



Planning Commission Regular Meeting

May 17, 2023 - 7:00 PM

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

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MINUTES

A. CALL TO ORDER

Chairman Schick called the meeting to order at 7:00 p.m.

1. Roll Call

Present: Chairman Schick
Vice-Chair Timothy Reddick
Cindy Beemer
Jose Valdes
Ben Kirch
Nathan Kinney
David Hassard

Also Present: Town Board Liaison Tallon
Scott Ballstadt, Planning Director
Carlin Malone, Chief Planner
Sandra Mezzetti, Senior Planner
Ben Bodiker, Visual Media Coordinator
Kaitlyn Cinnamon, Deputy Town Clerk

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

Planning Commissioner Beemer moved to approve the agenda as presented, Planning Commissioner Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

3. Public Invited to be Heard

Chairman Schick 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 19, 2023 Planning Commission Regular Meeting Minutes- K. Cinnamon, Deputy Town Clerk

Planning Commissioner Reddick moved to approve the consent calendar as presented, Planning Commission Member Valdes seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

Town Board Liaison Tallon 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 - Conditional Use Permit (CUP) for a Public Services Office (Windsor Police Facility) in the Recreation Open Lands (ROL) Zone District (34429A Weld County Road 15) - Rick Klimek, Windsor Chief of Police, on behalf of the Town of Windsor, applicant and property owner

The applicant, the Town of Windsor, is requesting a Conditional Use Permit (CUP) to allow a public service office (police facility) in the Recreation and Open Lands (ROL) zone district.

This proposal is to construct a new facility to house the Town of Windsor Police Department headquarters, consisting of administrative offices and complimentary uses. Staff is recommending Planning Commission forward a recommendation of approval of the CUP, with conditions, as included in the recommendation.

Per Town Municipal Code, Section 16-1-150(c)(3)(a), public administrative offices and services buildings service offices shall be permitted in the ROL zone district upon approval of a conditional use permit, as provided in Section 14-2-130 – Conditional Use Permit.

A major site plan has been submitted concurrently with the conditional use permit application, which is under Town staff review and applicable referral agencies. Additionally, a master plan amendment was submitted for this site, also under review. This site is part of the 2007 Tacincala Master Plan, which depicts "open space" for this area. The master plan amendment requires a separate public hearing and recommendation by the Planning Commission prior to a public hearing and approval by the Town Board.

There are site-specific items that will need to be addressed with the refinement of the site plan design and a portion of the Tacincala Master Plan will need to be amended prior to approval of the subject CUP. Therefore, these conditions of approval are reflected in the recommendation to Town Board.

The proposed use will be located on a site of approximately 15.35 acres within a 138-acre property. The Town purchased the property in 2021. The property was once known as the Beethe Farm and was annexed in 2006, with the zoning and master planned approved in 2007 (Tacincala Annexation and Tacincala Master Plan).

Review Criteria for Conditional Use Permits

Section 14-2-130 of the Municipal Code outlines the review criteria to be evaluated prior to granting of a conditional use.

1. The proposal complies with the Comprehensive Plan's goals and objectives, this Code, and all other applicable adopted plans or policies.

The proposal generally complies with the Comprehensive Plan's goals and objectives and the Strategic Plan as noted below.

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 proposal does not create any undue or unnecessary burdens on existing public infrastructure or public improvements. The Town's Land Use Plan had depicted the area to the north as RMU (Residential Mixed Use), anticipating a residential neighborhood with approximately 500 homes (based on a density of four dwelling units per acre). With the Town's purchase of this property, the proposed use has changed from residential neighborhood to a public facilities campus including: the police facility (15 acres), Weld RE-4 middle school (48 acres), Town parks (72 acres), and the existing Town of Windsor Public Services facility.

As stated, a site plan for the facility was submitted concurrently with the CUP application and is under review with Town staff, also known as the DRC (Development Review Committee) and applicable referral agencies. The DRC consists of Town staff and Windsor-Severance Fire and Rescue (WSFR). Referral agencies for both the CUP application and site plan include the utility providers, City of Greeley Water, Lake Canal, Weld County, and CDOT (Colorado Department of Transportation). There are no concerns from staff or referral agencies regarding the public service office use in this location.

The site is north of existing public facilities, an existing neighborhood (Windshire Park Subdivision), and northwest of planned neighborhoods of Overland and Trevenna Subdivisions. The site is west of the planned subdivision of Tacincala (Prairie Song). These properties are within the Town of Windsor. The proposal is south and shares a property line with the existing Beethe property (one acre), located in unincorporated Weld County. The Town and the Beethes have been coordinating and will continue to coordinate as plans develop.

Weld County Road 15 will be improved with development of this public facilities campus, including undergrounding the existing overhead power lines, as well as extending the 10' trail along the west side of 15th Street/WCR 15.

