



## TOWN BOARD REGULAR MEETING

May 13, 2013 - 7:00 P.M.

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

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.

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### AGENDA

#### A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board
4. Board Liaison Reports
  - Town Board Member Baker – Parks, Recreation & Culture Advisory Board; Cache La Poudre Trail Board Alternate
  - Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Authority
  - Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce; North Front Range/MPO Alternate
  - Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate
  - Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board
  - Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)
  - Mayor Vazquez – North Front Range/MPO
5. National Public Works Week Proclamation
6. Public Invited to be Heard

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#### B. CONSENT CALENDAR

1. Minutes of the April 22, 2013 Regular Town Board Meeting & May 6, 2013 Special Town Board Meeting – P. Garcia
2. Liquor License Renewal – Rachael Vigil dba Italian Grill, Hotel & Restaurant – P. Garcia
3. Liquor License Special Event Permit – Windsor Rotary Club (Boardwalk Park) – P. Garcia
4. Liquor License Special Event Permit – Windsor Rotary Club (Main Park) – P. Garcia
5. Liquor License Special Event Permit – Athletes in Tandem – P. Garcia
6. Liquor License Transfer of Ownership – Weld County Enterprises dba Corner Liquor, Retail Liquor Store – P. Garcia
7. Report of Bills – D. Moyer
8. Resolution No. 2013-24 – A Resolution Approving an Intergovernmental Agreement between the Town of Windsor, Colorado, and the Boxelder Sanitary Sewer Service to the Proposed Harmony Ridge Subdivision within the Town of Windsor, Colorado – I. McCargar

9. Resolution No. 2013-25 – A Resolution Approving the Initiation of Easement Acquisition, Facilities Design and Permitting Processes in Support of the Law Basin West Tributary Drainage Project within the Town of Windsor, Colorado – D. Wagner
10. Resolution No. 2013-27 – A Resolution Approving and Accepting a Dedication of Public Recreational Trail Easement and Right of Way within a Portion of the Eastbrook Annexation to the Town of Windsor, Colorado – M. Chew

### **C. BOARD ACTION**

1. Ordinance No. 2013-1454 - Amending Chapter 16 of the Windsor Municipal Code with respect to building location requirements
  - Second Reading
  - Legislative action
  - Staff presentation: Scott Ballstadt, Chief Planner
2. Ordinance No. 2013-1450 - An Ordinance Prohibiting the Establishment and Operation of Certain Marijuana Cultivation Facilities Within the Town of Windsor, Colorado
  - Second reading
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney
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  - First reading
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4. Ordinance No. 2013-1456 – An Ordinance Amending the Windsor Municipal Code for the Purpose of Approving the Delegation of the Local Liquor Licensing Authority Duties to an Individual Familiar with Liquor Licensing and Learned in the Law
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5. Site Plan Presentation – Eagle Crossing Subdivision, Second Filing, Lot 1 - Family Entertainment Center - 4455 Fairgrounds Avenue – Summit Companies, Inc., applicant/Gary Dennison, Vaughn Frye Larson Architects, applicant's representative
  - Staff presentation: Josh Olhava, Associate Planner
6. Public Hearing – Conditional Use Grant for Temporary Outdoor Storage in the General Commercial (GC) zoning district – Burlington Subdivision, Lot 18 – 217 Second Street – Jeff and Joel Henderson, property owners, applicants/Suzanne and James Stewart, Arapahoe Rentals, applicants
  - Quasi-judicial action
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Western 2nd Annexation (Kodak Pad Site) – Approximately eight hundred-forty feet (840') east of State Highway 257 and eleven hundred feet (1,100') south of Eastman Park Drive – Clayton Doke, Tekton Windsor, LLC, applicant/Broe Land Acquisitions II, LLC, property owner

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10. Resolution No. 2013-26 – A Resolution Authorizing the Town of Windsor to Participate in the Efforts of the Great Western Railroad of Colorado to Obtain Funding for Local Rail Improvements Available under the Federal “TIGER V” Grant Program

- Legislative action
- Staff presentation: Kelly Arnold, Town Manager

**D. COMMUNICATIONS**

1. Communications from the Town Attorney
2. Communications from Town Staff
3. Communications from the Town Manager
4. Communications from Town Board Members

**E. ADJOURN**



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2. Communications from Town Staff
3. Communications from the Town Manager
4. Communications from Town Board Members

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May 13, 2013 - 7:00 P.M.

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10. Resolution No. 2013-26 – A Resolution Authorizing the Town of Windsor to Participate in the Efforts of the Great Western Railroad of Colorado to Obtain Funding for Local Rail Improvements Available under the Federal “TIGER V” Grant Program

- Legislative action
- Staff presentation: Kelly Arnold, Town Manager

#### **D. COMMUNICATIONS**

1. Communications from the Town Attorney
2. Communications from Town Staff
3. Communications from the Town Manager
4. Communications from Town Board Members

#### **E. ADJOURN**



## TOWN BOARD REGULAR MEETING

May 13, 2013 - 7:00 P.M.

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

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.

