



TOWN BOARD REGULAR MEETING

October 14, 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.

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. Recognition of Dr. Otto “Gene” Hoehne for 16 years of service on the Water & Sewer Board; Plaque Presentation to Cindy Hoehne
6. Colorado Parks and Recreation Association; Award Presentation to Bobby Warner – K. Arnold
7. 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 September 23, 2013 Regular Town Board Meeting – M. Lee
2. List of Bills – D. Moyer

C. BOARD ACTION

1. Ordinance No. 2013-1459 – An Ordinance Amending Chapter 8 of the Windsor Municipal Code for the Purpose of Allowing Greater Neighborhood Involvement in the Setting of Speed Limits within Residential Areas of the Town of Windsor, Colorado
Super-majority vote required for adoption on second reading
 - Second Reading

- Legislative action
 - Staff Presentation: Kelly Unger, Management Assistant & Ian McCargar, Town Attorney
2. Ordinance No. 2013-1460 – An Ordinance Amending Section 8-6-20(b)(2) of the Windsor Municipal Code with Respect to Eligible Applicants for Golf Car Permits within the Town of Windsor, Colorado
Super-majority vote required for adoption on second reading
 - Second Reading
 - Legislative action
 - Staff Presentation: Ian McCargar, Town Attorney
 3. Ordinance No. 2013-1461 – Rezoning certain property known as Windsor Commons Subdivision Second Filing, Lot 3 – 1101 Automation Drive – Karin Adams, JAKA Properties LLC, applicant/Garry A. Wilkening, Wilkening Storage LLC and Michael Kortendick, AICP, Landform, Inc., applicant’s representatives
Super-majority vote required for adoption on second reading
 - Second Reading
 - Quasi-judicial
 - Staff Presentation: Josh Olhava, Associate Planner
 4. Public Hearing – Ordinance No. 2013-1462 - Annexing and Zoning Certain Territory known as the Providence Farm Annexation to the Town of Windsor, Colorado – Stanley K. Everitt Grandchildren’s Trust, applicant/ Stan and Sara Everitt, applicant’s representatives
 - Legislative action
 - Staff Presentation: Josh Olhava, Associate Planner
 5. Resolution No. 2013-57 - A Resolution Making Certain Findings and Conclusions Pursuant to Section 31-12-110 C.R.S., Concerning the Providence Farm Annexation to the Town of Windsor, Colorado
 - Legislative Action
 - Staff Presentation: Josh Olhava, Associate Planner
 6. Ordinance No. 2013-1462 - An Ordinance Annexing and Zoning Certain Territory known as the Providence Farm Annexation to the Town of Windsor, Colorado – Stanley K. Everitt Grandchildren’s Trust, applicant/ Stan and Sara Everitt, applicant’s representatives
 - First Reading
 - Legislative Action
 - Staff Presentation: Josh Olhava, Associate Planner

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. EXECUTIVE SESSION

An executive session pursuant to § 24-6-402 (4) (e), C.R.S., for the purpose of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators. Economic inducements for new development (Stacy Johnson, Kelly Arnold, Ian McCargar)

F. ADJOURN



Minutes

A. CALL TO ORDER

Mayor Vazquez called the regular meeting to order at 7:00 p.m.

1. Roll Call

Mayor John Vazquez
Mayor Pro-Tem Kristie Melendez
Myles Baker
Don Thompson
Jeremy Rose
Robert Bishop-Cotner
Ivan Adams

Also present: Town Attorney
Management Assistant
Director of Parks, Recreation and Culture
Town Clerk
Manager of Economic Development
Chief of Police
Director of Finance
Director of Planning
Human Resources Director
Director of Public Works
Director of Engineering
Associate Planner
Associate Planner

Ian McCargar
Kelly Unger
Melissa Chew
Patti Garcia
Stacy Johnson
John Michaels
Dean Moyer
Joe Plummer
Mary Robins
Terry Walker
Dennis Wagner
Josh Olhava
Brett Walker

2. Pledge of Allegiance

Mayor Vazquez led the 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

Town Board Member Thompson moved to approve the agenda as presented; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

4. Board Liaison Reports

- Town Board Member Baker – Parks, Recreation & Culture Advisory Board; Cache La Poudre Trail Board Alternate
Mr. Baker told the Board PReCAB met on September 10 to discuss the 2014 budget.
- Town Board Member Thompson – Planning Commission; Tree Board; Great Western Trail Authority
Mr. Thompson reported the Planning Commission reviewed items 6-10 of tonight's agenda at their last meeting. Mr. Thompson was unable to attend the last Trail Authority meeting, but informed the Board John Garcia was appointed to fill a vacancy on the Trail Authority Board. The Tree Board will meet again on September 24.

- Mayor Pro-Tem Melendez – Downtown Development Authority; Chamber of Commerce; North Front Range/MPO Alternate
Mayor Pro-Tem Melendez reported the Downtown Development Authority met on September 18. Salsa on 5th has been postponed until October 5. The group met with the Fort Collins DDA to ask questions and gather information on many topics, with emphasis on the façade program planned for 2014. The DDA will meet on October 24 to update members on progress to date. The Chamber of Commerce met on September 4 to discuss program ideas for 2014. Windsor Wonderland is scheduled for December 7.
- Town Board Member Rose – Water & Sewer Board; Windsor Housing Authority, Planning Commission Alternate
Mr. Rose had no report.
- Town Board Member Bishop-Cotner – Historic Preservation Commission; Clearview Library Board
Mr. Bishop-Cotner had no report.
- Town Board Member Adams – Cache La Poudre Trail Board; Student Advisory Leadership Team (SALT)
Mr. Adams reiterated a report of damages from flooding at many locations on the trail. The Trail Board will meet again next week. Mr. Adams also pointed out SALT members in attendance at this evening’s meeting. He introduced Jenna Brethaver who is the new SALT President. Ms. Brethaver briefly addressed the Board, giving them an overview of recent activities.
- Mayor Vazquez – North Front Range/MPO
Mayor Vazquez recapped activities of the MPO, noting they will be working closely with CDOT to develop a course of action for road repair, bridge inspection and repair, and normalization of transportation in areas affected by flooding. Larimer Commissioner Tom Donnelly approached the Board momentarily to commend Mayor Vazquez and Mayor Pro-Tem Melendez for their efforts related to flood mitigation. He also emphasized cooperative actions with CDOT to help get / keep repair projects on schedule. He expressed thanks to CDOT for mobilization of efforts to address issues on State Highways impacted by the floods. He reviewed activities to assist those displaced by the flood waters. He noted he is proud to represent residents of Windsor in Larimer County.

5. Public Invited to be Heard

There was no public comment.

B. CONSENT CALENDAR

1. Minutes of the September 9, 2013 Regular Town Board Meeting – M. Lee
2. Advisory Board Appointments – P. Garcia

Town Board Member Thompson moved to approve the Consent Calendar as presented; Town Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows:

**Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.**

C. BOARD ACTION

NOTE: the official record of this evening's proceedings shall include the applications, staff memos and recommendations, packet materials and supporting documents, and all testimony received.

1. Resolution No. 2013-52 - A Resolution of the Windsor Town Board Expressing Support for the Construction of a New County Office Building in Downtown Loveland
 - Legislative action
 - Presentation: Tom Donnelly, Larimer County Commissioner**Mayor Pro-Tem Melendez moved to approve the Resolution 2013-52; Town Board Member Adams seconded the motion.**

Larimer County Commissioner Tom Donnelly reported a facilities tax passed in 1997 has surplus funds remaining from a proposed remodeling project that was never completed in downtown Loveland. He reviewed the history of an existing facility that houses county services, noting this building does not lend itself to a remodel and is expensive to maintain. The hope is to construct a facility with the surplus monies from the tax, adding a new building would provide a more efficient work environment and be less expensive to maintain.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

2. Ordinance No. 2013-1457 - An Ordinance amending Chapters 15, 16 and 17 of the Windsor Municipal Code to update application submittal requirements for electronic submittals, referral processes, and building permit document submittal, fee references, and building permit expiration.
 - Second Reading
 - Legislative action
 - Staff Presentation: Brett Walker, Associate Planner**Town Board Member Adams moved to approve the Ordinance 2013-1457; Town Board Member Bishop-Cotner seconded the motion.**

Mr. Walker provided a brief overview of the details of this Ordinance, noting no changes since the first reading.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. Motion passed.

3. Ordinance No. 2013-1458 – An Ordinance amending Chapter 16 of the Windsor Municipal Code to allow for residential uses on the upper floors of businesses in the Central Business (CB) zoning district
 - Second Reading
 - Legislative action
 - Staff Presentation: Brett Walker, Associate Planner**Mayor Pro-Tem Melendez moved to approve the Ordinance 2013-1458; Town Board Member Bishop-Cotner seconded the motion.**

Mr. Walker again provided an overview of the details of the Ordinance, noting there have been no changes since the first reading. Mr. Baker asked if the Downtown Development Authority supports this change. Ms. Melendez speculated they would although it has not been an official topic of discussion by the Authority. Mr. Plummer clarified the Ordinance would allow rental of

living spaces within the downtown corridor. Residential rentals exist currently but are a non-conforming use with regard to the Municipal Code.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Adams, Vazquez

Nays – Bishop-Cotner. Motion passed.

Mr. Bishop-Cotner commented he pushed the wrong button, and wished to vote yes.

4. Ordinance No. 2013-1459 – An Ordinance Amending Chapter 8 of the Windsor Municipal Code for the Purpose of Allowing Greater Neighborhood Involvement in the Setting of Speed Limits within Residential Areas of the Town of Windsor, Colorado

- First Reading
- Legislative action
- Staff Presentation: Kelly Unger, Management Assistant & Ian McCargar, Town Attorney

Mayor Pro-Tem Melendez moved to approve the Ordinance 2013-1459; Town Board Member Thompson seconded the motion.

Ms. Unger began by reviewing simple changes requested by the Board. Mr. Baker inquired if the same authority would be extended to Metro Districts? Ms. Unger responded it would.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Melendez, Adams, Vazquez

Nays – Rose, Bishop-Cotner. Motion passed.

5. Ordinance No. 2013-1460 – An Ordinance Amending Section 8-6-20(b)(2) of the Windsor Municipal Code with Respect to Eligible Applicants for Golf Car Permits within the Town of Windsor, Colorado

- First Reading
- Legislative action
- Staff Presentation: Ian McCargar, Town Attorney

Mayor Pro-Tem Melendez moved to approve the Ordinance 2013-1460; Town Board Member Thompson seconded the motion.

Mr. McCargar pointed out this is a very small change to the 2009 golf cart Ordinance, which would allow a Metropolitan District the authority to consent to use of golf carts on streets within their jurisdiction.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Motion passed.

6. Public Hearing – Rezoning certain property known as Windsor Commons Subdivision Second Filing, Lot 3 – 1101 Automation Drive – Karin Adams, JAKA Properties LLC, applicant/Garry A. Wilkening, Wilkening Storage LLC and Michael Kortendick, AICP, Landform, Inc., applicant's representatives

- Quasi-judicial
- Staff Presentation: Josh Olhava, Associate Planner

Mayor Pro-Tem Melendez moved to open the Public Hearing; Town Board Member Adams seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Motion passed.

Mr. Olhava reviewed the proposal, noting a request to rezone a parcel currently zoned General Commercial to Limited Industrial for use as a self-storage facility. He told Board Members of a stipulation that would not allow a change of use in the future without further review.

Mr. Mike Kortendick of Landform, Inc. appeared before the Commission and spoke briefly addressing the nature of the storage business, vacancy rates and rental / tenant demographics, safety and security at this specific site, and landscaping and elevations at the existing facility. Ms. Melendez posed questions about size of the site and if development would take place in phases. Mr. Gary Wilkening, owner of the existing self-storage facility responded the added parcel is 3.99 acres and will be developed over time. He noted the Windmill Child Enrichment Center has not expressed concerns with the proposed expansion. Mr. Kortendick pointed out this parcel has been for sale for 5 years, with no interested buyers. Mr. Wilkening explained in detail lease agreements, what is allowed in storage, and security measures in place to assure safety. **Town Board Member Adams moved to close the Public Hearing; Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows:**

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.

7. Ordinance No. 2013-1461 – Rezoning certain property known as Windsor Commons Subdivision Second Filing, Lot 3 – 1101 Automation Drive – Karin Adams, JAKA Properties LLC, applicant/Garry A. Wilkening, Wilkening Storage LLC and Michael Kortendick, AICP, Landform, Inc., applicant’s representatives

- First Reading
- Quasi-judicial
- Staff Presentation: Josh Olhava, Associate Planner

Mayor Pro-Tem Melendez moved to approve the Ordinance 2013-1461; Town Board Member Bishop-Cotner seconded the motion.

There were no additional questions or comments.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.

8. Public Hearing – Approval of Final Major Subdivision – Water Valley South Subdivision, 15th Filing – Mark Foster, applicant/Trollco, Inc., property owner

- Quasi-judicial
- Staff Presentation: Brett Walker, Associate Planner

Town Board Member Thompson moved to open the Public Hearing; Mayor Pro-Tem Melendez seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nays – None. Motion passed.

Mr. Walker presented a detailed review of the components of Water Valley South Subdivision, 15th Filing, including size, location, zoning, density, landscaping, and access and egress. He pointed out the site was originally proposed to be a school site, but negotiations between Weld RE-4 and Trollco, Inc. identified an alternate location for a school in the Water Valley area.

Mr. Walker went on to review comments from neighbors regarding fencing, covenant regulations traffic, safety and parking. He pointed out two previous variances from the Town of Windsor

Engineering Department approved in May 2013. Mr. McCargar asked if this development will be part of the Poudre Tech Metropolitan District IGA. Mr. Walker responded it will.

Mr. Pat McMeekin addressed the Board briefly and discussed growth and density, landscaping and buffering, and the updated school district agreement for land dedication.

Town Board Member Adams moved to close the Public Hearing; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.

9. Resolution No. 2013-53 – A Resolution of the Windsor Town Board Approving the Final Plat for the Water Valley South Subdivision, 15th Filing – Mark Foster, applicant/Trollco, Inc., property owner

- Quasi-judicial
- Staff Presentation: Brett Walker, Associate Planner

Mayor Pro-Tem Melendez moved to approve the Resolution 2013-53; Town Board Member Adams seconded the motion.

There were no additional questions or comments.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez
Nayes – None. Motion passed.

10. Site Plan Presentation – Highlands Industrial Park Subdivision Second Filing, Lots 3 & 4, Block 3 - Elder Construction – 7370 and 7380 Greendale Road – Tom Elder, Elder Holdings LLC, applicant/Cathy Mathis, The Birdsall Group, applicant’s representative

- Staff Presentation: Josh Olhava, Associate Planner

Mr. Olhava began by reviewing details of the proposal, including location, planned use, area dimensions, tenants, parking, and fencing with emphasis on the outdoor storage yard and pole barn. Mayor Vazquez questioned if it would be appropriate to remove the lot line making this a single lot. Mr. Plummer stated there are no immediate plans to abandon that lot line, and any future changes to the site would require review as an amended Site Plan. He pointed out the proposed Site Plan allows 65% storage over the two lots. Mr. McCargar stated the site plan presents a unified use at the site which diminishes concern about a future stand-alone storage facility at the site. Mayor Vazquez reiterated a desire to circumvent any future potential for creation of a Heavy Industrial use in a Limited Industrial zoning designation. Mr. Chris Elder, applicant’s representative addressed the Board, stating he has no objection to the conditions of approval set forth by staff.

11. Resolution No. 2013-54 – A Resolution Approving an Intergovernmental Agreement Between the Town of Windsor and the Colorado Department of Transportation with Respect to Grant Funding for the “Safe Routes to Schools” Trail Connection within the Town of Windsor, Colorado (7th Street Trail Project)

- Legislative action
- Staff Presentation: Melissa M. Chew, CPRP, Director of Parks, Recreation & Culture

Mayor Pro-Tem Melendez moved to approve the Resolution 2013-54; Town Board Member Thompson seconded the motion.

Ms. Chew reviewed the Safe Routes to School Grant requirements, pointing out milestone dates including proposed completion by the end of the 2013-14 school year. The Board had no questions or comments.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Motion passed.

12. Resolution No. 2013-55 – A Resolution Approving an Intergovernmental Agreement between the Town of Windsor and the Windsor-Severance Fire Rescue District with Respect to Training, Collaboration and Communication to Assure Public Safety within the Town of Windsor, Colorado

- Legislative action
- Staff Presentation: Terry Walker, Director of Public Works

Town Board Member Baker moved to approve the Resolution 2013-55; Town Board Member Thompson seconded the motion.

Mr. Walker spoke briefly to the Board outlining an Intergovernmental Agreement with the Windsor-Severance Fire Rescue District regarding a fire hydrant maintenance program. This plan will stand as a template for similar programs throughout northern Colorado. Hydrants will be logged and inspected on a routine basis. Chief Herb Brady spoke briefly expressing thanks to Windsor for their pro-active efforts with regard to this agreement. Mayor Vazquez suggested ID tags noting testing dates be affixed to the hydrants. Mr. Walker and Chief Brady both noted they will check into availability of tags. Details of the testing procedures and a clarification of District boundaries were also discussed.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nays – None. Motion passed.

13. Resolution No. 2013-56 – Resolution Authorizing the Town Manager to Execute Documents Associated with Grant Funding for the Law Ditch Pre-Disaster Mitigation Project (FEMA Project No. PDMC-PJ-08-CO-2011-003) Within the Town of Windsor, Colorado

- Legislative action
- Staff Presentation: Dennis Wagner, Director of Engineering

Prior to beginning discussions regarding this topic, Mayor Vazquez recused himself from the deliberations.

Town Board Member Bishop-Cotner moved to approve the Resolution 2013-56; Town Board Member Adams seconded the motion.

Mr. Wagner detailed facets of a pre-disaster mitigation grant from FEMA, noting the grant is administered through the Division of Homeland Security. He outlined the physical area to be addressed as well as the scope of work.

Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams

Nays – None. Motion passed.

Mayor Vazquez rejoined the meeting.

14. Financial Report

- Staff Presentation: Dean Moyer, Director of Finance & Information Systems
Mr. Moyer presented current data regarding the Town of Windsor budget including sales and use tax collections, building permit applications and fees, capital improvements, and operating expenditures.

D. COMMUNICATIONS

1. Communications from the Town Attorney

Mr. McCargar reported talks regarding the Kyger Pit are continuing, with a tentative closing date in December. Mr. Thompson inquired if the site can be certified with water in the "lake." Mr. McCargar responded it may be possible. Mayor Vazquez posed the question of how much silt may settle to the bottom of the lake. Mr. McCargar also noted the Colorado Court of Appeals will be at Greeley Central High School on October 9 for the Courts in the Community program.