There will be two access points to the facility: one southern access point from WCR 15, with a temporary secondary access point on WCR 15 (north) until a future access point to the northwest is constructed with development of the middle school. The northwestern access point will be a local roadway stemming from a roundabout from a major collector roadway, west of WCR 15. This intersection is in the design stage (please see illustration in staff presentation).

3. The proposal shall demonstrate compatibility with adjacent uses. Compatibility may be achieved through a number of methods, including but not limited to: building placement and orientation, transitions in density or height, screening, and/or landscape buffers.

The appearance of the use from WCR 15 will include enhanced architecture and the site will be screened with landscaping, where safety is not an issue. Parking lot landscaping and buffering along WCR 15 will be provided. Plant materials within the parking lot area and surrounding the foundation of the building will be chosen with the safety of the police personnel and visitors in mind.

Adequate parking and an area designed for future parking on the site has been shown in the site plan.

Operations will be conducted seven days a week, 24 hours per day. With few customers visiting the site, the use will generate relatively minimal traffic. Traffic generated by the site will primarily consist of employees. Visitor traffic will enter from WCR 15 and into the parking lot on the south side of the site. With the development of the middle school, a permanent access point from WCR 70 will reduce left turns from WCR 15 into the site. The sidewalk/trail along 15th Street will continue from the south along this site and will continue north when the school is developed.

Storm drainage will be properly accommodated through the site plan process.

Relationship to Comprehensive Plan

Chapter 7 – Community Facilities & Infrastructure

Goal: *Maintain and enhance Windsor as a safe and healthy community that is served by quality facilities and infrastructure that support a high quality of life.*

Objectives:

Coordinate annexation and development plans with community service and utility providers to ensure adequate levels of service are extended to new growth areas and maintained in existing service areas.

Work with the Windsor Police Department and Windsor-Severance Fire Rescue to maintain and enhance Windsor as a safe community.

Work with other public agencies throughout the community to maintain adequate and appropriate sites and facilities for the provision of public services.

Notification

The Municipal Code requires a public hearing notification for a CUP. Notifications were provided as follows:

- May 5, 2023 – affidavit of letters mailed to property owners within 500 feet of the subject property boundary
- May 5, 2023 – development review sign posted on the property (west side of CR 15)
- May 5, 2023 – legal notices posted on the Town of Windsor website
- May 7, 2023 – legal ad published in the local newspaper (Greeley Tribune)

Chairman Schick opened the public hearing for Conditional Use Permit (CUP) for a Public Services Office (Windsor Police Facility) in the Recreation Open Lands (ROL) Zone District (34429A Weld County Road 15).

Carlin Malone, Chief Planner, presented to the Commission.

Chairman Schick opened the meeting for public questions or comments.

Douglas Beethe, 34429 CR 15 Windsor, addressed the Commission regarding the address assignment of the Windsor Police Facility.

Scott Ballstadt, Planning Director, and Sandra Mezzetti, Senior Planner, addressed the concern regarding the address number.

Commissioners asked questions of staff and the applicant.

Rick Klimek, Windsor Chief of Police, addressed the Commission's questions via Zoom.

Planning Commissioner Reddick moved to close the public hearing, Planning Commission Member Valdes seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

2. Recommendation to Town Board - Conditional Use Permit (CUP) for a Public Services Office (Windsor Police Facility) in the Recreation Open Lands (ROL) Zone District (34429A Weld County Road 15) - Rick Klimek, Windsor Chief of Police, on behalf of the Town of Windsor, applicant and property owner

Please refer to public hearing item materials.

Planning Commissioner Beemer moved to forward a recommendation of approval to Town Board for Conditional Use Permit (CUP) for a Public Services Office (Windsor Police Facility) in the Recreation Open Lands (ROL) Zone District (34429A Weld County Road 15) as presented and subject to staff conditions, Planning Commissioner Reddick seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

3. Public Hearing - Conditional Use Grant (CUG) to amend the Raindance Oil and Gas Pad Site CUG to allow for a 40-foot communications tower - Tisa Juanicorea, PDC Energy Inc., Applicant; and Martin Lind, Raindance Aquatic Investments, LLC, Property Owner

The applicant, PDC Energy, Inc., is requesting a Conditional Use Grants (CUG) to amend an existing CUG, approved on June 12, 2017, and amended on June 28, 2021, to allow oil and gas facilities in the RMU zone district for a site known as the Raindance Pad. Oil and gas facilities are allowed as a conditional use in all zoning districts, per Section 16-7-60 of the Town's Municipal Code, Oil and Gas Facilities.

The approved CUG for this site allows 36 oil and gas wells. The subject CUG requests the addition of a 40-foot communication tower only. No other change is proposed with this request.

Staff requests that the Planning Commission forward to the Town Board a recommendation of approval of the CUG for the communications tower addition, retaining the 2021 CUG conditions of approval (attached).

