza Drive, Windsor CO

3

OWNER:

Name(s)*: East Pointe Windsor LLC

Company: East Pointe Windsor LLC

Address*: PO Box 99, Windsor CO 80550

Phone #*: (970) 227-7868 Email*: cduff@drmrealestate.com

APPLICANT (Owner or Owner's Representative):

Name*: Chris Ruff

Company: East Pointe Windsor LLC

Address*: PO Box 99, Windsor CO 80550

Phone #*: (970) 227-7868 Email*: cduff@drmrealestate.com

AUTHORIZED REPRESENTATIVE:

Name: _____

Company: _____

Address: _____

Phone #: _____

Email: _____

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: _____

Date: 04/14/2022

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

Print Name: Chris Ruff Mgr

Revised 8/1/2016

EAST POINTE WINDSOR LLC

PO Box 99
Windsor CO 80550
970-227-7868

6-June-2022

Carlin Malone
Planning Department
Town of Windsor
301 Walnut Street
Windsor CO 80550

RE: Narrative Description: East Pointe Lot 1—Minor Sub and Re-Zone

Ms. Malone,

East Pointe Windsor LLC desires to replat Lot 1 of East Pointe Subdivision to create two lots via the Minor Subdivision process and rezone the eastern portion of that lot as LI Limited Industrial.

Background

Lot 1 East Pointe is the large (7.443-Acres) interior lot in the G-C zoned 25-acre East Pointe Subdivision at Highway 257/East Main (Highway 392). We developed East Pointe in 2018 and have populated much of the frontage with existing/planned sales tax generators including Kum & Go, Human Bean, Freddy's, Doug's Diner, Windsor Craft Cooler. Additional retail/restaurant uses are in planning along the frontage lots.

East Pointe Subdivision has met its goal to generate extensive sales tax and property taxes for the Town of Windsor and Town of Severance (as provided in the Windsor/Severance joint planning area IGA). With just 4 users (Kum & Go store sales, Human Bean, Doug's and Windsor Craft Cooler) contributing in 2020 and 2021, the project generated over \$210,000 each year in sales taxes. Freddy's will likely generate another \$45,000+, and several new retailers will likely push sales tax generation in excess of \$400,000 annually in those frontage lots.

Interior Lot 1, with its large size and non-frontage location, has not met with market success/appeal just as the interior lots in the Safeway development, King Soopers, and Water Valley north have sat vacant nearly two decades. Absent attracting a small grocery store or big-box user, large interior lots are very difficult to get users. Exacerbating Lot 1's large size and location is that it 1) is negatively impacted by water/sewer easements that divide the site on their way to East Pointe lots and the Windsor cemetery, 2) is impacted by the City of Greeley water line easements that form its western boundary, and 3) backs to the railroad tracks and industrial uses/rear yards in Falcon Point and Universal Forest Products.

In extensive correspondence and discussion with Planning Staff (Scott Ballstadt, Paul Hornbeck, and yourself) in January-March 2022, we developed an agreeable concept to split that lot into two lots and also create a visual barrier from East Pointe to the existing industrial uses.

This application seeks to create two lots in East Pointe Subdivision Third Filing—Lot 1 at 3.228-Acres and Lot 2 at 4.214-Acres. As the plat shows, Lot 1 will be bounded by Pointe Plaza Drive and the private entry drive to East Pointe Plaza (Doug's, etc.). Lot 2 will be an elongated "y-

shaped” lot that fronts onto Pointe Plaza Drive and lines the entire 774-foot eastern Great Western Railroad frontage of existing Lot 1.

Like all of East Pointe, existing Lot 1 is currently zoned G-C General Commercial. In this replat, proposed Lot 1 3rd Filing will stay zoned G-C, but Lot 2 3rd Filing will re-zoned to LI Light Industrial and be the new interface between East Pointe’s commercial uses and industrial. However, Lot 2 3rd Filing will then be developed with a long pair of 2-story office-warehouse condos that then forms the visual barrier between East Pointe commercial and the east. Architectural features of the front elevations of the proposed buildings will provide an attractive view and will buffer the area between the parking uses on the frontage lots as well as future Lot 1 3rd Filing users.

Positive impacts of the Minor Subdivision:

1. The new, smaller Lot 1 3rd Filing creates a better opportunity to find a sales tax generator.
2. The new Lot 2 3rd Filing project will generate extensive property taxes.
3. The Lot 2 3rd Filing project may also generate some sales taxes from some secondary commercial users.
4. The Lot 2 3rd Filing project will generate new small service business uses/users and create jobs.
5. The new Lot 2 3rd Filing will create a visual barrier between commercial users in East Pointe and adjacent industrial uses.
6. Lots 1 & 2, 3rd Filing will be subject to Site Plan and Dev Agreement approval and restrictions on user types and restricted outside storage
7. It will further improve the aesthetics of the East Main corridor with additional screening.
8. It will not negatively impact water or sewer infrastructure and service demands in the East Point Subdivision.
9. It will enhance the fire department/emergency access linkage between East Pointe and Falcon Point across the Great Western railroad tracks.
10. It will reduce water consumption due to lesser landscape requirements in the LI zone.

We request approval of the proposed Minor Subdivision and Re-Zone of Lot 1 East Pointe Subdivision.

Respectfully submitted
East Pointe Windsor LLC



Christopher D. Ruff
Manager

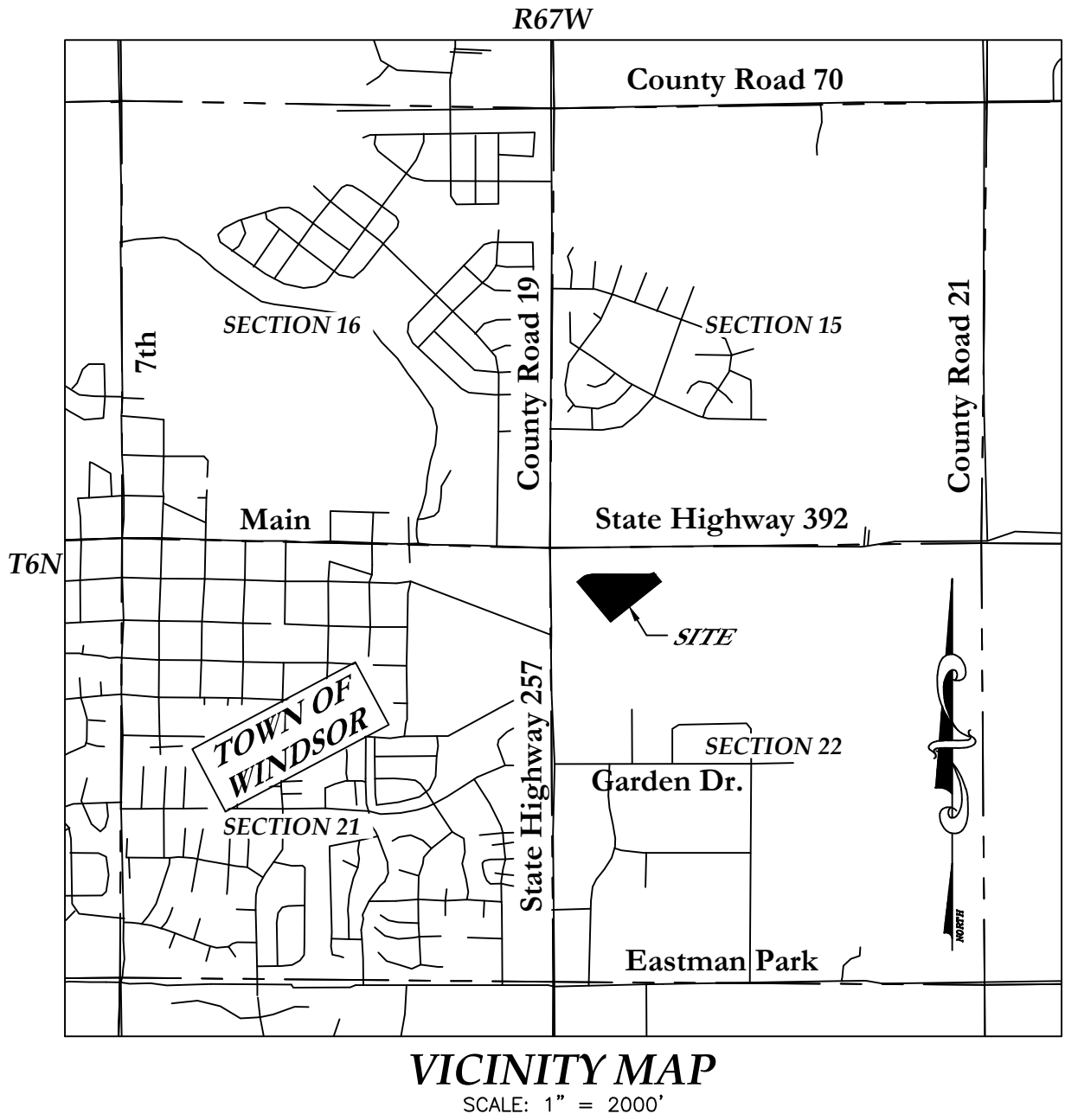
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- | | |
|--|-----------------------|
| 1. Minor Sub Application | 2. ReZone Application |
| 3. Plat—East Pointe Subdivision 3 rd Filing | 4. Re-Zone Map |
| 5. Re-Zone Color Sketch | |

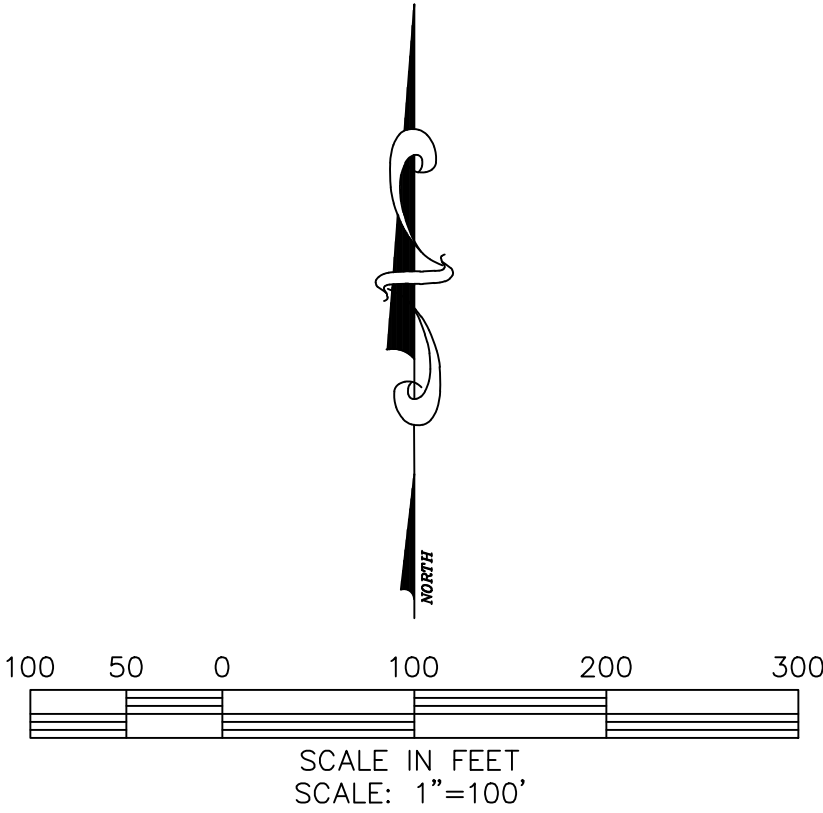
EAST POINTE SUBDIVISION THIRD FILING

LAND USE MAP AMENDMENT

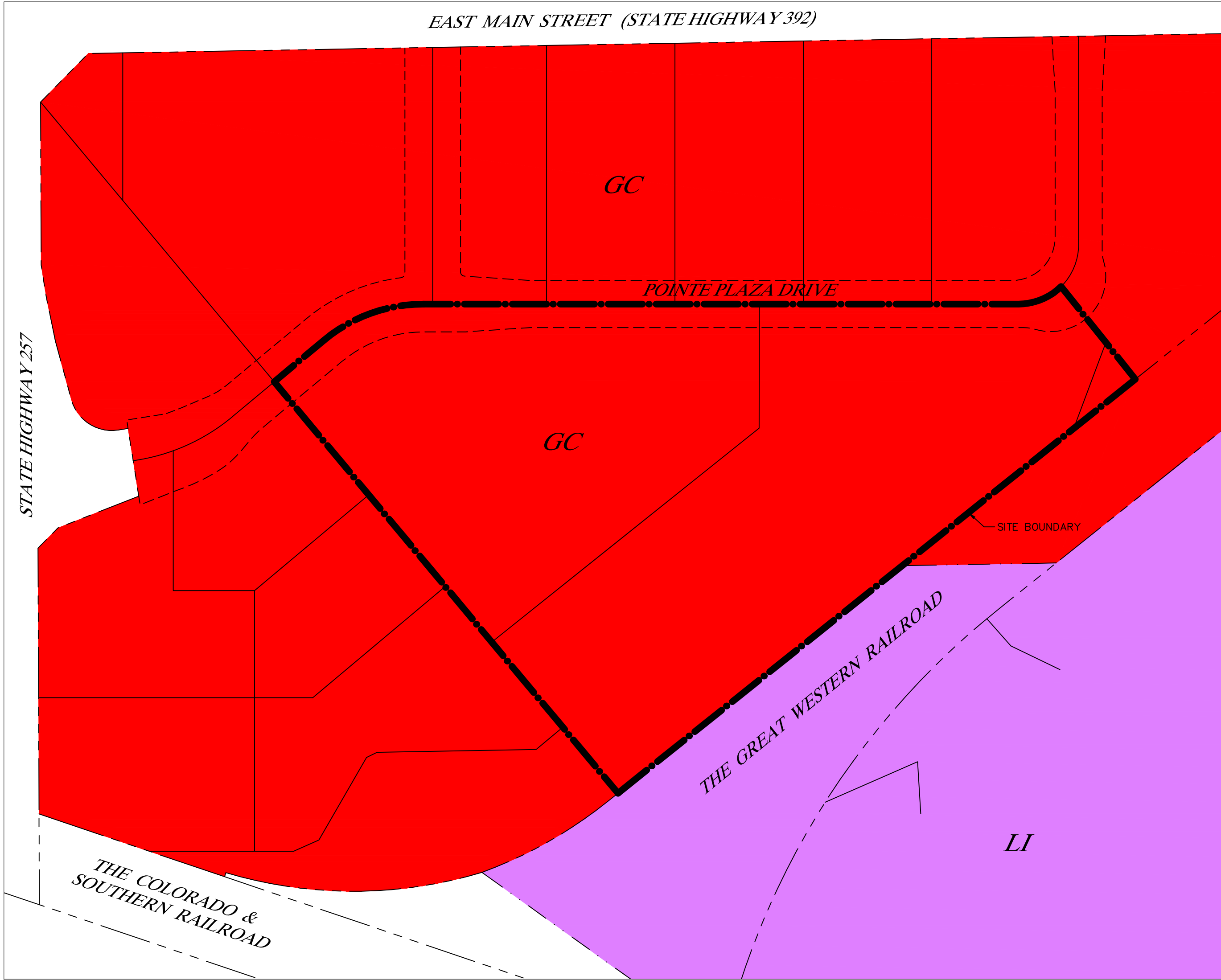
Situate in the Northwest Quarter of Section 22, Township 6 North, Range 67 West of the 6th P.M.,
Town of Windsor, County of Weld, State of Colorado



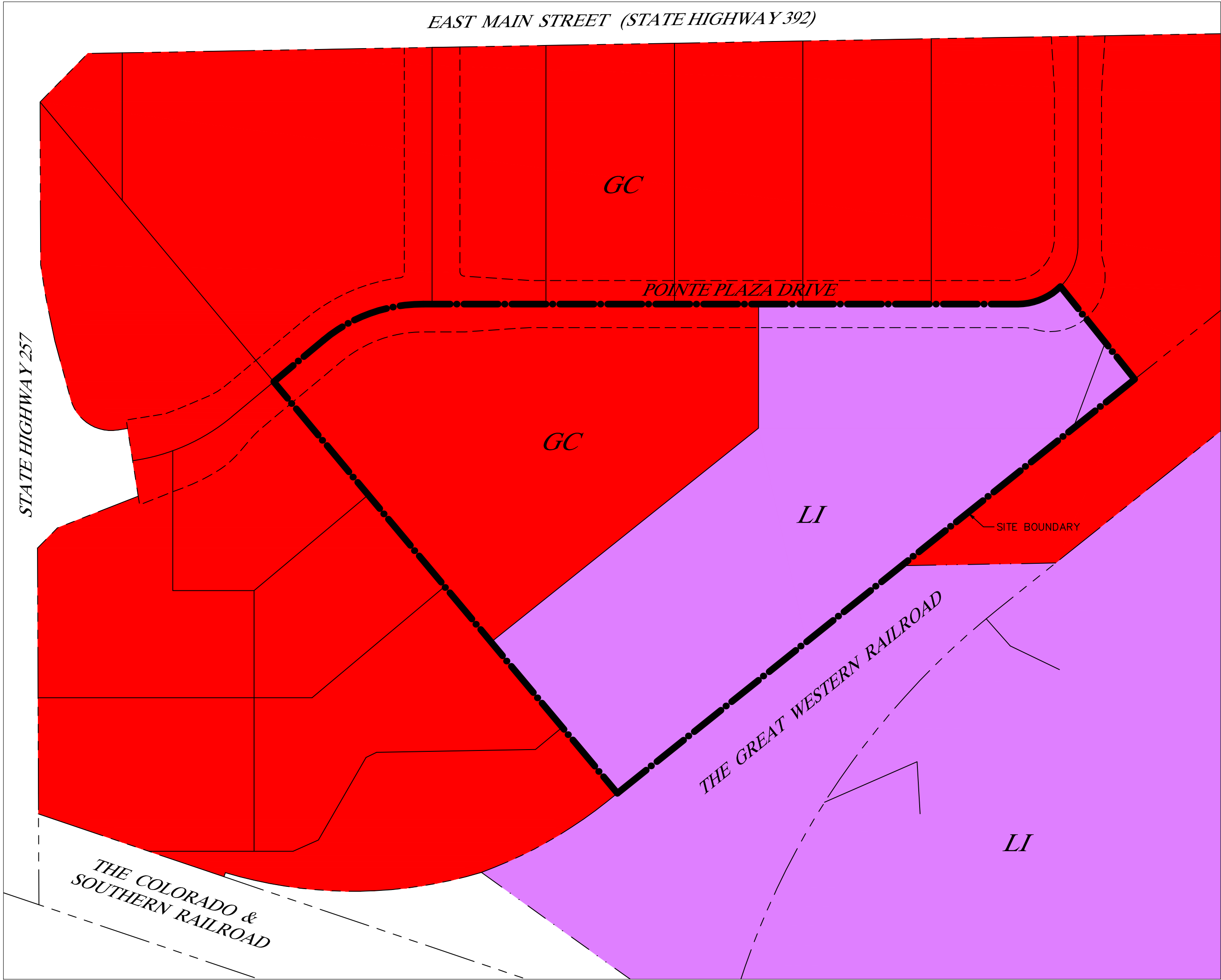
- GC - GENERAL COMMERCIAL***
- LI - LIMITED INDUSTRIAL***



EXISTING LAND USE DESIGNATION



PROPOSED LAND USE DESIGNATION



DATE:	4/5/2022
FILE NAME:	20220140LUM
SCALE:	1"=100'
DRAWN BY:	CSK
CHECKED BY:	CAD

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



DATE:	
REVISIONS:	

LAND USE MAP AMENDMENT
FOR
DRM REAL ESTATE ADVISORS
628 MAIN STREET
WINDSOR, CO 80550

PROJECT #:
20220140

1
SHEET 1 OF 2

INTERGOVERNMENTAL AGREEMENT

THIS AGREEMENT is made and entered into this 11th day of December, 2000, by and between THE TOWN OF WINDSOR, a statutory town and political subdivision of the State of Colorado, hereinafter referred to as "Windsor," and THE TOWN OF SEVERANCE, a statutory town and political subdivision of the State of Colorado, hereinafter referred to as "Severance." The parties hereto, when referring to both, may also be referred to hereinafter as "municipalities" or "parties." Either party hereto may also be referred to as "municipality" or "party."

WITNESSETH:

WHEREAS, the Windsor Town Board and the Severance Town Board have recently participated in extensive discussions concerning the potential benefits to each of the municipalities resulting from a cooperative agreement regarding land use and development along certain portions of Highway 392 in Weld County, Colorado; and

WHEREAS, the Town of Severance now has under consideration the annexation of a parcel of property adjacent to Highway 392; and

WHEREAS, Highway 392 forms a natural boundary between Windsor and Severance and their present and future growth areas; and

WHEREAS, growth and development pressures and demands for municipal services exist and will continue to exist in both municipalities; and

WHEREAS, the urban growth boundaries (UGB) of the municipalities conflict in part, creating difficulties for both municipalities, the result of which could lead to incompatible and inconsistent growth and development in both municipalities; and

WHEREAS, Windsor and Severance are both committed to planned and orderly growth; to regulating the location and activities of development which may result in increased demands for services; to providing for the orderly development and extension of urban services, facilities, and regulations; to avoiding unnecessary duplication of governmental services; to simplifying governmental structure when possible; to promoting economic viability of both municipalities; and to raising revenue sufficient to meet the needs of the citizens of both municipalities; and

WHEREAS, because of the proximity of the municipalities, the nature and quality of development within each of the municipalities, and along the affected portions of Highway 392 will affect the nature and quality of development in the other municipality and the revenues of each; and

WHEREAS, increased coordination and cooperation between the two municipalities, including planning for and managing growth and development of land, the resolution of conflict



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regarding urban growth boundaries, the coordination of annexation policies and procedure, and coordination of the extension of services to areas of joint concern, will enhance the ability of the two municipalities to achieve their respective and common goals; and

WHEREAS, applicable provisions of the Colorado Constitution authorize municipalities to enter into agreements with one another concerning matters such as those set forth in this Agreement; and

WHEREAS, the statutes of the State of Colorado, specifically the Local Government Land Use Enabling Act, *Colorado Revised Statutes, 29-20-101 et seq.*, further authorizes statutory towns to enter into mutually binding and enforceable agreements regarding the joint exercise of planning, zoning and related powers; and

WHEREAS, this Agreement is entered into by Windsor and Severance pursuant to the aforesaid constitutional and statutory authority as well as other powers inherently granted to statutory municipalities by the State of Colorado;

NOW, THEREFORE, in consideration of the covenants and obligations expressed herein, it is hereby agreed by and between Windsor and Severance as follows:

1. **Preamble.** Both municipalities hereby acknowledge that the recitals set forth above are true and correct, and those recitals are incorporated into the body of this Intergovernmental Agreement.

2. **Definitions.**

(a) **Geographic Area.** *Geographic Area* shall refer to all lands depicted on "Exhibit A," which is attached hereto and incorporated herein by this reference.

(b) **Cooperative Planning Area.** *Cooperative Planning Area* (CPA) is a portion of Exhibit A and is specifically depicted thereon. The Cooperative Planning Area is a corridor defined as one-quarter ($\frac{1}{4}$) mile north and south of Colorado State Highway 392, bound on the west by Colorado State Highway 257/Weld County Road 19, and on the east by Weld County Road 23.

(c) **392 Corridor.** For purposes of this Agreement, references to *392 Corridor* shall be construed as references to the Cooperative Planning Area.

(d) **Commercial Corridor Area.** *Commercial Corridor Area* is a portion of the Cooperative Planning Area and is specifically depicted within the Cooperative Planning Area on Exhibit A. The Commercial Corridor Area is a corridor defined as one-eighth ($\frac{1}{8}$) mile north and south of Colorado State Highway 392, bound on the west by Colorado State Highway 257/Weld County Road 19, and on the east by Weld County Road 23.

3. **Comprehensive Development Plan for the Cooperative Planning Area.**

(a) Within twelve (12) months of their adoption of this Agreement, Windsor and Severance agree that they shall develop and implement a mutually acceptable comprehensive development plan, to be known as the Corridor Development Plan, for the development of land and for the provision of urban services and facilities within the CPA. It is anticipated that in the preparation of the Corridor Development Plan, the parties will consult with all other affected entities, including but not limited to, Weld County and all property owners within and adjacent to the CPA. It is understood and agreed that it may be necessary for the parties to elicit the assistance of outside consultants or other experts skilled in the preparation of such plans. The hiring of such consultants or other experts shall be subject to the approval of the board of trustees of each of the municipalities. In the event consultants or other experts are hired, all such outside costs will be borne by each of the parties on a per-capita basis.