2. Communications from Town Staff

Mr. Plummer noted a request to discuss rental trucks in the General Commercial zoning district. A work session to discuss that topic has been scheduled for the Planning Commission on October 9, 2013.

Mr. Walker advised the Board of a leak in the 20" water line, noting repairs are complete, but in the future modifications to the line will be required to mitigate future failures.

Ms. Johnson told of the closing of Concentra Urgent Care and Occupational Health services facility will close next week. Efforts are being set forth to retain like services in Windsor, and she will keep the Board apprised of those efforts.

Ms. Chew presented a brief update on construction projects including a trail along the Poudre Valley REA site, the Eastman Park Multi-Purpose Court, and concrete work for playground equipment at Main Park. She also mentioned a Poudre River Trail Board retreat on October 14, noting she will participate to discuss Poudre River initiatives. She also noted the Poudre Heritage Alliance will hire its first paid Executive Director in the near future.

3. Communications from the Town Manager

Mr. Arnold was not in attendance.

4. Communications from Town Board Members

Mr. Thompson thanked Ms. Chew for her support in procuring equipment for Bison Ridge Park.

Mayor Vazquez thanked staff for their response during the flood.

E. ADJOURN

Town Board Member Bishop-Cotner moved to adjourn; Town Board Member Thompson seconded the motion. Roll call on the vote resulted as follows:

Yeas – Baker, Thompson, Rose, Melendez, Bishop-Cotner, Adams, Vazquez

Nayes – None. The meeting was adjourned at 9:06 p.m.

TOWN OF WINDSOR

REPORT OF BILLS

September, 2013

*At the regular meeting of the Town Board of the Town of Windsor,
Colorado, held in the Town Hall Board Room on October 14, 2013
the following claims were presented, examined, and approved by the Windsor Town Board.*

VENDOR	DESCRIPTION	FUND	AMOUNT
1st Bank of Northern Colorado	bi-weekly employee payroll deductions	HIF	7,843.99
1st Bank of Northern Colorado	bi-weekly employee payroll deductions	HIF	7,861.90
3D's Machine-N-Welding inc	repair aluminum street lamp CP	GF	112.50
4 Rivers Equipment	light, blade & guard, filters, cut edge, hardware bulk oil	FMF	3,831.79
88 Production	meter rental deposit reimb	WF	2,100.00
Abso	background checks Aug 2013	GF	3,004.04
Adams, Ivan	mileage reimb for workshop	GF	76.84
Agfinity	fuel	FMF	11,151.25
Agfinity	fuel	FMF	11,843.50
Agfinity	40 Lb fertilizer	GF	156.00
Agfinity	weed spray	GF	3,793.14
Air Comfort	HVAC repair TH, new UPS/HVAC repair PD	FS	1,219.15
Alldata	alldata repair series	FMF	1,500.00
Alsco	linen rental	CRCF	191.07
American Red Cross	certifications for aquatics, from May, reprint of lost check	GF	209.00
Amersco	monthly monitoring	FS	389.00
Amsoil	two-cycle oil	FMF	95.91
Anderson Consulting	law basin w trib final design	SDF	3,359.19
Apex Legal Svc	will maker class	GF	552.00
Aqua Sierra	2013 Aqua trmnt syst maint 3 of 4	GF	500.00
Arapahoe Rental	stanchions-swing in the street, propane, tables bus expo	GF	439.39
AT&T Mobility	phone service PD/PW	GF	75.69
AWWA-American Water Works Assoc	membership renewal fee	SF	170.00
B&G Equipment	cap, repair on turbo	FMF	2,136.44
Ballstadt, Scott	mileage reimbursement-site visits, meetings	GF	56.51
Ballstadt, Scott	APA Conference per diem Oct 2-5/13	GF	218.00
Barnes Dist	bucket & wringer	FMF	101.39
Bell, Gould & Scott PC	special legal counsel	GF	607.50
Bomgaars	spout, chisel, piont bit	CIF	37.97
Bomgaars	bar oil/lubricant for pruners	GF	22.18
Breast Friends Cancer Support Fund	DDA sponsor footsteps to Hope Walk	DDA	3,000.00
Breast Friends Cancer Support Fund	short form grant app/reimb of park use	GF	150.00
Brown, Gary	Sales tax vendor Fee overpayment	CIF	37.50
Brown, Gary	Sales tax vendor Fee overpayment	CRCF	6.25
Brown, Gary	Sales tax vendor Fee overpayment	GF	56.25
Bunting Disposal	trash service	CRCF	113.75
Bunting Disposal	trash service	GF	749.50
Bunting Disposal	trash service	SF	32.34
Canteen Refreshment svcs	monthly coffee supply/svc	GF	210.03
Carlstrom, Christine	water refund	SDF	5.32
Carlstrom, Christine	water refund	SF	20.00
Carlstrom, Christine	water refund	WF	22.03
Carrier Corp	Svc agreement HVAC/ repairs	FS	4,764.22
Carson-Robins, Mary	Mileage reimb Jan-Sept 2013	GF	421.85
Cash-Wa Dist	concession & race supplies	GF	2,955.08

VENDOR	DESCRIPTION	FUND	AMOUNT
Centurylink	telephone svc	CRCF	8.47
Centurylink	utilities	CRCF	480.13
Centurylink	utilities-TH/CRC	CRCF	620.03
Centurylink	utilities	FS	48.39
Centurylink	telephone svc	GF	265.93
Centurylink	utilities	GF	419.96
Centurylink	utilities	GF	502.91
Centurylink	utilities	GF	620.03
Centurylink	utilities	SF	106.38
Centurylink	utilities	SF	434.10
Centurylink	telephone svc	WF	0.55
City of Ft. Collins	football league fees	GF	9,397.50
City of Greeley	water purchased	WF	3,025.66
City of Greeley	water purchased	WF	149,383.70
Clear water solutions inc	KRDC gen water svcs, WCSD RE4 augment plan	KERN	2,311.10
Coca-Cola Enterprises bottling	harvest festival pop/concession supply	GF	2,728.83
Colorado Coach Transpotation	senior trip transportation	GF	250.00
Colorado Code Publishing Co	municipal code suppl 9 publishing	GF	3,634.30
Colorado Dept of Revenue	sales tax payable-concessions CRC	GF	241.00
Colorado Government Finance Officers Assoc	conf registraton 2013	GF	225.00
Colorado Parks & Rec Assoc	CPRA conference per diem	CRCF	354.00
Colorado Parks & Rec Assoc	CARA Swim dues summer 2013	GF	185.50
Colorado State University	Lake water testing	GF	30.00
Colorado State University	Lake water testing	GF	60.00
Coloradoan Media Group	public notices published	GF	38.04
Comcast Cable Communications	crc cable/music	CRCF	238.82
Comcast Cable Communications	internet-PD	ITF	6.16
Comcast Cable Communications	internet	ITF	209.90
Come Back to the Table	culinary workshop deposit	GF	150.00
Compass Tools	CPS rental/ shipping	ITF	36.41
Connell Resources	Eagle Crossing street improvement	CIF	433,196.84
Country Johns	Portable restroom svc	GF	651.36
Country Johns	Portable restroom svc	GF	768.00
Cox, David	APA Conference per diem Oct 2-5/13	GF	218.00
Creative Culture Insignia	badge	GF	84.75
Dale's Environmental Svcs	video inspect sewer line	SF	335.50
Data West Corp	billmaster -water bills	GF	440.00
Data West Corp	billmaster -water bills	ITF	1,200.00
Dataprint	water billing charges Sept 2013	SDF	1,470.95
Dataprint	water billing charges Sept 2013	SF	1,470.97
Dataprint	outsource billing	WF	353.58
Dataprint	water billing charges Sept 2013	WF	1,470.97
Davinci Sign systems inc	Diamond Valley sign dep	CIF	5,506.00
DBC Irrigation	irrigation supplies	GF	1,091.88
De Sylvia, Mary Ann	Park Shelter refund	GF	10.00
Dean pendleton	software update snap on tools, adaptor tower, battery	FMF	2,316.71
Dizmang, Dareld & Carolyn	water refund	SDF	18.60
Don Kehn Construction	CAP Improvement prjct 2013	CIF	121,923.12
Economic Development Council of Co	2013 EDCC conf registration	GF	300.00
Elite Awards	ASB Trophies	GF	539.00
Enviropest	pest control	FS	112.00
Enviropest	CP Concessions-pest control	GF	90.00
Enviropest	pest control	WF	75.00
Erwin Equipment	Baldor Generator set w/options	SF	17,697.32
Family support registry	wage assignment	GF	51.69
Family support registry	wage assignment	GF	51.69

VENDOR	DESCRIPTION	FUND	AMOUNT
Family support registry	wage assignment	GF	296.57
Family support registry	wage assignment	GF	296.57
Fastenal Co	nuts & bolts	FMF	25.71
Fastenal Co	humidifier for basement records room	GF	233.98
Fastenal Co	thimble, credits	SF	0.87
Fiske Electric	test emergency generator PD	FS	325.00
Five Star Timing	labor day 5K timing	GF	350.00
Fort Collins-Loveland Water Dist	water purchased	GF	432.84
Fort Collins-Loveland Water Dist	water purchased	WF	28,398.51
Fotsch, Tara	CPRA conference per diem	CRCF	147.00
Fotsch, Tara	reimb for charges, CPR certifications	GF	35.99
Frachetti Engineering	engineer svcs-UFP	KERN	2,875.00
Frank, Robert	APA Conference per diem Oct 2-5/13	GF	218.00
Frelund, Wayne	mileage reimb plan workshop	GF	76.84
Frelund, Wayne	APA Conference per diem Oct 2-5/13	GF	218.00
Frey McCargar Plock & Root	legal svcs	GF	24,877.20
Galls, LLC	duty holster PD	GF	143.48
Garden Valley Vet Hospital	pet recovery/boarding PD	GF	348.00
Garretson's Sprot Center	HS Fall league equipment	GF	182.00
General Air	CO-2 for pool	FS	284.52
General Air	welding supplies	GF	59.98
Goodel Machinery & Construction	claning ditch on road to sewer	SF	740.00
Grainger	ballast CRC, halogen bulb, lamps, ceiling tiles, HVAC filters	FS	680.32
Greeley Lock & Key	lock repair Th	FS	183.50
Greeley Lock & Key	re-key chimney pk pump house/museum frm house, new key	GF	640.70
Gren, Terrence & Liesbeth	water refund	SDF	8.06
Gren, Terrence & Liesbeth	water refund	SF	20.00
Hach Environmental	filters, nitrate reagent set	SF	509.64
Hensley Battery	battery	FMF	147.38
Herrick, Mark	reimburse for certificate renewal	SF	85.00
Hill, Michelle	reimburse for 401 loan payment deducted in error	GF	59.10
Hillyard	mats,liners,tp,gloves, ppr twl,chemical,soap,cleaner,pads,brush	FS	9,352.35
Hines Inc	design services North lights park	PIF	440.00
Hireright Solutions	drug test collections	GF	124.60
Hireright Solutions	background checks Aug 2013	GF	1,085.66
Home Depot	broom, swiffer, cobweb duster	FS	44.85
Home Depot	joint comp,rakes, wheelbarrow,lumber, grade stakes, caulk	GF	374.11
Interwest Consulting group	cornerstone/Eastman pkwy roundabout engineering	CIF	1,178.00
Jacobsen, Julia	Field reservation refund	GF	250.00
James M Mock PLLC	review service plan Harmony Ridge Metro	GF	2,960.00
Jax	snap link	SF	15.98
JUB Engineers	WCR 21 bridge engineering svcs	CIF	11,683.25
Kelly Moore	cheer team coaching August 2013	GF	1,102.50
Kenz & Leslie Dist	MOA additive	FMF	177.60
Kimball Midwest	ratch & driver set, rubber undercoat	FMF	83.52
Kimball Midwest	fast dry solvent	FMF	143.76
Kimball Midwest	paint, markers, driver set, torq, brake treatment, ratchet/driver	FMF	559.43
Kimberly Emil	legal svcs-Town prosecutor	GF	4,620.00
King Soopers	senior event supplies, propane, mtg meals	GF	408.95
King Surveyors	topographical survey-cemetery	CIF	702.00
King Surveyors	Alta survey-Burlington subdivision	DDA	1,550.00
King Surveyors	Winter Farm park elevation survey	SDF	4,790.00
Kinsco	vest carrier	GF	50.50
Kraus, Matt	CPRA conference per diem	GF	170.00
L&M Enterprises	392/I-25 community ID signs	CIF	12,739.54
L&M Enterprises	add mowing @ Founders/Brunner parks, contract lands maint	GF	2,484.76

VENDOR	DESCRIPTION	FUND	AMOUNT
Larimer County Clerk & Recorder	voter registration list	GF	41.09
Larimer County Clerk & Recorder	filing paper records fee	GF	67.00
Larimer County Sales & Use tax	larimer Cty use tax collections	GF	13,089.33
Law Enforcement Targets	targets for range shooting	GF	431.68
Lawrence Jones Custer Grasmick	legal svcs	GF	1,146.52
Lawson Products	mop bucket	FMF	144.94
Leonard Rice Engineers	Kyger Storage infrastructure feasibility	KERN	131.00
Lewan & Assoc	Prof svc contract, processor support, UWL pro UCSS subscr	ITF	10,673.56
Liley, Rogers and Martell	legal svcs	DDA	84.00
Lind & Ottenhoff LLP	special legal counsel	GF	2,054.07
LL Johnson Dist Co	irrigation supplies-stock	GF	461.44
LL Johnson Dist Co	field Marking paint, white line paint	GF	912.00
Loveland Ford	repair trans cooler	FMF	577.42
Lynne, Julia	1st Aide/CPRE reimb	GF	39.94
Mac Equipment	parts for hydraulic idler	FMF	108.70
Mail N Copy	shipping-old intoxilyzer returned, repair rtn, certified letters	GF	51.95
Mail N Copy	shipping/packing	ITF	41.06
Mantooth Marketing	event retainer 2 of 3, flyer, wheels n deals, wrap, publicity	DDA	3,990.97
Manweiler's	pliers, screw drvrs, bits	CIF	194.31
Manweiler's	purge bulb, primer paint, batteries	FMF	27.92
Manweiler's	Fasteners, fuse, WD40, epoxy	FS	12.66
Manweiler's	field supp, paddle board supp, trimmer, line, gas can spout	GF	449.09
Manweiler's	concrete anchor	SF	11.48
Martin, Kendra	mud volleyball supply reimb	GF	26.14
Mead Rotary Club	reimb show stage fee, cancelled due to flood	GF	850.00
Meyer, Michelle	water refund	SDF	5.39
Meyer, Michelle	water refund	SF	20.00
Meyer, Michelle	water refund	WF	22.09
Michael Todd & Co	Signs	GF	642.24
Mines & Associates	employee assistance program	CRCF	16.20
Mines & Associates	employee assistance program	FMF	9.72
Mines & Associates	employee assistance program	FS	19.44
Mines & Associates	employee assistance program	GF	233.28
Mines & Associates	employee assistance program	ITF	9.72
Mines & Associates	employee assistance program	SDF	3.24
Mines & Associates	employee assistance program	SF	9.72
Mines & Associates	employee assistance program	WF	9.72
Moltz Construction	exploratory work pump stn leak	WF	1,814.00
Morey's glass & metals	windshield Unit 17	FMF	210.00
Morey's glass & metals	sheet metal	SF	40.00
Morey's glass & metals	replacement glass	SF	303.00
Morey's glass & metals	steel scrap	WF	11.25
Napa	credit/fuel/cab filters, stock order, gas can, air hose/filter, lamp	FMF	920.68
Napa	Carshow prizes for HV	GF	298.53
NCCG-Northern Colorado Communication group	HR advertising	GF	441.92
NCCG-Northern Colorado Communication group	fall link 2013	GF	4,527.00
New Windsor Metropolitan Dist	Founder's/Brunner Farm park irrigation	GF	3,144.87
Newegg	keyboard/mouse, video card	ITF	337.21
Newegg	APC battery, replace printer	ITF	718.92
Newegg	Qnap server backup array	ITF	1,958.98
North Front range MPO	unified plan work pgm	GF	566.28
North Weld Co Water Dist	water purchased	WF	67,101.58
Northern Colorado Traffic control	orange safety fence	GF	700.00
Nutek Plumbing	hydrant meter rental refund	WF	2,100.00
NYS Child Support Processing Center	wage assignment	GF	345.00
NYS Child Support Processing Center	wage assignment	GF	345.00

VENDOR	DESCRIPTION	FUND	AMOUNT
Occupational Health centers	blood tests	GF	153.00
Occupational Health centers	employee injury case, blood panels, post accident testing	GF	168.00
Occupational Health centers	blood tests, immunizations	GF	215.00
Office Depot	office supplies	CRCF	1.06
Office Depot	office supplies	FS	32.30
Office Depot	office supplies	GF	586.01
Office Depot	office supplies	ITF	1.59
Old National Bank	Energy Efficiency lease purchase	FS	3,455.41
Olhava, Joshua	APA Conference per diem Oct 2-5/13	GF	218.00
O'Rielly Auto parts	cab filter, wiper blades, o-rings, fluid tester	FMF	268.64
Ovivo USA	clarifier parts	SF	813.00
Payflex Systems	Sept 2013 MSA, credit for Aug	GF	305.50
Petty Cash	DDA	DDA	9.29
Petty Cash	reimburse funds-PD	GF	63.52
Petty Cash	reimb petty cash fund-record fees, DDA, CDL license, refresh	GF	141.00
Pioneer sand	redwood mulch for Dwtown beds/Board grove	GF	175.83
Pitney Bowes	postage meter rental	CRCF	15.33
Pitney Bowes	postage meter rental	GF	245.24
Pitney Bowes	postage meter rental	SF	15.33
Pitney Bowes	postage meter rental	WF	30.60
Poudre Valley REA	utilities	GF	1,850.28
Poudre Valley REA	utilities	GF	7,994.46
Poudre Valley REA	kodak metering station	SF	2,178.89
Poudre Valley REA	utilties	SF	29,596.58
Poudre Valley REA	utilities	WF	95.12
Prairie Mountain Publishing	HR advertising	GF	323.90
Rademacher, Marc	CPRA Lodging reimbursement	GF	848.25
Red Dog sign and Wraps	PRC banners	GF	40.00
Reflections for youth	Park reservation refund	GF	300.00
Rex Oil Company	headlamp bulbs	FMF	50.32
Rex Oil Company	Eco power oil	FMF	61.88
Richard Ochoa	teen night DJ	GF	250.00
Robert Peccia & Assoc	cemetery & museum landscape plan svcs	CIF	7,138.11
Robert Schmer	Vogafest performance	GF	600.00
Rocky Mountain Power generation	svc call Emergency backup generator	FS	138.30
Rocky Mountain Power generation	New transfer switch, circuit board transfere switch	FS	7,921.46
Safebuilt	permit fees Aug 2013 reimb	GF	61,816.02
Safeway inc	adaptive program refresh	GF	10.49
Sai North team sports	youth volleyballs	GF	1,483.30
Sam's Club	concession supplies, tents for events, event food/supplies	GF	3,257.38
Scheffel, Steve	APA Conference per diem Oct 2-5/13	GF	218.00
Schick, Gale	APA Conference per diem Oct 2-5/13	GF	218.00
Schmitz, Scott	refund of sign permit fee	GF	50.00
Schneider's paving	concrete work	WF	1,500.00
Scott's Electric & Bucket	supply cord end for event	GF	165.46
Scott's Electric & Bucket	svc calls power/pump/repairs/locates	GF	830.28
Scott's Electric & Bucket	electric panel for boardwalk	KERN	2,930.00
Sean Grogan	HS fall baseball umpires	GF	480.00
Sean Grogan	ASB fall league umpires	GF	5,940.00
Shade Brothers Painting	outside block seal	CIF	5,500.00
Short-Elliott-Hendrickson Inc	WCR 13 Bridge deck desing svcs	CIF	14,112.63
Smart Carpet Care	contracted carpet cleaning TH/PD	FS	2,675.00
Spokes	balance due-bike for wheels event	DDA	57.49
Spokes	bike for wheels n deals promo	GF	942.51
Sportsman's Warehouse	headlamp	SF	79.99
Spradley Barr Ford	damper assembly, water pump, gasket, thermostat	FMF	114.27