The property was previously Lot 5 of Water Valley West Subdivision, which was subdivided into Raindance Subdivision 8th Filing, Tract J. The property has been further subdivided and is now Raindance 21st Filing. The site area includes approximately 78 acres and is situated between New Liberty Road and the Cache La Poudre River, with the drilling pad located

approximately 800 feet south of the river. The pad is surrounded by berming and landscaping, installed with the Raindance Golf Course (west and south of pad). The property is adjacent to the Poudre Trail to the north, a residence along the eastern boundary of the property, as well as undeveloped and developed single-family residential lots to the east and south. The site area of the Raindance Drill Pad is approximately 5.5 acres.

Section 14-2-130 of the Municipal Code outlines the review criteria to be evaluated prior to granting of a conditional use.

1. The proposal complies with the Comprehensive Plan's goals and objectives, this Code, and all other applicable adopted plans or policies.

The proposal generally complies with the Comprehensive Plan's goals and objectives.

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 proposal does not create any undue or unnecessary burdens on existing public infrastructure or public improvements. This proposal has no change / no impact.

3. The proposal shall demonstrate compatibility with adjacent uses. Compatibility may be achieved through a number of methods, including but not limited to: building placement and orientation, transitions in density or height, screening, and/or landscape buffers.

The communication tower will be located internal to the oil and gas pad. As demonstrated within the submittal application materials, there will be little impact to the surrounding area. The existing pad site includes berming and landscaping, which is also incorporated into the surrounding golf course.

Neighborhood Meeting Notice

A neighborhood meeting is required by the Town's Municipal Code for an oil and gas CUG. On April 18, 2023, the applicant's representatives held a neighborhood meeting at the Water Valley Company Office Banquet Room, 1600 Pelican Lakes Point, at 6:00 p.m. No neighbors attended this meeting or have had inquiries about the meeting.

Notice of the neighborhood meeting was provided in accordance with the Town's Municipal Code, as follows:

- April 7, 2023 - Mailing to surrounding property owners within 500 feet of the subject site property boundary
- April 7, 2023 - Advertisement in the local newspaper (Greeley Tribune)

Public Hearing Notice

Notification of this public hearing was completed in accordance with the Town's Municipal Code as follows:

- May 5, 2023 - Affidavit of mailing to surrounding property owners within 500 feet of the subject site property boundary + Town Board Member Wilson
- May 5, 2023 - Advertisement in local newspaper (Greeley Tribune)
- May 4, 2023 - Sign posted on property (adjacent to New Liberty Road)

- May 4, 2021 - Posted on Town website

Chairman Schick opened the public hearing for the Conditional Use Grant (CUG) to amend the Raindance Oil and Gas Pad Site CUG to allow for a 40-foot communications tower.

Carlin Malone, Chief Planner, presented to the Commission.

Tisa Juanicorea, applicant representing PDC Energy, presented to the Commission.

Commissioner Valdez asked a question of the applicant regarding an additional tower pictured in the slideshow. The applicant stated that it's an existing tower and is not theirs.

Chairman Schick opened the meeting for public questions or comments, to which there were none.

Planning Commissioner Reddick moved to close the public hearing, Planning Commission Member Valdes seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

4. Recommendation to Town Board - Conditional Use Grant (CUG) to amend the Raindance Oil and Gas Pad Site CUG to allow for a 40-foot communications tower - Tisa Juanicorea, PDC Energy Inc., Applicant; and Martin Lind, Raindance Aquatic Investments, LLC, Property Owner

Please refer to public hearing item materials.

Planning Commissioner Reddick moved to forward a recommendation of approval to Town Board for a Conditional Use Grant (CUG) to amend the Raindance Oil and Gas Pad Site CUG to allow for a 40-foot communications tower. Planning Commission Member Valdes seconded the motion. Roll call on the vote resulted as follows; Yeas - Gale Schick, Timothy Reddick, Jose Valdes, Cindy Beemer, David Hassard, Nathan Kinney, Ben Kirch; Nays - None; Motion Passed.

D. COMMUNICATIONS

1. Communications from Planning Commission

None

2. Communications from Town Board Liaison

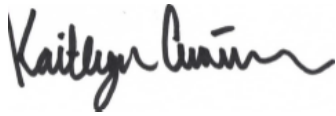
Town Board Liaison Tallon spoke to the Commission regarding the Windsor Police Departments search for a grant with adding stationary security cameras to problem areas in town.

3. Communications from Staff

Carlin Malone, Chief Planner, spoke to the Commission regarding the Colorado State Planning Conference to be held from September twenty-seventh through twenty-ninth.

E. ADJOURN

Upon a motion duly made, the meeting was adjourned at 7:47 p.m.

A handwritten signature in black ink, appearing to read "Kaitlyn Cinnamon", with a stylized, flowing script.

Kaitlyn Cinnamon, Deputy Town Clerk