



## TOWN BOARD WORK SESSION

October 20, 2014

Town Hall

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.

---

**GOAL of this Work Session is to have the Town Board receive information on topics of Town business from the Town Manager, Town Attorney and Town staff in order to exchange ideas and opinions regarding these topics.**

**Members of the public in attendance who have a question related to an agenda item are requested to allow the Town Board to discuss the topic and then be recognized by the Mayor prior to asking their question.**

### **AGENDA**

5:30 p.m. Joint Work Session with Student Advisory Leadership Team – Town Hall, 2<sup>nd</sup> Floor

6:00 p.m. Work Session – Town Hall, 3<sup>rd</sup> Floor - Town Board Chambers

1. Windsor Housing Authority – CDBG-DR grant application – J. Plummer
2. Discussion of proposed code language to address electronic message center signs – J. Olhava
3. Discussion of proposed code language differentiating between large retail establishments and large entertainment establishments – J. Olhava
4. Future meetings agenda



---

## MEMORANDUM

Date: October 20, 2014  
To: Mayor and Town Board  
Via: Kelly Arnold, Town Manager  
From: Joseph P. Plummer, AICP, Director of Planning  
Re: Windsor Housing Authority work session on CDBG-DR grant application  
Item #: 1

### **Discussion:**

In 2012 the Windsor Housing Authority (WHA) received tax-credit financing to construct forty-four (44) workforce housing apartments on the southwest corner of 15<sup>th</sup> Street and Windshire Drive in the Windshire Park Subdivision. As seen in the enclosed map, these 44 units, plus a community building, was designed as the first phase of WHA's plan to ultimately construct a total of eighty (80) apartments on this site.

This first phase of the project was completed in December 2013, and all 44 apartment units were leased by mid-February of this year, or just two and a half months after the WHA began accepting applications. This being the case, and as it may be seen from the enclosed letter from the Chairman of the WHA, Mr. John Moore, the WHA is preparing to submit a Community Development Block Grant – Disaster Recovery application to assist with funding Phase 2 of the project, which will consist of thirty-six (36) additional workforce housing units on this site.

As part of their efforts in seeking funding for Phase 1 of the project, the WHA made a request to the Town to waive a portion of the building permit fees for the construction of Phase 1, based upon the project:

- Being consistent with and in support of Windsor's Strategic Plan;
- Demonstrating a local commitment to the project that will greatly assist the WHA in attracting and obtaining other funding commitments;
- Recognizing that hard-working Windsor families deserve a decent and affordable place to call home; and
- Providing a broad range of housing choices to help address the needs of employers when recruiting employees for their businesses.

As such, the Town Board authorized total fee waivers for administrative fees and road impact fees and partial fee waivers for drainage fees; community and neighborhood park fees; sewer plant investment fees; water plant investment fees; and raw water fees.

Additionally, and as it may be seen in the enclosed letter from Mr. Moore, the WHA is seeking support from the Town for Phase 2 of the project similar to the support the Town provided for Phase 1. Since the Town's previous support for Phase 1 included waivers from building permit fees, Mr. Moore will be discussing the concept of fee waivers for Phase 2 during the work session. Staff would like to advise the Town Board, however, that since the fee waivers for Phase 1 were granted in early 2012, the cost of raw water has risen significantly, and staff would like to discuss this item as it relates to fee waivers.

Finally, please note the enclosed schedule relative to the time line that is being proposed for Phase 2 of the project.

**Relationship to 2014-2016 Strategic Plan:**

Vision Statement No. 4: Windsor enjoys a friendly community with a vibrant downtown, housing opportunities, choices for leisure, cultural activities, and recreation, and mobility for all.