It is further understood and agreed that the Corridor Development Plan, as prepared and adopted by Windsor and Severance, may address a wide variety of issues relating to cooperation between the municipalities; and, as such, the Corridor Development Plan may be adopted by the parties in stages. At a minimum, it is agreed that the Corridor Development Plan shall include provisions addressing the following:

- (1) Resolution of conflicts between the municipalities and the establishment of consistent UGBs.
- (2) Land use restrictions in the CPA, specifically including the prohibition of residential zoning within the CPA, unless such residential zoning is specifically agreed upon by both municipalities.
- (3) The location, design, construction, maintenance, and financing of streets and highways within the CPA.
- (4) The issuance, approval, and review of building permits within the CPA.
- (5) Provisions for government services within the CPA, including but not limited to, utility services, law enforcement, fire and emergency services, and code enforcement.
- (6) A drainage master plan for the CPA including the planning, design, construction, maintenance and financing of drainage improvements and facilities.
- (7) Provisions for the development and maintenance of parks, recreation services, and open space within the CPA.
- (8) Provisions for setbacks, design standards, landscaping, and



maintenance of rights-of-way within the CPA.

(b) Upon the adoption of the Corridor Development Plan, in whole or in part, no development proposals, which for purposes of this Agreement shall include conditional use grants, shall be approved by either of the parties which are inconsistent with the plan adopted by the municipalities without the specific written consent of the board of trustees of each of the municipalities. It is understood and agreed that upon the adoption of this Intergovernmental Agreement, all plans and specifications for any development proposal within the boundaries of the CPA, received by either of the parties after the effective date of this Agreement, shall be forwarded to the other party for review and comment at least thirty (30) days prior to any action being taken on said development proposal. The review and comment period provided for herein may be shortened or extended by the parties by mutual agreement.

4. **Amendment of the Cooperative Planning Area Boundaries.** The parties recognize that the boundaries of the CPA as established by this Agreement are reflective of current and projected land uses within the Geographic Area. The parties intend that the area to be contained within the CPA be limited to commercial and industrial development and that such development not be divided by the artificial boundaries established by this Agreement. The parties recognize that as annexations occur, and developments are proposed within the Geographic Area, it may be necessary to amend this Agreement to modify the boundaries of the CPA to include additional land that may be developed as commercial or industrial or to exclude land which will not be so developed. The parties agree that they shall fully cooperate with one another in adopting such amendments to this Agreement as may be necessary to effectuate the intentions of the parties as expressed in this paragraph.

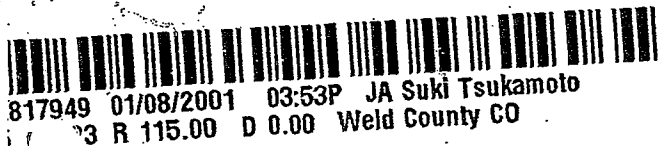
5. **Urban Growth Boundaries and Annexation.**

(a) The parties agree that upon the adoption of this Agreement, they shall forthwith make such adjustments to their respective comprehensive plans or other official documents to reflect the UGBs as set forth in the Geographic Area.

(b) Windsor shall have exclusive authority to exercise its annexation powers and to provide services within its UGBs as described on Exhibit A.

(c) Severance shall have exclusive authority to exercise its annexation powers and to provide services within its UGBs as described on Exhibit A, except as modified by the provisions for water and sewer services set forth in paragraph 6 of this Agreement.

(d) Both parties specifically agree that upon the receipt or preparation by either of them of any documents proposing annexation within the CPA, copies of all such documents shall



be submitted to the other party for review and comment at least thirty (30) days prior to any intended action thereon.

(e) In the event either Windsor or Severance elects not to exercise annexation powers or to extend services pursuant to this paragraph, the declining municipality shall notify the other party within thirty (30) days of that decision. Upon receipt of such notice, the other party may thereafter, in its sole discretion, exercise its annexation powers and/or extend services to such property.

(f) With the exception of the specific recitals contained herein, nothing in this Agreement shall otherwise be construed as limiting or otherwise restricting the annexation powers of the respective municipalities within each municipality's UGB as defined by this Agreement and reflected on Exhibit A.

6. **Adoption of the East Main Street Corridor Plan.** Windsor has adopted certain planning and design guidelines for portions of the 392 Corridor presently annexed to Windsor. These guidelines are collectively known as the East Main Street Corridor Plan. Those portions of the East Main Street Corridor Plan relevant to this Agreement are attached hereto and incorporated herein as "Exhibit B." The parties agree that it is in the best interest of both municipalities to extend the relevant portions of the East Main Street Corridor Plan to the Commercial Corridor Area as set forth in Exhibit B. Accordingly, the parties agree that the East Main Street Corridor Plan as set forth in Exhibit B shall be applicable to the Commercial Corridor Area of the CPA. Upon the adoption of this Agreement, development proposals not in compliance with these planning and design guidelines shall not be approved by either of the parties.

7. **Water and Sewer Service in the CPA.**

(a) It is specifically understood and agreed that no development proposing the use of septic systems in the CPA shall be approved by either municipality. Because of the location of their facilities and the topographical difficulties presented, the parties recognize that the CPA will most efficiently be served by the water and sewer services of Windsor. Accordingly, the parties agree that water and sewer service in the area identified as the CPA on Exhibit A shall be made available by Windsor, regardless of whether or not portions of that area are annexed to Windsor or to Severance. Such service shall be made available in accordance with the development standards and policies of Windsor. For those portions of the CPA annexed to Windsor, all customers therein will be charged in accordance with the water and sewer fees and charges in effect for other customers within the corporate limits of Windsor. The parties agree that for those portions of the CPA subsequently annexed to Severance, Windsor's fees and charges shall be determined after appropriate consultations with Severance, and unless the parties otherwise agree, Windsor's water and sewer fees and charges shall not exceed such fees and charges imposed upon regular customers located within Windsor's corporate limits. Nothing herein shall be construed as preventing the parties from entering into additional agreements which modify the provisions of this paragraph with regard to water and



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sewer service fees and charges. As is reflected elsewhere in this Agreement, both municipalities agree that in the absence of mutual written consent, no water and sewer service will be provided to any residentially zoned property within the CPA. This Agreement shall not affect current residential development which may exist in the CPA at the time of annexation by either of the municipalities. Windsor agrees that it shall make water and sewer service available to such existing residential development, in accordance with the development standards and policies of Windsor.

(b) Windsor has in design a plan which will expand Windsor's Eastside Sewer Interceptor to the north, thereby enabling Windsor to serve certain areas of the CPA before the end of calendar year 2001. Windsor acknowledges that it has sufficient funds to complete this expansion in 2001 and has specifically appropriated funds therefor.

8. **Regional Sewer Treatment Facility.** As is reflected elsewhere in this Agreement, Windsor and Severance recognize their mutual obligation to the citizens of the Geographic Area to cooperate with one another in providing efficient and cost effective utility services. Windsor currently operates a sewer treatment facility with capacity for expansion. Current and projected growth in Severance will require additional sewer service. Sound planning dictates that Severance join with Windsor in the expansion of Windsor's treatment facility to include discharge from Severance. The parties agree to commence negotiations forthwith to expand the capacity of Windsor's sewer treatment facility to transform the facility to a regional facility which will serve the present and future needs of the Severance.

9. **Utility Easements and Rights-of-Way.** Within their respective jurisdictions in the CPA, each party shall provide the other, utility easements and rights-of-way, without charge if previously granted to the providing party without charge, which are required to make water and sewer service available within their respective jurisdictions, and rights-of-way for necessary storm drainage improvements.

10. **Shared Revenues.**

(a) It is understood and agreed by the parties hereto that the implementation of this Agreement, and the achievement of its purposes, including planning for and regulating the use of land and the provision of urban services, facilities, rights-of-way, and other requirements, will require significant time and effort on the part of both parties, as well as the expenditure of substantial revenues. Accordingly, the parties agree that it is in the best interest of each that certain tax revenues generated within the CPA be shared between them. It is understood and agreed that all sales, use and property tax revenues collected by each of the municipalities within the CPA shall be shared and distributed between the municipalities, two thirds (2/3) to the collecting municipality and one third (1/3) to the other municipality.



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(b) At the time of the execution of this Agreement, the sales and use tax rates in Windsor are fixed at 3%, while those in Severance are fixed at 2%. The parties recognize that the equalization of these rates is important to the continued viability of this Agreement. It is the present intention of the Board of Trustees of Severance to place a proposal to increase sales and use tax rates by 1% before the electors of the Town at the next lawful election following the execution of this Agreement. The Board of Trustees agrees to use its best efforts to encourage the passage of this proposal by the citizens of Severance.

(c) At the time of the execution of this Agreement, neither of the municipalities has in effect an accommodations or lodging tax or a hotel/motel occupancy tax. In the event either of the municipalities adopts any such tax, all revenues generated thereby shall be retained by the taxing municipality. In the event both municipalities subsequently adopt any such tax in an equal amount, the revenues therefrom shall be shared by the parties in proportions provided for herein for sales, use and property taxes.

(d) All tax revenues subject to sharing pursuant to this Agreement shall be distributed between the two municipalities no later than thirty (30) calendar days following the end of the calendar quarter during which the revenue was collected or received.

(e) Each of the municipalities shall make every effort to standardize with the other municipality the procedures, ordinances and regulations applicable to the taxes to be shared pursuant to this Agreement.

(f) Each party and its authorized agents may, upon thirty (30) days' advance written notice to the other, audit the other's records of those taxes which are collected within the CPA and which are being shared pursuant to this Agreement.

(g) Neither of the municipalities shall impair the rights under this paragraph of the other municipality, without the other's consent, to share in the revenues as described in this paragraph.

(h) Notwithstanding anything herein to the contrary, the obligations of the parties hereunder shall be subject to and subordinate the parties' obligations, covenants, and representations contained in or incorporated in any ordinance, resolution, indenture, underwriting agreement, or other document pertaining to the authorization, issuance, payment, or sale of any bonds, notes, certificates, indentures, or other evidences of borrowing (except as may be specifically provided otherwise in any such document), whether now or heretofore in existence, executed, issued, or incurred, the intent being that such obligations, covenants, and representations have and will take precedence over those set forth herein, and will be met, complied with, satisfied, and discharged in accordance with such documents prior to any distribution of moneys hereunder.



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Neither party shall pledge or subordinate the revenues contemplated by this Agreement to any other person or entity, nor shall any party incur any obligation, debt, underwriting or adopt any resolution or ordinance subsequent to this Agreement which would impair such party's obligations created by this Agreement.

(i) In the event of a significant change in the Colorado tax structure, this Agreement shall be modified so as to accomplish its intended purpose of continuing the revenue sharing provisions of this Agreement in a manner that resembles those provisions as closely as possible.

(j) It is understood and agreed that for purposes of the application of the revenue limitations contained in Article X, Section 20, of the Colorado Constitution, commonly known as TABOR, all revenues collected and thereafter distributed to the other municipality, shall be deemed revenues collected solely for the purpose of passing those revenues through to the receiving municipality, and the receiving municipality shall be obligated to count and include such revenues for TABOR purposes.

11. **Parties to Exercise Good Faith.** Windsor and Severance agree to devote their best efforts and to exercise good faith in implementing and adhering to the provisions of this Agreement throughout its term.

12. **Intent of Agreement.** This Agreement is intended to describe rights and responsibilities only as between the named parties hereto. It is not intended to and shall not be deemed to confer rights to any persons or entities not named as parties hereto nor to require Windsor or Severance to annex any property or to provide any services to any land. This Agreement is not intended to limit in any way the powers or responsibilities of Weld County or of any other political subdivision of the State of Colorado not a party hereto.

13. **Rights upon Default and Mediation provisions.** The Local Government Land Use Enabling Act, earlier referred to in this Agreement, provides that agreements between municipalities for the purposes set forth herein, are mutually binding and enforceable. Both parties hereby acknowledge the binding and enforceable nature of this Agreement. Should either party fail to comply with the provisions of this Agreement, the other party, after providing written notification to the non-complying party, and upon the failure of the non-complying party to achieve compliance within ninety (90) days after said notice, may at its option, either terminate this Agreement or maintain an action in a court of competent jurisdiction for specific performance, injunctive, or other appropriate relief. In the event of such litigation, each party shall be responsible for its own costs, including attorney fees. It shall be the obligation of the parties to submit to mediation any issue of non-compliance prior to declaring this Agreement terminated or prior to commencing an action in court as aforesaid. The parties shall agree on the appointment of a mediator who shall be experienced in matters of local government and the legal obligations of local government entities. In the event the parties are unable to agree upon a mediator, each party shall appoint an independent third party,



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and the third parties so appointed shall select a single mediator. The procedures and methodology for mediation shall be determined by the mediator. Appointment of the mediator shall take place no later than thirty (30) days following written notification as provided in this paragraph, and mediation shall be completed no later than sixty (60) days thereafter.

By the provisions of this paragraph it is the express intention of the parties to establish fully enforceable consequences upon the breach of this Agreement, while not in any way limiting the ability of the parties to freely exercise legislative discretion.

14. **Effective Date.** This Agreement shall be presented to the board of trustees of the respective municipalities for adoption by resolution, following notice and public hearing. This Agreement shall become effective upon its adoption by both municipalities.

15. **Term.** The Parties intend this Agreement to remain in full force and effect in perpetuity. To the extent allowable by law, both parties further intend to be bound by the provisions hereof in perpetuity.

16. **Annual Appropriation of Funds.** While it is the clear intention of the parties that this Agreement continue in perpetuity, it is understood and agreed that with regard to the financial obligations imposed upon Windsor and Severance by the terms of this Agreement, it is specifically understood and agreed that those obligations are specifically subject to the annual appropriation of monies by the respective municipalities to fund those obligations. It is the intent of the parties to plan to appropriate monies to fulfill each party's obligations under this Agreement in perpetuity.

17. **Amendment.** All amendments to this Agreement must be made in writing and approved by the governing bodies of both municipalities by resolution.

18. **Notices.** Requirements of notice hereunder shall be deemed satisfied upon mailing to the parties as follows:

Town Administrator
Town of Windsor
301 Walnut Street
Windsor, CO 80550

copy to: John P. Frey, Esq.
P. O. Box 2283
Fort Collins, CO 80522-2283

Town Clerk
Town of Severance
336 1st Street
P.O. Box 122
Severance, CO 80546

copy to: Don Hoff, Esq.
1025 9th Avenue, #309
Greeley, CO 80631



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19. Effect of Invalidity. If any portion of any paragraph of this Agreement is held invalid or unenforceable by a court of competent jurisdiction as to either party or as to both parties, such invalidity or unenforceability shall not affect the other paragraph(s) of this Agreement except that if a requirement or limitation in such paragraph(s) is declared invalid as to one party, any corresponding requirements or limitation shall be deemed invalid as to the other party.

IN WITNESS WHEREOF, the above parties hereto have caused this Agreement to be executed the day and year first above written.



TOWN OF WINDSOR

By: W. Wayne Miller
W. Wayne Miller, Mayor

ATTEST:

Cathy M. Kennedy
Town Clerk

APPROVED AS TO FORM:

[Signature]
Town Attorney

APPROVED FOR CONTENT:

[Signature]
Town Administrator

TOWN OF SEVERANCE

By: Cherice Blehm
Cherice Blehm, Mayor

ATTEST:

[Signature]
Town Clerk

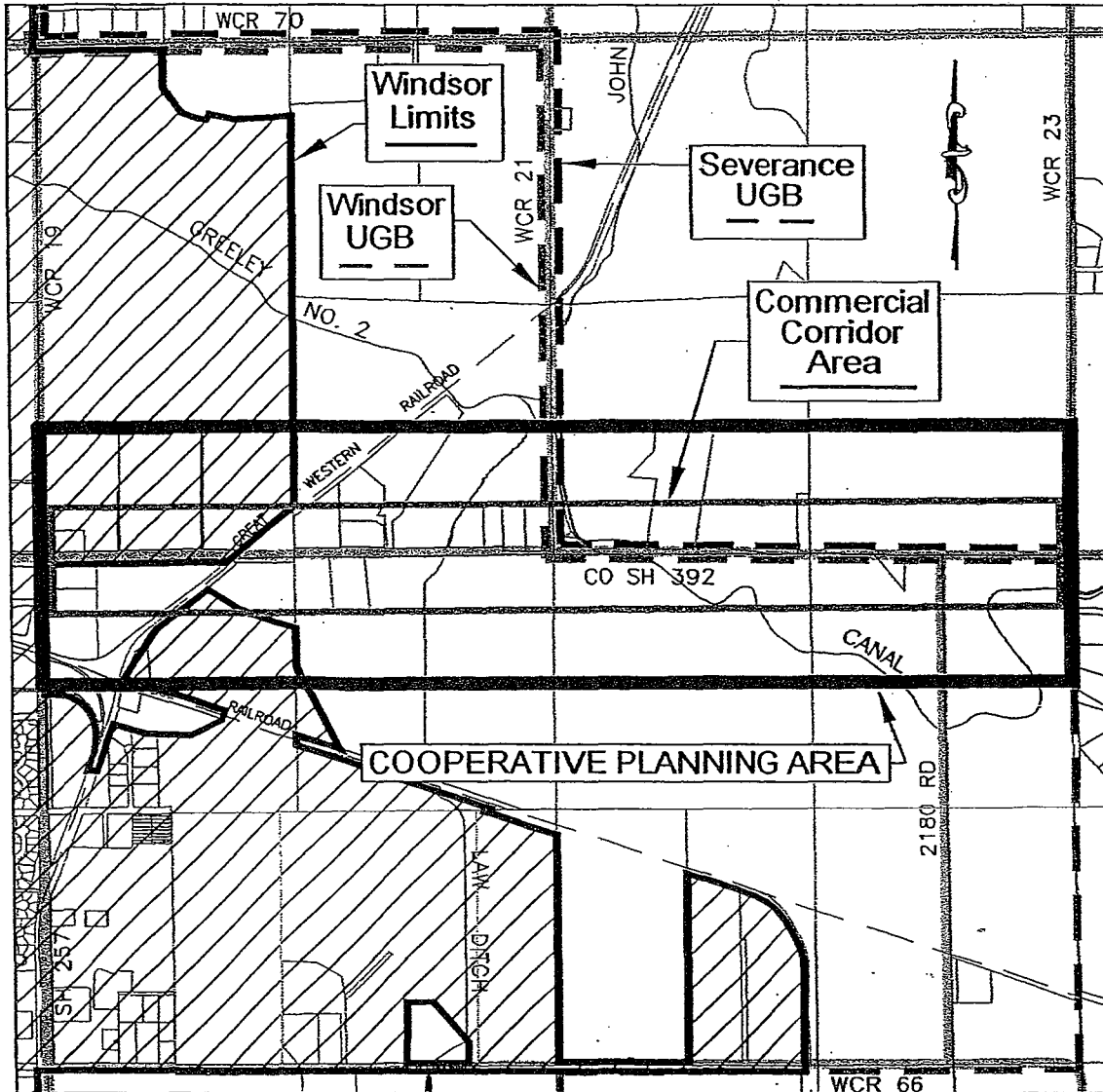
APPROVED AS TO FORM:

[Signature]
Town Attorney



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EXHIBIT "A"



Rev 11/20/00



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Exhibit "B"

East Main Street Corridor Plan

I. INTRODUCTION

A. Purpose and Scope:

The East Main Street Corridor (Corridor) holds many unique opportunities. Perhaps the most important one is that this Corridor is the eastern "gateway" to the Town of Windsor and the southwestern "gateway" to the Town of Severance. The visual quality of this gateway is directly related to both communities' images, and positive community images are essential for economic development and the ability to attract quality developments.

The location and scope of the Corridor is shown as the "Commercial Corridor Area" in Exhibit "A" of this Agreement.

B. Intent:

These standards and guidelines have been prepared in an effort to accomplish the following:

- To protect and enhance property values within the area.
- To increase the opportunity for development and expansion of business and industry within the area.

II. PROCEDURE

A. Application of Standards:

These standards and guidelines shall apply to (a) all new development within the Corridor, and (b) the remodeled portions of, or additions to, existing properties within the Corridor. "Standards" denoted by (S) are mandatory; "Guidelines" denoted by (G) are not mandatory, but are provided in order to provide assistance to planners, design consultants, developers, and the staff from both Towns concerning the design objectives of the Plan.

It is not intended that this document replace or supplant the existing requirements of either of the Towns, but merely supplement current requirements. Furthermore, all pertinent requirements of both Towns shall be followed in the development of a specific building site and shall be approved in accordance with all of the terms and conditions of this Agreement.

All zoning ordinances, building codes and regulations, and all other governmental codes, regulations, restrictions, and requirements shall be observed. In the event conflicts arise between this document and any other governmental codes, regulations, restrictions, and/or requirements, the more restrictive standard shall apply.



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B. Submittal Requirements:

1. SITE PLAN drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
 - a. The location of existing and proposed structures with the location of the entries noted.
 - b. The location and dimensions of all driveways, parking areas, loading areas, and pedestrian walkways.
 - c. The location and type of all outdoor storage or trash facilities with a description and/or indication of screening materials proposed.
 - d. The type and location of any ground signs.
 - e. The type and location of any accessory appurtenances such as scales, satellite dishes, antennae, gas pumps, etc.
 - f. The type and location of proposed site lighting.
 - g. A land use breakdown indicating total site area, total building area, building coverage area, parking and driveway coverage area and open space area.
 - h. The location of temporary model homes, sales office, and/or construction facilities, including temporary signs and parking lots.
2. LANDSCAPING PLAN drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
 - a. Streetscape treatment.
 - b. General level of planting proposed, including an indication of planting beds, lawn areas and other proposed ground covers. All proposed plant materials should be drawn to scale at a size equivalent to ten (10) years maturity.
 - c. A plant material schedule indicating species, size and quantity of all plant material proposed. Plant material must be identified by direct labeling or by a clearly understandable legend.
 - d. A complete description of all proposed landscape accessory materials such as edging, planters, and mulches.
 - e. Planting details and/or specifications demonstrative proper planting technique, staking and mulching.

- f. A note indicating that all landscaped areas, including parking lot islands shall be irrigated by a fully automatic underground sprinkler system.
 - g. A note indicating that the owner shall be responsible for the maintenance of all landscape elements.
 - h. The position of existing trees on the site, if any, and a detailed plan for how these trees will be protected during construction.
3. SIGNAGE DETAILS drawn to scale containing the following:
- a. An indication and description of all materials to be used and the means of sign illumination as well as the dimensions of the sign.
 - b. An indication and description of all wordage and/or logos to be included on the sign.
4. BUILDING ELEVATIONS drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
- a. An indication and description of all materials to be used on all sides of the buildings.
 - b. An indication of signage locations.
 - c. The height of the buildings and any appurtenances.
5. BUILDING COLOR AND MATERIAL SAMPLES of the actual materials to be used on the building including the following:
- a. Roofing materials and color.
 - b. Exterior wall materials and colors.
 - c. Trim materials and colors.
 - d. Window and door materials and colors.

III. SITE PLANNING

The following minimum standards and guidelines shall be used as criteria for development within the Corridor.