VENDOR	DESCRIPTION	FUND	AMOUNT
Standard Insurance Co	employer paid L/ST disability Oct 2013	GF	2,993.93
Standard Insurance Co	employer/employee paid long/short term disability	GF	3,026.95
Staples Advantage	office supplies	ITF	1,716.51
States Land Svcs inc	WCR 21 bridge land aquisition svcs	CIF	1,177.87
Stephanie Egbert	Senior footcare	GF	60.00
Summit Supply	delta handles faucet repair CRC,Kohler sealkit CRC	FS	169.92
Summit Supply	faucet parts	FS	204.54
Tallon, Victor	APA Conference per diem Oct 2-5/13	GF	218.00
Tennant Sales & Svc Co	Blade, auto scrubber	FS	139.00
The Humane Society	animal care for strays	GF	505.24
The Pawnee Group	car wash tokens	FMF	130.65
The Water Shed	glue	GF	36.13
Timberline Electric and Control	SCADA-fow meter @ nursery	KERN	2,425.75
Timberline Electric and Control	SCADA controls for BW well	KERN	16,609.00
Tire Centers	flat repair unit 59	FMF	42.95
TLM Constructors Inc	7th St Bridge Joint repair	CIF	12,700.00
Town of Platteville	refund show stage SEC deposit	GF	250.00
Traffic Masters	flagger certification	GF	20.00
Tri-tech security	monthly fire/security monitoring fee	FS	262.50
Tri-tech security	qtrly fire/seurity alarm monitoring	GF	168.00
UMB Credit Card Services	paint, train CDS, webinar, lights	GF	314.96
UMB Credit Card Services	Event tickets, meals	GF	316.84
UMB Credit Card Services	SALT/senior meetings/event supplies and meals	GF	415.57
UMB Credit Card Services	Leadership test, ISA conf registration	GF	645.00
UMB Credit Card Services	Adaptive trip tickets/meals	CRCF	69.34
UMB Credit Card Services	MPMA Conference travel, frame/photo	CRCF	230.99
UMB Credit Card Services	Weld County clerk records/copies	GF	3.75
UMB Credit Card Services	Pen	GF	3.98
UMB Credit Card Services	Mail charges for slide/pool	GF	14.10
UMB Credit Card Services	Senior trip driver meals	GF	18.63
UMB Credit Card Services	Spokes for bike tire repair	GF	21.98
UMB Credit Card Services	Newspaper subscription, mtg meals	GF	68.59
UMB Credit Card Services	Coffee w/Mayor, mtg meal-Tekton	GF	69.68
UMB Credit Card Services	Snow/Ice Conference registration	GF	118.50
UMB Credit Card Services	Adaptive trip tickets/meals	GF	149.56
UMB Credit Card Services	Gloves, Notary seal/fee, training	GF	164.05
UMB Credit Card Services	Meeting/event refreshments	GF	223.36
UMB Credit Card Services	Urban renewal board training	GF	225.00
UMB Credit Card Services	Interviews meals, printing, NCHRA membership	GF	227.54
UMB Credit Card Services	Mtg lunches, staff devbday cards	GF	228.45
UMB Credit Card Services	mtg meals/incintive card, staff mtg/meal	GF	498.81
UMB Credit Card Services	Pro Cycling party, CPR certificates, HV	GF	915.95
UMB Credit Card Services	MPMA Conference travel, frame/photo	GF	916.55
UMB Credit Card Services	Co SHRM Conference/lodging	GF	1,022.64
UMB Credit Card Services	legal docs fee, converter	ITF	13.51
UMB Credit Card Services	Adobe export PDF annual fee	ITF	19.99
UMB Credit Card Services	Copier machine repair-Finance	ITF	22.00
UMB Credit Card Services	Snow/Ice Conference registration	WF	300.00
United Way	employee donation	GF	15.00
United Way	employee donation	GF	15.00
USA Bluebook	headlamp/wrench	WF	215.11
Utility Notification Center	transmission locates	WF	394.46
Vartec Telecom	telephone/fax machine svc	GF	8.80
Vartec Telecom	telephone/fax machine svc	SF	1.26
Verizon Wireless	celluelar telephone svc	CRCF	31.92
Verizon Wireless	celluelar telephone svc	GF	1,410.44

VENDOR	DESCRIPTION	FUND	AMOUNT
Verizon Wireless	cellular telephone svc	ITF	40.01
Verizon Wireless	cellular telephone svc	SF	40.01
Victory Sales	Polo w/embroidery	GF	47.00
Victory Sales	adaptive rec shirts for HV, Mud VB/5K shirts	GF	3,753.56
Wagner Rents	poser cords for harvest Festival	GF	65.00
Walker, Jerome	APA Conference per diem Oct 2-5/13	GF	218.00
Wall, Alicia	recreation refund	GF	50.00
Warner, Bobby	CPRA conference per diem	GF	170.00
Waste Management of Colorado	Recycle site pulls	GF	1,104.12
Watterson, Gary	water refund	SDF	4.89
Watterson, Gary	water refund	SF	20.00
Watterson, Gary	water refund	WF	15.25
Web Tech Wireless	GPS tracking Nov 2012-Sept 2013	GF	5,940.00
Weld Co Clerk & Recorder	deed records fee	GF	21.00
Weld County government	intergovernmental agreement-bonus oil/gas	GF	2,780.01
Westview Productions	svc call TH automatic night light	FS	581.68
Wilis, Wade	CPRA conference per diem	GF	170.00
Wilkinson, Loree	water refund	SDF	5.15
Wilkinson, Loree	water refund	SF	20.00
Wilkinson, Loree	water refund	WF	41.28
Windsor Ace Hardware	cleaners, swiffer, polish, connectors, caulk	FS	66.91
Windsor Ace Hardware	battery,conduit,wasp spray,clean supp,tape, pipe, paint	GF	370.11
Windsor Ace Hardware	screening, screen tool, inner tube, fasteners, elbow	SF	62.19
Windsor Chamber of Commerce	Windsor Bucks	GF	25.00
Windsor Chamber of Commerce	chamber membership	GF	195.00
Windsor Harvest Festival planners	Sales tax vendor fee payment	CIF	25.53
Windsor Harvest Festival planners	sales tax vendor fee pymt	CRCF	4.24
Windsor Harvest Festival planners	sales tax vendor fee pymt	GF	38.29
Windsor High School	baseball camp 2013	GF	985.50
Windsor-Severance Fire Protection	utility expense Museum-our portion	GF	1,242.87
Windsor-Severance Fire Protection	CPR class for staff, fire dept bldg permit fee collections	GF	12,702.50
Wireless Advanced Communications	replace LED bulb	FMF	30.00
Xcel Energy	utilities	CRCF	5,698.95
Xcel Energy	utilities	GF	42.58
Xcel Energy	utilities-TH, Traffic signals	GF	2,596.26
Xcel Energy	utilities	GF	3,600.82
Xcel Energy	utilities	GF	36,315.83
Xcel Energy	utilities-Kern	KERN	46.82
Xcel Energy	utilities	KERN	48.88
Xcel Energy	utilities	SF	594.72
Xerox Corp	copier equipment agreement	ITF	3,150.39
Zep Sales & Svc	case of glass cleaner	FMF	16.81
Zexhags	BA contract	CRCF	333.00
Zexhags	AHC cleaning	GF	50.00
Zexhags	end of year pool cleaning, concess/AHC cleaning	GF	446.00
	TOTAL CASH DISBURSED		<u>\$1,390,796.99</u>
	PAYROLL		
	(wages/ 2 pay periods)		<u>\$343,052.19</u>
	TOTAL		<u>\$1,733,849.18</u>

VENDOR	DESCRIPTION	FUND	AMOUNT
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MEMORANDUM

Date: October 14th, 2013
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
From: Kelly Unger, Management Assistant & Ian McCargar, Town Attorney
Re: Residential Speed Limits
Item #: C.1

Super-majority vote required for adoption on second reading.

Discussion of Proposed Next Steps:

At the Town Board work session on March 4th, June 3rd and September 16th, the possibility of allowing Home Owner Associations (HOAs) to request 25 mph speed limits on local streets within their respective subdivision was proposed. Consensus on the Town Board was to direct staff to develop a petition method for HOA's to request 25 mph in the neighborhood. Staff has prepared an ordinance outlining the method for the HOA to request and implement 25 mph.

The Town Attorney has concluded that, in order to alter the 30 mph standard speed limit, adoption of an ordinance in the form attached and installation of new signs is required. The ordinance establishes a procedure to review the reduced speed limit request. Official action will be taken by resolution in each case.

Review Background:

Staff has polled other municipalities for residential speed limit standards and the results are tabulated below.

- Fort Collins local streets - 25 mph; minor collectors 25-30; major collectors 30-35
- Loveland was 30 mph until adoption of a new standard a few years ago; now it is 25 mph
- Greeley local streets - 30 mph
- Johnstown local streets – 25 mph
- Milliken local streets – 25 mph

Police Department statistics:

Over the last 2 years there were 17 accidents involving cars vs. pedestrians, bikes or skateboards. In approximately 50% of those incidents the driver of the motor vehicle was not at fault.

In 2012, the Police Department wrote 2,651 citations for traffic offenses and gave out 3,827 warning tickets.

The speed trailer is used as an education tool and in 2012 it was operational from March until the end of September at 15 different locations. In 2013 it is anticipated to be used at 20-24 locations.

Model Traffic Code:

The Model Traffic Code, which is the basis for traffic laws within Windsor, states that the maximum speed in a residential district shall be 30 mph unless *“local authorities determine upon the basis of a traffic investigation or survey or upon the basis of appropriate design standards...that any speed specified or established as authorized under sections 1101 to 1104 is greater or less than is reasonable or safe under the road and traffic conditions...said authority shall determine and declare a reasonable and safe speed limit...which shall be effective when appropriate signs...are erected...”*.

Relationship to Strategic Plan:

Goal 1.A. *Increase the safe and secure feeling of Windsor residents.*

Recommendation:

Approve Ordinance No. 2013-1459: An Ordinance Amending Chapter 8 of the Windsor Municipal Code for the Purpose of Allowing Greater Neighborhood Involvement in the Setting of Speed Limits within Residential Areas of the Town of Windsor, Colorado.

Attachments:

Ordinance No. 2013-1459
Application to Reduce Speed Limit
Collector and Arterial Street Map

TOWN OF WINDSOR, COLORADO

ORDINANCE NO. 2013 - 1459

AN ORDINANCE AMENDING CHAPTER 8 OF THE *WINDSOR MUNICIPAL CODE* FOR THE PURPOSE OF ALLOWING GREATER NEIGHBORHOOD INVOLVEMENT IN THE SETTING OF SPEED LIMITS WITHIN RESIDENTIAL AREAS OF THE TOWN OF WINDSOR, COLORADO

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

WHEREAS, the Town’s citizenry places high value on a safe and efficient system of transportation, both locally and regionally; and

WHEREAS, by its adoption of the Model Traffic Code, the Town has approved a Town-wide speed limit of 30 miles per hour (mph), except where otherwise posted; and

WHEREAS, in some residential neighborhoods, a speed limit of less than 30 mph is a safe and appropriate speed for conditions particular to such neighborhoods; and

WHEREAS, the Town Board, in consultation with the Chief of Police and the Director of Engineering, have identified certain neighborhoods within which reduced speed limits are seen as safe and appropriate; and

WHEREAS, the Town Board recognizes that, pursuant to the Model Traffic Code, it has the authority to modify speed limits on purely-local streets through legislative action; and

WHEREAS, by the within Ordinance, the Town Board wishes to establish a procedure for legislative approval of reduced speed limits upon application, which approval will have the force and effect of law; and

WHEREAS, by its adoption of the within Ordinance, the Town Board believes that the safe and efficient movement of traffic will be promoted, and fair notice to drivers will be afforded.

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

Section 1. Chapter 8 of the *Windsor Municipal Code* shall be amended by the addition of a new Article VIII, which shall read as follows:

**ARTICLE VIII
MODIFICATION OF NEIGHBORHOOD SPEED LIMITS**

Sec. 8-8-10. General Speed Limits Affirmed.

The authority of the Town to establish speed limits through adoption of the Model Traffic Code is hereby affirmed. Except as modified pursuant to this Article, all speed limits established by adoption of the Model Traffic Code shall remain in full force and effect.

Sec. 8-8-20. Modification of Speed Limits; procedure.

- (1) Any property owners association or metropolitan district serving a neighborhood or subdivision may apply for a reduction of the applicable speed limit upon local and minor collector streets within the neighborhoods and subdivisions identified in a Town-wide street map maintained by the Engineering Department and updated as new subdivisions are approved. The following procedural requirements shall apply:
 - a. **Application.** The Town Manager shall make available an application form by which a qualifying association or metropolitan district may request consideration of speed limit modification under this Article. At a minimum, the form shall identify the applicant and the applicant's representative, and shall contain sufficient space for the applicant to identify the streets for which speed limit modification is sought under this Article. No application shall be accepted or processed if any of the streets identified therein, or portions thereof, have been the subject of a prior application filed pursuant to this Article. Nothing herein shall be construed to prevent the amendment of an application for speed limit modification pursuant to this Article, so long as all requirements of this Article are met with respect to such amendment(s).
 - b. **Entire neighborhoods only.** The approval of a speed limit modification pursuant to this Article shall apply to the full length of all streets within the neighborhood or subdivision for which approval is issued. The Town Board shall not have the authority to approve speed limit modifications for only a portion of the streets within a particular neighborhood or subdivision.
 - c. **Police Department and Engineering Department Review.** Upon receipt of a completed application, both the Police Department and Engineering Department shall undertake a review of the application. Upon completion of such reviews, the Chief of Police (or designee) shall prepare a written report for presentation to the Town Board, which report shall describe any concerns for public safety, traffic circulation or any other matter affecting the public interest. Upon completion of

all staff-level reviews, the application shall be referred by the Town Manager to the Town Board at a regular or special meeting.

- (2) **Town Board review and action; formal action required.** Prior to taking any action on an application filed pursuant to this Article, the Town Board shall conduct a public hearing at which staff comments, recommendations and relevant public input are considered. Any speed limit modification approved pursuant to this Article shall be in the form of a Resolution approved by a majority of Town Board members participating in the action. The Town Board shall have full legislative discretion in this regard, and any determination of the Town Board under this Article shall be deemed final legislative action.
- (3) **Posting of modified speed limits.** Upon Town Board approval of any Resolution approving a speed limit modification pursuant to this Article, the Town shall post signage reflecting the approved modified speed limit along all routes affected thereby. The number, location and other characteristics of such signage shall be determined through cooperation of the Police Department, Engineering Department and Public Works Department. No speed limit modification approved pursuant to this Article shall be effective until the posting of signage is completed under this sub-section.

Sec. 8-8-30. Limitations. Except as provided in Section 8-8-40 below, no speed limit modification approved pursuant to this Article shall increase any speed limit otherwise in effect at the time. No speed limit modification approved pursuant to this Article shall have the effect of establishing any speed limit of less than 25 miles per hour. No speed limit modification pursuant to this Article shall affect any speed limit in effect on any street not shown as eligible within the Town-wide street map maintained by the Engineering Department and updated as new subdivisions are approved.

Section 8-8-40. Revocation. The Town Board shall have the authority to revoke any speed limit modification approved pursuant to this Article upon a finding that such speed limit modification does not promote public safety, or negatively impacts traffic circulation, or adversely impacts infrastructure integrity.

Introduced, passed on first reading and ordered published this 23rd day of September, 2013.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Passed on second reading, and ordered published this 14th day of October, 2013.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



Town of Windsor
Town Hall
301 Walnut Street
Windsor, CO 80550
Phone: 970-647-2400 | Fax: 970-686-7180

APPLICATION TO REDUCE SPEED LIMIT

Any property owners association or metropolitan district serving a neighborhood or subdivision may apply for a reduction of the applicable speed limit upon local and minor collector streets within the neighborhoods and subdivisions identified in a Town-wide street map maintained by the Engineering Department and updated as new subdivisions are approved. The approval of a speed limit modification shall apply to the full length of all streets within the neighborhood or subdivision for which approval is issued. The Town Board shall not have the authority to approve speed limit modifications for only a portion of the streets within a particular neighborhood or subdivision.

