



Planning Commission Regular Meeting

June 5, 2024 - 7:00 PM

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

To view Planning Commission meeting broadcasts, visit

www.windsorgov.com/MeetingsOnDemand.

MINUTES

A. CALL TO ORDER

Chairman Reddick called the meeting to order at 7:01 p.m.

1. Roll Call

Present: Chairman Reddick
Nathan Kinney
Ben Kirch
Maxwell Nader
Jordan Spight
John Neal

Absent: David Hassard

Also Present: Town Board Liaison Hallett
Scott Ballstadt, Planning Director
Kim Emil, Deputy Town Attorney
Laura Richardson, Assistant Town Clerk
Kaitlyn Cinnamon, Deputy Town Clerk
Kyra McKinley, Visual Media Coordinator
Sandra Mezzetti, Senior Planner
Kim Lambrecht, Senior Planner
Dough Roth, Civil Engineer IV

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

Planning Commission Chairman Reddick moved to accept the agenda with the amendment to add Item 5 under Section C: Board Action to include Election of Officer: Election of Planning Commission Vice Chair, Planning Commissioner Kirch seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Nathan Kinney, Ben Kirch, Maxwell Nader, Jordan Spight, John Neal; Nays - None; Motion Passed.

3. Public Invited to be Heard

Jason Hallett, Town Board Liaison, gave a statement to the Commission.

"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 all public hearings tonight, I will not be giving my opinion or participating in any of the discussions. I will not let tonight's proceedings influence or affect my review of these matters when they come 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 hearings."

Chairman Reddick opened the meeting up for public comment on any non-agenda item, to which there were none.

B. CONSENT CALENDAR

1. Approval of the April 17, 2024, Planning Commission Regular Meeting Minutes - L. Richardson, Assistant Town Clerk

Planning Commissioner Kinney moved to approve the consent calendar including the modification of Kim Emil's title from Assistant Town Attorney to Deputy Town Attorney, Planning Commissioner Nader seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Nathan Kinney, Ben Kirch, Maxwell Nader, Jordan Spight, John Neal; Nays - None; Motion Passed.

C. BOARD ACTION

1. Public Hearing - An Ordinance Amending Certain Sections of the Town Municipal Code Concerning Mobile Food Vending, Section 16-4-10 - Town of Windsor Planning

Executive Summary

Chapters 14 through 17 of the Town's Municipal Code collectively make up the Town's Land Use Code. Section 16-4-10, Mobile Food Vending, was approved by Town Board on July 27, 2015 (Ord. 2015-1503). Recent special event permits submitted to the Town Park and Recreation department have included the request to allow mobile food vending on public right-of-way (public roadways). The Town land use code currently does not permit mobile food vending on public right-of-way, even if included with a "Special Activity Permit" or "Special Event Liquor Permit".

- The amendment includes criteria for mobile food vending when using public right-of-way only.
- The amendment will not impact the Special Activity Permit or Special Event Liquor Permit section of the code.
- The only section impacted by the amendment are references within the sales tax license section, included herein for reference.

Staff is requesting the Planning Commission forward to the Town Board a recommendation of approval of the ordinance, subject to any outstanding Planning Commission comments that must be addressed prior to the Town Board public hearing and first reading of the ordinance on June 10, 2024.

The Town Attorney's Office, in coordination with Community Development, have prepared a draft land use code amendment establishing criteria for allowing for mobile food vending on public right-of-way when part of the above referenced special permits, as described herein.

References to mobile food vending within the business license section of the Municipal Code, Chapter 6, would need to be updated with the proposed changes, as illustrated herein. Chapter 6 modifications do not require public hearings (updated administratively).

The Town Board held a work session on May 20, 2024, to discuss the proposed amendment and directed staff to move forward with the land use code update. One criterion presented to the Town Board that was removed since the work session was a requirement to have the applicant mail notification of the event. Notification of the event via signage in the event area is coordinated through the Town's Parks and Recreation Department.