A Setbacks and Coverage:

1. All property line setbacks as established by the Windsor Municipal Code shall remain in full force and effect. In addition thereto, there shall be a thirty-five foot (35') minimum setback where sites adjoin Colorado State Highway 392. (S)
2. To allow for landscape buffers, all paving shall be setback from the property lines a minimum of twenty-five feet (25') where abutting Colorado State Highway 392, fifteen feet (15') abutting all other streets, and five feet (5') from all other property lines which do not abut streets. (S)
3. Building coverage on any given site shall not exceed forty percent (40%) of the site area. (S)
4. Building coverage on any given site shall preferably cover less than thirty-three percent (33%) of the site area. (G)
5. Open landscape area on any site shall be twenty percent (20%) or greater. (S)
6. All building elements and landscaping should be oriented to minimize visual impact of parking areas. (G)
7. All fences located on the street side of any site shall be recessed a minimum of two feet (2') beyond the plane of the building facing such street. Such fences shall be designed to be compatible with the styles, materials, and colors of nearby buildings. No chain link fences shall be visible from Colorado State Highway 392. (S)

B. Parking & Loading:

1. All parking and drive areas shall be paved with asphalt or concrete and shall have concrete curbs with appropriately radiused corners. (S)
2. Bicycle parking should be provided near building entries, but shall not encroach into pedestrian walkways. (G)
3. Parking area should be minimized between the street or driveway and building entries. (G)
4. All offstreet loading and refuse areas shall be designed to include adequate space for ingress, egress and maneuvering and shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
5. All storage or equipment areas shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)

6. Each site entrance drive shall not serve as direct vehicular access to individual parking spaces for a minimum distance, from right-of-way line, or forty-five feet (45') where abutting Main Street and thirty-five feet (35') where abutting all other streets. (S)
7. Landscape islands a minimum of fifteen feet (15') in length and eight feet (8') in width shall occur at ends of all parking rows. (S)
8. Parking lot areas shall be broken into sections of two hundred (200) parking spaces maximum, separated by landscaped buffers ten feet (10') wide or greater. (S)
9. All utility services to facilities shall be installed underground. (S)

C. Site Lighting:

1. The style of light fixtures shall be compatible with the style and character of buildings proposed on the site. If a precedent has been established within the district, it should be followed for any subsequent light fixtures that are used in corresponding or similar situations. (S)
2. Light poles shall not exceed thirty feet (30) in height. (S)
3. Lighting shall be designed to retain light within the property lines of a given building site and shall not spill any light outside said property lines. (S)
4. The face of a building or a ground mounted sign may be flood lit from above the ground provided that the fixture is not more than eighteen inches (18") above grade and is screened by low planting materials or other architectural elements. (S)
5. All exterior and security lighting shall have underground service. (S)

D. Site Amenities:

All building sites are encouraged to incorporate pedestrian amenities such as benches, fountains, courtyards, works of art, etc., especially at the entry locations.

IV. ARCHITECTURAL

The following architectural standards and guidelines shall be established as a minimum for development in the Corridor:

1. Building walls should be subdivided and proportioned to the size of a person, using offsets, projects, overhangs, and recesses, in order to add architectural interest and variety and avoid the effect of a single, massive wall with no relation to human size. (G)

2. Ground floor facades that face streets or public walkways must be modulated with animating features such as windows, entrance areas, arcades, porches, pilasters, arbors, awnings, recessed or projecting display windows, and/or trellised vines along no less than 50% of the façade.
3. No blank wall that faces a public street or walkway shall exceed fifty feet in length. (S)
4. The predominant portion of any building shall not exceed thirty feet (30') in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty feet (40') in height. (S)
5. Sloped "residential" type roofs over building masses and at covered walkways are encouraged. (G) Where roofs are sloped, roofs shall slope at a minimum of 5 in 12. (S)
6. Architectural elements that add interest to roofs such as dormers, cupolas, clock towers, and other similar elements are encouraged. (G)
7. Flat rooflines should be avoided on low one story buildings, and where utilized on taller buildings they should feature a three dimensional cornice treatment on all walls facing streets or public walkways. (G)
8. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail.
9. Building materials should consist of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric of the area as much as possible. (G)
10. Any materials other than those encouraged in #9 above, if used, should be used as integral parts of the overall building fabric in repeating modules, proportioned both horizontally and vertically to relate to human scale, and with enough depth at joints between architectural elements and materials to cast shadows. (G)
11. Metal siding panels shall be prohibited on prominent facades, and only architectural grade metal panels will be allowed on non-prominent facades. Vertical ribbed metal siding panels shall be prohibited. (S)
12. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
13. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from public ways and adjacent properties. (S)

14. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)

V. LANDSCAPE

In addition to the landscape guidelines in effect for the Town, the following shall constitute additional minimum guidelines for landscaping within the Corridor:

1. The density of landscaping need not be so dense as to completely cover or mask the building site, but will not be so sparse as to be perceived as a minimum or superficial effort at landscaping. (G)
2. Landscape materials shall be of long living varieties, and shall be permanent in nature. All plant material shall be vigorous and free from disease and insect infestation, in accordance with specifications outlined by the American Association of Nurseries (AAN) for number one grade, and will adapted to the Windsor area climate zone. Plants must be sized according to the following table: (S)

TYPE	SIZE
Standard deciduous	2" caliper measured 6" above ground
Small ornamental flowering trees	1 ½ to 1 ¾" caliper measured 6" above ground
Evergreen Trees	6 foot in height
Shrubs and hedges	Five gallon or adequate size consistent with design intent

3. Short lived materials, such as annual flowers, are encouraged to be used to accent or supplement the basic permanent landscape plan. Such flowers are encouraged to be utilized in a bed or planter at project entries. (G)
4. No plant material with invasive roots shall be used. (S)
5. Artificial plant materials shall be prohibited. (S)
6. Landscape elements should relate to the building's structural elements and be used to interrupt extensive building surfaces. (G)
7. All parking lot islands shall be landscaped with at least one shade tree and some low ground cover and/or shrubbery. (S)
8. Street trees: Along the Main Street Corridor, continuity is required to connect the diverse land use areas and provide an appealing "corridor" feel to the entrance of Town. The use of trees along the Corridor can create this unifying effect. The following standards shall be used to create this effect:



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- a. Trees planted along Main Street shall be planted at a spacing of forty feet (40') and in straight rows to create a continuous street edge. (S)
- b. Trees of varying species shall be planted to avoid drastic loss from insect or disease infestation. Different species with similar characteristics such as growth habit or color could be used to avoid over-use by one tree species yet maintain the desired look. (G)
- c. In all new development projects the inclusion of a 5 foot (5') detached walk and a 10 foot (10') designated tree lawn, between the walk and the street, shall be required. Where such projects meet existing projects, new sidewalks shall be required. In the case of a redevelopment of an existing site which has a narrow frontage, the developer shall be required to post a bond equivalent to 110% of the value of such sidewalk and landscape improvements. Such bond will be utilized to construct the sidewalk improvements at the time there is enough adjacent redevelopment to allow for a substantial portion of new sidewalk to be constructed. (S)
- d. Large size shade trees recommended along Main Street include the following. (G)

Hackberry: *Celtis occidentalis*

Burr Oak: *Quercus macrocarpa*

American Elm: *Ulmus americana* (recommended only when varieties resistant to Dutch elm disease are available)

American Linden: *Tilia americana*

Northern Catalpa: *Catalpa speciosa*

Norway Maple: *Acer platanoides*

Ginkgo: *Ginkgo biloba*

English Oak: *Quercus robur*

Green Ash*: *Fraxinus pennsylvanica* (seedless varieties only such as 'Patmore' and 'Marshall Seedless')

White or American Ash: *Fraxinus americana*

Thornless Honeylocust*: *Gleditsia triacanthos inermis*

* Acceptable species but not recommended for planting in Windsor because of the large number of these tree species already planted. Over-planting of one species leaves the forest vulnerable to disease infestation.

- e. Medium size shade trees recommended along Main Street include the following: (G)

Littleleaf Linden: *Tilia cordata*

Ohio Buckeye: *Esculus glabra*

- f. Small size trees recommended under power lines or where planting area width is only 5 to 6 feet include the following: (G)



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Schubert Chokecherry: *Prunes Virginian* 'Schubert'
Japanese Lilac Tree: *Syringe reticulate*
Mayday Tree: *Prunes pads committee*
Serviceberry: *Amelanchier species*
Amur Maple: *Acer ginnala*
Crabapple: *Malus species*
Hawthorne species: *Crataegus species* (thornless varieties)
Tatarian Maple: *Acer tataricum*
Japanese Pagoda Tree: *Sophora japonica*

g. Trees not recommended along Main Street include the following: (G)

Evergreen Trees
Aspen: *Pupulus tremuloides*
Silver Maple: *Acer saccharinum*
Russian Olive: *Eleagnkus angustafolia*
Boxelder: *Acer negundo*
Mountain Ash: *Sorbus aucuparia*
Willows: *Salix species*
Birches: *Betula species*
Cottonwoods: *Populus species*
Siberian Elm: *Ulmus pumila*
Sunburst Honeylocust: *G. 'Sunburst' variety*
Hopa Crabapple: *Malus x Hopa*

- h. Street trees should be planted in the center of the tree lawn equidistant between the curb and sidewalk. (S)
9. Trees planted in areas of high pedestrian traffic shall be at least 3 inch caliper and be high branching. This size is required so that adequate branching height is achievable without severe pruning. (S)
10. All trees and shrubs must be maintained in healthy condition or be replaced at the expense of the owner. (S)
11. All visible areas which are not put to use as planting or tree beds, as parking or walkways or as building area shall be seeded or sodded with bluegrass or other high quality turf blend. Planting or tree beds shall be sized such that, at the time the plant material they contain is mature, a minimal amount of mulch area is visible. (S)
12. All landscaped areas, including parking lot islands shall be irrigated by a fully automatic underground sprinkler system. (S)
13. Planting beds are encouraged around the perimeter of all buildings. (G)



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14. The owner or developer shall, to the greatest extent possible, incorporate existing healthy, mature trees and shrubs into the landscape design. Existing trees and other plants in reasonable condition may be removed only if the owner or developer has satisfactorily demonstrated to the Town that site design restrictions necessitate their removal. Upon such demonstration, all removed trees or shrubs shall be replaced with new trees and shrubs in a quantity and size reasonably equivalent to those removed. An evaluation of the existing landscape proposed to be removed may be required. (S)
15. Existing plant material that is to remain as part of the permanent development or redevelopment of a property shall be protected during construction. Existing trees and shrubs shall be protected with a sturdy three foot (3') high construction fence that is placed at a distance from the tree equal to 40% of the height of the tree. If work is required closer than the construction fence, all work shall be done by hand with special care being given to minimizing disturbance to tree roots, and protecting the tree trunk from damage. (S)

VI. SIGNAGE

The following signage guidelines shall be established as a minimum for development in the Corridor:

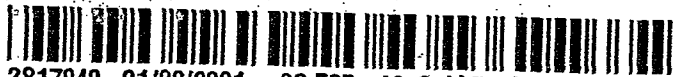
1. All signs shall conform to the design criteria set forth herein as well as the criteria set forth in the Windsor Municipal Code. (S)
2. Project identification signage:
 - a. Each development, complex of buildings or large building complex shall be permitted to have one freestanding development identification sign. Such sign shall primarily identify the name of the development. Secondly, such sign may contain smaller signage for individual tenants which are housed within the development or complex. (S)
 - b. Each major tenant or building occupant may have the following signage:

One building mounted sign for each street frontage the property abuts; and

Either one freestanding sign for each street frontage which the property abuts or one sign which is a part of a development identification sign. (S)
 - c. Each minor tenant may have the following signage:

One building mounted sign and

One sign which is a part of the development identification sign. (S)



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- d. Signs shall identify only the name of the building site, or the primary business or company on the premises or the company logo. A single additional signage entity such as a corporate sponsorship sign or signage advertising gasoline pricing shall be allowed only when such signage is a critical aspect of the business. (S)
- e. Freestanding signs may not be located closer than fifteen feet (15') from any property line, unless it is more than forty-two inches (42") high. (S)
- f. Building mounted signage shall consist of individual letters with thirty inches (30") being the maximum height of the copy area which can exist. Cabinet type signs may be used provided that they are properly integrated into the architecture of the building. If cabinet signs are utilized on multiple tenant buildings, written criteria describing uniform sign size, background color and general quality level is to be submitted, for approval, by the owner/landlord prior to the submittal of any tenant signage plans. Each tenant will be required to conform to such criteria. (S)
- g. Freestanding signs shall be "monument" type signs set on bases made of materials which are compatible with the architectural elements of the project. Pole mounted signs are prohibited. (S)
- h. Freestanding signs are encouraged to be incorporated into a landscape planting bed with low landscape elements placed in front of signage to soften the sign and taller landscape placed behind single-sided signs to offer a backdrop. (G)
- i. Development Identification Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI.2.a. above pertaining to development identification signs, all development identification signs shall also comply with both of the following requirements:
 - (a) No such sign shall exceed sixteen feet (16') in height, including the monument base; and
 - (b) The maximum advertising area of all such signs shall not exceed fifty (50) square feet per side for each one hundred feet (100') of street frontage of the lot upon which the use is located, but no greater than one hundred (100) square feet per side. Such area shall be exclusive of the sign base. (S)
- j. Individual Major Tenant or Major Building Occupant Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI.2.b. above pertaining to major tenant or major building occupant signs, all major tenant or major building occupant signs shall also comply with both of the following requirements:



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- (a) No such sign shall exceed six feet (6') in height, including the monument base; and
 - (b) The maximum advertising area of all such signs shall not exceed twenty-four (24) square feet per side. Such area shall be exclusive of the sign base. (S)
- k. Signs may be illuminated, but shall not be moving, flashing, blinking or fluctuating. (S)
- l. While canvas awnings are considered perfectly acceptable, acrylic or plastic awnings are discouraged. Interior illuminated awnings are also discouraged. (G)

3. Traffic Control and Directional Signage:

- a. Traffic control and directional signage shall be allowed as needed. Such signage shall be of a uniform character within each development. (S)
- b. Such signage shall be constructed of steel, aluminum or alucabond, and shall not be larger than four (4) square feet in area. (S)

TOWN OF WINDSOR
RESOLUTION NO. 2004- 02

BEING A RESOLUTION APPROVING THE WINDSOR-SEVERANCE DEVELOPMENT PLAN PURSUANT TO THE INTERGOVERNMENTAL AGREEMENT ENTERED INTO BETWEEN THE TOWN OF WINDSOR AND THE TOWN OF SEVERANCE ON DECEMBER 11, 2000.

WHEREAS, Windsor and Severance entered into an intergovernmental agreement on December 11, 2000, which created a cooperative planning area in a corridor measuring one-quarter mile north and south of Colorado State Highway 392 and bounded on the west by Colorado State Highway 257 and on the east by Weld County Road 23; and

WHEREAS, the aforesaid intergovernmental agreement provided for the creation of a comprehensive development plan for the cooperative planning area; and

WHEREAS, since the adoption of the aforesaid intergovernmental agreement, the parties have through their joint efforts developed such a plan, now known as the Windsor-Severance Development Plan; and

WHEREAS, the aforesaid plan has been adopted by Severance; and, by the provisions of this Resolution, its adoption is proposed by the Town of Windsor;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. That the Town of Windsor hereby ratifies, approves and confirms the terms and conditions of the Windsor-Severance Development Plan dated the 12th day of January, 2004.
2. That a copy of said plan is attached hereto and made a part hereof.
3. That the Town of Windsor hereby authorizes the Mayor of the Town to execute said Intergovernmental Agreement on behalf of the Town.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 12th day of January, 2004.

TOWN OF WINDSOR, COLORADO

By W. Wayne Miller

ATTEST:

Cathy M. Kennedy
Town Clerk



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RECORDER'S MEMORANDUM
THIS DOCUMENT WAS FOUND
TO BE INADEQUATE FOR
SCANNING PURPOSES.



WINDSOR-SEVERANCE DEVELOPMENT PLAN

January 12, 2004

On December 11, 2000 the Towns of Windsor and Severance entered into an Intergovernmental Agreement (IGA) to provide for orderly and harmonious growth along the Colorado State Highway 392 (SH 392) Corridor. Section 3 of the IGA directed that a Comprehensive Development Plan for the Cooperative Planning Area along the SH 392 Corridor be developed to address all of the following issues: urban growth boundaries; land use restrictions; streets and highways; building permits; government services; drainage; parks, recreation and open space; setbacks, design standards, landscaping, and maintenance of rights-of-way; and land uses.

Lastly, and due to the facts that (a) any future development at or in the vicinity of the intersection of Weld County Road 23 (WCR 23) and SH 392 will be an integral part of the long-term development of the Town of Severance, and (b) the easternmost portion of the Cooperative Planning Area is contiguous to WCR 23, the same design and performance standards which have been included in this Development Plan for the SH 392 Corridor have also been included for all development along that portion of WCR 23 which is located within the Cooperative Planning Area.

I. URBAN GROWTH BOUNDARIES

Scope and Purpose. This Section addresses the resolution of conflicts between the municipalities and the establishment of consistent Urban Growth Boundaries (UGBs).

These boundaries were established and agreed upon by both municipalities when the IGA was adopted. These boundaries are depicted in Exhibit "A," attached hereto and incorporated herein by this reference. In order to make any amendments to these UGBs, both municipalities must agree to do so.

II. LAND USE RESTRICTIONS

Scope and Purpose. This Section addresses restrictions in the Cooperative Planning Area (CPA), specifically including the prohibition of residential zoning within the CPA, unless such residential zoning is specifically agreed upon by both municipalities.

III. STREETS AND HIGHWAYS

Scope and Purpose. This Section addresses the location, design, construction, maintenance, and financing of streets and highways within the CPA. These criteria shall be met by each municipality when annexation to and development proposals for the respective municipality occurs, as outlined below.

As depicted in Exhibit "B," attached hereto and incorporated herein by this reference, the Windsor Roadway Classifications Map of the Windsor Comprehensive Plan and the Minimum Street Standards and Cross-Sections attachments outline the following road and street criteria which both municipalities shall require for the development of streets and highways within the CPA.

- SH 392: Location: Dissects the CPA Corridor from west to east.
 Design: 5-lane, Urban Minor Arterial.
 Right-of-way: 110' (Dedication required by developer)
 Construction: Required by developer.
 Financing: Required by Developer; Road Impact Fees; Reimbursement Agreements.
 Maintenance: CDOT unless otherwise contracted with the municipalities.
- WCR 21: Location: Dissects the CPA Corridor going north.
 Design: 3-lane, Rural Collector.
 Right-of-way: 120' (Dedication required by developer)
 Construction: Required by developer.
 Financing: Required by Developer; Road Impact Fees; Reimbursement Agreements.
 Maintenance: Municipality after Final Acceptance of Road
- WCR 23: Location: Far east end of CPA Corridor going north.
 Design: N/A for Windsor as WCR 23 is not included in Windsor's UGB or Roadway Classifications.
 Severance: In accordance with Town policies.
 Right-of-way: Same as Design Criteria above for WCR 23.
 Construction: Same as Design Criteria above for WCR 23.
 Financing: Same as Design Criteria above for WCR 23.
 Maintenance: Same as Design Criteria above for WCR 23.

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Other Streets: Location: To be determined at Platting, etc.
Design: Per each jurisdiction's Street Standards.*
Right-of-way: Per each jurisdiction's Street Standards.*
Construction: Per each jurisdiction's Street Standards.*
Financing: Required by developer.
Maintenance: Municipality after Final Acceptance of Streets

* In the event Severance does not have street standards in place at the time of development proposals, Windsor's Street Standards shall apply to all such development proposals.

IV. BUILDING PERMITS

Scope and Purpose. This Section addresses the issuance, approval and review of building permits within the CPA. Each municipality will review, approve and issue building permits within their respective corporate limits upon annexation to the respective municipality.

V. GOVERNMENT SERVICES

Scope and Purpose. This Section addresses provisions for government services within the CPA, including, but not limited to, utility services, law enforcement, fire and emergency services, and code enforcement.

Utility Services: Water and sewer services shall be provided in accordance with the terms and conditions of the IGA. Such services shall not be considered as use by Severance of any of its treatment capacity established by agreement with Windsor.

Utility Easements and Rights-of-way: In accordance with Section 9 of the IGA, within their respective jurisdictions in the CPA, each municipality shall provide the other municipality, without charge, utility easements and rights-of-way necessary for utility improvements.

Law Enforcement: Until such time properties within the CPA are annexed by either municipality, the Weld County Sheriff's Office will continue to provide law enforcement services within the CPA. At such time properties are annexed to Windsor, police services shall be provided by the Town of Windsor. At such time properties are annexed to Severance, police services shall be provided by Severance in accordance with the law enforcement policy of the Town of Severance.



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Fire and Emergency

Response Services: The Windsor-Severance Fire Protection District will provide fire and emergency response services within the CPA.

Code Enforcement: Until such time properties within the CPA are annexed by either municipality, the Weld County Code Enforcement Office will continue to provide code enforcement services within the CPA. At such time properties are annexed to Windsor, the Windsor Police Department will provide general code enforcement activities relative to violations of the Windsor Municipal Code, and the Windsor Planning Department will provide zoning code enforcement activities relative to violations of the zoning ordinance. At such time

properties are annexed to Severance, the Severance Code Enforcement Officer will provide general code enforcement activities relative to violations of the Severance Municipal Code, and the Severance Zoning Officer will provide zoning code enforcement activities relative to violations of the Severance Zoning Code.

VI. DRAINAGE MASTER PLAN

Scope and Purpose. This Section addresses provisions for a drainage master plan for the CPA including the planning, design, construction, maintenance, and financing of drainage improvements and facilities.

Law Basin:

Area 1:

Since the vast majority of the land area located within the CPA is situated within the Law Basin, as depicted in Exhibit "C," attached hereto and incorporated herein by this reference, the following criteria is recommended. Windsor has conducted a study of the Law Basin as well as all other drainage basins that either influence or are influenced by the drainage activities in and around Windsor, and these findings have been incorporated into the Windsor Master Drainage Plan that was adopted July 14, 2003. All development that is proposed within Areas "1" and "2" of the CPA as depicted in Exhibit "C" shall utilize the existing drainage facilities and improvements within the Law Basin and, likewise, all drainage activities within these areas shall comply with Windsor drainage standards, in accordance with the criteria set forth in the Windsor Master Drainage Plan.



Area 2: All development activities that occur within the CPA and which are located within Severance's UGB as depicted as Area 2 on Exhibit C shall be allowed on the condition that such development activities comply with and pay to Windsor all applicable storm water plant investment fees and any other relevant capital improvement fees associated with any storm water drainage improvements and facilities that have been constructed by Windsor for this area.

Area 3: Since the area that is depicted as Area "3" on Exhibit C is located wholly within Severance's UGB and is situated entirely outside of the Law Basin, Severance shall be responsible for all costs associated with the preparation and approval of all storm water drainage studies, reports, plans, drainage master plans, etc., and for all costs associated with the design and construction of all storm water drainage

improvements, facilities, appurtenances, etc. for all drainage activities and infrastructure necessary for development within Area 3 on Exhibit C.

Area 4: Since the area that is depicted as Area "4" on Exhibit C is located wholly within Windsor's UGB and is situated entirely outside of the Law Basin, Windsor shall be responsible for all costs associated with the preparation and approval of all storm water drainage studies, reports, plans, drainage master plans, etc., and for all costs associated with the design and construction of all storm water drainage improvements, facilities, appurtenances, etc. for all drainage activities and infrastructure necessary for development within Area 4 on Exhibit C.

**Drainage Easements
and Rights-of-way:**

In accordance with Section 9 of the IGA, within their respective jurisdictions in the CPA, each municipality shall provide the other municipality, without charge, storm water drainage easements and rights-of-way necessary for storm water drainage improvements.

VII. PARKS, RECREATION SERVICES AND OPEN SPACE

Scope and Purpose. This Section addresses provisions for the development and maintenance of parks, recreation services, and open space within the CPA. These criteria shall be met by each municipality when annexation to and development proposals for the respective municipality occurs, as outlined below.

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Windsor: All such development and maintenance of parks, recreation services and open space within Windsor shall be in accordance with all standards, policies, procedures, and guidelines that are outlined in the Windsor Parks and Recreation Master Plan and the Windsor Parks, Recreation, Trails, and Open Space Master Plan.

Severance: All such development and maintenance of parks, recreation services and open space within Severance shall be in accordance with the Town's standards, policies, procedures, and guidelines in effect at the time of such development.

VIII. SETBACKS, DESIGN STANDARDS, LANDSCAPING AND MAINTENANCE OF RIGHTS-OF-WAY

Scope and Purpose. This Section addresses provisions for the setbacks, design standards, landscaping, and maintenance of rights-of-way within the CPA.

Design standards, landscaping, paving setbacks, and the setback requirements have been established and are included in Exhibit "D," attached hereto and incorporated herein by this reference.

Rights-of-way shall be maintained by whichever governmental entity (CDOT, Severance or Windsor) has jurisdiction over the respective rights-of-way.

IX. LAND USES WITHIN THE COOPERATIVE PLANNING AREA

Scope and Purpose. This Section addresses the principal and accessory commercial and industrial uses that are permitted in the CPA.