Today's Date: _____

Contact Person: _____

Address: _____

City: _____ **State:** _____ **Zip Code:** _____

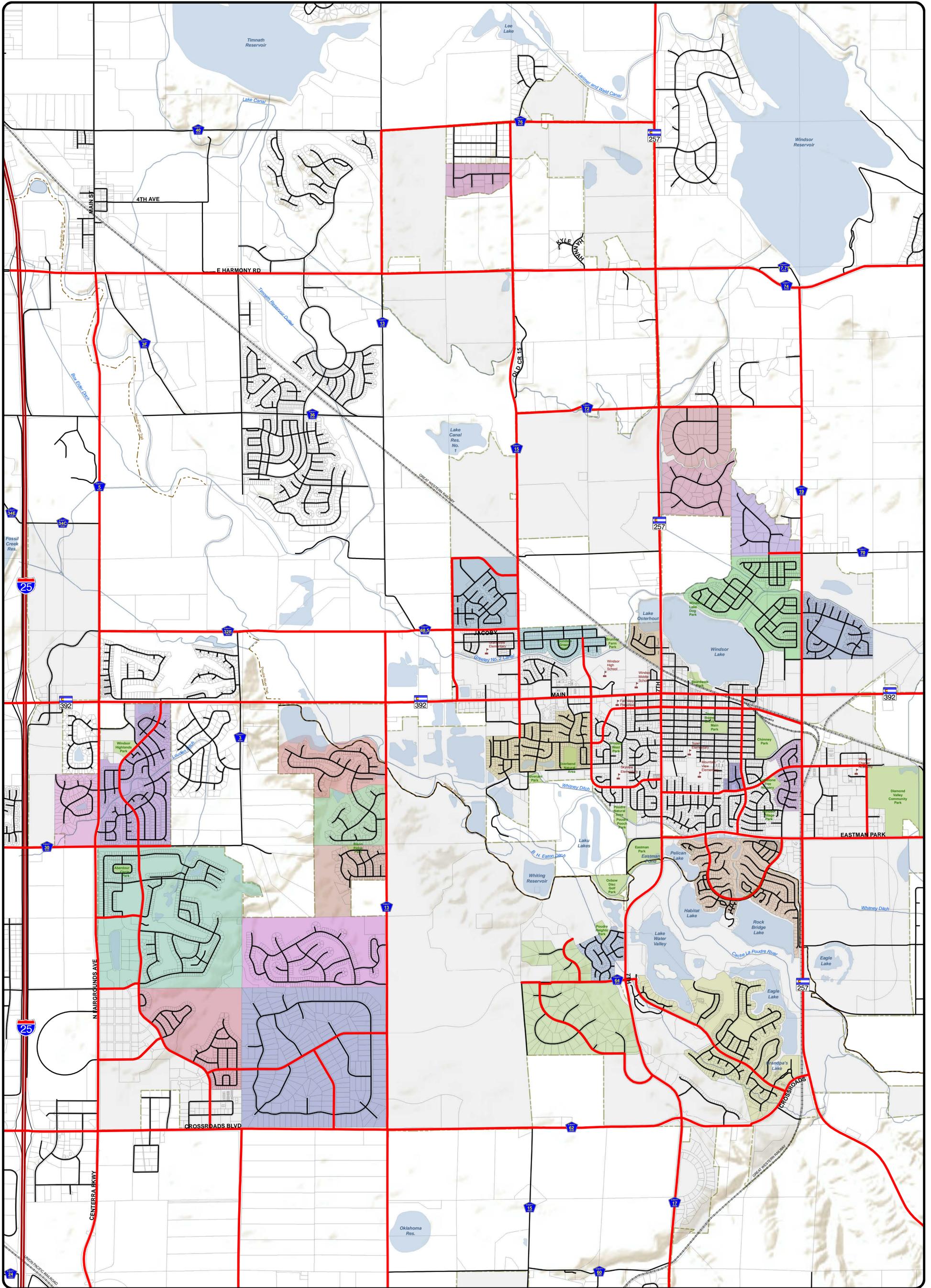
Phone: _____ **Email:** _____

Neighborhood or subdivision you are requesting twenty-five (25) speed limit modification. Please explain. *(A map is available through the Engineering Department for reference of eligible streets.)*

We, the residents of _____, do hereby request the Town of Windsor to reduce the existing speed limits of thirty (30) miles per hour to twenty-five (25) miles per hour.

Signature of Representative

Date



HOAs and Streets

 Collector & Arterial Streets ≥ 30 mph  Windsor Corporate Limits - 24.6 sqmi



This map was created for illustrative purposes only. Any repercussions from the misuse or misrepresentation of this map or its contents, whether intentional or not, are the sole responsibility of the user.
 Updated: 5/13/2013
 Created by: stometich
 Created by: stometich
 File: HOA(24x36-P)

TOWN OF WINDSOR, COLORADO

ORDINANCE NO. 2013-1460

AN ORDINANCE AMENDING SECTION 8-6-20 (b) (2) OF THE *WINDSOR MUNICIPAL CODE* WITH RESPECT TO ELIGIBLE APPLICANTS FOR GOLF CAR PERMITS WITHIN THE TOWN OF WINDSOR, COLORADO

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

WHEREAS, the Town’s citizenry places high value on a safe and efficient system of transportation, both locally and regionally; and

WHEREAS, in 2009, the Town Board adopted an ordinance, now codified at Chapter 8, Article VI of the *Windsor Municipal Code* (“Golf Car Ordinance”), under which eligible applicants could seek Town Board approval for the operation of golf cars on local streets within the Town; and

WHEREAS, the Golf Car Ordinance limited the eligibility of applicants to those who have the consent of a homeowners association or a majority of property owners within the affected neighborhood; and

WHEREAS, the Town Board, in consultation with the Chief of Police and Town Manager, have concluded that the criteria for applicant eligibility under the Golf Car Ordinance should be expanded to include those for whom consent is received from a metropolitan district which serves the neighborhood in question; and

WHEREAS, by the within Ordinance, the Town Board wishes to expressly permit metropolitan districts to consent to applications for permits under the Golf Car Ordinance; and

WHEREAS, by its adoption of the within Ordinance, the Town Board believes that the safe and efficient movement of traffic will be promoted for the benefit of the public.

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

Section 8-6-20 (b) (2) of the Windsor Municipal Code is hereby repealed, amended and re-adopted to read as follows:

(2) Any person wishing to seek Town Board permission for operation of a golf car upon Town streets within a particular neighborhood or subdivision shall first obtain the written consent of either the homeowners' association within the neighborhood or subdivision, or metropolitan district whose service area includes the applicable neighborhood or subdivision, or the written approval in the form of a signed petition from a majority of the residents within the applicable neighborhood or subdivision.

Introduced, passed on first reading and ordered published this 23rd day of September, 2013.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Passed on second reading, and ordered published this 14th day of October, 2013.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk



MEMORANDUM

Date: October 14, 2013
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Josh Olhava, Associate Planner
Subject: Ordinance No. 2013-1461 – Rezoning certain property known as Windsor Commons Subdivision Second Filing, Lot 3 – 1101 Automation Drive - Karin Adams, JAKA Properties LLC, applicant/ Garry A. Wilkening, Wilkening Storage LLC and Michael Kortendick, AICP, Landform Inc., applicant's representatives – Second Reading
Location: 1101 Automation Drive
Item #s: C.3

Background:

This item was presented to the Town Board at the September 23, 2013 regular meeting. A public hearing was held, and the Town Board approved the attached ordinance on first reading.

The applicant, Ms. Karin Adams, represented by Mr. Garry Wilkening and Mr. Michael Kortendick, are requesting to rezone approximately 3.799 acres (4.156 acres in size when including half of the Automation Drive right-of-way along the extent of the property) from General Commercial (GC) to Limited Industrial (I-L) zoning (please see the enclosed rezoning plat). The subject property is located at 1101 Automation Drive, directly north of the Windmill Childcare Center.

Mr. Wilkening, the owner of the existing Windsor Commons Self Storage facility across the street from the subject site has entered into a contractual agreement with the current property owner, Ms. Adams; and proposes to expand his storage facility to this site. The applicant and the Town have recorded a Contractual Agreement for Land Use Limitations under Recording Number 3960018 that limits the use of Lot 3; upon Town Board approval of the rezoning petition (please see the enclosed agreement recorded at Reception No. 3960018 for additional details).

On Thursday, August 15, 2013, the applicant's representatives held a neighborhood meeting at the Community Recreation Center. There was limited attendance and no concerns were raised during the meeting by attendees. Please see the enclosed neighborhood meeting notes from August 15, 2013.

Conformance with Comprehensive Plan: The application is consistent with the following Commercial and Industrial Land Use goal and policy of the Comprehensive Plan:

- Goal:** 4) Encourage industrial uses to locate in areas which lessen the impact on the downtown area of Windsor.
- Policy:** 4) Encourage compatible industries to locate in and annex to Windsor, with general, heavy industrial activities locating in the eastern and southeastern portions of the GMA.

Conformance with Vision 2025: The proposed application is consistent with the following “Economic Vitality” goals of the Vision 2025 document:

Goal: 3) Grow and Diversify the Windsor economy.

Strategy: Promote the expansion of locally owned businesses in the community.

Notification: August 30, 2013 – Staff posted a Rezoning Proposal Under Review Sign
August 30, 2013 – Staff submitted the Legal Ad to the Paper
September 3, 2013 – Staff posted the Public Hearing notice
September 9, 2013 – Staff received the Mailing Affidavit

Recommendation: Approval of the ordinance on Second Reading

Enclosures: Ordinance No. 2013-1461
Application materials
Rezoning petition
Rezoning narrative
Neighborhood Meeting Notes from August 15, 2013
Rezoning plat
Contractual Agreement for Land Use Limitations – Rec. No. 3960018
PowerPoint presentation

pc: Karin Adams, JAKA Properties LLC, applicant
Garry A. Wilkening, Wilkening Storage LLC, applicant’s representative
Michael Kortendick, AICP, Landform Inc., applicant’s representative

TOWN OF WINDSOR, COLORADO

ORDINANCE NO. 2013-1461

AN ORDINANCE PURSUANT TO CHAPTER 16, ARTICLE V OF THE *WINDSOR MUNICIPAL CODE* APPROVING THE RE-ZONING OF THE PROPERTY LOCATED AT LOT 3, WINDSOR COMMONS SUBDIVISION, SECOND FILING UPON THE APPLICATION OF JAKA PROPERTIES, LLC

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 property located at Lot 3, Windsor Commons Subdivision, Second Filing (“Property”), is presently zoned “General Commercial GC”, pursuant to the regulations found in Article XIX of the Zoning Code; and

WHEREAS, the owner of the Property, JAKA Properties, LLC, has filed a Petition (“Petition”) requesting re-zoning of the Property from its current General Commercial GC designation to a “Limited Industrial IL” designation; and

WHEREAS, in accordance with the requirements for re-zoning found in Article V of the Zoning Code, the Petition has been reviewed by staff and referred to the Planning Commission for review and recommendation following a public hearing; and

WHEREAS, the Planning Commission has recommended that the Town Board approve the re-zoning request, subject to certain conditions; and

WHEREAS, pursuant to the requirements for re-zoning found in Article V of the Zoning Code, the Town Board has convened a public hearing and heard relevant evidence with respect to the merits of the Petition; and

WHEREAS, based upon the evidence presented at the public hearing, the Town Board concludes that the Petition should be granted, and the Property re-zoned as requested.

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

1. The property located at Lot 3, Windsor Commons Subdivision, Second Filing (“Property”) is and shall henceforth be re-zoned from General Commercial GC to Limited Industrial IL.
2. In addition to all other applicable regulations, the use of the Property shall be subject to the regulations found in Chapter 16, Article XXI of the *Windsor Municipal Code*.
3. In addition to all regulations applicable under the *Windsor Municipal Code*, the use of the property shall be subject to the terms of that certain Conditional Agreement for Land Use Limitations dated August 21, 2013, between the Town and JAKA Properties, LLC.
4. Pursuant to *Windsor Municipal Code* § 16-5-20 (3), within ten (10) days of the effective date of this Ordinance, JAKA Properties, LLC, shall submit to the Planning Department a certified copy of a compact disc (CD) containing all drawings that have been approved by the Town, plus two (2) translucent original Mylars of final rezoning maps to be recorded in the office of the Weld County Clerk and Recorder.

Introduced, passed upon a vote of ____ in favor and ____ opposed on first reading and ordered published this 23rd day of September, 2013.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Passed on second reading upon a vote of ____ in favor and ____ opposed, and ordered published this 14th day of October, 2013.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

TOWN OF WINDSOR PLANNING DEPARTMENT
301 Walnut Street, Windsor, CO 80550
Phone: 970-674-2415; Fax: 970-674-2456

For office use only:
Project ID No.

LAND USE APPLICATION FORM

Land use applications shall include all items listed in the application submittal checklist and the Town of Windsor Municipal Code (Code). The Town of Windsor Planning Department reserves the right to refuse to accept incomplete submittals. Please see the Code for submittal requirements.

APPLICATION TYPE:

- ANNEXATION
- MASTER PLAN
- REZONING
- MINOR SUBDIVISION
- LOT LINE ADJUSTMENT
- MAJOR SUBDIVISION
- SITE PLAN
- ADMINISTRATIVE SITE PLAN
- SITE PLAN - Qualified Commercial or Industrial (Fast Track)

STATUS:

- (for MAJOR SUBDIVISIONS and SITE PLANS only)
- Preliminary
 - Final

PROJECT NAME*: Windsor Commons Subdivision, Second Filing Rezoning

LEGAL DESCRIPTION*: Lot 3, Windsor Commons Subdivision, Second Filing

PROPERTY ADDRESS (if available): _____

PROPERTY OWNER (APPLICANT):	
Owner's Name(s)*: <u>Karin Adams</u>	
Company: <u>JAKA Properties LLC</u>	
Address*: <u>11460 County Rd. 140, Salida, CO 81201</u>	
Primary Phone #*: <u>719-221-1212</u>	Secondary Phone #: <u>719-539-3340</u>
Fax #: <u>719-539-3345</u>	E-Mail*: <u>karinadams44@gmail.com</u>

OWNER'S AUTHORIZED REPRESENTATIVE:	
Representative's Name: <u>Garry A. Wilkening</u>	
Company: <u>Wilkening Storage LLC</u>	
Address: <u>11535 W. Hampden Avenue, Lakewood, CO 80227</u>	
Primary Phone #: <u>720-244-1617</u>	Secondary Phone #: <u>720-220-2689</u>
Fax #: <u>303-948-9955</u>	E-Mail: <u>trouttklr@msn.com</u>

All correspondence will only be sent to the owner's authorized representative. It is the sole responsibility of the representative to distribute correspondence to the owner and other applicable parties, i.e. engineers, architects, surveyors, attorneys, consultants, etc.

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.

Karin Adams May 28, 2013
Signature: Owner or Owner's Authorized Representative** Date

**Proof of owner's authorization is required with submittal if signed by Owner's Authorized Representative.

Karin Adams for JAKA Properties LLC
Print Name(s)

*Required fields

REZONING PETITION

I, the undersigned, being the owner of the property described as Lot 3, Windsor Commons Subdivision, Second Filing, containing 3.799 acres more or less, hereby request a change in zoning from General Commercial (GC) to Limited Industrial (IL) and do hereby pay the required fee.

Date

Owner's Signature

Mailing Address

May 28 2013



11460 County Rd. 140

JAKA Properties, LLC

Salida, CO 81201

By: Karin Adams

Managing Member

Landform, Inc.

P.O. Box 9, Evergreen, Colorado, 80437-0009, Office: 303.670.5100, Wireless: 303.748.0221, Fax: 303.670.9544, mjkort@landform.us, www.landform.us

Town of Windsor Planning Department
ATTN.: Mr. Joseph Plummer, Director of Planning
301 Walnut Street
Windsor, CO 80550

**RE: Cover Letter Associated With Rezoning Lot 3, Windsor Commons
Subdivision, Second Filing to Accommodate an Enclosed Storage Facility
and Accessory Outdoor (RV/Boat/Camper) Storage**

Dear Mr. Plummer:

This *Cover Letter* and attached documentation are intended to provide you and others with the requisite information necessary to process a *Rezoning* associated with the above referenced property.

In brief, the proposal is to *Rezone* the property (as referenced above) to allow for a group of small uninhabited structures (specifically storage units) designed for the storage of items typically associated with a household. It should be noted that no hazardous materials are permitted to be stored within the facility.

PROPERTY IDENTIFICATION:

The subject property is currently classified as Vacant Land as thusly does not yet have a physical address assigned to it. The Assessor's Parcel Identification Number associated with this approximate 3.799-acre property (4.156 acres in size per the Zoning Map that includes ½ of the Automation Drive right-of-way in front of the subject property) is: 080722314003, while the Legal Description is: Lot 3 Windsor Commons, Second Filing. The property is located within Section 22, Township 6 North, Range 67 West, Sixth Principal Meridian, County of Weld, State of Colorado.

PROPERTY OWNERSHIP / APPLICANT / CONTACT INFORMATION:

The owner of the property is:
JAKA Properties, LLC
Karin S. Adams, Managing Member
339 E. Hwy. 50, Suite #104
Salida, CO 81201
Wireless: 719.221.1212

AUTHORIZED REPRESENTATIVE:

The Owner of the existing "Windsor Commons Self Storage" facility, who has entered into a contractual agreement with the (subject) property Owner is:

Wilkening Storage, LLC
Garry A. Wilkening, Member
11535 W. Hampden Avenue
Lakewood, CO 80227

And this author has been retained to assist the Applicant's Authorized Representative with this Rezoning Process. My contact information may be found on the bottom of this correspondence.

PROJECT GENESIS:

As previously mentioned the Authorized Representative for this project (also being the Owner of the existing "Windsor Commons Self Storage" facility) informed this author that he and his wife purchased the self-storage business in May 2012 and increased the occupancy from 83% to 99-100%. And while other like services exist within the region, demand for storage within this immediate area remains high. As you know many residential communities are governed by Covenants that preclude outdoor storage, further adding to the demand for these services within this area.

EXISTING & PROPOSED ZONING CLASSIFICATION / ADJOINING LAND USES:

The existing zone classification associated with the subject property is the "General Commercial GC District" that does not allow "enclosed storage facilities", "parking and service areas" and/or "accessory outdoor storage" (the later two designations appearing to apply to recreational vehicle, boat and camper storage). Therefore a Rezoning to "Limited Industrial I-L District" that allows the previously cited/sought uses is required.

It should be noted that the Limited Industrial (I-L) zone classification already exists on both sides of existing Highway 257 near the proposed Rezoning site, including a large area situated across the Highway and to the east, including that area containing the Applicant's existing "Windsor Commons Self Storage" facility. More specifically the existing "Windsor Commons Self Storage" facility is situated east and adjacent to existing Highway 257, west and adjacent to existing Automation Drive and south and adjacent to existing Commons Drive. The proposed expansion (Rezoning site) is oriented east and across existing Automation Drive.

Additionally the existing General Commercial, Planned Unit Development (GC-PUD) zone classification currently located in the very NE corner of existing Highway 257 and WCR 66 (Eastman Park Drive) has a small pocket of the I-L zone classification contained inside it resembling a hole-in-the-donut configuration, also being the location of the existing "Windsor Commons Self Storage" facility. As such Rezoning the subject property to I-L (to accommodate the desired storage uses) appears to be compatible with those nearby zone classifications and existing land uses.

One letter of support is being transmitted within the companion Rezoning submittal package from the Owner of "Moltz Construction, Inc." (situated east and adjacent to the

subject property) while another will be forthcoming from the Owner of the "Windmill Child Enrichment Center" (situated south and adjacent to the subject property). And given the limited impacts associated with the contemplated storage facility (including but not limited to an incremental increase in vehicle traffic and the built environmental form) one could expect the harmonious integration of the storage facility project within the surrounding area and community.