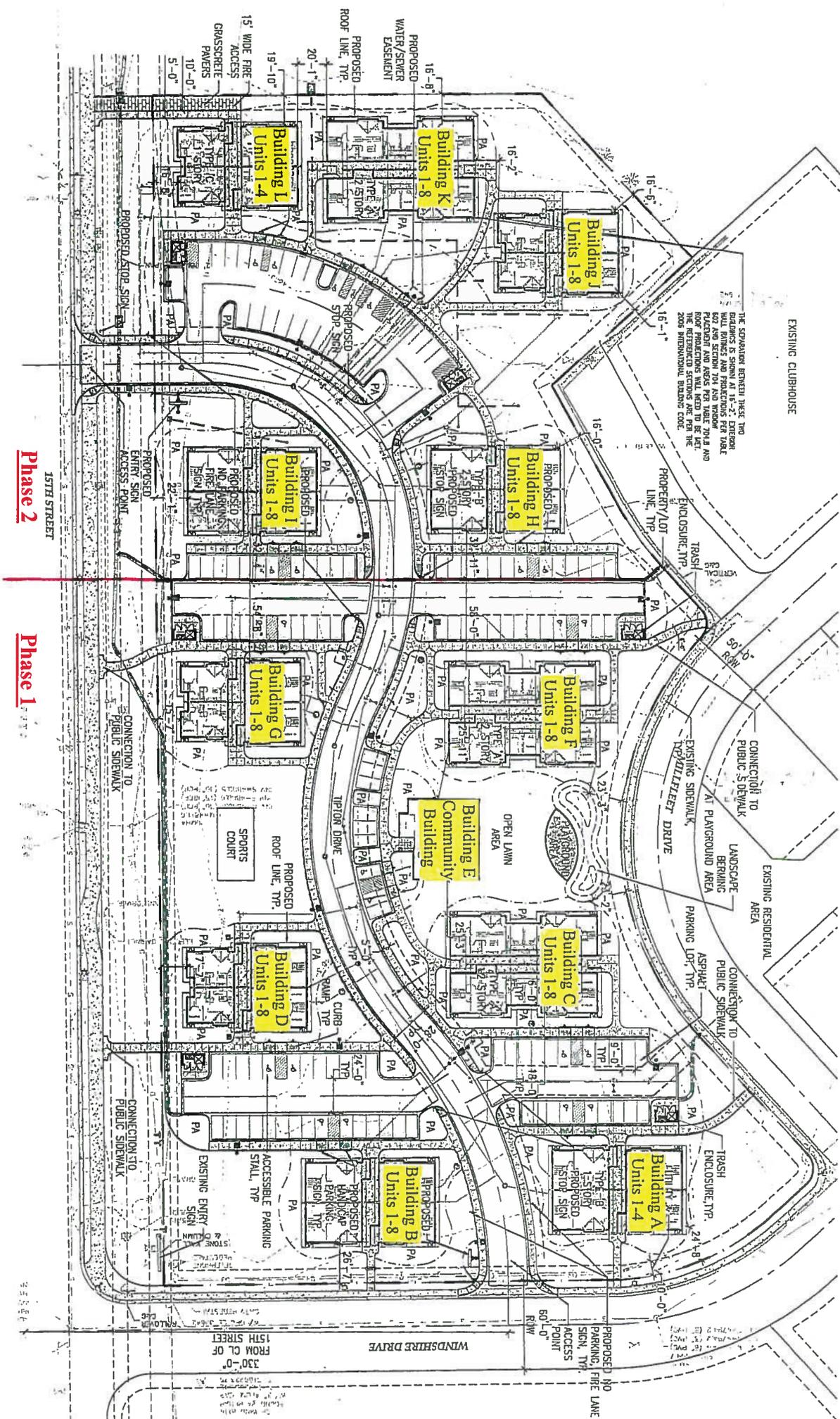
**Recommendation:** None at this time

**Attachments:** Map of Both Phases of Windsor Meadows Apartments  
Letter from Windsor Housing Authority  
Schedule

pc: John Moore, Chairman, Windsor Housing Authority  
Sam Betters, Executive Director, Loveland Housing Authority

WINDSOR MEADOWS  
APARTMENTS

1500 TIPTON DRIVE





October 20, 2014

Town of Windsor  
Mayor John Vazquez  
Town Board and Staff

Dear Mayor,

The Windsor Housing Authority is starting Phase II of the Windsor Meadows apartment homes at 1500 Tipton Drive. As part of Phase II we will be seeking funding through the Community Development Block Grant - Disaster Recovery funds. We are also seeking the support from the Town similar to the support we received for Phase I.

The Windsor Housing Authority appreciates the opportunity to discuss phase II with the Town Board at the October 20, 2014 work session.

Thank You

A handwritten signature in blue ink that reads 'John Moore'.

John Moore  
Chairman Windsor Housing Authority



October 20, 2014

Windsor Housing Authority

Proposed schedule for Phase 2 of Windsor Meadows Apartments (36 Units)

1. Preliminary discussion with Windsor Town Board (Work Session): Oct. 20<sup>th</sup>, 2014
2. Market Study completed: Oct. 31, 2014
3. Detailed Presentation to Town Board (Work Session):  
- based on Town's schedule Nov. 2014 (?)
4. Obtain pricing from Contractor: Nov. 5<sup>th</sup>, 2014
5. Presentation to Town Board on WHA's Request for Support:  
Based on Town's schedule Dec- Jan (?)
6. Begin negotiations with Investor on partnership agreement: Dec. 1, 2014
7. Submit Building Permit Applications for preliminary reviews: Dec. 15, 2014
8. File applications for Tax Credits and CDBG-DR: Feb. 1, 2015
9. Obtain approvals for funding and finalize partnership agreement: Feb. 28, 2015
10. Begin Construction: March 1, 2015
11. Occupancy of 1<sup>st</sup> Buildings Begins: Nov. 30, 2015
12. Construction Complete: Dec. 31, 2015



## MEMORANDUM

**Date:** October 20, 2014  
**To:** Town Board  
**Via:** Kelly Arnold, Town Manager  
Joseph P. Plummer, AICP, Director of Planning  
**From:** Josh Olhava, Associate Planner  
**Subject:** Discussion of proposed code language to address electronic message center signs  
**Wks. Item #:** 2