Chairman Reddick opened the public hearing for An Ordinance Amending Certain Sections of the Town Municipal Code Concerning Mobile Food Vending, Section 16-4-10 and noted that this was a legislative action not a quasi-judicial action as reflected on the agenda.

Kim Lambrecht, Senior Planner, presented on behalf of Carlin Malone, Chief Planner, to the Planning Commission.

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

Chairman Reddick opened the meeting up for Planning Commission comments and questions. Commissioner Neal asked for an example of a right-of-way and to clarify the event type, to which Kim Lambrecht, Senior Planner, responded. Commissioner Kirch inquired about permit requirements for the food trucks, to which Kim Lambrecht answered. Chairman Reddick asked that technical typos within the item be corrected prior to it being written into the code, to which Kim Lambrecht agreed.

Planning Commissioner Kirch moved to close the public hearing, Planning Commissioner Kinney seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Nathan Kinney, Ben Kirch, Maxwell Nader, Jordan Spight, John Neal; Nays - None; Motion Passed.

2. Recommendation to Town Board - An Ordinance Amending Certain Sections of the Town Municipal Code Concerning Mobile Food Vending, Section 16-4-10 - Town of Windsor Planning

Please refer to public hearing item materials.

Planning Commissioner Kirch moved to forward a recommendation of approval to the Town Board for An Ordinance Amending Certain Sections of the Town Municipal Code Concerning Mobile Food Vending, Section 16-4-10, Planning Commissioner Nader seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Nathan Kinney, Ben Kirch, Maxwell Nader, Jordan Spight, John Neal; Nays - None; Motion Passed.

3. Public Hearing - Final Major Subdivision, Tacincala Subdivision 2nd Filing - Prairie Song Development LLC, Owner, Patrick McMeekin, Hartford Acquisitions LLC, applicant; Ryan McBreen, Norris Design, applicant's representative

Executive Summary

The applicant's representative, Mr. Ryan McBreen of Norris Design, has submitted an application on behalf of the property owner, Prairie Song Development, LLC, represented by Mr. Pat McMeekin, Hartford Acquisitions, for a final major subdivision plat for the Tacincala Subdivision 2nd filing (also known as Prairie Song), located south of Weld County Road (WCR) 72 and west of State Highway (SH) 257, in the Town of Windsor.

The application has been reviewed in accordance with Article II of Chapter 14 of the Municipal Code, specifically Sec. 14-2-60, which outlines the purpose, procedure, and criteria for a final major subdivision. The final subdivision application complies with the following criteria outlined in the Municipal Code:

- The Comprehensive Plan's goals and policies, the approved 2022 Tacincala Master Plan, and the Town's Municipal Code
- The development does not result in undue or unnecessary burdens on existing

infrastructure. The developer has secured water from the Town for the Tacincala Subdivision 2nd filing by paying a cash-in-lieu fee. Non-potable water is being negotiated with Lake Canal Company. A copy of the executive agreement will be required prior to the recordation of the plat and development agreement.

- The density is consistent with the zone district (SF-2) and the PUD overlay, the Comprehensive Plan Land Use Plan and applicable utility capacity studies.
- Transportation improvements are consistent with the Town's Roadway Improvement Plan, Subdivision Street Standards, the Town's Design Criteria and Construction Specification, Transportation Master Plan, Trail System Master Plan, and the Complete Streets Guide.
- Provision of utilities to serve the development shall be in accordance with Design Criteria & Construction Specifications and any other utility provider requirements.
- The proposal demonstrates compatibility with adjacent uses to the east by providing a large landscape buffer adjacent to SH 257 and transitioning from large one acre lots to more traditional single family residential lots, continuing the overall development pattern and theme as the Tacincala Subdivision 1st Filing neighborhood to the south.
- The Final Major Subdivision is in substantial compliance with the Preliminary Major Subdivision.

Staff is recommending the Planning Commission forward a recommendation of approval to the Town Board with conditions as noted below in the recommendation section.