Commercial Uses. All of the following types of principal and accessory commercial uses that are permitted as uses by right in the Commercial Corridor Area within the CPA as shown on Exhibit A attached hereto, and all such uses, developments and site plans shall meet all site planning criteria and requirements set forth in Exhibit D attached hereto.*

1. **Retail establishments** including, but not limited to: supermarkets; bakeries; liquor stores; convenience stores; hardware stores; appliance stores; drug stores; jewelry stores; garden centers; new and used automobile sales; automobile parts stores; bicycle stores; lumber, building supply, and home improvement centers; and other similar types of retail uses.
2. **Eating and drinking establishments**, including, but not limited to: bars; lounges; restaurants; delicatessens; banquet facilities; private and public clubs and lodges; and other similar types of eating and drinking establishments.

3. Customer service establishments, including, but not limited to: hair styling salons, barber shops and beauty salons; laundromats; dry cleaners; interior decorating services; art studios and galleries; car washes; quick-service establishments for automotive oil changes, tune-ups, etc.; automobile and furniture rental outlets; gasoline service stations; and other similar types of customer service establishments.
4. Recreational and tourism activities, including, but not limited to: theaters; outdoor and indoor commercial recreational facilities; bowling alleys; hotels, motels, bed and breakfast inns, and other similar commercial lodging establishments; and other similar types of recreational and tourism activities (leased or month-to-month apartments or townhome types of dwelling units are not allowed).
5. Business and professional offices and facilities, including, but not limited to: banks, saving and loan offices, credit unions, and other financial institutions; real estate offices, surveying firms, engineering firms, architectural firms, and similar types of consulting firms; medical and dental clinics; public administrative offices, buildings and installations; public utility offices, buildings and installations; and other similar types of business and professional offices and facilities.
6. Accessory uses and structures: Any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot.

* Any outdoor storage associated with any of these uses that are located in the Commercial Corridor Area within the CPA as shown on Exhibit A attached hereto (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed six (6) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence. This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in Exhibit D attached hereto, the more restrictive regulation shall apply.

Industrial Uses. All of the following types of principal and accessory commercial and industrial uses that are permitted as uses by right in the portion of the CPA that is located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto, and all such uses, developments and site plans shall meet all site planning criteria and requirements set forth in Exhibit D attached hereto.**

1. All principal and accessory uses outlined in the Commercial Uses section above.

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2. Retail establishments including, but not limited to: outdoor sales areas for recreational vehicles, modular and manufactured homes, boats, trailers, heavy equipment, farm implements, etc.; and other similar types of retail uses.
3. Customer service establishments, including, but not limited to: rental outlets for trucks and recreational vehicles; transportation facilities such as light rail stations, transportation depots, etc. (truck stops and truck terminals are not allowed); fully enclosed automobile and appliance service and repair shops; commercial parking facilities; small package shipping and delivery services; printing and publishing facilities; and other similar types of customer service establishments.
4. Limited industrial uses, including, but not limited to: fully enclosed storage facilities; warehouses; facilities for contractors; manufacturing, assembly, processing, and fabrication facilities; food preparation facilities; research and development facilities; scientific laboratories; and other similar types of limited industrial uses.
5. Accessory uses and structures: Any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot, including residential quarters for guards and caretakers.

****** Any outdoor storage associated with any of these uses in the portion of the CPA that is (1) located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto, and (2) does not have street frontage along either SH 392 or WCR 23 (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed eight (8) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence.

However, for any such use that is located within this portion of the CPA that is located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto but does have street frontage along WCR 23 (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed six (6) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence.

This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in said Exhibit D attached hereto, the more restrictive regulation shall apply.

EXHIBIT "A"

URBAN GROWTH BOUNDARIES, COMMERCIAL CORRIDOR
AREA AND COOPERATIVE PLANNING AREA

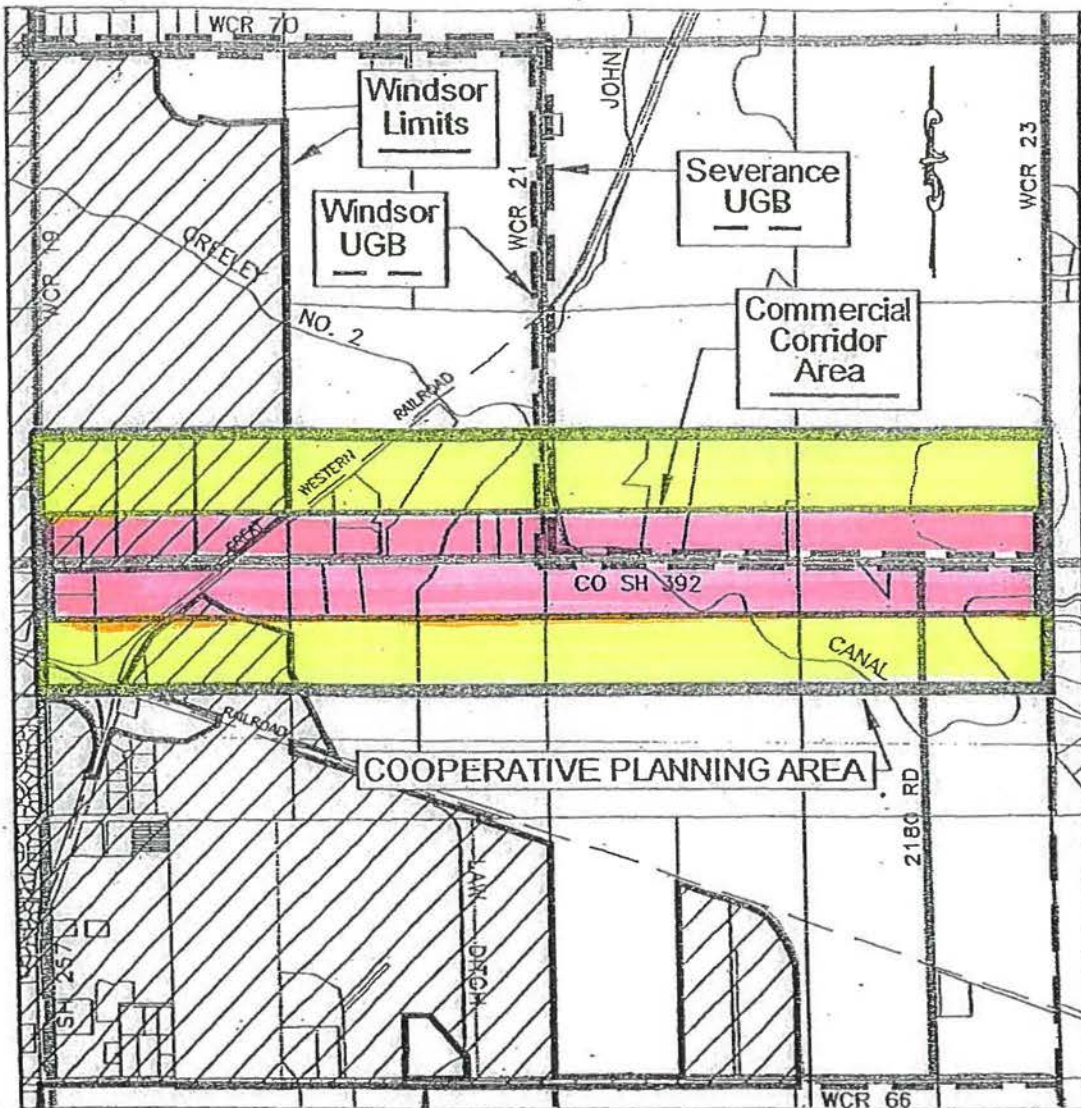




EXHIBIT "B"

ROADWAY CLASSIFICATIONS
TOWN OF WINDSOR

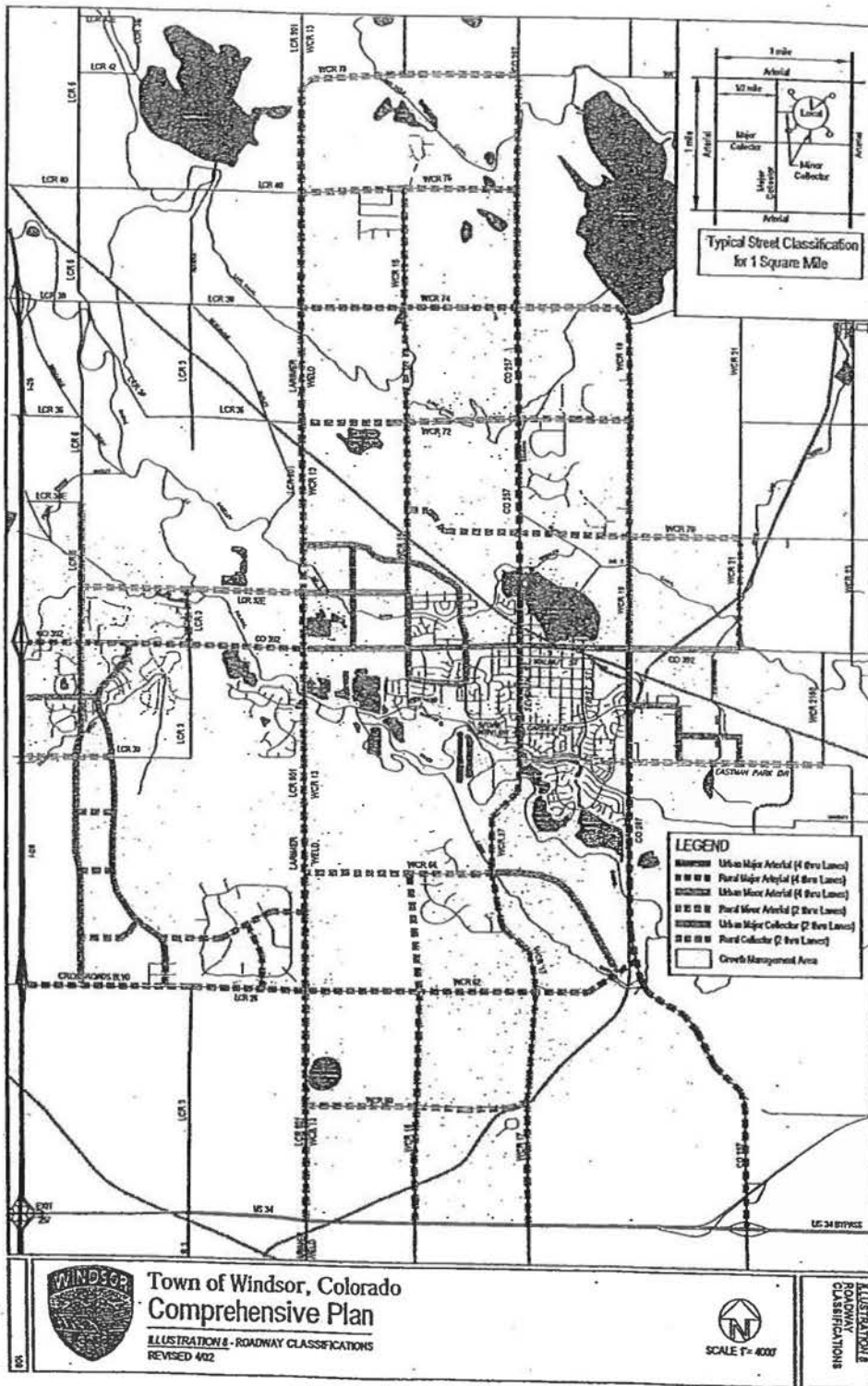


EXHIBIT "B"
(Continued)
MINIMUM STREET STANDARDS
TOWN OF WINDSOR
(Urban Standards)

<u>Type</u>	<u>Right-of-Way</u> (Feet)	<u>Pavement</u> (Feet)*	<u>Sidewalk</u> (Feet)
Major Arterial (7 Lanes)	135	104	5
Minor Arterial (5 Lanes)	110	80	5
Major Collector (3 Lanes)	80	52	5
Minor Collector (2 Lanes)	60	40	4
Local (2 Lanes)	50	36	4

* Measured from flow line of gutter to flow line of gutter.

(Rural Standards)

<u>Type</u>	<u>Right-of-Way</u> (Feet)	<u>Pavement</u> (Feet)**	<u>Sidewalk</u>
Major Arterial (At Major Intersections) (7 Lanes)	150	100	N/A
Major Arterial (Not At Major Intersections) (5 Lanes)	150	76	N/A
Minor Arterial (At Major Intersections) (5 Lanes)	130	72	N/A
Minor Arterial (Not At Major Intersections) (3 Lanes)	130	48	N/A
Collector (At Intersections) (3 Lanes)	120	48	N/A
Collector (Not At Intersections) (2 Lanes)	120	36	N/A
Local (2 Lanes)	90	34	N/A

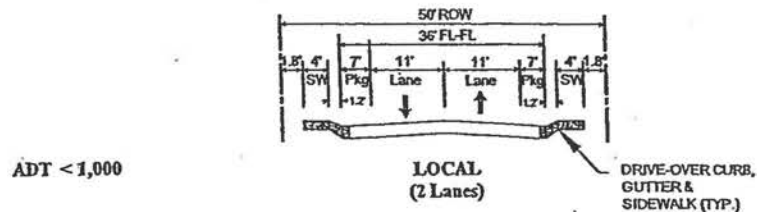
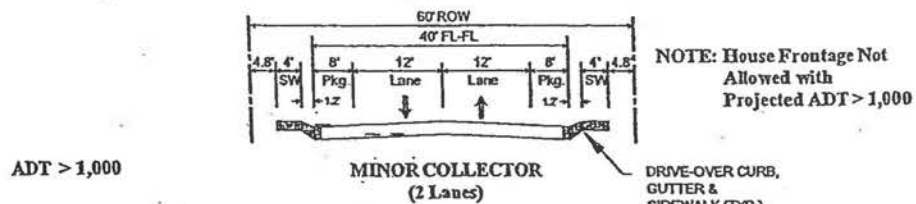
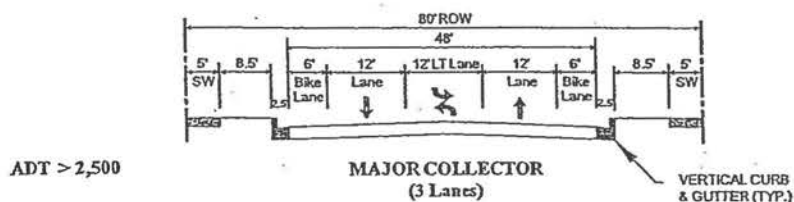
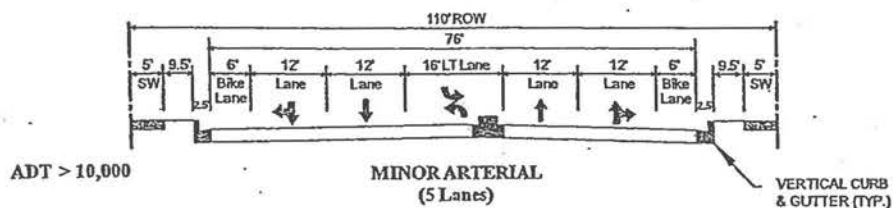
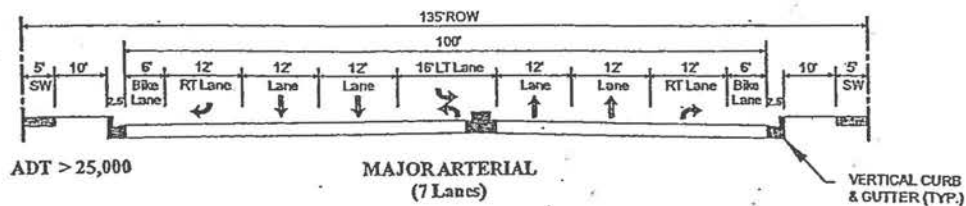
** Measured from edge of pavement to edge of pavement.
N/A - Not Applicable.



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EXHIBIT "B"
(Continued)
URBAN STREET CROSS SECTIONS
TOWN OF WINDSOR

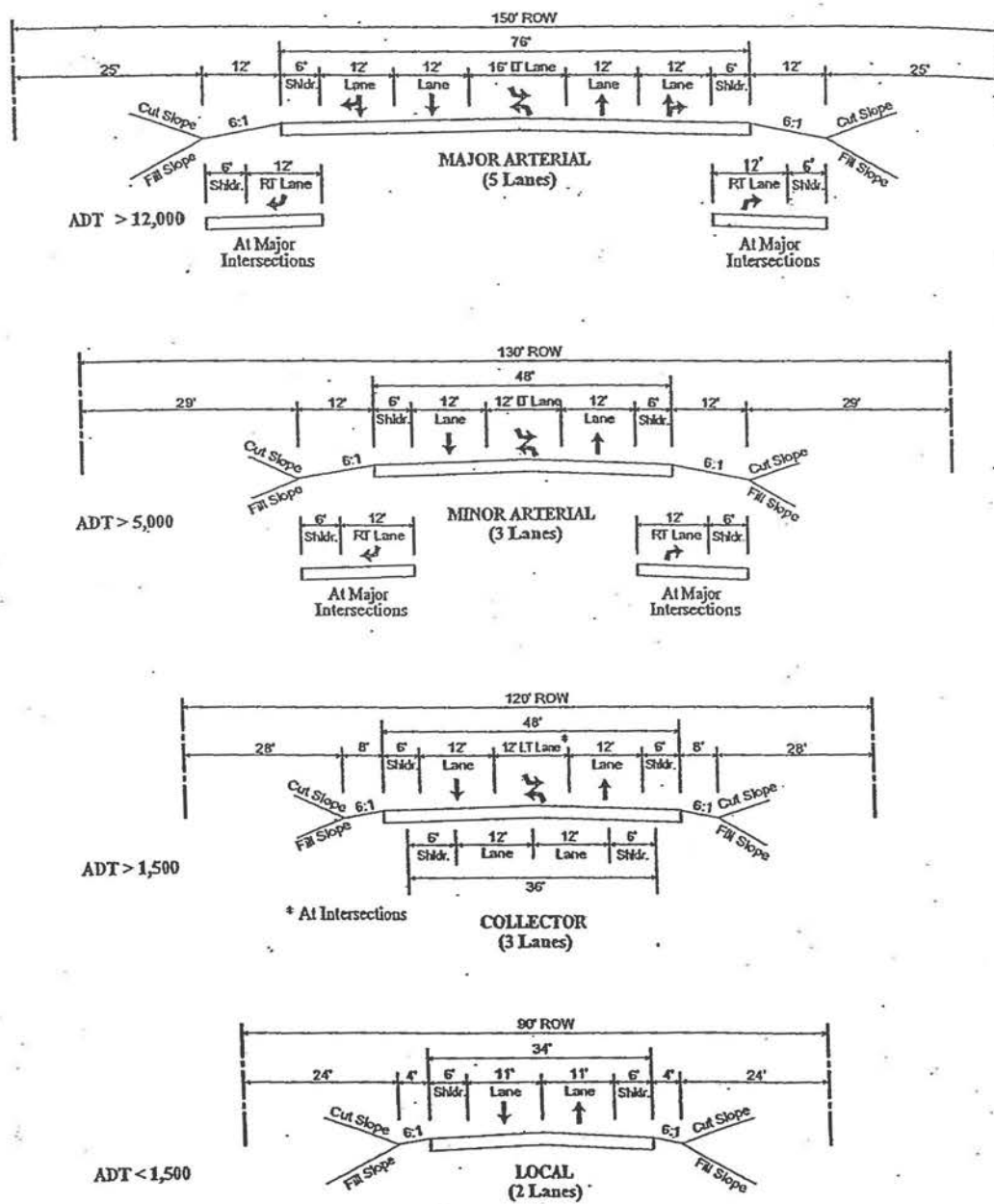


Urban Street Cross-Sections

Revised 7-30-03



EXHIBIT "B"
(Continued)
RURAL STREET CROSS SECTIONS
TOWN OF WINDSOR



Rural Street Cross-Sections

Revised 7-30-03



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EXHIBIT "C"

DRAINAGE MASTER PLAN

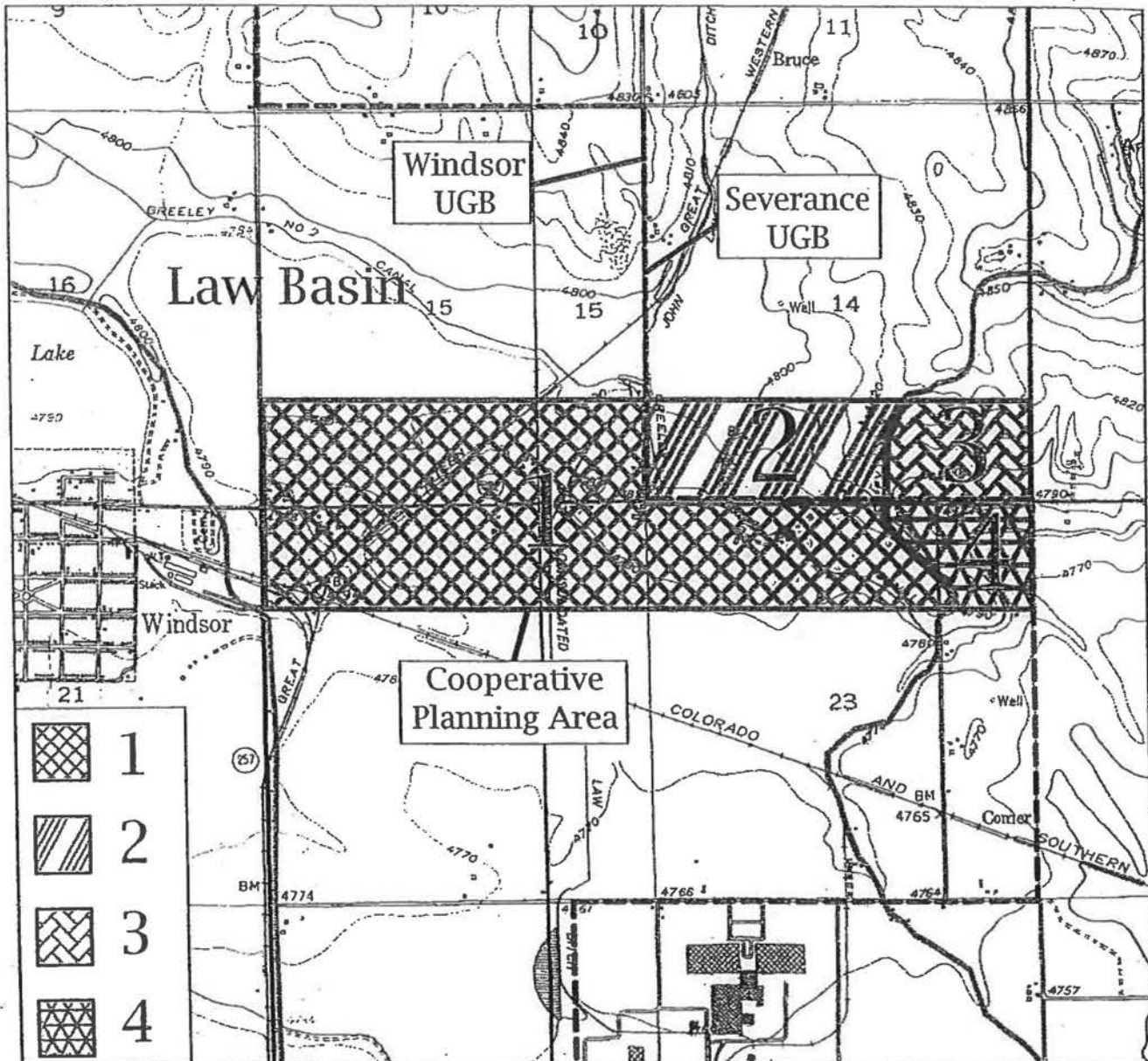


EXHIBIT "D"

WINDSOR-SEVERANCE DEVELOPMENT PLAN DESIGN STANDARDS AND GUIDELINES

I. INTRODUCTION

A. Purpose and Scope:

The Cooperative Planning Area (CPA) within the East Main Street Corridor (Corridor) has many unique qualities. Perhaps the most important quality is that this Corridor is the eastern "gateway" into the Town of Windsor and the southwestern "gateway" into the Town of Severance. The visual quality of this entryway is directly related to both communities' images, and positive community images are essential for economic development and the ability to attract quality developments.

The location and scope of the CPA within the Corridor is shown as the "Cooperative Planning Area" in Exhibit "A" of this Agreement.