And Article XXI [Limited Industrial I-L District, Section 16-21-20 Use regulations, (c) Accessory uses, (5), Pages 16-98 & 99 of the Town of Windsor Municipal Code] states that assuming approval of the designated uses by right (as within the preceding paragraphs) the following shall be permitted accessory uses: Accessory outdoor storage that is normally auxiliary to the principal industrial use of the property. The total square footage of accessory outdoor storage in the Limited Industrial I-L District shall not exceed sixty-five (65%) of the total square footage of the property, which shall be calculated as the combined total square footage of the footprint of all buildings, landscaping, paved parking and the drive areas on the property. Any such storage located adjacent to a public 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. (See cited Section of the Town of Windsor Municipal Code for accessory outdoor storage and semi-improved surface criteria.)

PROJECT SCOPE:

It is proposed that the subject property consist of a phased development to include enclosed storage facilities (mini-storage) and the outdoor (or partially covered) storage of recreational vehicles, boats and campers. No hazardous material storage is permitted within the storage units.

More specifically proposed Phase I will contain approximately 145 self-storage units and 50 to 75 RV/Boat/ Camper spaces, while future phases will convert RV/Boat/Camper spaces to storage spaces. And predicated on the size and configuration of the lot, the maximum number of potential storage units could be approximately 350 to 400, depending on the actual unit mix and sizes of the individual units.

TOWN OF WINDSOR REZONING PROCESS:

The Town of Windsor, "Checklist for Rezoning Application" accompanies this formal case submittal and as such that information is not being repeated herein but is included by reference.

OTHER APPLIABLE TOWN OF WINDSOR CRITERIA:

One of the major Goals associated with Commercial and Industrial Development (as identified within the Comprehensive Plan) is to provide a safe, aesthetically appealing and healthy environment which does not have adverse impacts on the surrounding area. Please be aware that the proposed facility will utilize a network of security

cameras that record the on-site activities for security and safety. Additionally, the architectural treatment and overall design of the proposed facility will mimic that which already exists across the street within the existing "Windsor Commons Self Storage" facility that will help provide an aesthetically pleasing development. Further the previously described storage uses, installation of an approximate six foot high decorative fence around the property perimeter and the installation of site landscaping will help mitigate any adverse impacts on the surrounding area. And regarding the later, landscaping plant materials will both emphasize those that are indigenous to the area as well as be drought tolerant and the use of turf will be minimized as a water conservation measure.

While the placement of structures was contemplated along the southern edge of the property (along the common boundary with the existing Child Enrichment Center) decorative wrought iron fencing was ultimately selected in order to both tie this project to the existing "Windsor Commons Self Storage" (situated west and across the street). Additionally structure placement in that location would obstruct the solar gain on site contributing to snow and ice build-up potentially creating an unsafe environment. Since the RV/boat/camper storage will require visual screening, the placement of structures will be utilized in conjunction with site landscaping to best achieve the screening objective. At that the Applicant has indicated a desire to work with Planning Staff specific to site screening and will comply with Article XXI of the Windsor Municipal Code.

It appears that the subject property is situated outside of the Comprehensive Plan radius applicable to the Town's Growth Management Area, East Side Subarea Plan, so these standards do *not* apply.

EXISTING SITE CHARACTERISTICS / VEHICLE ACCESS:

The subject site as contained within the existing Plat of Lot 3 Windsor Commons, Second Filing may generally be characterized as being irregular in shape albeit predominately containing straight property lines excepting along the north line where the lot line follows a gentle sweeping curve. The property may be further described as being relatively flat, non-irrigated land covered with native grasses interspersed with weeds. No large trees or other significant vegetation was observed on site. Two local roadways, Automation and Commons Drives (both being Public Roadways) border the subject site to the west thereby providing easy access from both State Highway 257 (situated further west) and Eastman Park Drive (situated to the south).

An existing Waterline Easement (Recorded at Reception Number: 3124462, recorded on 11.6.2003) also traverses the site from north to south along the properties western edge. A copy of this Easement accompanies this Rezoning submittal. Obviously, no structures are being proposed within this area.

WATER / SEWER / STORMWATER DRAINAGE:

The water supply, wastewater services and stormwater drainage as provided by the Town of Windsor serve this site. However since these structures will be unoccupied and contain only dry storage, no water or sewer services are needed except for a possible restroom and as needed for the irrigation of site landscaping (that will be designed and installed as consist with existing requirements).

Additionally the existing Plat of Windsor Commons Subdivision, Second Filing (Recorded at Reception Number: 2911019, recorded 12.20.2001 with the Weld County Clerk & Recorder) also depicts an existing Drainage Easement situated within the southern portion of the Plat, situated along the Eastman Park Drive northerly right-of-way line and east of Automation Drive. Stormwater generated from impervious areas within the development will be diverted to this forty (40') foot Drainage Easement dedicated in conjunction with the referenced Plat document.

FIRE / EMERGENCY SERVICES:

The Windsor-Severance Fire Protection District will provide emergency services to the subject property that is situated inside the Town limits. Obviously access to this secured, limited access property will be provided as consistent with that required by District personnel. It is suspected that this entity will be provided with an outside Referral packet and we look forward to answering any additional questions that District personnel may have.

CONCLUSION:

Speaking also for the Authorized Representative, we look forward to working with you and your Staff on this very promising project. Should I have forgotten anything that you require, or should you simply wish to discuss this project in further detail, feel free to contact me using any of the information as contained within the footer of this letterhead.

Sincerely



Michael J. Kortendick, A.I.C.P.

Enclosures:

Refer to the Completed "Checklist for Rezoning Application"

Landform, Inc.

P.O. Box 9, Evergreen, Colorado, 80437-0009, Office: 303.670.5100, Wireless: 303.748.0221, Fax: 303.670.9544, mjkort@landform.us, www.landform.us

September 12, 2013

Town of Windsor Planning Department
ATTN.: Mr. Josh Olhava, Associate Planner
301 Walnut Street
Windsor, CO 80550

RE: Community Meeting Notes Associated with the Rezoning for Lot 3, Windsor Commons Subdivision, Second Filing

Dear Josh:

As you are aware, I hosted the requisite Community Meeting associated with the above referenced project on Tuesday, August 15, 2013 at 6:00PM at the Windsor Community Recreation Center (Oak Room) 250 North 11th Street Windsor, CO 80550. Please find a copy of the Meeting Sign In Sheet, as attached.

And while the meeting was lightly attended the following discussion items, inquiries, concerns and/or issues raised by the meeting attendees are as follows:

- Inquiry and discussion about neighboring land uses.
- Project location / access
- Security / existing caretaker location
- Town process (Josh)
- Anticipated hearing dates (Josh)

Again, there did not appear to be much, if any controversy or dissention about the proposed land use and accompanying rezoning from General Commercial (G-C) to Limited Industrial (I-L) to accommodate the sought enclosed storage facility and accessory outdoor (RV/Boat/ Camper) storage.

Please let me know if you require anything additional in conjunction with this aspect of the project. And speaking also for both the Owner and future owner, we collectively thank you for all of your expertise and assistance with the processing of this project

Sincerely,

Michael J. Kortendick, A.I.C.P.

Enclosures:

Refer to the Completed "Checklist for Rezoning Application"

WINDSOR COMMONS SUBDIVISION SECOND FILING, LOT 3 REZONING

Lot 3, Windsor Commons Subdivision Second Filing And A Portion Of Automation Drive,
 Located In The Southwest Quarter Of Section 22, Township 6 North, Range 67 West Of The 6th P.M.,
 Town Of Windsor, County Of Weld, State Of Colorado

DATE: 6/11/2013
 FILE NAME: 2013329
 SCALE: 1"=50'
 DRAWN BY: CSK
 CHECKED BY: LSP

DESCRIPTION

A plot of a parcel of land in the TOWN OF WINDSOR, County of Weld, Colorado, located in the Southwest Quarter of Section Twenty-two (22), Township Six North (T.6N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), and more particularly described as follows:

Lot Three (3), Windsor Commons Subdivision Second Filing recorded December 20, 2001 as Reception No. 2911019 of the records of Weld County Recorder, and a portion of Automation Drive Right of Way, located in the Southwest Quarter of Section Twenty-two (22), Township Six North (T.6N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), Town of Windsor, County of Weld, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 3 and assuming the South line of said Lot 3 as bearing South 89°25'07" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2007, with all other bearings contained herein relative thereto;

THENCE South 89°25'07" West along the South line of said Lot 3 a distance of 307.83 feet to the centerline of Automation Drive;

THENCE along the centerline of Automation Drive the following Two (2) courses:

THENCE North 00°13'14" West a distance of 376.40 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southeast a distance of 148.10 feet, having a Radius of 497.65 feet, a Delta of 17°03'05" and a Long Chord that bears North 08°18'18" East a distance of 147.56 feet to the Westerly prolongation of the Northerly line of said Lot 3;

THENCE along the Northerly and Easterly lines of said Lot 3 the following Six (6) courses:

THENCE South 69°01'38" East along a line being non-tangent to the aforesaid curve a distance of 217.30 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 91.59 feet, having a Radius of 265.00 feet, a Delta of 19°48'06" and a Long Chord that bears South 78°55'42" East a distance of 91.13 feet to a Point of Tangency;

THENCE South 88°49'46" East a distance of 134.97 feet;

THENCE South 00°13'14" East a distance of 262.09 feet;

THENCE North 89°25'55" West a distance of 140.91 feet;

THENCE South 00°11'56" East a distance of 160.56 feet to the POINT OF BEGINNING;

Said described parcel of land contains 181,048 Square Feet or 4.156 Acres, more or less (±).

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

Know all men by these presents that the undersigned, being all the owners, lienholders, and holders of any ownership interest as defined by the Town of Windsor, of the land described herein, 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. Know all men by these presents that the undersigned have caused said land to be laid out and rezoned under the name of WINDSOR COMMONS SUBDIVISION SECOND FILING, LOT 3 REZONING.

In witness whereof, we have hereunto set our hands and seals this _____ day of _____, 20____.

By: _____ As: _____

NOTARIAL CERTIFICATE

STATE OF _____)
 COUNTY OF _____)

The foregoing instrument was acknowledged before me by _____, this _____ day of _____, 20____.

My commission expires _____ (SEAL)
 Notary Public

MAYOR'S CERTIFICATE

This is to certify that a rezoning map of the property described herein was approved by Ordinance 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 ordinance, hereby acknowledges and adopts the said rezoning map upon which this certificate is endorsed for all purposes indicated thereon.

Mayor _____ ATTEST: _____
 Town Clerk

ENGINEERING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20____.

Director of Engineering

PLANNING COMMISSION APPROVAL

Approved this the _____ day of _____, 20____.

Chairman,
 Windsor Planning Commission

PLANNING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20____.

Director of Planning

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.

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the South line of Lot 3, Windsor Commons Subdivision Second Filing, as bearing South 89°25'07" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2007, with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTE

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon. (13-80-105 C.R.S.)

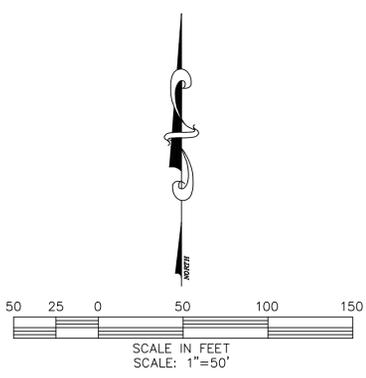
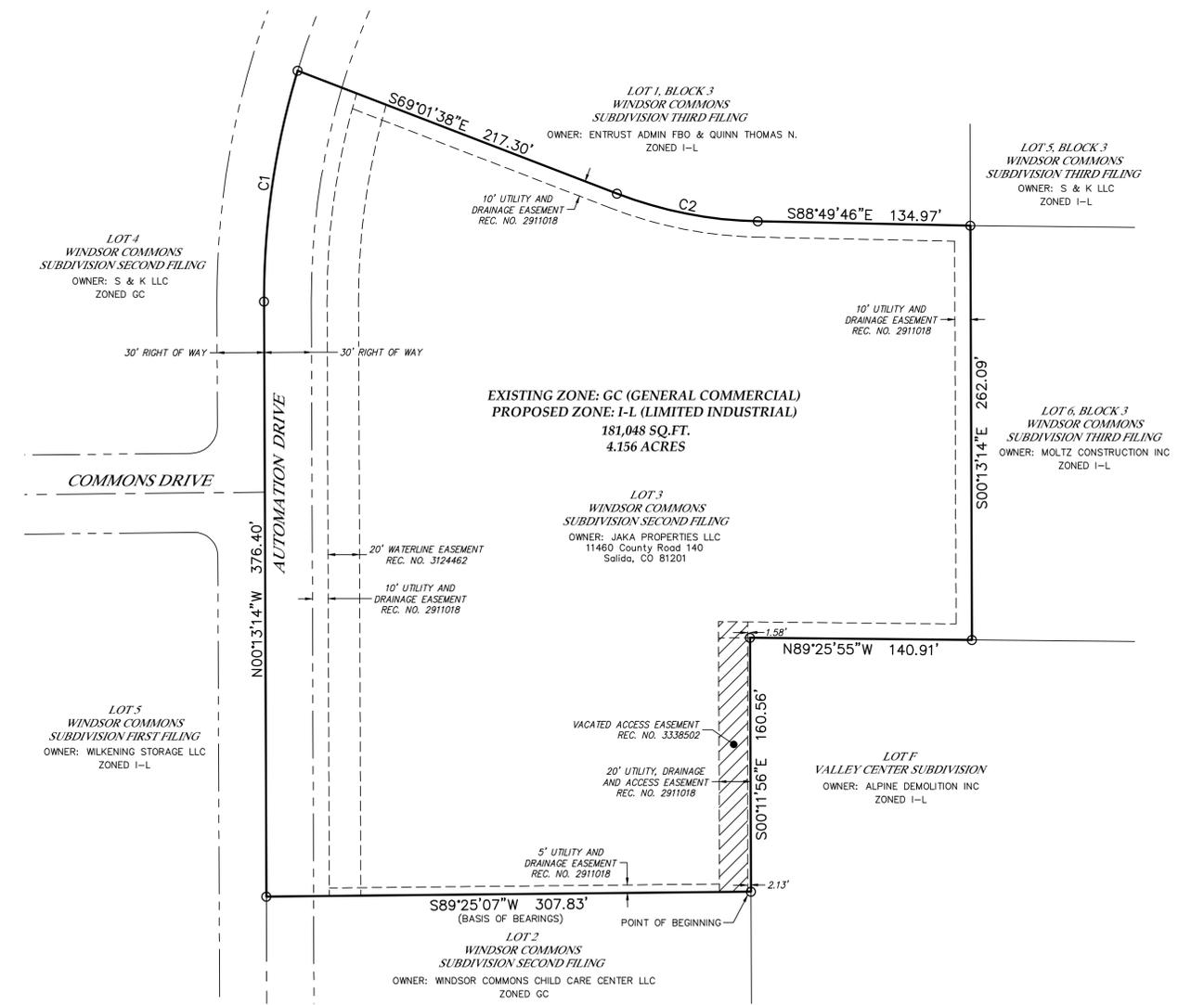
TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors Inc. relied upon Title Commitment Number 01330-24967-Amended No. C2, dated April 26, 2013 as prepared by Stewart Title Guarantee Company to delineate the aforesaid information.

SURVEYOR'S CERTIFICATE

I certify that this plat accurately represents the results of a survey made by me or under my direct supervision.

Lawrence S. Pepok-On Behalf Of King Surveyors Inc.
 Colorado Registered Professional
 Land Surveyor #33642

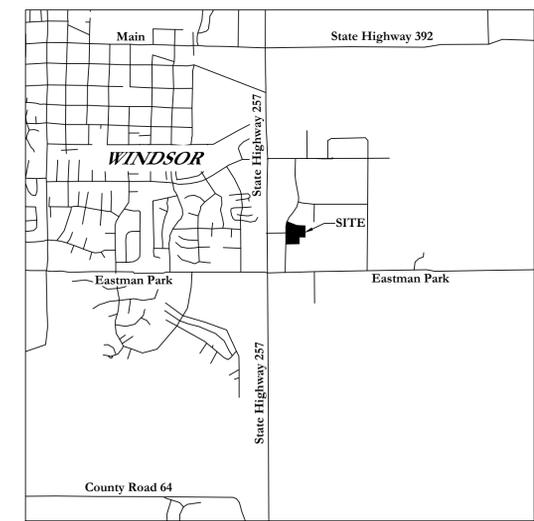


LEGEND

- EASEMENT
- - - SECTION LINE
- - - RIGHT-OF-WAY
- PROPERTY LINE
- CALCULATED POSITION

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	148.10'	497.65'	17°03'05"	147.56'	N08°18'18"E
C2	91.59'	265.00'	19°48'06"	91.13'	S78°55'42"E



KING SURVEYORS, INC.
 650 E. Garden Drive | Windsor, Colorado 80550
 phone: (970) 686-5011 | fax: (970) 686-5821

DATE: 7-31-13
 REVISIONS: Town of Windsor comments

Windsor Commons Subdivision Second Filing
 Lot 3 Rezoning
 FOR
 WINDSOR COMMONS SELF STORAGE
 1172 AUTOMATION DRIVE, WINDSOR, CO 80550

PROJECT #: 2013329

1
 SHEET 1 OF 1

CONDITIONAL AGREEMENT FOR LAND USE LIMITATIONS

THIS AGREEMENT FOR LAND USE LIMITATIONS (“Agreement”) is dated August 21, 2013, and is between JAKA PROPERTIES, LLC, a Colorado limited liability company (“Owner”), and THE TOWN OF WINDSOR, a Colorado home rule municipality (“Town”).