Background / Previous Approvals

The annexation and master plan (718 acres - "Tacincala Master Plan") for the subject property and larger surrounding area was originally approved in 2006. The Windsor Town Board approved a subsequent amendment to a portion (295 acres) of the master plan area in 2011. This amendment included a rezone from Single Family Residential-One (SF-1) to Residential Mixed Use One (RMU-1). Additionally, the Windsor Town Board approved a second master plan amendment to a portion (572 acres) of the master plan on June 13, 2022. This amendment included a rezone from SF-1 and RMU-1 (excluding Tacincala 1st filing) to Single Family Residential-Two (SF-2) with a Planned Unit Development overlay. The Tacincala Subdivision 2nd Filing is located within the northeast portion of this second amended master plan, encompassing 127 acres.

The second amended master plan has a few unique requirements carried over from the 2011 master plan amendment that were based upon resident input at the time of approval, including a large landscape buffer along SH 257 and minimum lot sizes of one acre adjacent to the landscape buffer. The proposed development is in conformance with these requirements.

Sandra Mezzetti, Senior Planner, provided documents regarding the non-potable water to be entered into the record and presented to the Planning Commission. Ryan McBreen of Norris Design, the applicant's representative, presented to the Planning Commission.

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

Chairman Reddick opened the meeting up for Planning Commission comments and questions. Commissioner Neal asked questions of the applicant's representatives regarding the non-potable water, to which Patrick McMeekin, the applicant, answered. Chairman Reddick, Commissioner Kirch and Commissioner Nader requested clarification and asked questions regarding trail connections, properties adjacent to the subdivision and roadways, to

which Sandra Mezzetti, Senior Planner, and Scott Ballstadt, Planning Director, answered. Commissioner Neal inquired about home price points, to which Patrick McMeekin, the applicant, answered. Commissioner Nader asked questions regarding agreements with adjacent property owners, to which Patrick McMeekin and Scott Ballstadt addressed.

Planning Commissioner Kirch moved to close the public hearing, Planning Commissioner Nader seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Nathan Kinney, Ben Kirch, Maxwell Nader, Jordan Spight, John Neal; Nays - None; Motion Passed.

4. Recommendation to Town Board - Final Major Subdivision, Tacincala Subdivision 2nd Filing, Prairie Song Development LLC, owner; Patrick McMeekin, Hartford Acquisitions, LLC, applicant; Ryan McBreen, Norris Design, applicant's representative

Please refer to information included with the public hearing item.

Planning Commissioner Kirch moved to forward a recommendation of approval to the Town Board regarding the Final Major Subdivision, Tacincala Subdivision 2nd Filing, including all information submitted by staff and including documents submitted regarding non-potable water supply, Planning Commissioner Kinney seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Nathan Kinney, Ben Kirch, Maxwell Nader, Jordan Spight, John Neal; Nays - None; Motion Passed.

5. Election of Officer - Election of Planning Commission Vice Chair

Scott Ballstadt, Planning Director, presented to the Planning Commission.

Planning Commission Chairman Reddick moved to elect Commissioner Nader to the position of Planning Commission Vice Chair, Planning Commissioner Kirch seconded the motion. Roll call on the vote resulted as follows; Yeas - Timothy Reddick, Nathan Kinney, Ben Kirch, Maxwell Nader, Jordan Spight, John Neal; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

Vice Chair Nader expressed appreciation to have been elected as Vice Chair of the Planning Commission. Commissioner Kinney congratulated Vice Chair Nader on position.

2. Communications from Town Board Liaison

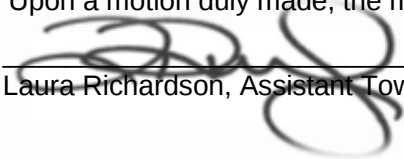
Town Board Liaison, Jason Hallett, provided an update on recent Town Board actions and the status of the District 2 Representative seat.

3. Communications from Staff

Scott Ballstadt, Planning Director, inquired about the anticipated attendance of the July 3, 2024 meeting and reminded the Planning Commission members about the upcoming conference.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 8:06 p.m.



Laura Richardson, Assistant Town Clerk