B. Intent:

These standards and guidelines have been prepared in an effort to accomplish the following:

- To protect and enhance property values within the area; and
- To increase the opportunity for development and expansion of business and industry within the area.

II. PROCEDURE

A. Application of Standards:

These standards and guidelines shall apply to (a) all new development within the CPA, and (b) the remodeled portions of, or additions to, existing properties within the CPA. "Standards" denoted by (S) are mandatory; "Guidelines" denoted by (G) are not mandatory, but are provided in order to assist planners, design consultants, developers and the staff from both Towns concerning the design objectives of the Plan.

It is not intended that this document replace or supplant the existing requirements of either of the Towns, but merely supplement current requirements. Furthermore, all pertinent requirements of both Towns shall be followed in the development of a specific building site and shall be approved in accordance with all of the terms and conditions of this Agreement.

All zoning ordinances, building codes and regulations, and any other governmental restrictions, and requirements shall be observed. In the event of conflicts arise between this

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document and other governmental codes, regulations, restrictions, and/or requirements, the more restrictive standard shall apply.

B. Submittal Requirements:

1. SITE PLAN drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
 - a. The location of existing and proposed structures with the location of the entries noted.
 - b. The location and dimensions of all driveways, parking areas, loading areas, and pedestrian walkways.
 - c. The location and type of all outdoor storage or trash facilities with a description and/or indication of screening materials proposed.
 - d. The type and location of any ground signs.
 - e. The type and location of any accessory appurtenances such as scales, satellite dishes, antennae, gas pumps, etc.
 - f. The type and location of proposed site lighting.
 - g. A land use breakdown indicating total site area, total building area, building coverage area, parking and driveway coverage area and open space area.
 - h. The location of temporary model homes, sales offices, and/or construction facilities, including temporary signs and parking lots.
2. LANDSCAPING PLAN drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
 - a. Streetscape treatment.
 - b. General level of planting proposed, including an indication of planting beds, lawn areas and other proposed ground covers. All proposed plant materials should be drawn to scale at a size equivalent to ten (10) years maturity.
 - c. A plant material schedule indicating species, size and quantity of all plant material proposed. Plant material must be identified by direct labeling or by a clearly understandable legend.

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- d. A complete description of all proposed landscape accessory materials such as edging, planters, and mulches.
 - e. Planting details and/or specifications demonstrative of proper planting techniques, staking and mulching.
 - f. A note indicating that all landscaped areas, including parking lot islands, shall be irrigated by a fully automatic underground sprinkler system.
 - g. A note indicating that the owner shall be responsible for the maintenance of all landscape elements.
 - h. The position of existing trees on the site, if any, and a detailed plan for how these trees will be protected during construction.
3. SIGNAGE DETAILS drawn to scale containing the following:
- a. An indication and description of all materials to be used and the means of sign illumination as well as the dimensions of the sign.
 - b. An indication and description of all wordage and/or logos to be included on the sign.
4. BUILDING ELEVATIONS drawn to an appropriate scale on a 24" x 36" sheet containing the following information:
- a. An indication and description of all materials to be used on all sides of the buildings.
 - b. An indication of signage locations.
 - c. The height of the buildings and any appurtenances, including all accessory buildings, trash enclosures, etc.
 - d. The indication, description and height of all trash enclosures.
5. BUILDING COLORS AND MATERIAL SAMPLES of the actual materials to be used on the buildings including the following:
- a. Roofing materials and color.
 - b. Exterior wall materials and colors.
 - c. Trim materials and colors.

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- d. Window and door materials and colors.
- e. All accessory structures.
- f. Trash enclosures.

III. SITE PLANNING

The following minimum standards and guidelines shall be used as criteria for development within the CPA.

A. Setbacks and Coverage:

1. All minimum setback distances for commercial developments shall be as follows: thirty-five (35) feet from SH 392 or WCR 23; twenty-five (25) feet from all streets other than SH 392 or WCR 23; and setbacks from all other property lines other than from streets (offsets): to be determined by the Planning Commission of the respective reviewing jurisdiction through the Planned Unit Development process. (S)
2. All minimum setback distances for industrial developments shall be as follows:
 - a. For industrial developments abutting other industrial districts and/uses: Thirty-five (35) feet from SH 392 or WCR 23; thirty (30) feet from all streets other than SH 392 or WCR 23; and twenty (20) feet from all other property lines other than from streets (offsets) which abut other industrial zoning districts and/or uses. (S)
 - b. For industrial developments abutting residential districts and/or uses: Any industrial use abutting a residential zoning district and/or any residential property shall maintain a minimum setback from all respective properties lines which abut either the residential zoning district and/or the respective residential property of thirty (30) feet, with said 30-foot setback distance being used for a substantial landscape buffer that adequately protects the adjoining residential properties from any negative impacts associated with the limited industrial use. (S)
3. To allow for landscape buffers, all paving shall be set back from the property lines a minimum of twenty-five (25) feet where abutting SH 392 or WCR 23, fifteen (15) feet abutting all other streets, and five (5) feet from all other property lines which do not abut streets. (S)
4. Building coverage on any given site shall not exceed forty percent (40%) of the site area. (S)
5. Building coverage on any given site shall preferably cover less than thirty-three percent (33%) of the site area. (G)

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6. Open landscape area on any site shall be twenty percent (20%) or greater. (S)
7. All building elements and landscaping should be oriented to minimize visual impact of parking areas. (G)
8. All fences located on the street side of any site shall be recessed a minimum of two feet (2') back from the front building corners of any building elevation facing a street. (S) Such fences shall be designed to be compatible with the styles, materials, and colors of nearby buildings and adjacent fences. No fences shall be constructed within any front yards on any sites which front on SH 392 or WCR 23, and no chain link fences shall be visible from SH 392 or WCR 23. (S)

B. Parking & Loading:

1. All parking and drive areas shall be paved with asphalt or concrete and shall have concrete curbs with appropriately radiused corners. (S)
2. Bicycle parking should be provided near building entries, but shall not encroach into pedestrian walkways. (G)
3. Parking areas should be minimized between the street or driveway and building entries. (G)
4. All off-street loading and refuse areas shall be designed to include adequate space for ingress, egress and maneuvering and shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
5. All storage or equipment areas shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
6. Each site entrance drive shall not serve as direct vehicular access to individual parking spaces for a minimum distance, from right-of-way line, of forty-five (45) feet where abutting SH 392 or WCR 23, and thirty-five (35) feet where abutting all other streets. (S)
7. Landscape islands a minimum of fifteen (15) feet in length and eight (8) feet in width shall occur at ends of all parking rows. (S)
8. Parking lot areas shall be broken into sections of two hundred (200) parking spaces maximum, separated by landscaped buffers ten (10) feet in width or greater. (S)



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9. All utility services to facilities shall be installed underground. (S)
10. All areas for outdoor sales shall be contained either within a paved parking lot or on display pads constructed of concrete which are connected by a paved drive to a paved parking lot. All such display areas must be shown on the site plan and approved by the reviewing municipality. (S)

C. Site Lighting:

1. The style of light fixtures shall be compatible with the style and character of buildings proposed on the site. If a precedent has been established within the district, it should be followed for any subsequent light fixtures that are used in corresponding or similar situations. (S)
2. Light poles shall not exceed thirty feet (30) in height. (S)
3. Lighting shall be designed to retain light within the property lines of a given building site and shall not spill any light outside said property lines. (S)
4. The face of a building or a ground mounted sign may be flood lit from above the ground provided that the fixture is not more than eighteen inches (18") above grade and is screened by low planting materials or other architectural elements. (S)
5. All exterior and security lighting shall have underground service. (S)

D. Site Amenities:

All building sites are encouraged to incorporate pedestrian amenities such as benches, fountains, courtyards, works of art, etc., especially at the entry locations.

IV. ARCHITECTURAL

The following architectural standards and guidelines shall be established as a minimum for development in the CPA:

1. Building walls should be subdivided and proportioned to the size of a person, using offsets, projections, overhangs, and recesses, in order to add architectural interest and variety and avoid the effect of a single, massive wall with no relation to human size. (G)
2. Ground floor facades that face streets or public walkways must be modulated with animating features such as windows, entrance areas, arcades, porches, pilasters, arbors,

awnings, recessed or projecting display windows, and/or trellised vines along no less than 50% of the façade. (S)

3. No blank wall that faces a public street or walkway shall exceed fifty (50) feet in length. (S)
4. The predominant portion of any building shall not exceed thirty (30) feet in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty (40) feet in height. (S)
5. Sloped "residential" type roofs over building masses and at covered walkways are encouraged. (G) Where roofs are sloped, roofs shall slope at a minimum of 5 in 12. (S)
6. Architectural elements that add interest to roofs such as dormers, cupolas, clock towers, and other similar elements are encouraged. (G)
7. Flat rooflines should be avoided on low one story buildings, and where utilized on taller buildings they should feature a three dimensional cornice treatment on all walls facing streets or public walkways. (G)
8. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail.
9. Building materials should consist of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric of the area as much as possible. (G)
10. Any materials other than those encouraged in #9 above, if used, should be used as integral parts of the overall building fabric in repeating modules, proportioned both horizontally and vertically to relate to human scale, and with enough depth at joints between architectural elements and materials to cast shadows. (G)
11. Metal siding panels shall be prohibited on prominent facades, and only architectural grade metal panels will be allowed on non-prominent facades. Vertical ribbed metal siding panels shall be prohibited. (S)
12. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
13. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from public ways and adjacent properties. (S)

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14. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)
15. Fully-enclosed trash enclosures constructed with building materials and colors to match the principal buildings on the site shall be provided. (S)

V. LANDSCAPE

In addition to the landscape guidelines in effect for the Town, the following shall constitute additional minimum guidelines for landscaping within the CPA:

1. The density of landscaping need not be so dense as to completely cover or mask the building site, but will not be so sparse as to be perceived as a minimum or superficial effort at landscaping. (G)
2. Landscape materials shall be of long living varieties, and shall be permanent in nature. All plant material shall be vigorous and free from disease and insect infestation, in accordance with specifications outlined by the American Association of Nurseries (AAN) for number one grade, and well adapted to the Windsor area climate zone. Plants must be sized according to the following table: (S)

TYPE	SIZE
Standard deciduous	2" caliper measured 6" above ground
Small ornamental flowering trees	1 1/2" to 1 3/4" caliper measured 6" above ground
Evergreen Trees	6 foot in height
Shrubs and hedges	Five gallon or adequate size consistent with design intent

3. Short lived materials, such as annual flowers, are encouraged to be used to accent or supplement the basic permanent landscape plan. Such flowers are encouraged to be utilized in a bed or planter at project entries. (G)
4. No plant material with invasive roots shall be used. (S)
5. Artificial plant materials shall be prohibited. (S)
6. Landscape elements should relate to the building's structural elements and be used to interrupt extensive building surfaces. (G)
7. All parking lot islands shall be landscaped with at least one shade tree and some low ground cover and/or shrubbery. (S)

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8. Street trees: Along the SH 392 and WCR 23 Corridors (the Corridors), continuity is required to connect the diverse land use areas and provide an appealing "corridor" feel to the entrances to the Towns. The use of trees along the Corridor can create this unifying effect. The following standards shall be used to create this effect:
 - a. Trees planted along the Corridors shall be planted at a spacing of forty feet (40') and in straight rows to create a continuous street edge. (S)
 - b. Trees of varying species shall be planted to avoid drastic loss from insect or disease infestation. Different species with similar characteristics such as growth habit or color could be used to avoid over-use by one tree species yet maintain the desired look. (G)
 - c. In all new development projects the inclusion of a 5 foot (5') detached walk and a 10 foot (10') designated tree lawn, between the walk and the street, shall be required. Where such projects meet existing projects, new sidewalks shall be required. In the case of a redevelopment of an existing site which has a narrow frontage, the developer shall be required to post a bond equivalent to 110% of the value of such sidewalk and landscape improvements. Such bond will be utilized to construct the sidewalk improvements at the time there is enough adjacent redevelopment to allow for a substantial portion of new sidewalk to be constructed. (S)
 - d. Large size shade trees recommended along the Corridors include the following. (G)

Hackberry: *Celtis occidentalis*

Burr Oak: *Quercus macrocarpa*

American Elm: *Ulmus americana* (recommended only when varieties resistant to Dutch elm disease are available)

American Linden: *Tilia americana*

Northern Catalpa: *Catalpa speciosa*

Norway Maple: *Acer platanoides*

Ginkgo: *Ginkgo biloba*

English Oak: *Quercus robur*

Green Ash*: *Fraxinus pennsylvanica* (seedless varieties only such as 'Patmore' and 'Marshall Seedless')

White or American Ash: *Fraxinus americana*

Thornless Honeylocust*: *Gleditsia triancanthos inermis*

* Acceptable species but not recommended for planting in Windsor because of the large number of these tree species already planted. Over-planting of one species leaves the forest vulnerable to disease infestation.



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- e. Medium size shade trees recommended along the Corridors include the following: (G)

Littleleaf Linden: *Tilia cordate*

Ohio Buckeye: *Escudos glare*

- f. Small size trees recommended under power lines or where planting area width is only 5 to 6 feet include the following: (G)

Schubert Chokecherry: *Prunes Virginian* 'Schubert'

Japanese Lilac Tree: *Syringe reticulata*

Mayday Tree: *Prunes pads committee*

Serviceberry: *Amelanchier species*

Amur Maple: *Acer ginnala*

Crabapple: *Malus species*

Hawthorne species: *Crataegus species* (thornless varieties)

Tatarian Maple: *Acer tataricum*

Japanese Pagoda Tree: *Sophora japonica*

- g. Trees not recommended along the Corridors include the following: (G)

Evergreen Trees

Aspen: *Pupulus tremuloides*

Silver Maple: *Acer saccharinum*

Russian Olive: *Eleagnkus angustafolia*

Boxelder: *Acer negundo*

Mountain Ash: *Sorbus aucuparia*

Willows: *Salix species*

Birches: *Betula species*

Cottonwoods: *Populus species*

Siberian Elm: *Ulmus pumila*

Sunburst Honeylocust: *G. 'Sunburst' variety*

Hopa Crabapple: *Malus x Hopa*

- h. Street trees should be planted in the center of the tree lawn equidistant between the curb and sidewalk. (S)

9. Trees planted in areas of high pedestrian traffic shall be at least 3 inch caliper and be high branching. This size is required so that adequate branching height is achievable without severe pruning. (S)
10. All trees and shrubs must be maintained in healthy condition or be replaced at the expense of the owner. (S)

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11. All visible areas which are not put to use as planting or tree beds, as parking or walkways or as building area shall be seeded or sodded with bluegrass or other high quality turf blend. Planting or tree beds shall be sized such that, at the time the plant material they contain is mature, a minimal amount of mulch area is visible. (S)
12. All landscaped areas, including parking lot islands shall be irrigated by a fully automatic underground sprinkler system. (S)
13. Planting beds are encouraged around the perimeter of all buildings. (G)
14. The owner or developer shall, to the greatest extent possible, incorporate existing healthy, mature trees and shrubs into the landscape design. Existing trees and other plants in reasonable condition may be removed only if the owner or developer has satisfactorily demonstrated to the Town that site design restrictions necessitate their removal. Upon such demonstration, all removed trees or shrubs shall be replaced with new trees and shrubs in a quantity and size reasonably equivalent to those removed. An evaluation of the existing landscape proposed to be removed may be required. (S)
15. Existing plant material that is to remain as part of the permanent development or redevelopment of a property shall be protected during construction. Existing trees and shrubs shall be protected with a sturdy three foot (3') high construction fence that is placed at a distance from the tree equal to 40% of the height of the tree. If work is required closer than the construction fence, all work shall be done by hand with special care being given to minimizing disturbance to tree roots, and protecting the tree trunk from damage. (S)

VI. SIGNAGE

The following signage guidelines shall be established as a minimum for development in the Corridor:

1. All signs shall conform to the design criteria set forth herein as well as the criteria set forth in the Windsor Municipal Code. (S)
2. Project identification signage:
 - a. Each development, complex of buildings or large building complex shall be permitted to have one freestanding development identification sign. Such sign shall primarily identify the name of the development. Secondly, such sign may contain smaller signage for individual tenants which are housed within the development or complex. (S)



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- b. Each tenant which has at least 5,000 square feet of gross leasable area shall be classified as a "major tenant" and may have the following signage:

Building mounted signs shall be allowed on each building elevation, subject to all such signage meeting all of the requirements and standards outlined in subparagraph VI. 2. d. below of this Section; and

Either one freestanding sign for each street frontage which the property abuts or one sign which is a part of a development identification sign. (S)

- c. Each tenant which has less than 5,000 square feet of gross leasable area shall be classified as a "minor tenant" and may have the following signage:

Building mounted signs shall be allowed on each building elevation, subject to all such signage meeting all of the requirements and standards outlined in subparagraph VI. 2. d. below of this Section; and

One sign which is a part of the development identification sign. (S)

- d. The maximum, cumulative sign area on any individual building elevation shall not exceed ten percent (10%) of the total area of the respective building elevation. For major tenants, the height of any building mounted signs shall not exceed *either* 25 percent (25%) of the height of the building elevation upon which the sign is mounted *or* eight (8) feet in height, *whichever is less*. For minor tenants, the height of any building mounted signs shall not exceed *either* 25 percent (25%) of the height of the building elevation upon which the sign is mounted *or* five (5) feet in height, *whichever is less*. (S)

The height of the building elevation shall be measured as the vertical distance between the finished floor elevation of the building and the predominant roofline of the building elevation upon which the sign is mounted, not including architectural elements or appurtenances such as clock towers or cupolas.

Individual lettering is encouraged. Cabinet signs are permitted, however, if cabinet signs are utilized on multiple tenant buildings, written criteria describing uniform sign size, background color and general quality level is to be submitted, for approval, by the owner/landlord prior to the submittal of any tenant signage plans. Each tenant will be required to conform to such criteria. (S)

- e. Freestanding signs shall be "monument" type signs set on bases made of materials which are compatible with the architectural elements of the

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project. The height of the monument base of any sign shall not exceed 50 percent (50%) of the overall height of the sign. The width and length of such base shall be at least as wide and long as the bottom of the sign area. (S)

- f. Freestanding signs may not be located closer than fifteen (15) feet from SH 392 or WCR 23; ten (10) feet from any other streets; or five (5) feet from any other property lines not abutting any street, unless the total height of any such freestanding sign, including the monument base, does not exceed forty-two (42) inches-in height. (S)
- g. Freestanding signs are encouraged to be incorporated into a landscape planting bed with low landscape elements placed in front of signage to soften the sign and taller landscape placed behind single-sided signs to offer a backdrop. (G)
- h. Development Identification Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI. 2 .a. above of this Section pertaining to development identification signs, all development identification signs shall also comply with both of the following requirements:
 - (a) No such sign shall exceed sixteen feet (16') in height, including the monument base; and
 - (b) The maximum advertising area of all such signs shall not exceed fifty (50) square feet per side for each one hundred feet (100') of street frontage of the lot upon which the use is located, but no greater than one hundred (100) square feet per side, up to a maximum number of two (2) sides per sign. Such area shall be exclusive of the sign base. (S)
- i. Individual Major Tenant Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI. 2 .b. above of this Section pertaining to major tenant signs, all major tenant signs shall also comply with both of the following requirements:
 - (a) No such sign shall exceed eight (8) feet in height, including the monument base; and
 - (b) The maximum advertising area of all such signs shall not exceed forty-eight (48) square feet per side, up to a maximum number of two (2) sides per sign. Such area shall be exclusive of the sign base. (S)

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- j. Individual Minor Tenant Signs. In addition to all of the general signage requirements outlined herein and also relative to the criteria outlined in Section VI. 2. b. above of this Section pertaining to minor tenant signs, all minor tenant signs shall also comply with all of the following requirements:
 - (a) Minor tenant buildings which are freestanding on their own lot shall be allowed to erect one (1) freestanding monument sign to accommodate all tenants who occupy leasable space upon the subject lot;
 - (b) No such sign shall exceed six (6) feet in height; and
 - (c) No such sign shall exceed twenty-four (24) square feet in sign area per side of sign, up to a maximum number of two (2) sides per sign. Such area shall be exclusive of the sign base. (S)
 - k. Signs may be illuminated. (G)
 - l. While canvas awnings are considered perfectly acceptable, acrylic or plastic awnings are discouraged. Interior illuminated awnings are also discouraged. (G)
3. Traffic Control and Directional Signage:
- a. Traffic control and directional signage shall be allowed as needed. Such signage shall be of a uniform character within each development. (S)
 - b. Such signage shall be constructed of steel, aluminum or alucabond, and shall not be larger than four (4) square feet in area. (S)
3. Prohibited signs.
- a. Pole mounted signs are prohibited. (S)
 - b. No sign shall be illuminated by or contain flashing, moving, blinking, fluctuating, intermittent rotating, or moving light or lights. The only exception shall be signs which provide a legitimate public service, such as the giving of time and temperature. (S)
 - c. No sign or part thereof shall contain or consist of strings of lights, ribbons, streamers, spinners or similar moving, fluttering or revolving devices. Inflatable signs such as blimps, animals, inflatable representations of a product for sale and other inflatable devices shall also be prohibited. Such devices shall not be used for the purposes of advertising or attracting attention. (S)

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- d. Searchlights, whether stationary or revolving, beacons or other similar devices used for the purposes of advertising or attracting attention shall be prohibited. (S)
- e. Unpainted signs, broken signs and signs on vacated buildings shall be removed from the premises or repaired or renovated by the owners of the premises on order of the Zoning Officer. (S)
- f. No sign shall obscure vision or views of the natural landscape or the larger urban area along arterial and collector streets and roads, nor shall any such sign be distracting to motorists. (S)
- g. No sign shall be erected at the intersection of any street or road in such manner as to obstruct clear vision, nor shall any sign be erected at a location where, by reason of its position, shape or color, it may interfere with, obstruct the view of or be confused with any traffic sign, signal or control device. (S)
- h. Off-premise signs. No outdoor advertising sign, billboard or other advertising media not directly related to the use of the premises upon which it is located is permitted. (S)
- i. No sign shall be erected on the roof of any building. (S)
- j. No sign shall be mounted to or otherwise applied to trees or other landscaping, regulatory traffic signage, utility and light poles or other similar structures, and shall not be located within road rights-of-way or private street easements.
- k. Mobile signs are prohibited.
 - (1) Mobile sign is defined as any sign painted or otherwise mounted on a vehicle, trailer or boat; fixed or attached to a device for the purpose of transporting from site to site. This definition includes all vehicles placed or parked for the purpose of drawing attention to a service, product, object, person, organization, institution, business, event, location or message, but not signs or lettering installed on vehicles such as buses, taxicabs or other commercial vehicles operating during the normal course of business. On-premise signs mounted to construction trailers directly related to construction on a site shall be allowed to be located on the site for the duration of construction, and shall be removed immediately upon the receipt of the last certificate of occupancy for the site. Trailers that are unrelated to the construction activities on the site



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shall not be allowed to be located on any site solely for the purpose of mounting signage; and

- (2) Any sign attached to, painted on, or mounted on any construction trailers that are permitted in paragraph "a" above shall be allowed if such signs meet the following conditions: The signs are magnetic, decals, or painted in a professional manner on an integral part of the construction trailer as originally designed by the manufacturer and do not extend beyond the profile of the construction trailer.

**INTERGOVERNMENTAL AGREEMENT
FOR
MODIFICATIONS TO THE JANUARY 12, 2004
WINDSOR-SEVERANCE DEVELOPMENT PLAN**

THIS INTERGOVERNMENTAL AGREEMENT is dated May 12, 2014, and is between the TOWN OF WINDSOR, COLORADO, a Colorado home rule municipal corporation (“Windsor”) and the TOWN OF SEVERANCE, COLORADO, a Colorado statutory municipality.

