



Planning Commission Regular Meeting

July 3, 2024 - 7:00 PM

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

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MINUTES

A. CALL TO ORDER

Planning Commission Secretary, Nathan Kinney, called the meeting to order at 7:03 p.m.

1. Roll Call

Present: Nathan Kinney
David Hassard
Ben Kirch
John Neal
Larry Pakowski, Alternate

Absent: Chairman Reddick
Vice-Chair Nader
Jordan Spight

Also Present: Town Board Liaison Hallett
David Eisenbraun, Long Range Planner
Kim Emil, Deputy Town Attorney
Kyra McKinley, Visual Media Coordinator
Laura Richardson, Assistant Town Clerk

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

Planning Commissioner Kirch moved to approve the agenda as presented, Planning Commissioner Hassard seconded the motion. Roll call on the vote resulted as follows; Yeas - David Hassard, Nathan Kinney, Ben Kirch, John Neal, Larry Pakowski; Nays - None; Motion Passed.

3. Public Invited to be Heard

Secretary Kinney opened the meeting up for public comment on any non-agenda item, to which there was none.

B. CONSENT CALENDAR

1. Approval of the June 5, 2024, Planning Commission Regular Meeting Minutes - L. Richardson, Assistant Town Clerk

Planning Commissioner Kirch moved to approve the June fifth Planning Commission regular meeting minutes as presented. Planning Commissioner Neal seconded the motion. Roll call on the vote resulted as follows; Yeas - David Hassard, Nathan Kinney, Ben Kirch, John Neal, Larry Pakowski; Nays - None; Motion Passed.

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."

C. BOARD ACTION

1. Public Hearing - An Ordinance Amending Certain Sections of the Town Municipal Code Regarding Minor Variances, Section 14-2-140; and Vehicular Access Requirements, Section 15-5-10 - Town of Windsor Planning, applicant.

The Town Board held a work session on June 17, 2024, to discuss the proposed amendment and directed staff to move forward with the land use code updates.

The two topics of discussion are:

Code Sec. 14-2-140 provides that the Director may administratively grant minor variances where an unintended deviation from zoning district standards exists relative to existing structures or existing lots in certain circumstances, up to 10% of the requirement. Portions of this language restrict it to one foot and not for new construction which has proved to be overly restrictive and not meeting the intent.

Code Sec. 15-5-10 addresses vehicular access requirements and how to navigate the parking of a vehicle on their property. In particular, there is an overly burdensome requirement where it states that only one row of parking shall exist between the building and any public right-of-way. This amendment includes language clarifying that no more than a single row of parking may be located between the principal building and right-of-way along arterials and commercial corridors only, as this has proved to be impractical on smaller local streets and should only apply to our primary commercial corridors and arterials.

Additionally, public hearing notifications were completed in accordance with the Town's Municipal Code.

Secretary Kinney opened the meeting up for public hearing for An Ordinance Amending Certain Sections of the Town Municipal Code Regarding Minor Variances, Section 14-2-140; and Vehicular Access Requirements, Section 15-5-10.

David Eisenbraun, Long Range Planner, presented to the Planning Commission.

Secretary Kinney opened the meeting up for public comment, to which there was none.

Secretary Kinney opened the meeting up for Planning Commission comments and questions. Commissioner Neal inquired about the ten percent variances. Commissioner Hassard requested clarification regarding Commissioner Neal's question. David Eisenbraun, Long Range Planner, clarified the answer regarding the maximum building height increase and setbacks. Commissioner Hassard and Neal inquired about the approval process for variances, to which David Eisenbraun answered.

Additionally, Commissioner Hassard asked about the International Building Code requirements, to which David Eisenbraun spoke to.

Lastly, Commissioner Hassard requested clarification and asked questions regarding parking, to which David Eisenbraun answered.

Secretary Kinney closed the public hearing.

2. Recommendation to Town Board - An Ordinance Amending Certain Sections of the Town Municipal Code Regarding Minor Variances, Section 14-2-140; and Vehicular Access Requirements, Section 15-5-10 - Town of Windsor Planning, applicant.

See public hearing item.

Planning Commissioner Kirch moved to forward a recommendation of approval to the Town Board regarding An Ordinance Amending Certain Sections of the Town Municipal Code Regarding Minor Variances, Section 14-2-140 and Vehicular Access Requirement, Section 15-5-10. Planning Commissioner Hassard seconded the motion. Roll call on the vote resulted as follows; Yeas - David Hassard, Nathan Kinney, Ben Kirch, John Neal, Larry Pakowski; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

Commissioner Kirch thanked Secretary Kinney for stepping in to run the meeting on short notice.

2. Communications from Town Board Liaison

Town Board Liaison Jason Hallett updated the Planning Commission on the CML Conference that was held two weeks ago, the Town Board meeting that was held last week, Sick Tree Day and the upcoming Town Board meeting agendas. Commissioner Neal inquired about water treatment plans, to which Town Board Liaison Hallett answered.

3. Communications from Staff

Kim Emil, Deputy Town Attorney, wished everyone a happy 4th of July holiday. Secretary Kinney thanked Kim Emil for her guidance during the meeting.

David Eisenbraun, Long Range Planner, reported to the board that Windsor had won the State of Colorado Planning Award for Comprehensive Plans. The award will be accepted at this year's APA Conference in Loveland and David invited the Planning Commission to attend.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:38 p.m.



Laura Richardson, Assistant Town Clerk