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### AGENDA

#### A. CALL TO ORDER

1. Roll Call
2. Pledge of Allegiance
3. Review of Agenda by the Board and Addition of Items of New Business to the Agenda for Consideration by the Board
4. Board Liaison Reports
  - Town Board Member Baker – Parks, Recreation & Culture Advisory Board; Cache La Poudre Trail Board Alternate
  - Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Authority
  - Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce; North Front Range/MPO Alternate
  - Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate
  - Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board
  - Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)
  - Mayor Vazquez – North Front Range/MPO
5. National Public Works Week Proclamation
6. 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 April 22, 2013 Regular Town Board Meeting & May 6, 2013 Special Town Board Meeting – P. Garcia
2. Liquor License Renewal – Rachael Vigil dba Italian Grill, Hotel & Restaurant – P. Garcia
3. Liquor License Special Event Permit – Windsor Rotary Club (Boardwalk Park) – P. Garcia
4. Liquor License Special Event Permit – Windsor Rotary Club (Main Park) – P. Garcia
5. Liquor License Special Event Permit – Athletes in Tandem – P. Garcia
6. Liquor License Transfer of Ownership – Weld County Enterprises dba Corner Liquor, Retail Liquor Store – P. Garcia
7. Report of Bills – D. Moyer
8. Resolution No. 2013-24 – A Resolution Approving an Intergovernmental Agreement between the Town of Windsor, Colorado, and the Boxelder Sanitary Sewer Service to the Proposed Harmony Ridge Subdivision within the Town of Windsor, Colorado – I. McCargar

9. Resolution No. 2013-25 – A Resolution Approving the Initiation of Easement Acquisition, Facilities Design and Permitting Processes in Support of the Law Basin West Tributary Drainage Project within the Town of Windsor, Colorado – D. Wagner
10. Resolution No. 2013-27 – A Resolution Approving and Accepting a Dedication of Public Recreational Trail Easement and Right of Way within a Portion of the Eastbrook Annexation to the Town of Windsor, Colorado – M. Chew

### **C. BOARD ACTION**

1. Ordinance No. 2013-1454 - Amending Chapter 16 of the Windsor Municipal Code with respect to building location requirements
  - Second Reading
  - Legislative action
  - Staff presentation: Scott Ballstadt, Chief Planner
2. Ordinance No. 2013-1450 - An Ordinance Prohibiting the Establishment and Operation of Certain Marijuana Cultivation Facilities Within the Town of Windsor, Colorado
  - Second reading
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney
3. Ordinance No. 2013-1455 - An Ordinance Approving the Disposition of Mineral Interests Underlying Covenant Park, and Authorizing the Mayor to Execute a Quit Claim Mineral Deed to Accomplish the Same
  - First reading
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney
4. Ordinance No. 2013-1456 – An Ordinance Amending the Windsor Municipal Code for the Purpose of Approving the Delegation of the Local Liquor Licensing Authority Duties to an Individual Familiar with Liquor Licensing and Learned in the Law
  - First reading
  - Legislative action
  - Staff presentation: Ian McCargar, Town Attorney
5. Site Plan Presentation – Eagle Crossing Subdivision, Second Filing, Lot 1 - Family Entertainment Center - 4455 Fairgrounds Avenue – Summit Companies, Inc., applicant/Gary Dennison, Vaughn Frye Larson Architects, applicant's representative
  - Staff presentation: Josh Olhava, Associate Planner
6. Public Hearing – Conditional Use Grant for Temporary Outdoor Storage in the General Commercial (GC) zoning district – Burlington Subdivision, Lot 18 – 217 Second Street – Jeff and Joel Henderson, property owners, applicants/Suzanne and James Stewart, Arapahoe Rentals, applicants
  - Quasi-judicial action
  - Staff presentation: Josh Olhava, Associate Planner
7. Conditional Use Grant for Temporary Outdoor Storage in the General Commercial (GC) zoning district – Burlington Subdivision, Lot 18 – 217 Second Street - Jeff and Joel Henderson, property owners, applicants/Suzanne and James Stewart, Arapahoe Rentals, applicants
  - Quasi-judicial action
  - Staff presentation: Josh Olhava, Associate Planner
8. Continuation of Public Hearing opened on April 22, 2013 – Conditional Use Grant for oil and gas well facilities in the General Commercial (GC) and Residential Mixed Use (RMU) zoning district – Great

Western 2nd Annexation (Kodak Pad Site) – Approximately eight hundred-forty feet (840') east of State Highway 257 and eleven hundred feet (1,100') south of Eastman Park Drive – Clayton Doke, Tekton Windsor, LLC, applicant/Broe Land Acquisitions II, LLC, property owner

- Quasi-judicial action
- Staff presentation: Brett Walker, Associate Planner

9. Conditional Use Grant for oil and gas well facilities in the General Commercial (GC) and Residential Mixed Use (RMU) zoning district – Great Western 2nd Annexation (Kodak Pad Site) – Approximately eight hundred-forty feet (840') east of State Highway 257 and eleven hundred feet (1,100') south of Eastman Park Drive – Clayton Doke, Tekton Windsor, LLC, applicant/Broe Land Acquisitions II, LLC, property owner - B. Walker

- Quasi-judicial action
- Staff presentation: Brett Walker, Associate Planner

10. Resolution No. 2013-26 – A Resolution Authorizing the Town of Windsor to Participate in the Efforts of the Great Western Railroad of Colorado to Obtain Funding for Local Rail Improvements Available under the Federal “TIGER V” Grant Program

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