RECITALS

WHEREAS, the parties entered into that certain Intergovernmental Agreement dated December 11, 2000 (“Agreement”), under which certain understandings were reached with respect to development within a corridor defined therein, lying generally north and south of Colorado Highway 392 bounded on the west by Weld County Road 19/Colorado State Highway 257 and on the east by Weld County Road 23, further defined in the Agreement as the “Cooperative Planning Area”; and

WHEREAS, in accordance with the Agreement, the parties subsequently adopted the Windsor-Severance Development Plan dated January 12, 2004 (“2004 Development Plan”), under which very specific understandings were reached with respect to the expectations and standards for development within the Cooperative Planning Area; and

WHEREAS, with the benefit of experience, the parties have determined that the language used in the 2004 Development Plan should be reviewed and, in some cases, re-written; and

WHEREAS, each party has undertaken review of the proposed changes to the 2004 Development Plan at the administrative, Planning Commission and governing body levels; and

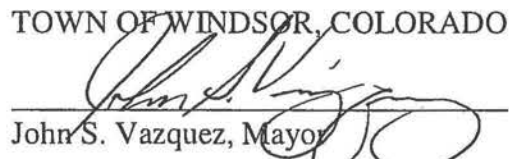
WHEREAS, the governing body for each party has approved the terms of this Intergovernmental Agreement, and has authorized their respective representatives to execute this Intergovernmental Agreement.

NOW, THEREFORE, the parties do hereby agree as follows:

1. Section IX of the 2004 Development Plan ("Land Uses Within the Cooperative Planning Area") is hereby repealed, amended and superseded by the attached Exhibit A-1, consisting of four pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-1 shall take effect immediately.
2. Section III of Exhibit D to the 2004 Development Plan ("Site Planning") is hereby repealed, amended and superseded by the attached Exhibit A-2, consisting of three pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-2 shall take effect immediately.
3. Section IV of Exhibit D to the 2004 Development Plan ("Architectural") is hereby repealed, amended and superseded by the attached Exhibit A-3, consisting of three pages, which is incorporated herein by this reference as if set forth fully herein. The requirements of Exhibit A-3 shall take effect immediately.

Except as specifically amended as set forth herein, the Windsor-Severance Development Plan January 12, 2004, shall remain in full force and effect.

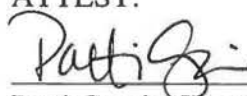
TOWN OF WINDSOR, COLORADO


John S. Vazquez, Mayor

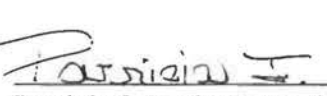
TOWN OF SEVERANCE, COLORADO


Donald Brookshire, Mayor

ATTEST:


Patti Garcia, Town Clerk




Patricia J. Lesh, Town Clerk/Treasurer



INTERGOVERNMENTAL AGREEMENT FOR MODIFICATIONS TO
THE JANUARY 12, 2004 WINDSOR-SEVERANCE DEVELOPMENT PLAN

Page 2 of 2

Exhibit "A-1"

IX. LAND USES WITHIN THE COOPERATIVE PLANNING AREA

Scope and Purpose. This Section addresses principal and accessory commercial and industrial uses that are permitted in the CPA.

Commercial Uses. All of the following types of principal and accessory commercial uses that are permitted as uses by right in the Commercial Corridor Area within the CPA as shown on Exhibit "A" attached hereto, and all such uses, developments and site plans shall meet all site planning criteria and requirements set forth in Exhibit D of the Windsor-Severance Development Plan dated January 12, 2004 recorded on 5/14/2004 under reception number 3180345 in the Office of the Weld County Clerk and Recorder.*

1. Retail establishments, including, but not limited to: supermarkets; bakeries; liquor stores; convenient stores; hardware stores; appliance stores; drug stores; jewelry stores; garden centers; new and used automobile sales; automobile parts stores; bicycle stores; lumber, building supply, and home improvement centers; and other similar types of retail uses.
2. Eating and drinking establishments, including, but not limited to: bars; lounges; restaurants; delicatessens; banquet facilities; private and public clubs and lodges; and other similar types of eating and drinking establishments.
3. Customer service establishments, including, but not limited to: hair styling salons, barber shops and beauty salons; laundromats; dry cleaners; interior decorating services; art studios and galleries; car washes; quick-service establishments for automotive oil changes, tune-ups, etc.; automobile and furniture rental outlets; gasoline service stations; and other similar types of customer service establishments.
4. Recreational and tourism activities, including, but not limited to: theaters; outdoor and indoor commercial recreational facilities; bowling alleys; hotels, motels, bed and breakfast inns, and other similar commercial lodging establishments; and other similar types of recreational and tourism activities (leased or month-to-month apartments or townhome types of dwelling units are not allowed).
5. Business and professional offices, including, but not limited to: banks, saving and loan offices, credit unions, and other financial institutions; real estate offices, surveying firms, engineering firms, architectural firms, and other similar types of consulting firms; medical and dental clinics; public administrative offices, buildings and installations; public utility offices, buildings and installations; and other similar types of business and professional offices and facilities.

6. Accessory uses and structures: any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot.

* Any outdoor storage associated with any of these uses that are located in the Commercial Corridor Area within the CPA as shown on Exhibit A attached hereto (a) may not be located in any front yard, (b) must be fully screened within an opaque fence which may not exceed six (6) feet in height, (c) must be approved by the respective reviewing municipality, and (d) no such storage shall protrude above the top of the respective opaque fence. This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in said Exhibit D.

Industrial Uses. All of the following types of principal and accessory commercial and industrial uses are permitted as uses by right in the portions of the CPA that are located outside of the Commercial Corridor Area as shown on Exhibit A attached hereto. All such uses, developments and site plans shall meet all site planning criteria and requirements set forth in said Exhibit D.

1. All principal and accessory uses outlined in the Commercial Uses section above.
2. Retail establishments, including, but not limited to: outdoor sales areas for recreational vehicles, modular and manufactured homes, boats, trailers, heavy equipment, farm implements, etc., and other similar types of retail uses.
3. Customer service establishments, including, but not limited to: rental outlets for trucks and recreational vehicles; transportation facilities such as light rail stations, transportation depots, etc. (truck stops and truck terminals are not allowed); fully enclosed automobile and appliance service and repair shops; commercial parking facilities; small package shipping and delivery services; printing and publishing facilities; and other similar types of consumer service establishments.
4. Limited industrial uses, including, but not limited to: fully enclosed storage facilities; warehouses; facilities for contractors; manufacturing, assembly, processing, and fabrication facilities; food preparation facilities; research and development facilities; scientific laboratories; and other similar types of limited industrial uses.
5. Accessory uses and structures: any structures or uses that are clearly incidental and subordinate to and are commonly associated with the operation of the principal use on a lot, including residential quarters for guards and caretakers.

6. Accessory outdoor storage: the total square footage of accessory outdoor storage shall not exceed sixty-five percent (65%) of the total square footage of the property.

Outdoor storage located within any side or rear yard which is adjacent to a public or private street shall utilize screen walls, earth berms, landscaping, opaque fencing and/or a combination thereof to completely screen the storage, and no such storage shall be visible above or between said methods of screening. Any such screen wall or opaque fencing shall not exceed eight feet (8') in height. Chain-link fencing with slats shall not be considered adequate opaque fencing around any side or rear yard which is adjacent to a public or private street.

Outdoor storage located within any front yard which is adjacent to a public or private street shall utilize screen walls, earth berms, landscaping, opaque fencing and/or a combination thereof to completely screen the storage, and no such storage shall be visible above or between said methods of screening. Any such screen wall or opaque fencing shall not exceed six feet (6') in height. Chain-link fencing with slats shall not be considered adequate opaque fencing around any front yard which is adjacent to a public or private street.

Chain-link fencing with slats shall be allowed in all other areas that are not adjacent to either a public or private street, subject to any such fencing not exceeding eight feet (8') in height in any rear or side yard and not exceeding six feet (6') in height in any front yard.

This screening prohibition, however, does not apply to vehicles that are used on a daily basis by the respective business. Additionally, in the event a conflict arises between this fencing regulation and any other fencing regulation which may be outlined in said Exhibit D, the more restrictive regulation shall apply.

Additionally, such outdoor storage areas may be surfaced with aggregates or recycled asphalt meeting CDOT Class 5 or 6 aggregate base course gradation, or any subsequent amendments thereto. Such surface materials shall require a plan for perpetual maintenance and dust abatement to be approved by the Engineering Department. However, all areas which are designed to be used for parking of vehicles and all interior drives connecting such parking areas shall be paved with asphalt or concrete. For the purposes of this Section, portions of the aggregate surface outdoor storage area may be utilized for parking of company-owned vehicles with a valid state license plate upon identification and Town approval of a site plan application. Such areas for parking of company-owned vehicles as identified on the approved site plan shall not be included in the calculation of outdoor storage for the site.

EXHIBIT "A"
URBAN GROWTH BOUNDARIES, COMMERCIAL CORRIDOR
AREA AND COOPERATIVE PLANNING AREA

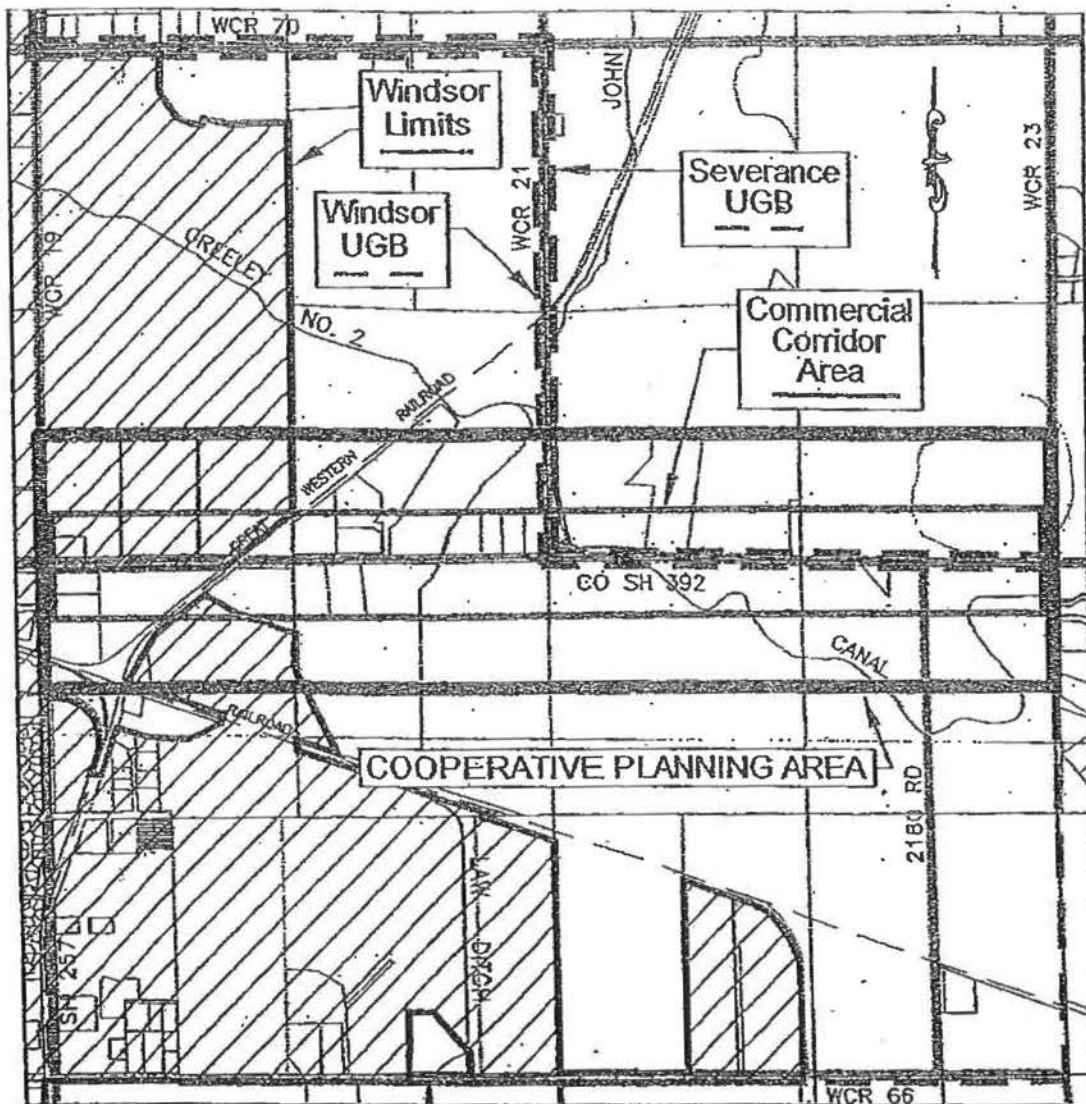


Exhibit "A-2"

III. SITE PLANNING

The following minimum standards and guidelines shall be used as criteria for development within the CPA.

A. Setbacks and Coverage:

1. All minimum setback distances for commercial developments shall be as follows: thirty-five (35) feet from SH 392 or WCR 23; twenty-five (25) feet from all streets other than SH 392 or WCR 23; and setbacks from all other property lines other than from streets (offsets): to be determined by the Planning Commission of the respective reviewing jurisdiction through the Planning Unit Development process. (S)
2. All minimum setback distances for industrial developments shall be as follows:
 - a. For industrial developments abutting other industrial districts/uses: thirty-five (35) feet from SH 392 or WCR 23; thirty (30) feet from all streets other than SH 392 or WCR 23; and twenty (20) feet from all other property lines other than from streets (offsets) which abut other industrial zoning districts and/or uses. (S)
 - b. For industrial developments abutting residential districts/uses: any industrial use abutting a residential zoning district and/or any residential property shall maintain a minimum setback from all respective property lines which abut either the residential zoning district and/or any residential property of thirty (30) feet, with said 30-foot setback distance being used for a substantial landscape buffer that adequately protects the adjoining residential properties from any negative impacts associated with the limited industrial use. (S)
3. To allow for landscape buffers, all paving shall be set back from property lines a minimum of twenty-five (25) feet where abutting SH 392 or WCR 23, fifteen (15) feet abutting all other streets, and five (5) feet from all other property lines which do not abut streets. (S)
4. Building coverage on any given site shall not exceed forty percent (40%) of the site area. (S)
5. Building coverage on any given site shall preferably cover less than thirty-three percent (33%) of the site area. (G)



6. All landscaping shall meet the following standards.

- a. Within the Windsor Growth Management Area: All landscaping shall comply with the standards set forth in the Town of Windsor's Tree and Landscape Standards, adopted by Resolution 2006-53 on October 23, 2006 and any subsequent updates thereto. (S)
- b. Within the Severance Growth Management Area: All landscaping shall comply with the Tree and Landscape Standards set forth in Section 6 of the Severance Municipal Code and any subsequent updates thereto. (S)

7. All building elements and landscaping should be oriented to minimize visual impact of parking areas. (G)

8. All fences located on the street side of any site shall be recessed a minimum of two feet (2') back from the front building corners of any building elevation facing a street. (S)

Such fences shall be designed to be compatible with the styles, materials, and colors of nearby buildings and adjacent fences. No fences shall be constructed within any front yards on any sites which front on SH 392 or WCR 23, and no chain link fences shall be visible from SH 392 or WCR 23. (S)

B. Parking & Loading:

1. All parking and drive areas shall be paved with asphalt or concrete and shall have concrete curbs with appropriately radiused corners. (S)
2. Bicycle parking should be provided near building entries, but shall not encroach into pedestrian walkways. (G)
3. Parking areas should be minimized between the street or driveway and building entries. (G)
4. All off-street loading and refuse areas shall be designed to include adequate space for ingress, egress and maneuvering and shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
5. All storage or equipment areas shall be screened from view with appropriate landscape elements or with screenwalls constructed of materials which are compatible with the building. (S)
6. Each site entrance drive shall not serve as direct vehicular access to individual parking spaces for a minimum distance, from right-of-way line, of forty-five (45) feet where abutting SH 392 or WCR 23, and thirty-five (35) feet where abutting all other streets. (S)



7. Landscape islands a minimum of fifteen (15) feet in length and eight (8) feet in width shall occur at ends of all parking rows. (S)
8. Parking lot areas shall be broken into sections of two hundred (200) parking spaces maximum, separated by landscaped buffers ten (10) feet in width or greater. (S)
9. All utility services to facilities shall be installed underground. (S)
10. All areas of outdoor sales shall be contained either within a paved parking lot or on display pads constructed of concrete which are connected by a paved drive to a paved parking lot. All such display areas must be shown on the site plan and approved by the reviewing municipality. (S)

C. Site Lighting:

1. The style of light fixtures shall be compatible with the style and character of buildings proposed on the site. If a precedent has been established within the district, it should be followed for any subsequent light fixtures that are used in corresponding or similar situations. (S)
2. Light poles shall not exceed thirty (30) feet in height. (S)
3. Lighting shall be designed to retain light within the property lines of a given building site and shall not spill any light outside said property lines. (S)
4. The face of a building or a ground mounted sign may be flood lit from above the ground provided that the fixture is not more than eighteen inches (18") above grade and is screened by low planting materials or other architectural elements. (S)
5. All exterior and security lighting shall have underground service. (S)

D. Site Amenities:

All building sites are encouraged to incorporate pedestrian amenities such as benches, fountains, courtyards, works of art, etc., especially at the entry locations. (G)



Exhibit "A-3"

IV. ARCHITECTURAL

A. Developments Within the Commercial Corridor Area:

The following architectural standards and guidelines shall be established as a minimum for development within the Commercial Corridor Area of the CPA:

1. Building walls should be subdivided and proportioned to the size of a person, using offsets, projections, overhangs, and recesses, in order to add architectural interest and variety and avoid the effect of a single, massive wall with no relation to human size. (G)
2. Ground floor facades that face streets or public walkways must be modulated with animating features such as windows, entrance areas, arcades, porches, pilasters, awnings, recessed or projecting display windows, and/or trellised vines along no less than 50% of the facade. (S)
3. No blank wall that faces a public street or walkway shall exceed fifty (50) feet in length. (S)
4. The predominant portion of any building shall not exceed thirty (30) feet in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty (40) feet in height. (S)
5. Sloped "residential" type roofs over building masses and at covered walkways are encouraged. (G) Where roofs are sloped, roofs shall slope at a minimum of 5 in 12. (S)
6. Architectural elements that add interest to roofs such as dormers, cupolas, clock towers, and other similar elements are encouraged. (G)
7. Flat rooflines should be avoided on low one story buildings, and where utilized on taller buildings they should feature a three dimensional cornice treatment on all walls facing streets or public walkways. (G)
8. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail.(G)
9. Building materials should consist of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric of the area as much as possible. (G)

10. Any materials other than those encouraged in #9 above, if used, should be used as integral parts of the overall building fabric in repeating modules, proportioned both horizontally and vertically to relate to human scale, and with enough depth at joints between architectural elements and materials to cast shadows. (G)
11. Metal siding panels shall be prohibited on prominent facades that face streets or public walkways, and only architectural grade metal panels will be allowed on non-prominent facades. Vertical ribbed metal siding panels shall be prohibited. (S)
12. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
13. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from public ways and adjacent properties, (S)
14. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)
15. Fully-enclosed trash enclosures constructed with building materials and colors to match the principal buildings on the site shall be provided. (S)

B. Developments Outside of the Commercial Corridor Area:

The following architectural standards and guidelines shall be established as a minimum for development not located within the Commercial Corridor Area of the CPA:

1. Building walls should be designed so as to add architectural interest to the façade. (G)
2. No blank wall that faces a public street or walkway shall exceed fifty (50) feet in length. (S)
3. The predominant portion of any building shall not exceed thirty (30) feet in height. Ornamental architectural elements or appurtenances such as clock towers or cupolas shall not exceed forty (40) feet in height. (S)
4. A relatively wide variety of building materials shall be permitted. However, it is intended that a basic harmony of architecture prevail. (G)
5. Building materials consisting of textured unit masonry such as brick, stone and architectural grade concrete masonry units, as well as wood siding, used in repeating patterns throughout the building fabric are encouraged. (G)

6. Architectural grade metal panels will be allowed on prominent facades that face streets or public walkways, subject to a textured masonry wainscoting with a minimum profile of four inches (4") being applied to all such prominent facades. Any such textured masonry wainscoting shall (a) be a minimum of four feet (4') in height and shall be applied to the entire length of all such prominent facades, (b) consist of textured unit masonry such as brick, stone, or architectural grade concrete masonry units, and (c) wrap around the corners of all ends of all such prominent facades for a minimum distance of ten feet (10'). Other grades of metal siding panels shall be allowed on non-prominent facades, and except as otherwise specified above, the application of wainscoting on non-prominent facades is optional. (S)
7. Predominate exterior colors shall be of low reflectance, muted, neutral or earth tone colors. Other colors may be used for accent or to emphasize focal areas provided that they are sensitively integrated. (S)
8. Mechanical equipment and service functions associated with a building must be incorporated into the overall design theme of the building and the landscape so that these functions are screened from view from streets and public walkways. (S)
9. Wherever possible, conduits, meters and vents which are visible on buildings should be painted to match the respective building surfaces. (G)
10. Fully-enclosed trash enclosures constructed with building materials and colors to match the principal buildings on the site shall be provided. (S)

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Steve Moreno, Clerk and Recorder, Weld County, CO





Land Use Map Amendment

East Pointe Subdivision

Kim Lambrecht, Planner II

Planning Commission - July 20, 2022

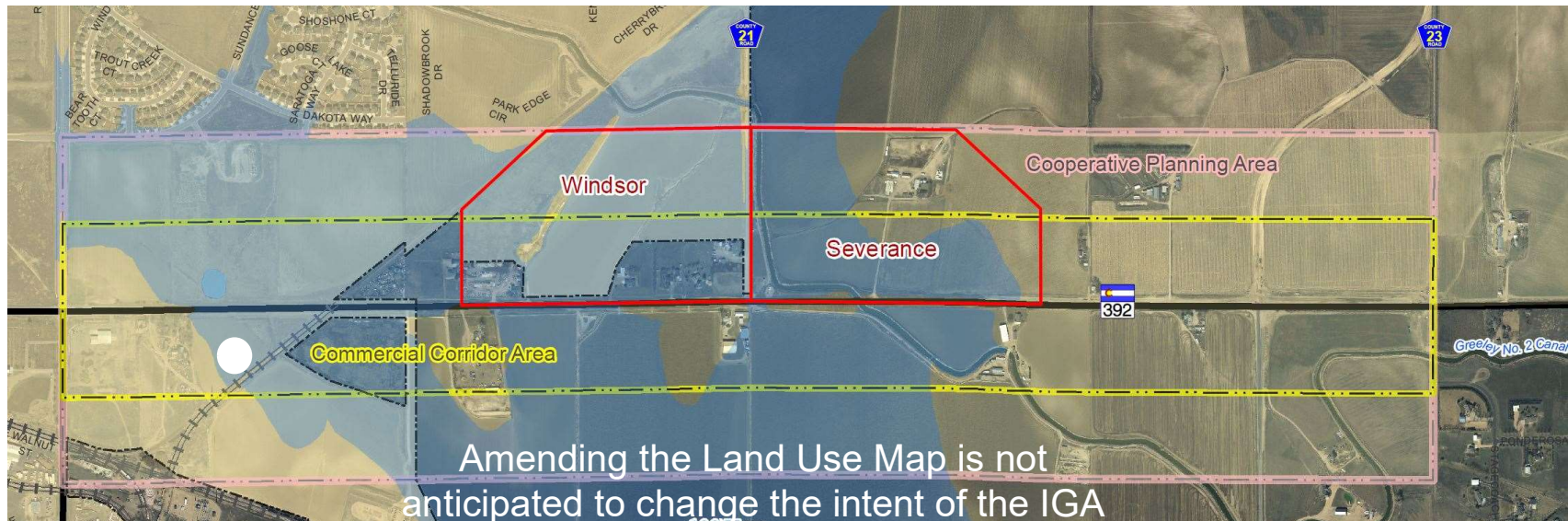
Site Vicinity Map





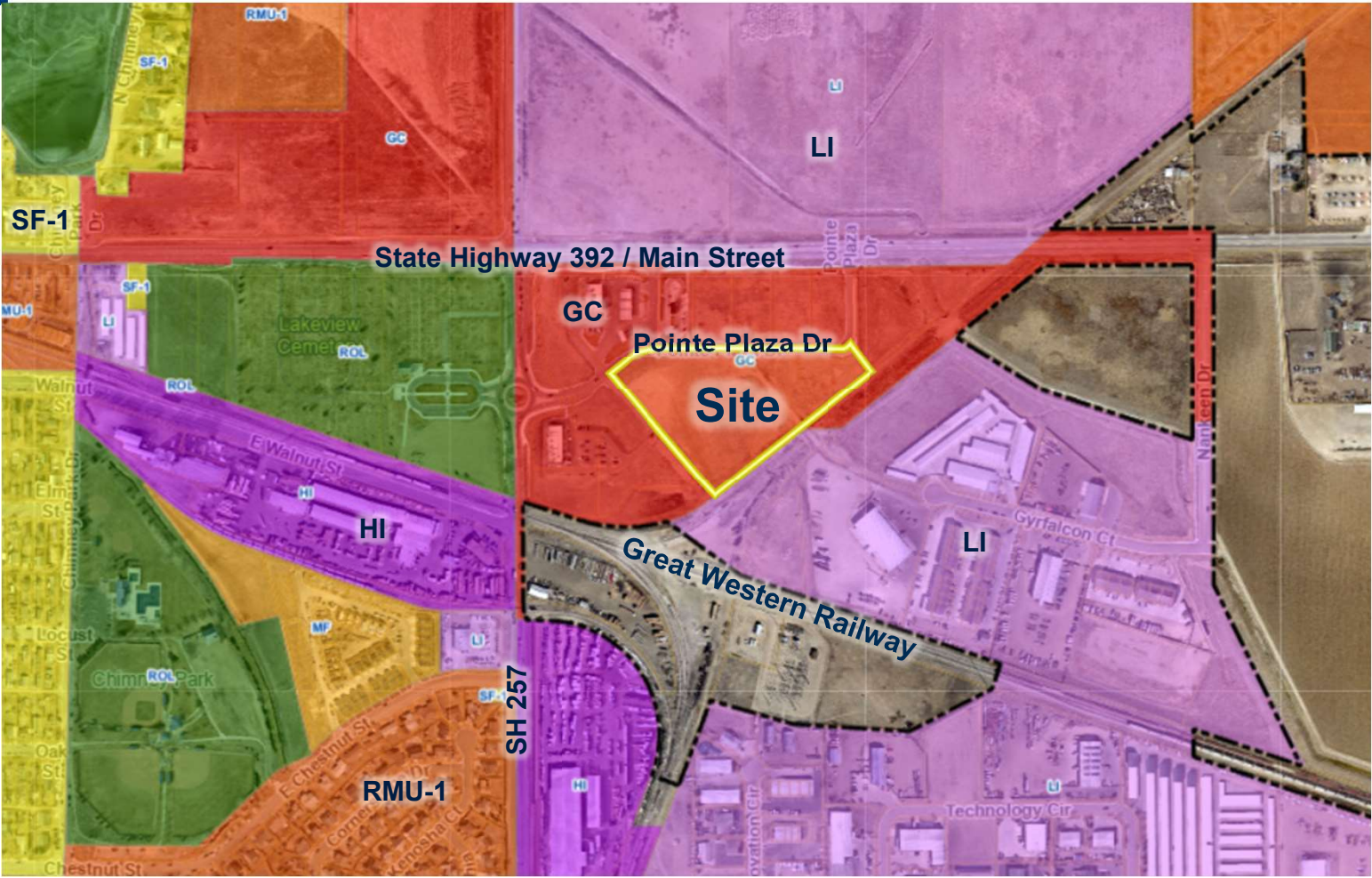
Windsor – Severance Intergovernmental Agreement (IGA)

The proposed land use plan amendment is part of the Intergovernmental Agreement (IGA) between the Town of Windsor and the Town of Severance. This agreement includes a cooperative planning area (“CPA”) outlining ***permitted land uses, design standards, and revenue sharing***. The Windsor-Severance IGA was first adopted in 2000, amended in 2004, 2014, and 2017.