RECITALS:

WHEREAS, the Owner is the owner of a parcel of land located within the Town’s corporate limits, legally-described as Lot 3, Windsor Commons Subdivision, Second Filing (“Property”); and

WHEREAS, the Property currently lies within the “General Commercial GC” zoning district, as defined under Chapter 16 of the *Windsor Municipal Code* (“Zoning Code”); and

WHEREAS, the Zoning Code does not permit enclosed storage facilities, or parking and service areas, or accessory outdoor storage within the General Commercial GC zoning district; and

WHEREAS, Owner desires to sell or lease the Property to a third party (“Third Party”) who is engaged in the self-storage unit business, and who at present is operating a self-storage unit business on nearby property within the Town’s Limited Industrial IL zoning district; and

WHEREAS, enclosed storage facilities are listed as uses by right under the Zoning Code’s provisions applicable to the Limited Industrial IL zoning district; and

WHEREAS, Owner proposes to re-zone the Property from General Commercial GC to Limited Industrial IL, in order that a self-storage unit facility may do business on the Property, operated by the Third Party; and

WHEREAS, Owner has represented to the Town that Owner’s primary purpose in seeking re-zoning of the Property is to allow the Third Party to engage in the self-storage unit business within the Property; and

WHEREAS, Owner acknowledges that immediately to the south of the Property is an established child care and educational facility, which Town staff believes will be negatively impacted by industrial use of the Property other than self-storage units and accessory outdoor storage; and

WHEREAS, Owner acknowledges that re-zoning of the property is within the authority of the Windsor Town Board pursuant to the requirements of the Zoning Code; and

WHEREAS, Owner acknowledges that the determination of a re-zoning application is in each case dependent upon evidence presented to the Town Board during a public hearing in a quasi-judicial setting, including staff recommendations; and



WHEREAS, Owner acknowledges that the outcome of any re-zoning application cannot be pre-determined by contract or otherwise, and that there is no guarantee that Owner's re-zoning application will be approved by the Windsor Town Board; and

WHEREAS, the parties nonetheless wish to enter into this Agreement, in the event that a re-zoning of the Property from its current zoning designation to Limited Industrial IL is approved by the Windsor Town Board; and

WHEREAS, the parties desire to place certain limitations on the use of the Property, but only in the event that Owner's re-zoning application is approved by the Windsor Town Board.

NOW, THEREFORE, the parties agree as follows:

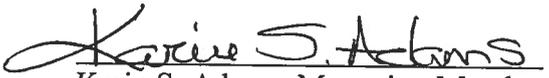
1. The foregoing recitals are affirmed as true, and incorporated into the body of this Agreement as if set forth full herein.
2. Nothing herein shall be deemed an agreement to re-zone the Property, it being acknowledged that the determination of Owner's Land Use Application dated May 28, 2013, is entirely within the authority of the Windsor Town Board.
3. The terms of this Agreement shall only become effective upon final approval by the Windsor Town Board of Owner's Land Use Application Form dated May 28, 2013. Specifically, this Agreement shall take effect at such time as the Property is re-zoned from General Commercial GC to Limited Industrial IL. In the event the re-zoning requested in the May 28, 2013 Land Use Application is denied and no judicial appeal by Owner follows, the within Agreement shall be null, void and of no effect. In the event of a successful judicial appeal by Owner, the terms of this Agreement shall remain in full force and effect.
4. Upon re-zoning to Limited Industrial IL, the Property shall be used exclusively for storage of tangible personal property in accordance with the applicable provisions of the Zoning Code and site planning documents approved by the Town.
5. Except as specifically provided in Section 4 above, no uses of the Property, even if otherwise permitted under the Zoning Code as uses by right or accessory uses in the Limited Industrial IL zoning district, shall take place on the Property. Owner specifically accepts this limitation on use of the Property, recognizing that there is no guarantee that the Windsor Town Board will approve its Land Use Application dated May 28, 2013.
6. The limitations on use of the Property as set forth in Sections 4 and 5 above may be modified or extinguished if Lot 2, Windsor Commons Subdivision, Fourth Filing ("1215 Automation Drive") ceases to be used as an educational facility or recreational facility or child care facility. In the event none of these uses are taking place at 1215 Automation Drive, use of the Property shall be restricted only by the provisions of the

Windsor Municipal Code generally applicable to property within the Town's Limited Industrial IL zoning district.

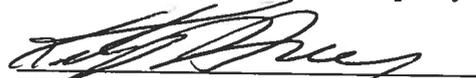
7. This Agreement shall be deemed a covenant running with the land, binding on its signatories, their heirs, successors and assigns, and all persons claiming under them. Either party may record this Agreement in the books and records of the Weld County Clerk and Recorder's Office.
8. This Agreement may not be amended or modified unless in writing, and approved by the Windsor Town Board.
9. This Agreement shall inure only to the benefit of its signatories. There are no third party beneficiaries of this Agreement.
10. This Agreement shall be construed in accordance with the laws of the State of Colorado. Any litigation regarding its interpretation or enforcement shall be brought exclusively in the state courts of Colorado sitting in Weld County.
11. In addition to any other remedies provided by law, the Town shall have the right to seek injunctive relief in the event of a breach of this Agreement by Owner. Should the Town be required to bring legal proceedings to enforce or interpret this Agreement, Owner will pay all reasonable legal fees, expert witness fees and court costs incurred by the Town in so doing.

WHEREFORE, the parties have executed this Agreement on the date first set forth above.

JAKA PROPERTIES, LLC,
a Colorado limited liability company


Karin S. Adams, Managing Member

TOWN OF WINDSOR, COLORADO,
a Colorado home rule municipality


Kelly Arnold, Town Manager



REZONING REQUEST – SECOND READING WINDSOR COMMONS SUBDIVISION SECOND FILING, LOT 3

1101 AUTOMATION DRIVE

**Josh Olhava, Associate Planner
October 14, 2013**

Town Board

Item C.3



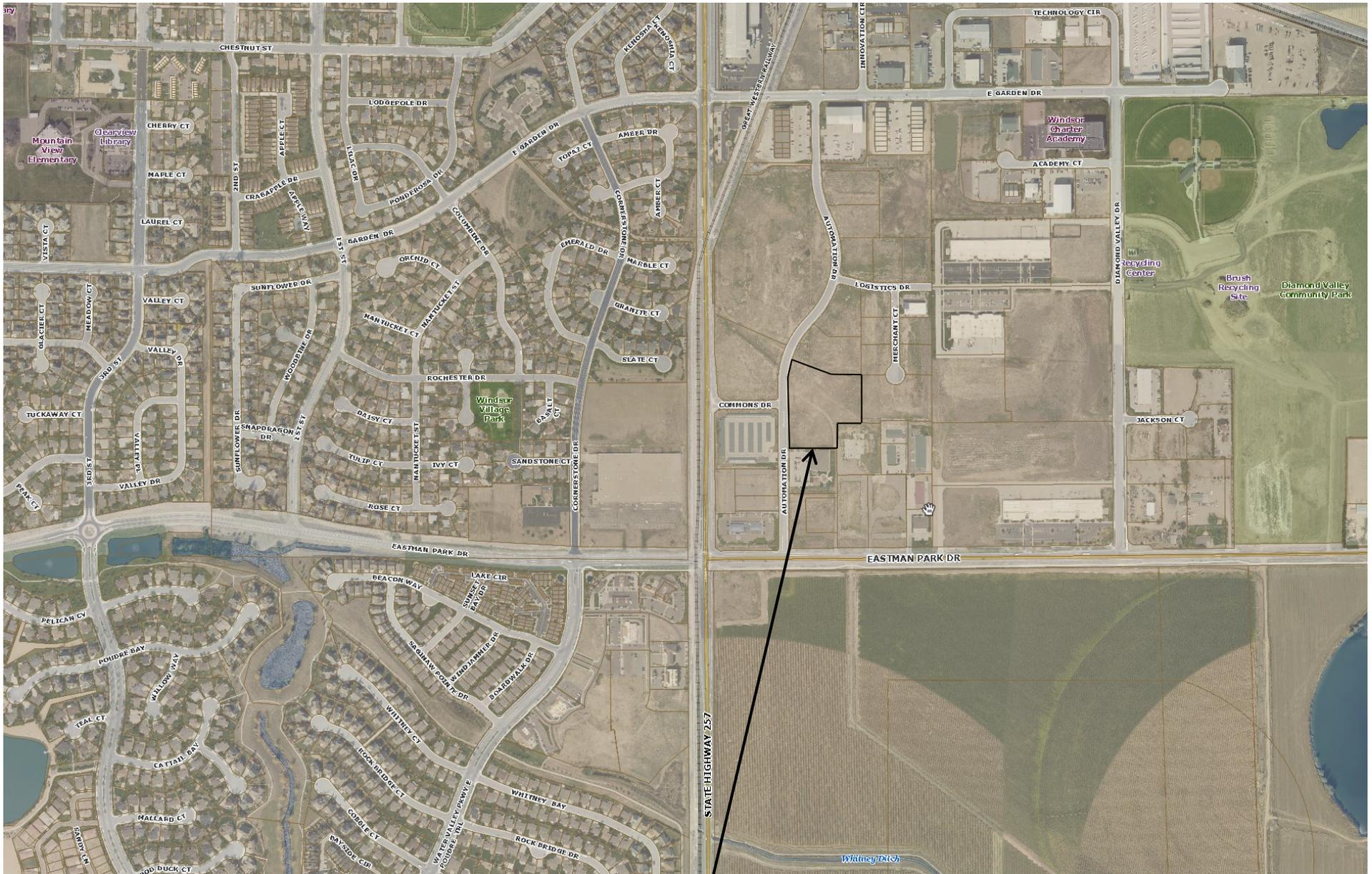
REZONING REQUEST

Article V of Chapter 16 of the Municipal Code outlines the Amendment procedures to established zoning districts:

Sec. 16-5-20. Rezoning Applications

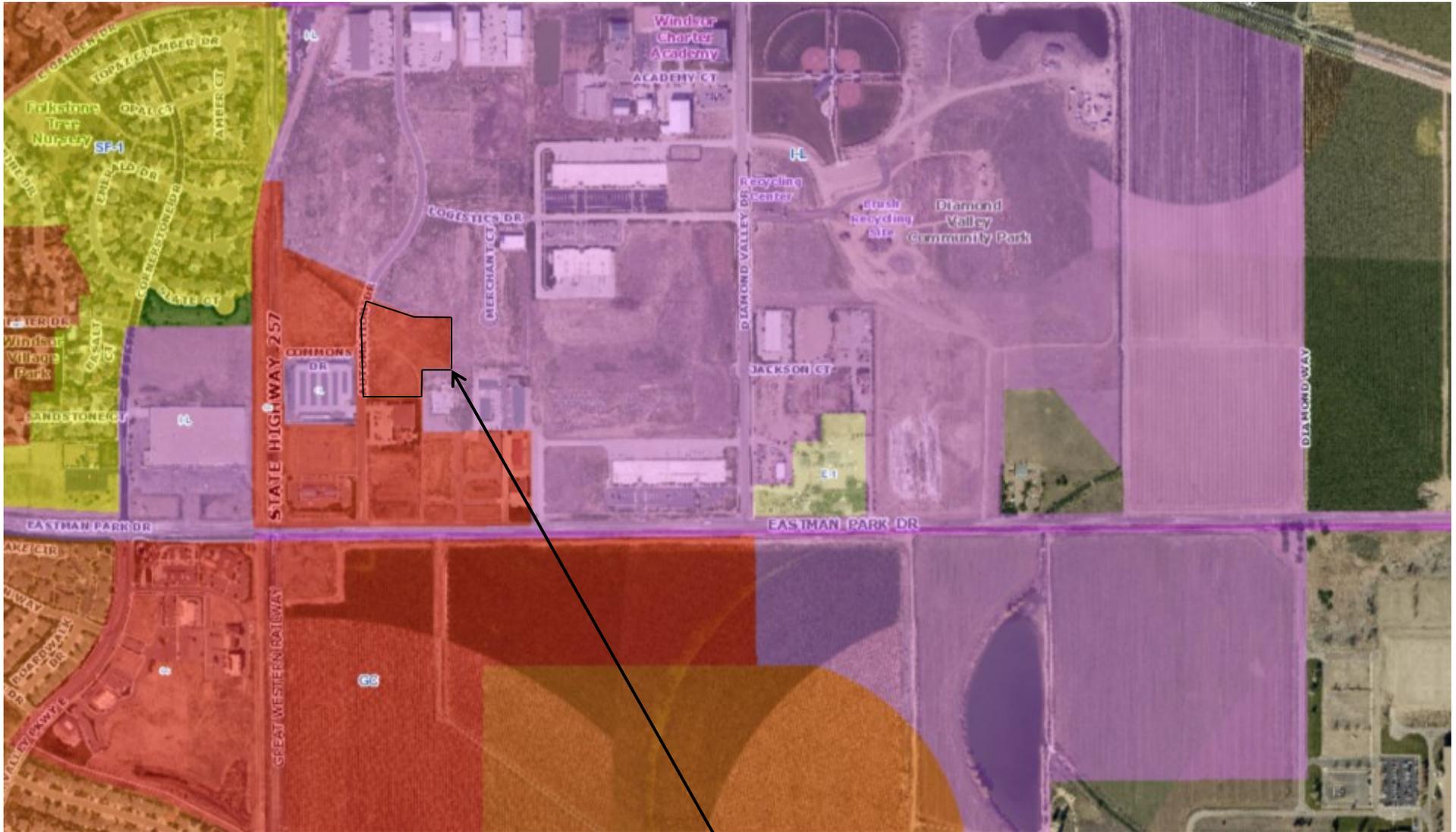
“(a) Purpose. The purpose of this Section is to provide a procedure for changing the existing zone classification of a parcel of land within the Town.”

SITE VICINITY MAP



Site Location

SITE PROXIMITY ZONING MAP



Site Location – Currently Zoned General Commercial (GC),
Proposed for Limited Industrial (I-L)



REZONING PLAT

WINDSOR COMMONS SUBDIVISION SECOND FILING, LOT 3 REZONING

Lot 3, Windsor Commons Subdivision Second Filing And A Portion Of Automation Drive,
 Located In The Southwest Quarter Of Section 22, Township 6 North, Range 67 West Of The 6th P.M.,
 Town Of Windsor, County Of Weld, State Of Colorado

DESCRIPTION

A plot of a parcel of land in the TOWN OF WINDSOR, County of Weld, Colorado, located in the Southwest Quarter of Section Twenty-two (22), Township Six North (T.6N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.) and more particularly described as follows:

Lot Three (3), Windsor Commons Subdivision Second Filing recorded December 20, 2001 as Reception No. 2811018 of the records of Weld County Recorder, and a portion of Automation Drive Right of Way, located in the Southwest Quarter of Section Twenty-two (22), Township Six North (T.6N.), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.), Town of Windsor, County of Weld, State of Colorado and being more particularly described as follows:

BEGINNING at the Southeast corner of said Lot 3 and assuming the South line of said Lot 3 as bearing South 89°25'07" West being a Grid Bearing of the Colorado State Plane Coordinate System, North Zone, North American Datum 1983/2007, with all other bearings contained herein relative thereto;

THENCE South 89°25'07" West along the South line of said Lot 3 a distance of 307.83 feet to the centerline of Automation Drive;

Thence along the centerline of Automation Drive the following two (2) courses:

THENCE North 07°31'4" West a distance of 376.40 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Southeast a distance of 148.10 feet, having a Radius of 497.65 feet, a Delta of 17°03'05" and a Long Chord that bears North 08°18'18" East a distance of 147.56 feet to the Western prolongation of the Northern line of said Lot 3;

Thence along the Northern and Eastern lines of said Lot 3 the following Six (6) courses:

THENCE South 69°01'38" East along a line being non-tangent to the aforesaid curve a distance of 217.30 feet to a Point of Curvature;

THENCE along the arc of a curve concave to the Northeast a distance of 91.59 feet, having a Radius of 285.00 feet, a Delta of 19°48'06" and a Long Chord that bears South 79°50'42" East a distance of 91.13 feet to a Point of Tangency;

THENCE South 88°49'46" East a distance of 134.97 feet;

THENCE South 07°31'4" East a distance of 262.09 feet;

THENCE North 89°25'07" West a distance of 140.91 feet;

THENCE South 07°15'6" East a distance of 160.56 feet to the POINT OF BEGINNING;

Said described parcel of land contains 181,048 Square Feet or 4.156 Acres, more or less (4).

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

Know all men by these presents that the undersigned, being all the owners, lienholders, and holders of any ownership interest as defined by the Town of Windsor, of the land described herein, 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. Know all men by these presents that the undersigned have caused said land to be laid out and rezoned under the name of WINDSOR COMMONS SUBDIVISION SECOND FILING, LOT 3 REZONING.

In witness whereof, we have hereto set our hands and seals this _____ day of _____, 20____.

By: _____ As: _____

NOTARIAL CERTIFICATE

STATE OF _____)
 COUNTY OF _____)
 The foregoing instrument was acknowledged before me by _____, this _____ day of _____, 20____.

My commission expires _____ Notary Public (SEAL)

ENGINEERING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20____.

Director of Engineering

PLANNING COMMISSION APPROVAL

Approved this the _____ day of _____, 20____.

Chairman
 Mayor Planning Commission

PLANNING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20____.

Director of Planning

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.

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The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTE

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon. (13-80-105 C.R.S.)

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors Inc. to determine ownership or assessments of record. For all information regarding assessments, rights-of-way and title of records, King Surveyors Inc. filed upon Title Commitment Number 0133-2887-Amended No. C2, dated April 26, 2013 as prepared by Slewart Title Guarantee Company to delineate the aforesaid information.

SURVEYOR'S CERTIFICATE

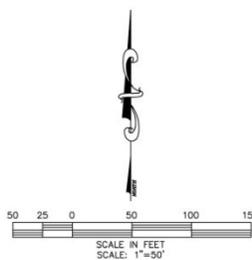
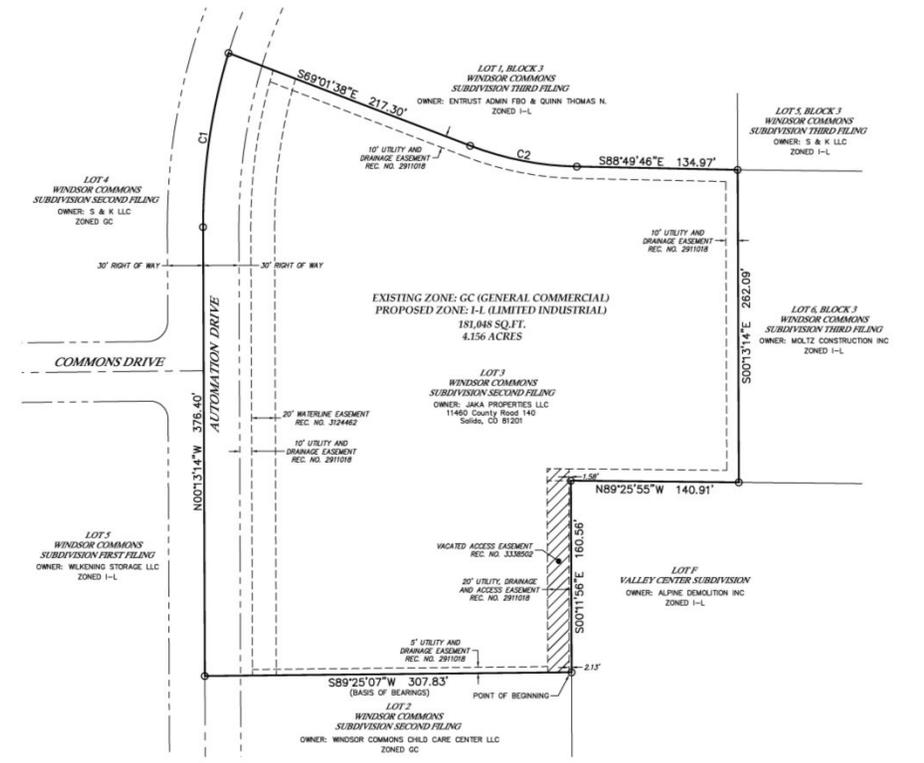
I certify that this plat accurately represents the results of a survey made by me or under my direct supervision.