Zoning Map



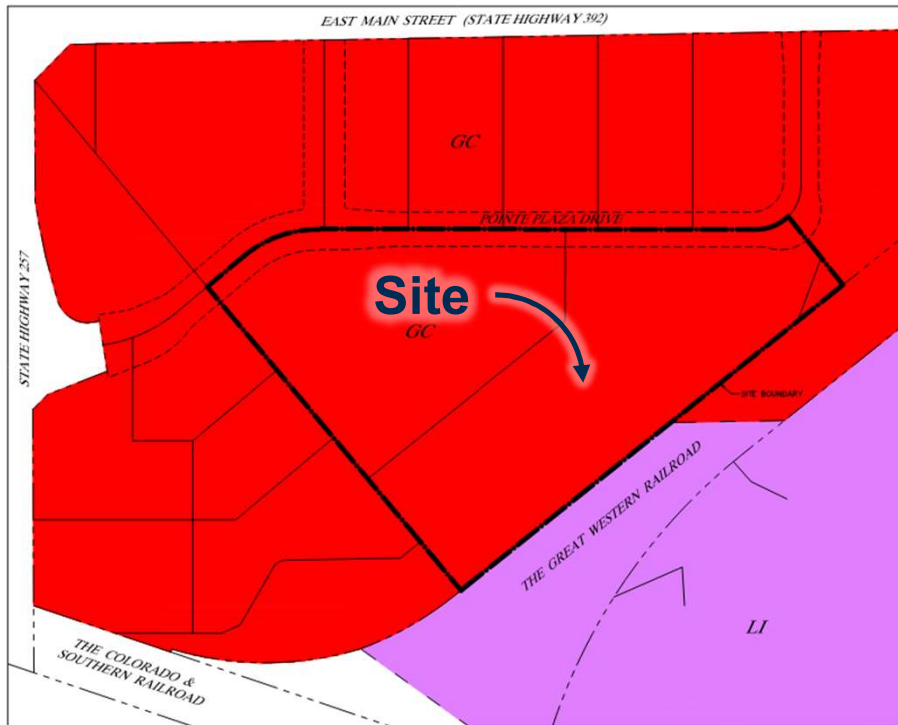


Existing vs. Proposed Land Use

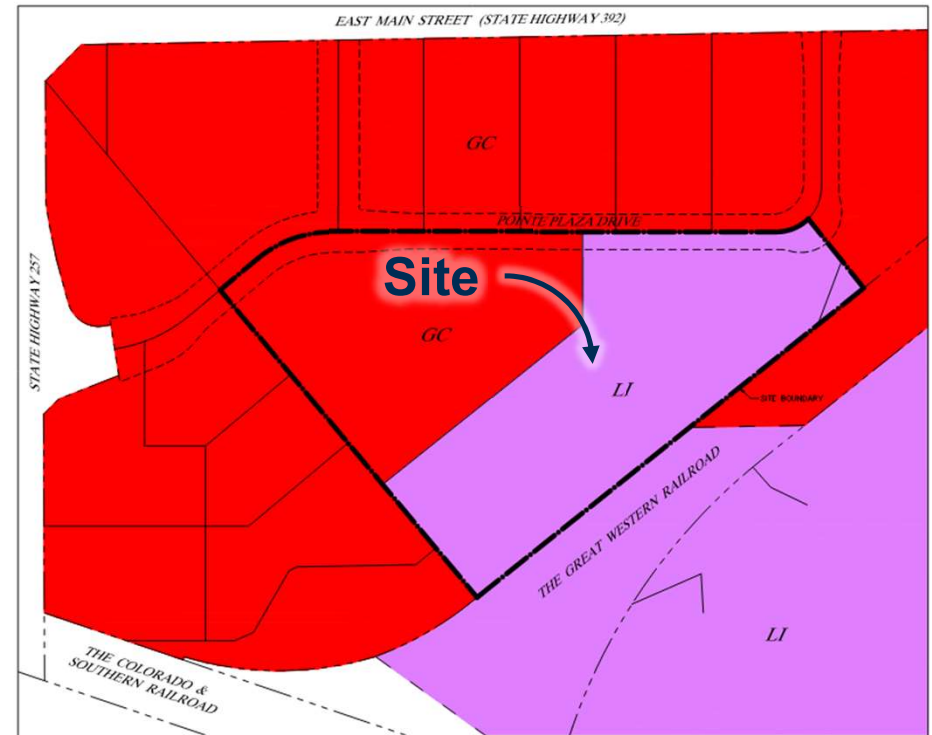
Existing Land Use:
Neighborhood General
Commercial (NGC)

Proposed Land Use:
Light Industrial (LI)

EXISTING LAND USE DESIGNATION



PROPOSED LAND USE DESIGNATION





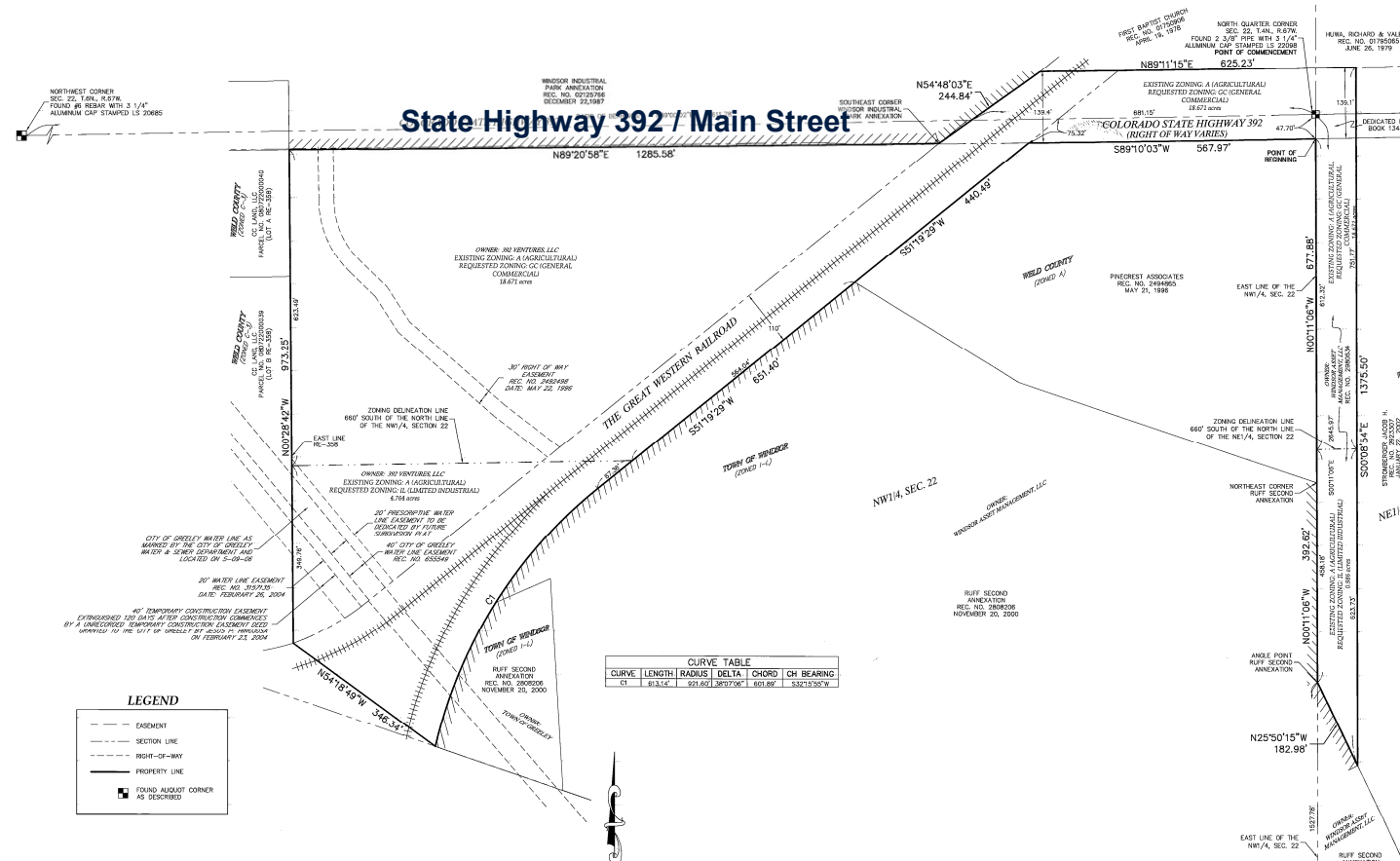
Background

2006

- Ruff Third Annexation, annexed in 2006 (now East Pointe Subdivision)
- Subject property was zoned General Commercial (GC) with a small amount of Light Industrial (LI)

RUFF THIRD ANNEXATION

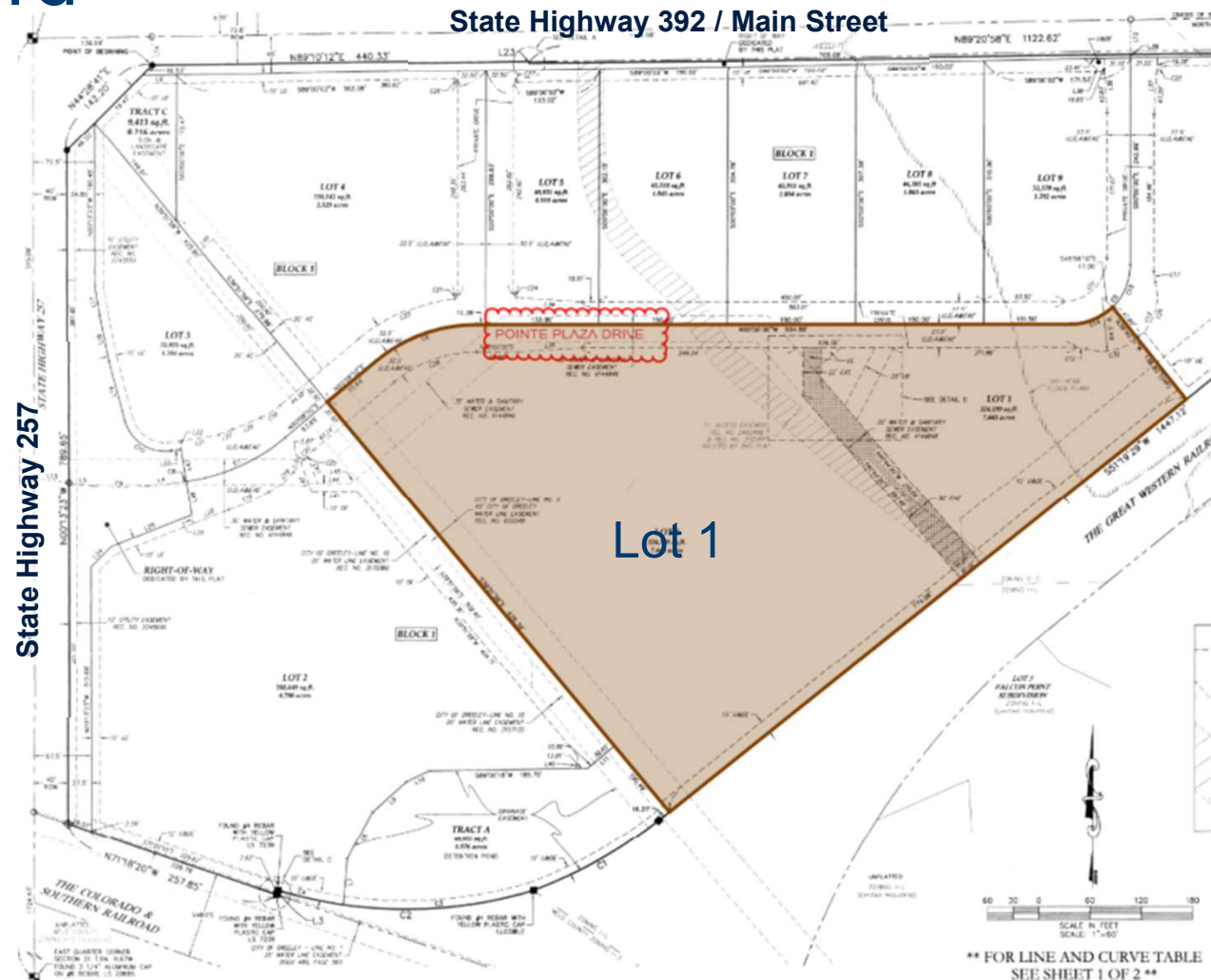
TO THE TOWN OF WINDSOR
PART OF SECTION 22, TOWNSHIP 6 NORTH, RANGE 67 WEST
OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO





Background

2017 - The property and surrounding area (which included the Champion Annexation) was subdivided, with the General Commercial (GC) zoning remaining in place for the entire subdivision.





Background

2017

- Kum & Go approved

2018

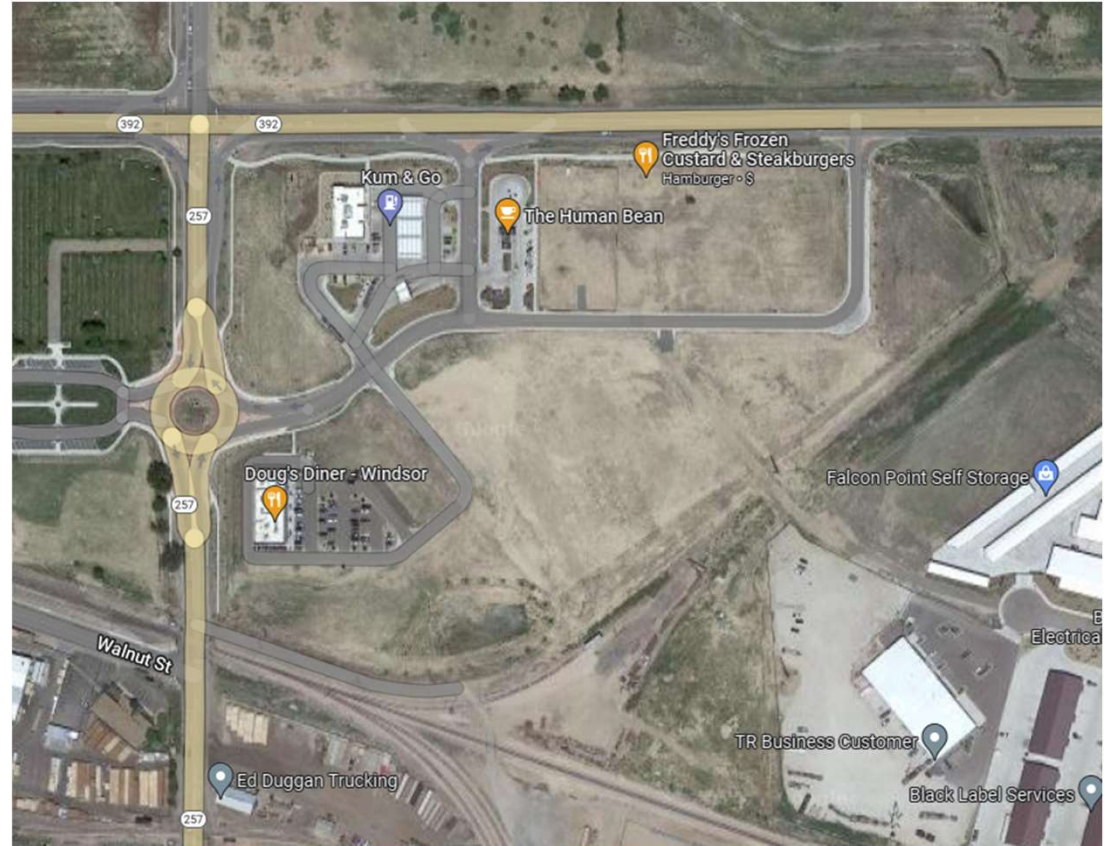
- Doug's Day Diner & Human Bean approved

2020

- Freddy's approved

2022

- Additional commercial projects under review



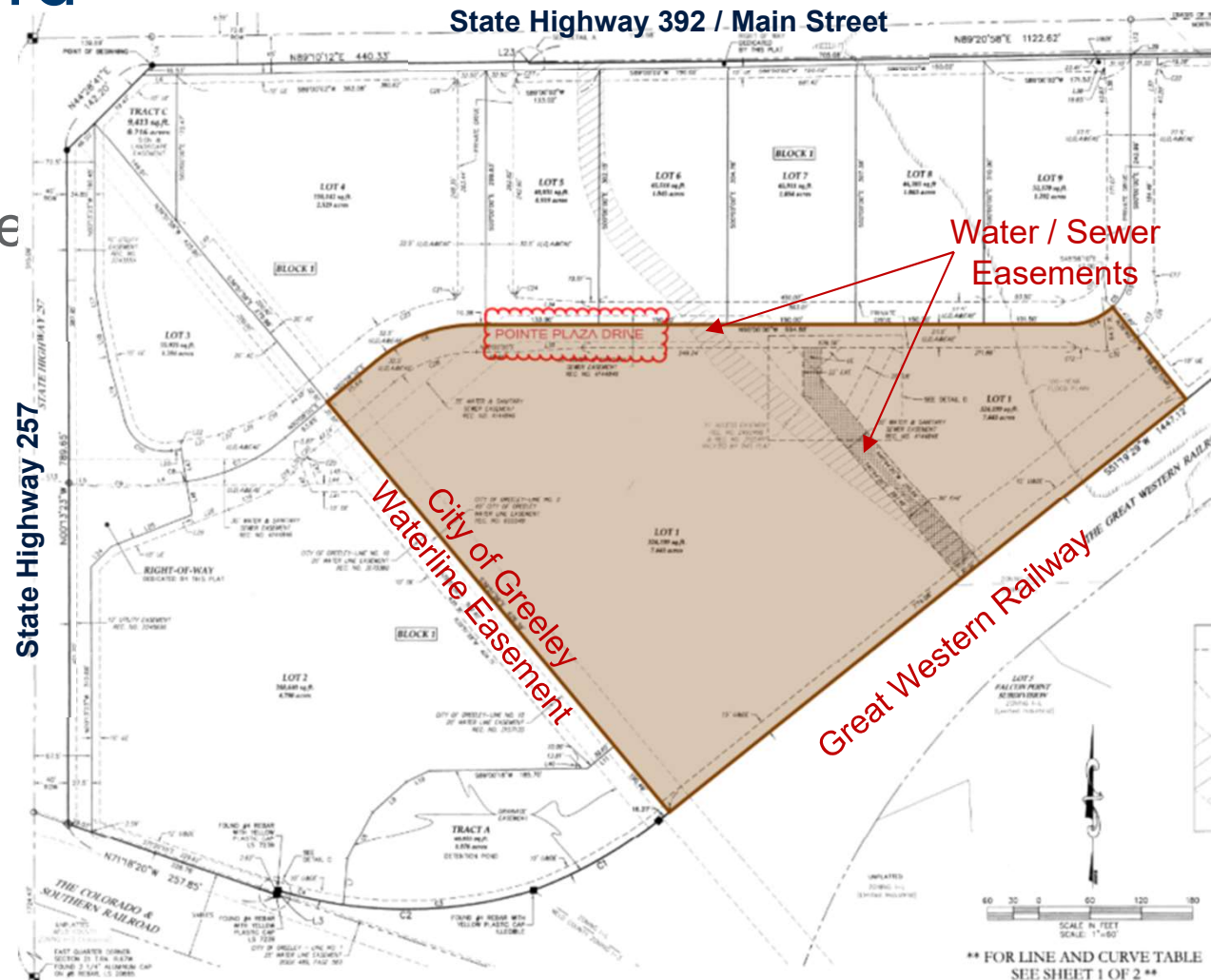
Commercial /retail has filled in along street frontage



Background

Lot 1 Constraints:

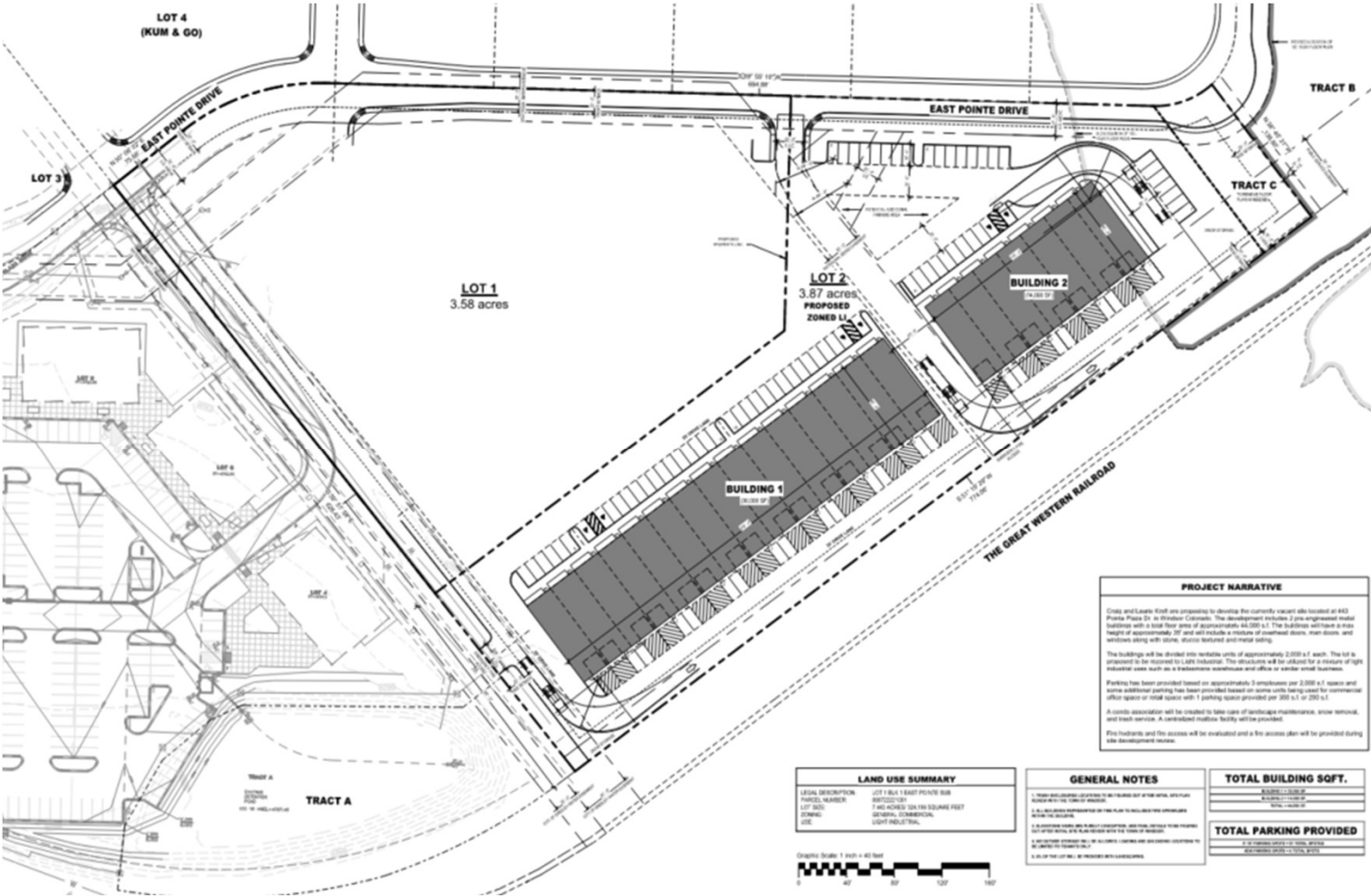
- Not a main street frontage lot
- Water/sewer easements
- City of Greeley waterline easement
- Great Western Railway line





Background

Concept Plan





Background

Concept Elevations





Land Use Map Amendment Criteria

1. Conformance with the goals and policies outlined in the Comprehensive Plan
2. Compatibility with Existing and Planned Land Uses
3. Minimizing Detrimental Impacts to Existing or Planned Transportation System
4. Adequacy of Existing or Planned Service Capabilities (sanitary sewer, water, etc.)

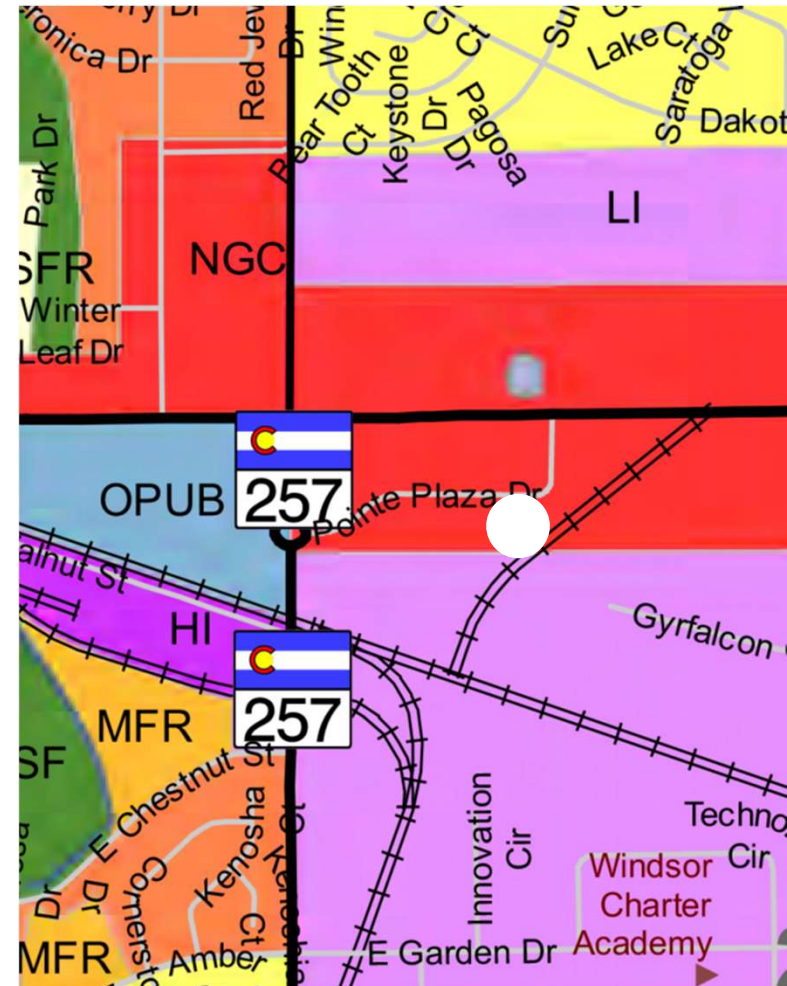


Comprehensive Plan Conformance

1. Goals and Policies of the Comprehensive Plan

- Conformance with the Land Use Map

While the proposed land use (Light Industrial), may not be consistent with the land use designation of Neighborhood and General Commercial, it does provide an opportunity to not only serve as a ***transition from higher intensity uses*** to Commercial uses, but also ***does not exclude Commercial types of uses from being developed.*** Additionally, LI is located along the south side of the Railroad.





Comprehensive Plan Conformance

- Compared side by side, GC and LI land uses are very complimentary.

General Commercial

The General Commercial land use category includes areas designated for the sale of **goods and services** and to accommodate **offices and other professional employment uses**. The designation encompasses **local commercial uses that** typically serve the needs of residents and the immediate surrounding area, including convenience uses, grocery stores, retailers, **restaurants, professional offices, personal services uses, small shopping centers and multi-tenant centers, and more.** The General Commercial land use category may also accommodate residential uses on upper levels of commercial buildings to establish mixed-use neighborhood nodes. These General Commercial areas are typically located along the Town's primary corridors and key intersections of major roadways.

Light Industrial/Business Park

Light Industrial/Business Park land uses include office, research, light manufacturing, processing, limited production, **more intense commercial service use,** and the storage and/or distribution of goods. **Activities tend to occur inside structures,** with outdoor areas allowing well-screened and limited storage or distribution. This land use category includes **business and office parks** used to support industrial operations, research, or logistics, which are typically developed as a coordinated subdivision or development. While this land use category has **limited environmental and noise impacts, and is generally compatible with nearby residential or commercial areas,** it may generate increased truck traffic, and uses should be well-screened and buffered from adjacent non-business type uses.



Comprehensive Plan Conformance

Chapter 5d – Commercial & Industrial Areas Framework Plan

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

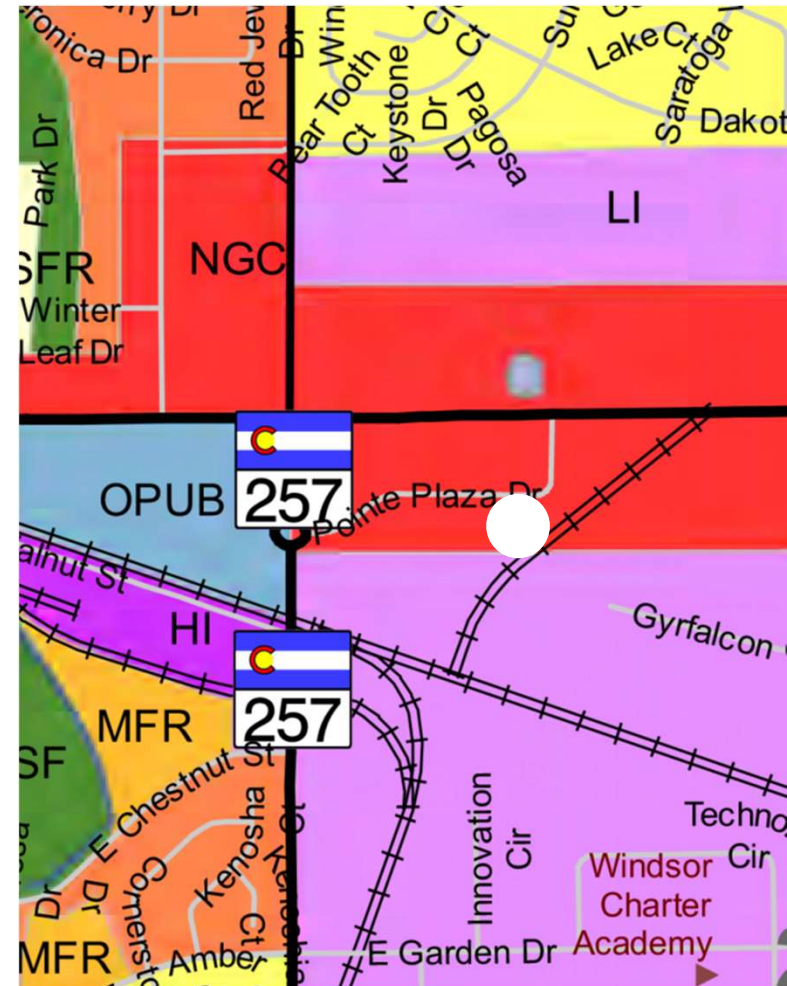
- Neighborhood commercial is fiscally responsible by providing opportunities for increased tax revenue, jobs and services.
- As previously noted, the conversion of Neighborhood and General Commercial uses to Light Industrial uses will provide expanded opportunities for ***diverse business development*** while creating a buffered transition between established Limited Industrial (LI) uses and the less intense General Commercial (GC) uses.



Comprehensive Plan Review Criteria

2. Compatibility with Existing and Planned Land Uses

The use of Light Industrial is compatible with Neighborhood and General Commercial, and additionally serves as a ***land use transition / buffer*** to the more intense types of industrial developments (including the railroad line) found nearby.

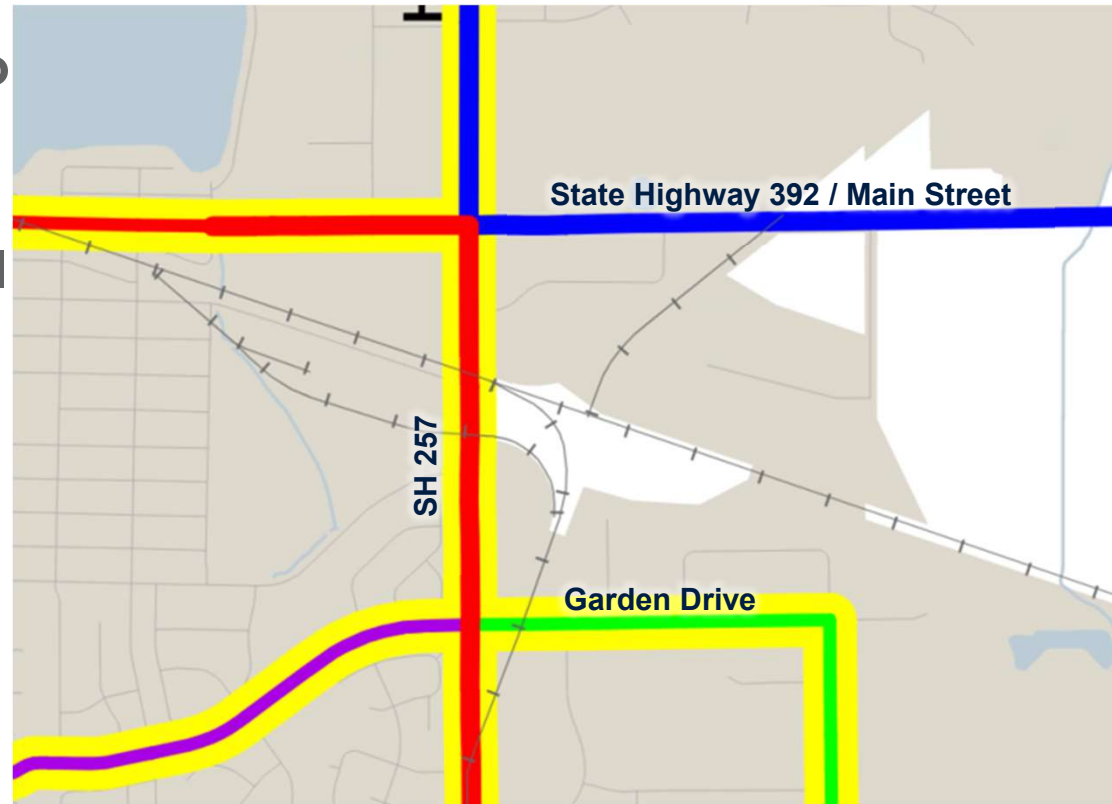




Comprehensive Plan Review Criteria

3. Minimizing Detrimental Impacts to Existing or Planned Transportation System

- It is not anticipated that the proposal would create detrimental impacts to the planned transportation system.
- The area under consideration would have similar traffic patterns
- The proposal would not change the road network from what has already been planned.





Comprehensive Plan Review Criteria

4. Adequacy of existing or planned service capabilities (i.e., sanitary sewer, water, etc.)

- Town Engineering staff has reviewed the request and the site has adequate sanitary sewer capacity.
- It is anticipated that water would be available. The applicant would be responsible for bringing raw water for the project, if necessary.





Summary

The application is consistent with the following elements of the Strategic Plan:

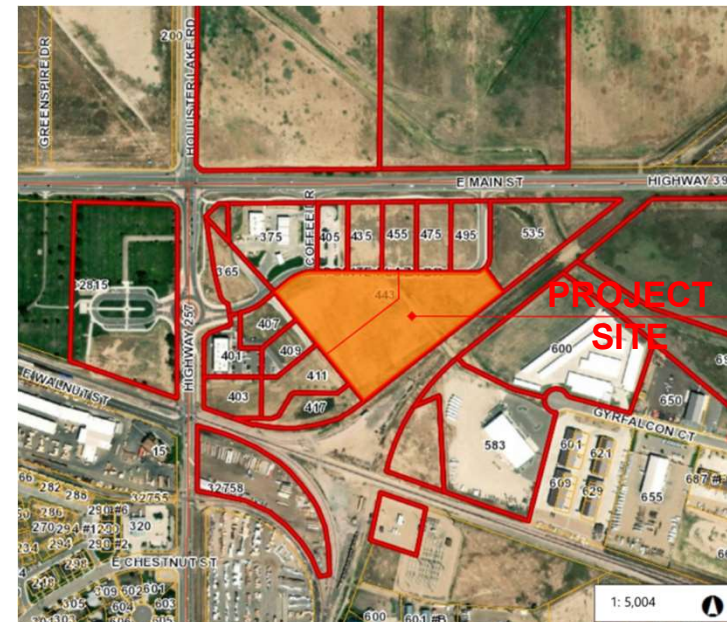
- **Vibrant & Healthy Economy** – This land use designation will support the goal of providing a *viable, stable, diverse, and strategic* economic base which supports the needs and enhances the lifestyles of those living and working in our community.
- **Infrastructure** – The Town’s Engineering staff have reviewed the request and *adequate capacity* is available for light industrial development in this area.
- **Goals:**
 - Promotes *business diversification* in the community
 - Attracts *balanced commercial development* that will sustain the future of Windsor
 - Support the priorities in this area - *economic sustainability and vibrancy, infrastructure*.



Notifications

Notifications were completed in accordance with the Municipal Code as follows:

- June 28, 2022 – ‘Development Under Review’ sign posted on property
- June 28, 2022 – public hearing notice published to Town website
- June 29, 2022 - applicant mailed letters to surrounding property owners within 500 feet of the property.
- July 1, 2022 – public hearing notice published in the Greeley Tribune





Recommendation

Town Board unanimously forwarded a recommendation of approval to the Planning Commission. Staff requests the Planning Commission **approve** the LUMA request, finding that adequate justification for the request has been provided

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- All testimony received during the public hearing
- Recommendation
- Resolution



MEMORANDUM

Date: July 20, 2022
To: Planning Commission
From: Kimberly Lambrecht
Planner II
Re: Resolution No PC2022-03 - Amendment of the Town Comprehensive Plan Land Use Map
from Neighborhood and General Commercial to Light Industrial - East Point Subdivision Lot 1
- Chris Ruff, Manager, East Pointe Windsor LLC, owner's representative
Item #: C.7.

Background / Discussion:

Please refer to public hearing item materials.

Financial Impact:

Relationship to Strategic Plan:

Recommendation:

The Town Board unanimously forwarded a recommendation of approval to the Planning Commission. Staff requests the Planning Commission approve the LUMA request, finding that adequate justification for the request has been provided.

CC:

Carlin Malone, Chief Planner
Scott Ballstadt, Director of Planning

Attachments:

1. 7-20-22 PC Resolution Approving 2016 Comp Plan Amendment

TOWN OF WINDSOR

PLANNING COMMISSION RESOLUTION NO. PC 2022-03

A RESOLUTION APPROVING AND ADOPTING AMENDMENTS TO THE TOWN OF
WINDSOR 2016 COMPREHENSIVE PLAN

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers and authority vested in accordance with Colorado law; and

WHEREAS, the Town has in place a comprehensive system of land use regulation, the purpose of which is the protection of the public health, safety, and welfare; and

WHEREAS, the owner of the property within the Ruff Third Annexation, concerning the East Pointe Subdivision, Lot 1, to the Town of Windsor has presented a Comprehensive Plan Amendment, depicted in **Exhibit A**, attached hereto, and incorporated herein by reference; and

WHEREAS, the proposed amendment will change the existing designation from Neighborhood and General Commercial (“NGC”) to Light Industrial (“LI”); and

WHEREAS, a public hearing on Comprehensive Plan Amendment was presented to the Windsor Town Board on July 11, 2022, and received a recommendation for Planning Commission approval; and

WHEREAS, a public hearing on the proposed Comprehensive Plan Amendment was presented to the Windsor Planning Commission, and has been reviewed in accordance with applicable planning criteria.

NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION FOR THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The Windsor Planning Commission hereby approves and adopts the amendment to the 2016 Update to the Town of Windsor Comprehensive Plan, to amend the land use depictions of the areas depicted on Exhibit A within the Ruff Third Annexation, concerning the East Pointe Subdivision, Lot 1, to the Town of Windsor.
2. The Windsor Planning Commission hereby authorizes its Chair to execute this Resolution, and its Vice-Chair to attest thereto.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 20th day of July, 2022.

TOWN OF WINDSOR PLANNING COMMISSION

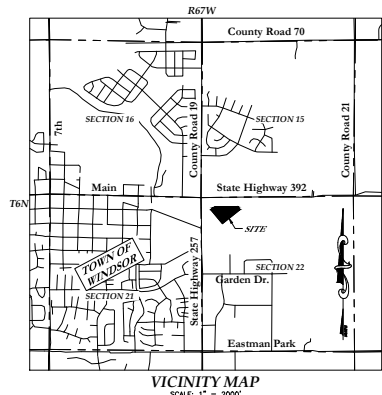
ATTEST:

By: Gale Schick, Chair

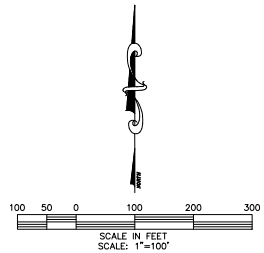
By: Jerry Bushelman, Vice-Chair

EXHIBIT A
EAST POINTE SUBDIVISION THIRD FILING
LAND USE MAP AMENDMENT

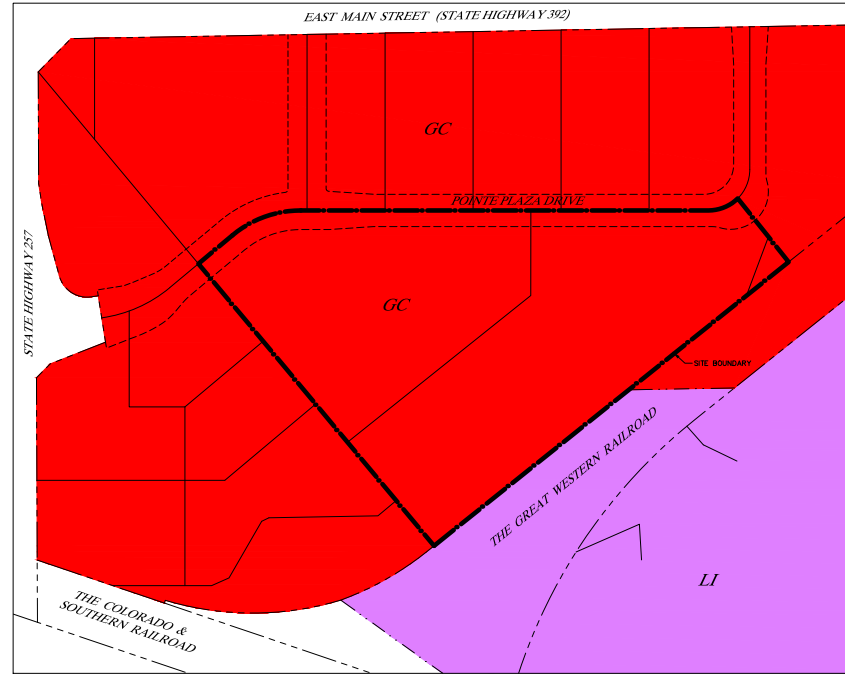
Situate in the Northwest Quarter of Section 22, Township 6 North, Range 67 West of the 6th P.M.,
Town of Windsor, County of Weld, State of Colorado



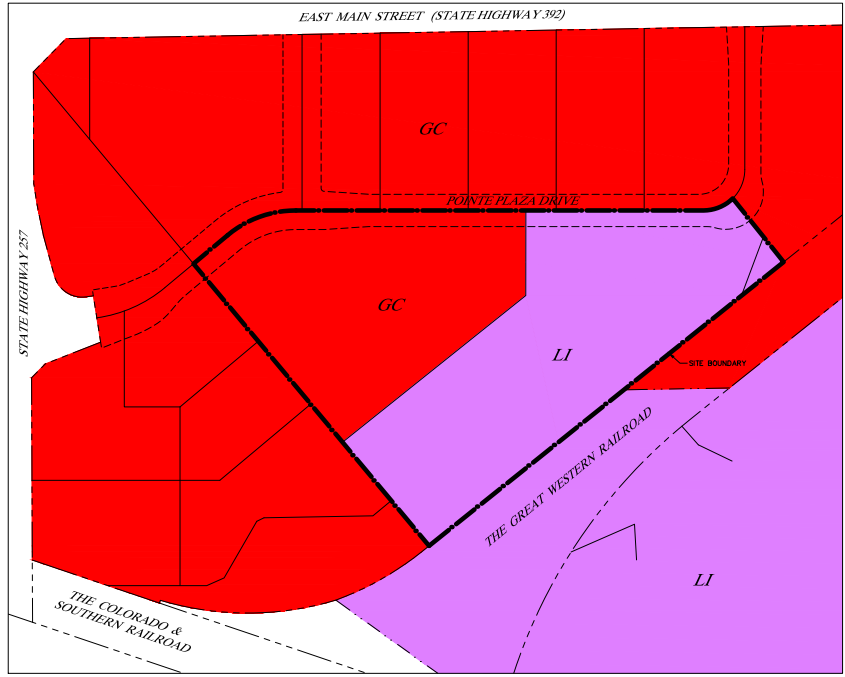
- GC - GENERAL COMMERCIAL
- LI - LIMITED INDUSTRIAL



EXISTING LAND USE DESIGNATION



PROPOSED LAND USE DESIGNATION



DATE: 4/5/2022

FILE NAME: 20220140LUM

SCALE: 1"=100'

DRAWN BY: CSK

CHECKED BY: CAD

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



DATE:	
REVISIONS:	

LAND USE MAP AMENDMENT
FOR
DRM REAL ESTATE ADVISORS
628 MAIN STREET
WINDSOR, CO 80550

PROJECT #:
20220140

1
SHEET 1 OF 2