Lawrence S. Papek-On Behalf Of King Surveyors Inc.
 Colorado Registered Professional
 Land Surveyor #33642

MAYOR'S CERTIFICATE

This is to certify that a rezoning map of the property described herein was approved by Ordinance 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 ordinance, hereby acknowledges and adopts the said rezoning map upon which this certificate is endorsed for all purposes indicated thereon.

ATTEST: _____
 Mayor Town Clerk



LEGEND

- EASEMENT
- - - SECTION LINE
- - - RIGHT-OF-WAY
- PROPERTY LINE
- CALCULATED POSITION

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD	CH BEARING
C1	148.10'	497.65'	17°03'05"	147.56'	N08°18'18"E
C2	91.59'	285.00'	19°48'06"	91.13'	S78°59'42"E





RECOMMENDATION

At the September 23, 2013 Town Board regular meeting, the Town Board approved Ordinance No. 2013-1461 on First Reading.

Staff recommends that the Town Board approve Ordinance No. 2013-1461 on Second Reading.

*Please note that a Super-majority vote is required for the adoption of the Ordinance on second reading.



REZONING REQUEST

Staff requests that the following be entered into the record:

- Application and supplemental materials
- Staff memorandum and supporting documents
- Recommendation



MEMORANDUM

Date: October 14, 2013
To: Mayor and Town Board
Via: Kelly Arnold, Town Manager
Joseph P. Plummer, AICP, Director of Planning
From: Josh Olhava, Associate Planner
Subject: Public Hearing – Ordinance No. 2013-1462 Annexing and Zoning Certain Territory known as the Providence Farm Annexation to the Town of Windsor, Colorado – Stanley K. Everitt Grandchildren’s Trust, applicant/ Stan and Sara Everitt, applicant’s representatives
Resolution No. 2013-57 - A Resolution Making Certain Findings and Conclusions Pursuant to Section 31-12-110 C.R.S., Concerning the Providence Farm Annexation to the Town of Windsor, Colorado
Location: South of Covenant Park and southeast of Southwood Lane
Item #: C.4.C.5.C.6.

Background:

Public Hearing - Ordinance No. 2013-1462:

The applicant, the Stanley K. Everitt Grandchildren’s Trust, represented by Mr. and Mrs. Stan & Sara Everitt, are requesting to annex approximately 50.3 acres south of Covenant Park and southeast of Southwood Lane. As it may be seen from the enclosed plat, the applicant is requesting High Density Estate (E-2) zoning for all of the property. Additionally, the plat identifies a Conservation Easement on the southern half of the property which has been recorded at Rec. No. 3140703.

On August 26, 2013, the Town Board adopted Resolution No. 2013-48 Making Certain Findings of Fact and Setting Public Hearing Dates for the Providence Farm Annexation. On October 9, 2013, the Planning Commission held a Public Hearing and made a Recommendation to the Town Board on the Providence Farm Annexation. Enclosed is a Letter of Concern received by the Planning Department on August 29, 2013 for the Planning Commissions information and consideration. The final legislative step for this annexation is an ordinance declaring that the property is annexed to Windsor. Please see the enclosed Ordinance No. 2013-1462

Resolution No. 2013-57:

Section 31-12-110 of the Colorado Revised Statutes requires that upon completion of the Public Hearing and prior to the Town Board making any action on the Annexation Ordinance for Providence Farm, that the Town Board approves a Resolution Making Certain Findings and Conclusions concerning the Providence Farm Annexation to the Town of Windsor, Colorado. Please see the enclosed Resolution No. 2013-57.

Conformance with Comprehensive Plan: The proposed use is consistent with the Annexation Goals and Policies of the Comprehensive Plan:

Goal: Ensure the logical extension of the Town boundaries so that Windsor may expand in a directed, logical and fiscally responsible manner.

Conformance with Vision 2025: The proposed application is consistent with the “Growth and Land Use Management” elements of the Vision 2025 document.

Recommendation: At their October 9, 2013 Special Meeting, the Planning Commission forwarded a recommendation of approval of the Providence Farm Annexation to the Town Board, subject to the applicant completing the Annexation process with the Town, and staff concurs with this recommendation.

Notification: July 1, 2013 – Staff posted large Annexation Sign on property off Southwood Lane
August 30, 2013 – Staff submitted Legal Ad to the Paper to run for 4 consecutive weeks

- September 6, 2013 – Paper ran the first week Legal Ad
- September 13, 2013 – Paper ran the second week Legal Ad
- September 20, 2013 – Paper ran the third week Legal Ad
- September 27, 2013 – Paper ran the fourth week Legal Ad

July 15, 2013 – Staff mailed Certified Packets to relevant taxing districts

Enclosures: Ordinance No. 2013-1462
Resolution No. 2013-57
2013 Annexation Plat
2010 Annexation Petition
Neighborhood Meeting Notes from December 23, 2010
Neighbors Letter of Concern received August 29, 2013
Staff PowerPoint

pc: Stanley K. Everitt Grandchildren’s Trust, applicants
Stan & Sara Everitt, applicant’s representatives

TOWN OF WINDSOR, COLORADO

ORDINANCE NO. 2013- 1462

AN ORDINANCE ANNEXING CERTAIN TERRITORY KNOWN AS THE “PROVIDENCE FARM ANNEXATION” TO THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town of Windsor (“Town”) is a Colorado home rule municipality, with all powers and authority attendant thereto; and

WHEREAS, pursuant to the Municipal Annexation Act of 1965 and the *Windsor Municipal Code*, an annexation petition has been filed with the Town Clerk requesting the annexation of certain territory more particularly described herein; and

WHEREAS, the Town Board has found and concluded that the aforementioned annexation petition meets the requirements set forth in § 31-12-104 and § 31-12-105, C.R.S.; and

WHEREAS, pursuant to the requirements of law, public hearings on the aforementioned annexation petition were held before the Windsor Planning Commission on October 9, 2013, and before the Windsor Town Board on October 14, 2013; and

WHEREAS, a community of interest exists between the territory to be annexed and the Town; and

WHEREAS, not less than one-sixth of the perimeter of the area to be annexed is contiguous to the Town’s existing corporate limits; and

WHEREAS, the territory to be annexed is urban or will be urbanized in the near-future, and has been integrated or is capable of being integrated within the Town; and

WHEREAS, the Town Board finds that all requirements of the Municipal Annexation Act of 1965 have been complied with; and

WHEREAS, the petitioner has agreed to comply with all of the ordinances of the Town and to pay all fees set out in those ordinances in connection with this annexation.

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

Section 1. The territory to be annexed is located in the County of Weld, State of Colorado, and is precisely described in “Exhibit A” attached hereto and incorporated herein by this reference as if set forth fully.

Section 2. The property described in Exhibit A is hereby annexed to the Town of Windsor, and shall henceforth be referred to as the “Providence Farm Annexation” to the Town of Windsor, Colorado.

Section 3. The annexation of the aforesaid territory shall be deemed complete on the effective date of this Ordinance, except for the purposes of general property taxes pursuant to § 31-12-113, C.R.S.

Section 4. The territory to be annexed shall be zoned with an Estate Residential E-2 zoning district classification, with such zoning classification thereafter being shown on the Official Annexation Map on file in the office of the Director of Planning for the Town.

Section 5. The Town’s Official Zoning District Map shall be changed in accordance with this Ordinance and in accordance with the zoning classification assigned to the subject property following the effective date of this annexation on said Official Annexation Map, and entries shall be made thereon noting the annexation of the aforementioned territory. Such entries, together with a brief description of the nature of the change, shall be signed by the Mayor, attested to by the Town Clerk, and properly filed with the Weld County Clerk and Recorder.

Section 6. The Annexor is directed to comply with the requirements of Windsor Municipal Code Section 15-1-60 within 30 days of the effective date of this Ordinance.

Introduced, passed on first reading, and ordered published this 14th day of October, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

Introduced, passed on second reading, and ordered published this 28th day of October, 2013.

TOWN OF WINDSOR, COLORADO

By _____
John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

A parcel of land in the TOWN OF WINDSOR, County of Weld, Colorado, located in the Southwest Quarter of Section Twenty (20), Township Six North (T.6N), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.) and more particularly described as follows:

Lot B, Recorded Exception No. 0807-20-3 RE-3124 recorded January 2, 2002 at Reception No. 2913015 of the Records of Weld County, Colorado.

Containing 50.326 acres more or less.

TOWN OF WINDSOR

RESOLUTION NO. 2013-57

A RESOLUTION MAKING CERTAIN FINDINGS AND CONCLUSIONS PURSUANT TO SECTION 31-12-110 C.R.S., CONCERNING THE PROVIDENCE FARM ANNEXATION TO THE TOWN OF WINDSOR, COLORADO

WHEREAS, the Town Clerk has received a petition seeking annexation of certain real property proposed as the “Providence Farm Annexation”; and

WHEREAS, pursuant to The Municipal Annexation Act of 1965, the Town Board has previously made certain findings of fact as to whether or not the aforesaid petition is in substantial compliance with the requirements of said Act; and

WHEREAS, on October 14, 2013, the Town Board conducted a public hearing in compliance with Section 13-12-109, C.R.S.; and

WHEREAS, having concluded the public hearing required by Section 13-12-109, C.R.S., the Town Board is prepared to make findings of fact and conclusions with respect to the matters set forth in Section 31-12-110 (1) and (2), C.R.S.

NOW, THEREFORE, IT IS FOUND AND RESOLVED BY THE TOWN BOARD OF THE TOWN OF WINDSOR, COLORADO, AS FOLLOWS:

1. The filing of the petition satisfies Section 30 of Article II of the Colorado Constitution is not required.
2. The eligibility requirements for annexation set forth in Section 31-12-104, C.R.S., have been satisfied.
3. The limitations set forth in Section 13-12-105, C.R.S., have been satisfied.
4. The filing of the petition renders unnecessary an election pursuant to the requirements of Section 30(1)(a) of Article II of the Colorado Constitution.
5. No elector petition pursuant to Section 31-12-107 (2), C.R.S., is required.
6. To the extent that additional conditions are necessary or advisable, such conditions shall be set forth in an annexation agreement between the Town and the petition signatories.

Upon motion duly made, seconded and carried, the foregoing Resolution was adopted this 14th day of October, 2013.

TOWN OF WINDSOR, COLORADO

John S. Vazquez, Mayor

ATTEST:

Patti Garcia, Town Clerk

PROVIDENCE FARM ANNEXATION TO THE TOWN OF WINDSOR

Lot B, Recorded Exemption No. 0807-20-3 RE-3124,
Situating In The Southwest Quarter Of Section 20, Township 6 North, Range 67 West Of The 6th P.M.,
County Of Weld, State Of Colorado

DESCRIPTION

A plot of a parcel of land in the TOWN OF WINDSOR, County of Weld, Colorado, located in the Southwest Quarter of Section Twenty (20), Township Six North (T.6N), Range Sixty-seven West (R.67W.) of the Sixth Principal Meridian (6th P.M.) and more particularly described as follows:
Lot B, Recorded Exemption No. 0807-20-3 RE-3124 recorded January 2, 2002 at Reception No. 2913015 of the Records of Weld County, Colorado.
Containing 50.326 acres more or less.

ACKNOWLEDGEMENT OF OWNERSHIP INTEREST

Know all men by these presents that 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 as indicated on this plat under the name of PROVIDENCE FARM ANNEXATION. In compliance with Town of Windsor regulations and by contractual agreement, the landowners shall bear all expenses involved in improvements.

In witness whereof, we have hereunto set our hands and seals this the _____ day of _____, 20____.

By: _____ As: _____
Stanley K. Everitt Grandchildren's Trust

NOTARIAL CERTIFICATE

STATE OF _____)
 ss
COUNTY OF _____)

The foregoing instrument was acknowledged before me by _____ this _____ day of _____, 20____.

My commission expires _____ Notary Public (SEAL)

ENGINEERING DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20____.

Director of Engineering

PLANNING COMMISSION APPROVAL

Approved this the _____ day of _____, 20____.

Chairman,
Windsor Planning Commission

PUBLIC WORKS DEPARTMENT APPROVAL

Approved this the _____ day of _____, 20____.

Director of Public Works

MAYOR'S CERTIFICATE

This is to certify that an annexation map of the property described herein was approved by Ordinance 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 ordinance, on behalf of the Town of Windsor, hereby acknowledges and adopts the said annexation map upon which this certificate is endorsed for all purposes indicated thereon.

Mayor _____ ATTEST: _____
Town Clerk

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.

BASIS OF BEARINGS AND LINEAL UNIT DEFINITION

Assuming the West line of Lot B, RE-3124, as bearing North 00°56'32" West a distance of 1769.57 feet with all other bearings contained herein relative thereto.

The lineal dimensions as contained herein are based upon the "U.S. Survey Foot."

NOTE

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years after the date of the certificate shown hereon. (13-80-105 C.R.S.)

TITLE COMMITMENT NOTE

This survey does not constitute a title search by King Surveyors Inc. to determine ownership or easements of record. For all information regarding easements, rights-of-way and title of records, King Surveyors Inc. relied upon Title Commitment Number S80-F0381617-383-JNB dated June 15, 2011 as prepared by Fidelity National Title Insurance Company to delineate the aforesaid information.

NOTE

Conservation Easement Recorded at Reception #3140703 on December 31, 2003 in Weld County. The purpose of which is to preserve in perpetuity the unique agricultural, natural habitat, historic, scenic and open space character of the affected portions of the Property. A copy of the said Conservation Easement is attached to the annexation agreement as an Exhibit. Approximately 20 acres.

TOWN MANAGER'S APPROVAL

Approved this the _____ day of _____, 20____.

Town Manager

PLANNING DEPARTMENT APPROVAL

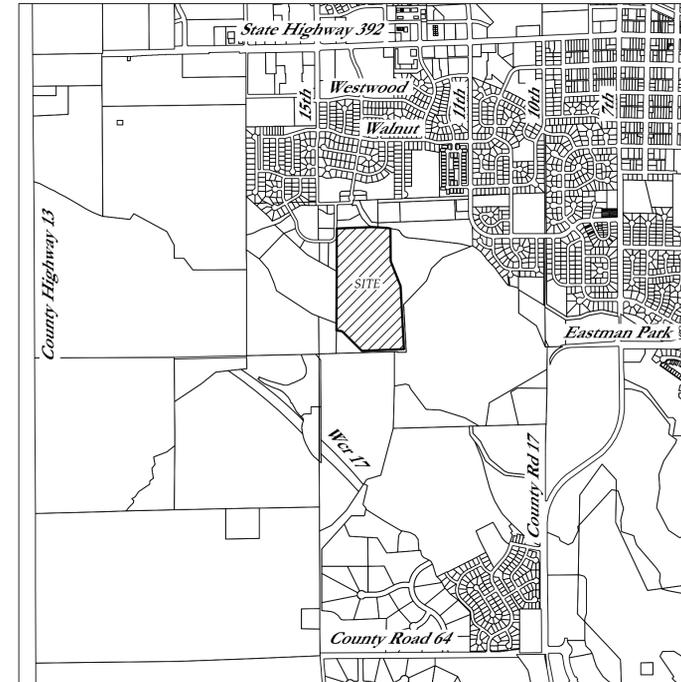
Approved this the _____ day of _____, 20____.

Director of Planning

SURVEYOR'S CERTIFICATE

I certify that this plat accurately represents the results of a survey made by me or under my direct supervision.

Lawrence S. Pepek-On Behalf Of King Surveyors Inc.
Colorado Registered Professional
Land Surveyor #33642



VICINITY MAP
(NOT TO SCALE)

CONTIGUOUS BOUNDARY = 2264.26 L.F.
TOTAL BOUNDARY = 6172.68 L.F.
RATIO = 1:2.726
AREA = 50.326 NET ACRES

//// //// //// //// //// DENOTES CONTIGUOUS BOUNDARY

DATE:	10/12/2010
FILE NAME:	2010162ANX
SCALE:	1"=100'
DRAWN BY:	CSK
CHECKED BY:	LSP

KING SURVEYORS, INC.
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821



DATE:	01-09-13
ADDRESS TOWN COMMENTS:	CSK
REVISE PER TOWN COMMENTS:	3-20-13

PROVIDENCE FARM ANNEXATION
FOR
STANLEY K. EVERITT GRANDCHILDREN'S TRUST
695 SOUTHWOOD LANE
WINDSOR, CO 80550

PROJECT #:
2010162

PROVIDENCE FARM ANNEXATION TO THE TOWN OF WINDSOR

Lot B, Recorded Exemption No. 0807-20-3 RE-3124,
Situate In The Southwest Quarter Of Section 20, Township 6 North, Range 67 West Of The 6th P.M.,
County Of Weld, State Of Colorado

DATE: 10/12/2010
FILE NAME: 2010162ANX
SCALE: 1"=100'
DRAWN BY: CSK
CHECKED BY: LSP

KING SURVEYORS, INC.
650 E. Garden Drive | Windsor, Colorado 80550
phone: (970) 686-5011 | fax: (970) 686-5821

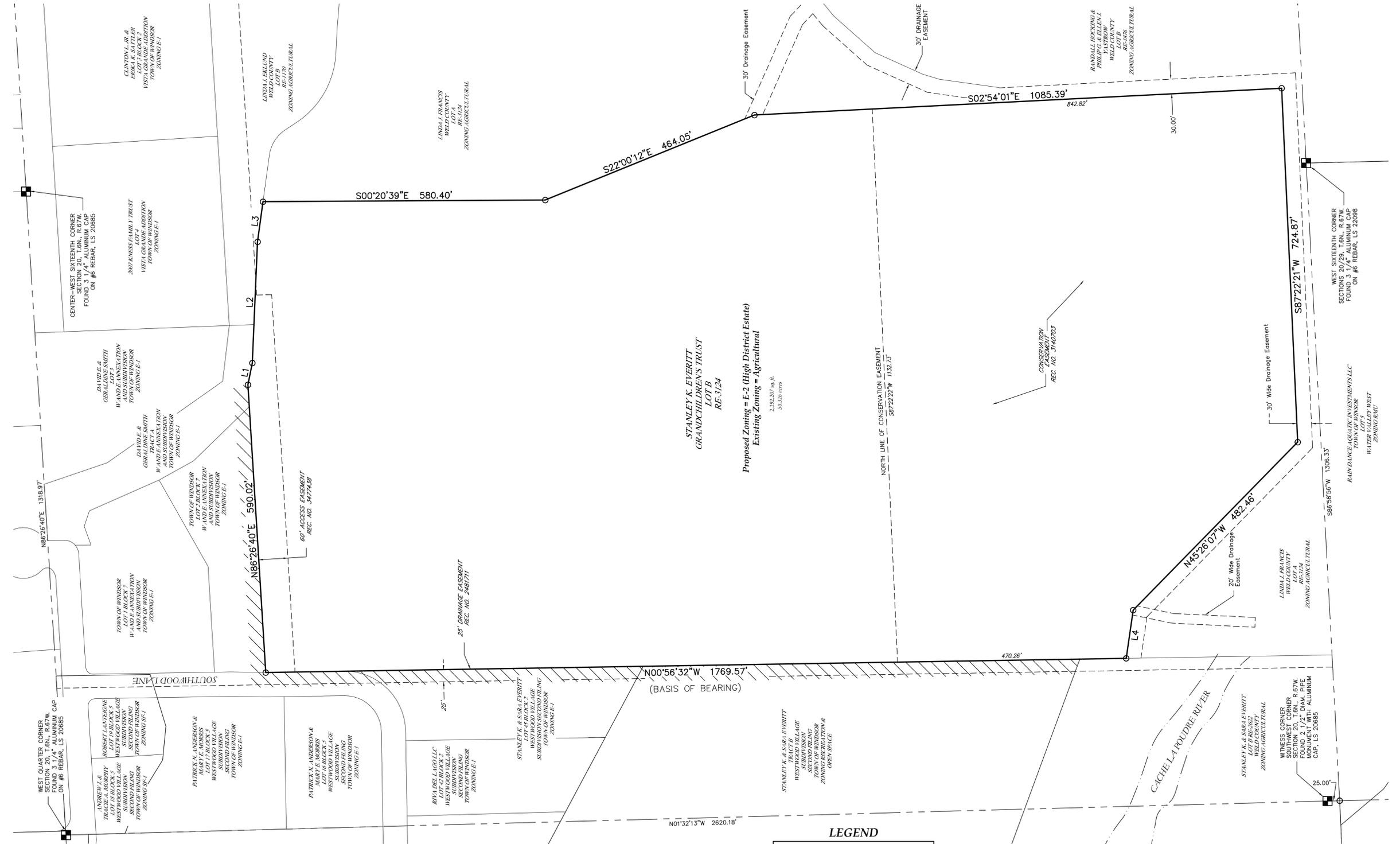
REVISIONS:	DATE:
ADDRESS TOWN COMMENTS	01-09-13
REVISE PER TOWN COMMENTS	CSK 3-20-13

PROVIDENCE FARM ANNEXATION
FOR
STANLEY K. EVERITT GRANDCHILDREN'S TRUST
695 SOUTHWOOD LANE
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PROJECT #
2010162

2

SHEET 2 OF 2



**ANNEXATION PETITION
C.R.S. 31-12-107(1)**

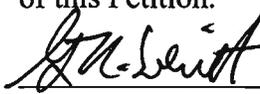
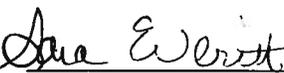
I/we, being more than fifty percent of the landowners in the area described herein, and owning more than fifty percent of the area proposed to be annexed (excluding public streets, public alleys and land owned by the Town of Windsor), do hereby request that the Town of Windsor approve the annexation of the following-described real property:

Lot B, RE-3124; Weld County, Colorado

which shall henceforth be known as the "Providence Farm Annexation to the Town of Windsor, Colorado".

In support of this Petition, I/we allege:

1. The perimeter of the proposed annexation has a distance of 6,172.68 feet, of which 2,264.26 feet are contiguous to the existing Town limits of the Town of Windsor. A minimum of 1/6 of the perimeter of the proposed annexation is contiguous to the Town of Windsor.
2. It is desirable and necessary that such area be annexed to the Town of Windsor;
3. A community of interest exists between the said territory and the Town of Windsor.
4. Said territory is urban or will be urbanized in the near future.
5. Said territory is integrated or capable of being integrated with the Town of Windsor.
6. To the extent that I/we are not the owners of 100% of the area proposed for annexation, the consenting signatures of all other owners appear below, including those owners of land held in identical ownership comprising twenty acres or more (which, together with the buildings and improvements situated thereon has a valuation for assessment in excess of two hundred thousand dollars for *ad valorem* tax purposes for the year next preceding the proposed annexation) and not situated entirely within the outer boundaries of the Town of Windsor as they exist as of the date of this Petition.

	11-19-2010	Stan Everitt	695 Southwood Lane Windsor
Landowner signature (Date)		Printed Name	Mailing Address of Landowner
	11-19-2010	SARA Everitt	695 Southwood Lane Windsor
Landowner signature (Date)		Printed Name	Mailing Address of Landowner

COLD
80550

The legal description of the land owned by each signatory above:

AFFIDAVIT OF PETITION CIRCULATOR

I, Stanley K. Everett, being of suitable age and first duly sworn, do hereby attest that the signatures appearing above are, in fact, the signatures of each person whose name it purports to be.

Stanley K. Everett 11-22-10
[Name of Petition Circulator] Date

Diana Aungst

From: Stan Everitt [Stane@everittcompanies.com]

Sent: Monday, December 27, 2010 12:45 PM

To: Diana Aungst

Cc: Diana Hollaway

Subject: Neighborhood meeting

Diana, I hope your Christmas was good. We sure had fun with the grand-kids.

Following is a recap of the Neighborhood meeting we had last Thursday, December 23, 2010 at 675 Southwood Lane. The meeting started at 6:00pm and in attendance were:

Dean and Fauna Kness

Linda Francis and her father Mr. Harold Eklund

Gary Young

You and I.

There was some discussion about the process to annex and what could be done on the land once annexed. A map was used to identify the proposal to excavate a pond on the property and use the material from the excavation to raise up a portion of the property out of the floodplain. At the time the annexation is complete one home with accessory buildings would be allowed on the entire property as allowed in the E-2 Zoning District. We discussed the continuation of farming, which was supported by all, and the continuation of hunting south of the proposed pond. No one objected to hunting as long as it was properly managed and kept an adequate distance from any homes.

We also discussed future development of the property and I expressed my desire to subdivide at some time in the future. I explained that at this time I have 5 Sewer Capacity Units that were created as part of the agreement between Hall-Irwin, Les Kaplan and myself when we jointly installed the sewer lift station in Westwood Village that serves properties owned by the three of us. My future plans for development of the property would be limited by sewer capacity and at this time my plans would be to create up to 5 lots on the raised up area along the north side of the property. The timing of subdividing is unknown but if I apply to subdivide all property owners will be notified and they will be informed of the public process in which they could offer their input and get information. Based on the plans discussed there were no objections to future subdivision but some concern was expressed about blocking views.

The main area of immediate concern was the proposed excavation of the pond and placement of the fill. If a pond is created it was felt that there should be a time limit on the excavation and dirt moving to insure this project doesn't drag on for extended periods of time causing excessive amounts of dust and equipment noise. I estimated the amount of time needed to excavate the pond, line it and place the material to raise the land out of the floodplain should take approximately 60 to 90 days. Once this phase of the work is done we are required by State law to let the lined pond sit idle for at least 90 more days to make sure the lining holds. If the lining is found to be inadequate we would need to bring in equipment to repair any leaking areas. Because of these time lines I suggested that we would most likely excavate the pond in late summer or early fall to avoid the irrigation season. This would allow us to monitor the lining over the winter and then upon approval by the State, fill the pond the following spring. This project may occur in 2011-2012 but it might be postponed to later years. In any event, a permit to do this work is required by the Town.

Overall, the attendees were supportive of annexing and understood our plans for the future use of the land. We adjourned the meeting at 6:30 pm.

Please let me know if I need to add any other information to this recap.

Stan

12/27/2010

August 28, 2013

To Whom It May Concern:

My husband and I recently purchased our home on 1301 Stone Mountain Drive here in Windsor. We were unaware of the annexation proposal at the time of purchase and now have some serious concerns with it going forward.

On a personal level, we purchased the home with the intent to stay forever. We are both medical professionals in the area and have been looking at areas from Fort Collins, all the way south to Greeley and Johnstown for almost 8 years. We chose this lot and this town because of the small-town charm, the family friendly activities and atmosphere, the school district; but just as important, the green spaces and the Poudre Trail areas. We wanted a space that was safe, peaceful and a respite for our four boys. We were under the impression from the neighbors, our realtor as well as various individuals who understand the building community in Windsor, that the lots behind us could not be developed. Of course, we have just started enjoying the beauty of our lot and are very frustrated and disappointed that this could be jeopardized. We wish we would've known before the purchase.

On a community level, it is a huge disappointment as well. We thought the vision for the community was impressive for all the reasons listed above. The area being discussed for annexation is BEAUTIFUL and one-of-a-kind. There are so many better things to do with this land than build another development. In line with being good stewards of the environment and area, this part of the trail and river should be protected and preserved as well as the land around it. This was a HUGE draw for us to the community and would be a HUGE mistake to take such a place and destroy it with homes that could be added elsewhere. Not to mention, there is an abundance of wildlife and a lot of history. If there is not action to preserve this part of the river, what does that mean for the rest of the river in our town and the surrounding area?

Please consider this annexation carefully. We believe it will not only change the way we feel about the land and the town but will change minds of a lot of families that are living here now or would be drawn to this area in the future.

Thank you for your time. Please feel free to contact us with questions.

Jodi and Steve Loecke
1301 Stone Mountain Drive
Windsor, CO 80550
(970)371-5345



PROVIDENCE FARM ANNEXATION

Josh Olhava, Associate Planner
October 14, 2013

Town Board

Item C.4.C.5.C.6



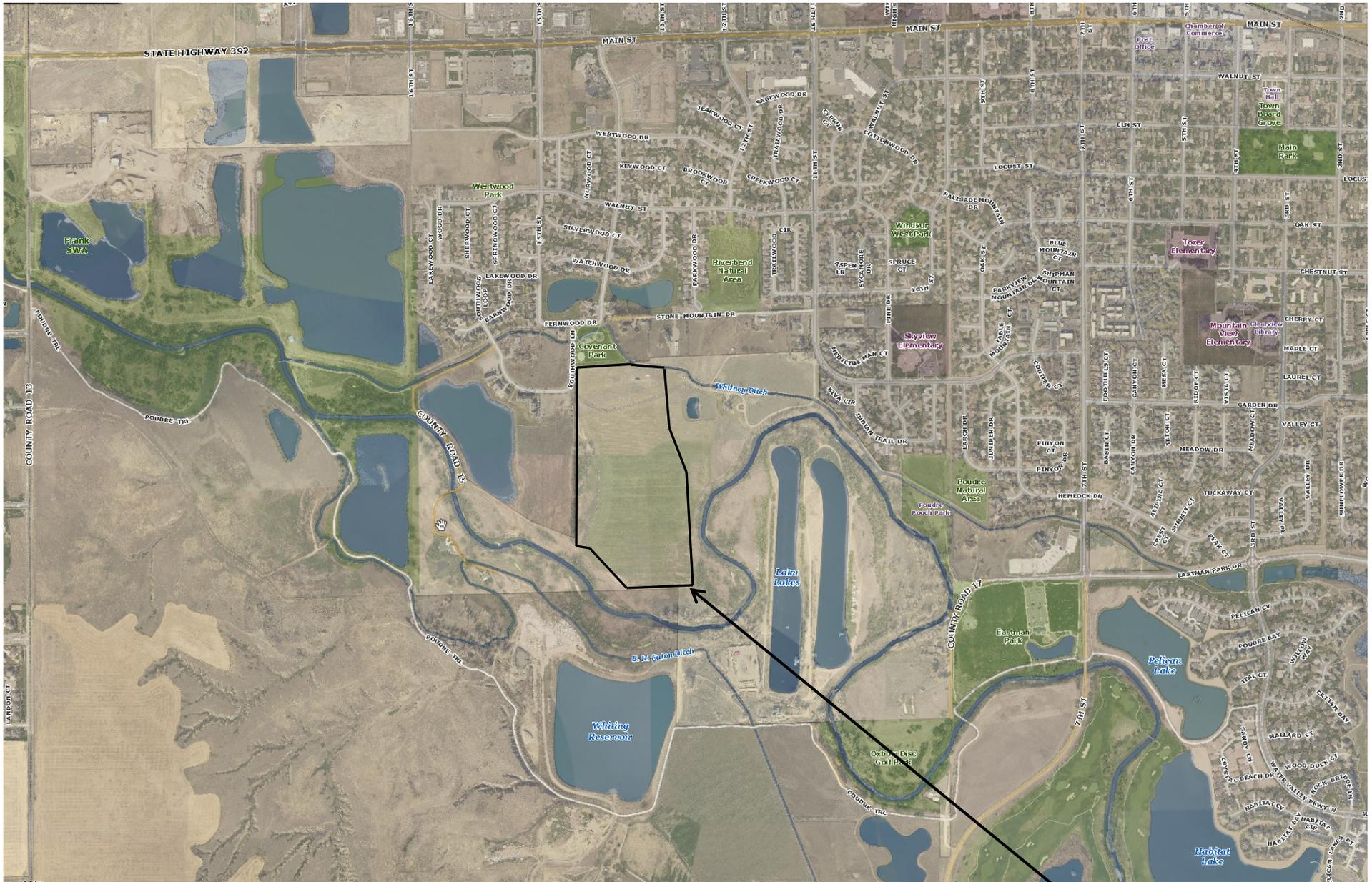
ANNEXATION

Article I of Chapter 1 of the Municipal Code outlines the purposes of the Annexation process, including:

Sec. 15-1-10. Purpose.

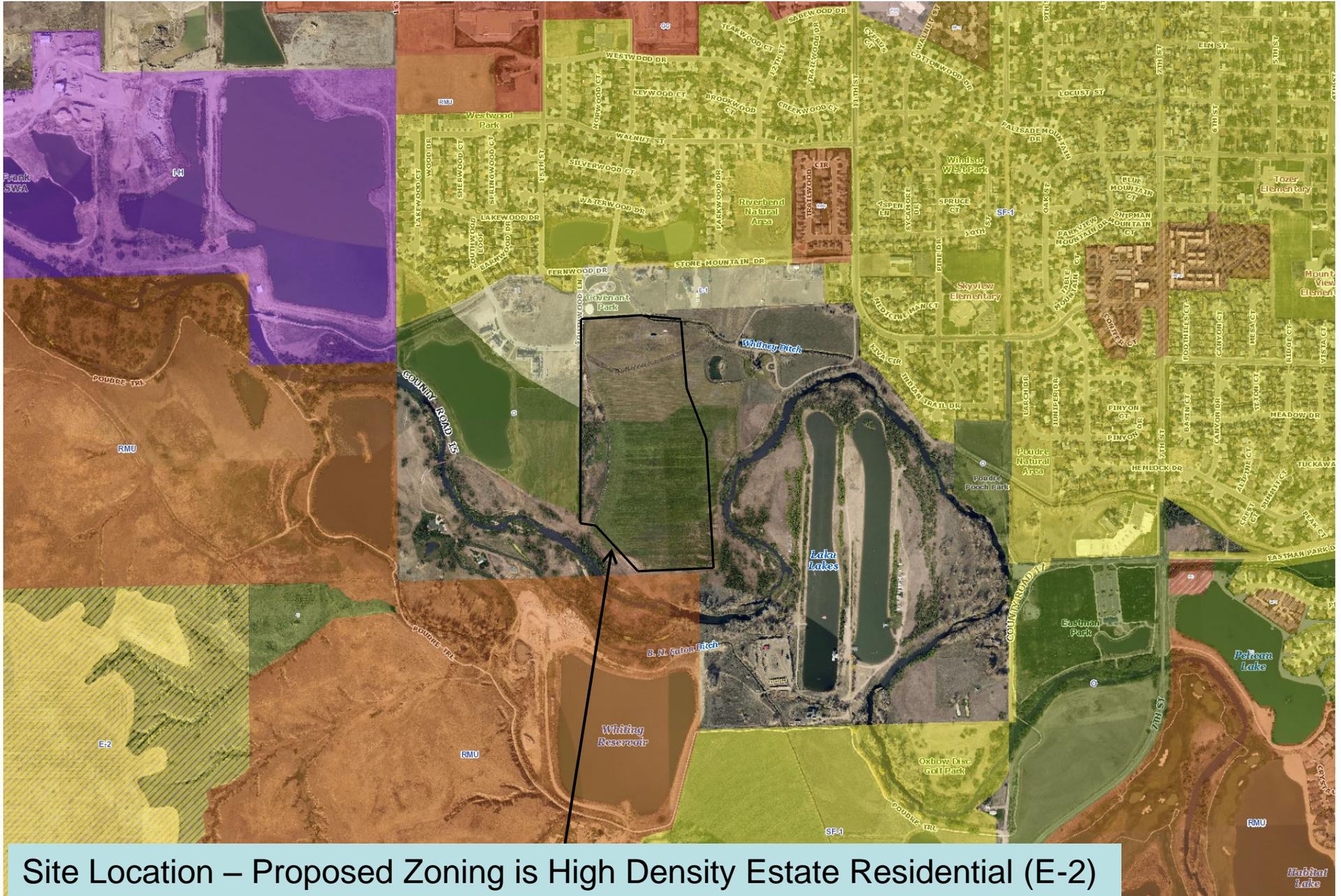
The purpose of this Article is to establish a procedure to bring land under the jurisdiction of the Town in compliance with the Colorado Municipal Annexation Act of 1965, as amended.

SITE VICINITY MAP



Site Location

SITE PROXIMITY ZONING MAP



Site Location – Proposed Zoning is High Density Estate Residential (E-2)



RECOMMENDATION

At their October 9, 2013 Special Meeting, the Planning Commission forwarded a recommendation of approval of the Providence Farm Annexation to the Town Board, subject to the applicant completing the Annexation process with the Town, and staff concurs with this recommendation.



ANNEXATION REQUEST

Staff requests that the following be entered into the record:

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



MEMORANDUM

Date: October 1, 2013
To: Town Board
From: Amy Porter, Special Events Coordinator
Re: September Special Event Monthly Report

Events in Planning:

- Harvest Festival-23 hours
- USA Pro Challenge- 10 hours
- Salsa on 5th-3 hours
- Volgafest- 11 hours
- Windsor Wonderland-7 hours
- Special Event Application Reviews- 27 Hours
- Meetings-1 hour
- Office Work (includes phone, email, processing applications, correspondence, posting data, etc.)- 21 hours

Events Conducted:

- Farmers Market
- Harvest Festival
- Footsteps to Hope Walk
- Windsor High School Homecoming Parade
- Volgafest