### Discussion:

During the May 7, 2014 Planning Commission work session and the June 16, 2014 Town Board work session, planning staff presented proposed code language to address electronic message center signs. At that time, both the Planning Commission and Town Board requested additional research and information on electronic message centers. Currently, Section 16-9-70(b) of the municipal code prohibits signs that contain flashing or moving lights as follows:

*(b) No sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights. The only exception shall be signs which provide a legitimate public service, such as the giving of time and temperature.*

On January 21, 2004, the Planning Commission ratified an interpretation of this section of the code for electronic reader board or message center signs that the message on the sign could change once per day or 24 hours. Please see the enclosed excerpt from the January 21, 2004 Planning Commission minutes and staff memo from the January 21, 2004 Planning Commission meeting.

Over the past couple years; staff has received multiple inquiries and interest from businesses to allow electronic message center signs to change more frequently to make better use of their investment. Based on discussions during the previous work sessions, staff completed additional research, shown in the attached "Matrix".

During the May 7<sup>th</sup> discussion, staff had proposed a two minute message change frequency and at the direction of the Planning Commission, increased this to five minutes. During the June 16<sup>th</sup> discussion, the Town Board was in favor of reducing the five minute frequency to two minutes, but asked for more research to compare with our surrounding jurisdictions, which is shown in the attached matrix.

At their September 17<sup>th</sup> work session, the Planning Commission reviewed staff's proposed code amendments. The Planning Commission was open to and deferred to the Town Board's direction that the maximum reader board size shall not exceed either 40% or 50% of the total sign area; please see the enclosed existing Town examples for reference. Staff presented the proposed amendments to the Downtown Development Authority (DDA) and the Chamber of Commerce. The DDA had a few questions regarding signage in general but no concerns about the proposed language and staff has not received any feedback from the Chamber. In addition, staff forwarded the draft language to DaVinci Signs for their feedback prior to the Planning Commission work session.

For reference all blue/underlined text is the new proposed code language for discussion. Staff will work with the Town Attorney to finalize the code language prior to formal action by the boards. Additionally, staff has included examples of existing electronic reader board signs, attached to this agenda item.

**Recommendation:**

Staff asks that the Town Board reach a consensus and provide staff with direction on the proposed code language. Staff will then finalize the proposed code language for public hearings with recommendation from the Planning Commission and formal action by the Town Board.

**Attachments:**

excerpt from the April 17, 2013 Planning Commission minutes  
memo from the January 21, 2004 Planning Commission meeting  
matrix  
proposed code language  
existing Town examples

pc: John Shaw, DaVinci Signs  
Michal Connors, Windsor Chamber of Commerce

RECOMMENDATION TO TOWN BOARD – PROPOSED ALIGNMENT OF THE INTERSECTION OF GREENSPIRE DRIVE AND MAIN STREET (SH392) IN THE GREENSPIRE SUBDIVISION – JULIE COZAD, HALL-IRWIN CORPORATION, APPLICANT (CONT'D)

Mr. Wagner noted that part of the purpose of Greenspire Drive is to allow drivers a second option to CR 19, to travel to the north or into Greenspire Subdivision and reduce stacking at Hwy 392 and CR 19.

Mr. Plummer requested that any motion on a recommendation to the Town Board for either the 2<sup>nd</sup> or 3<sup>rd</sup> alternative include language to inform the Town Board of the change of traffic flow direction for the cemetery drive.

**Mr. Tallon made a motion to forward a recommendation to Town Board for the 3<sup>rd</sup> alternative presented by Hall-Irwin, with changes to the median width design per staff, Planning Commission, CDOT, and applicant's discussion, further noting that the 3<sup>rd</sup> alternative design would require a change in direction of the cemetery access and traffic flow. Mr. Moore seconded the motion. Roll call vote resulted as follows:**

**Ayes: Gale Schick, Victor Tallon, Paul L. Ehrlich, Jr., Colleen Berens, and Doug Moore.**

**Nays: Matthew O'Neill.**

**Motion carried.**

DISCUSSION REGARDING ELECTRONIC READER BOARD SIGNS AND SECTION 16-126 SIGN REGULATIONS OF ARTICLE IX OF THE TOWN OF WINDSOR MUNICIPAL CODE

Mr. Ballstadt directed the members' attention to the memo concerning the reader board sign interpretation by staff. Mr. Ballstadt noted that the intent of the regulation seems to address moving or flashing signs that could distract motorists and only allowing the sign to change once per day seemed to meet the intent. Mr. Ballstadt also stated that the language also addresses subdued lighting levels. Mr. Ballstadt stated that staff viewed this type of sign as similar to the LED changeable gas prices at the nearby gas station. Mr. Ballstadt asked if the Planning Commission members concur with this interpretation and, if so, would the Planning Commission want staff to propose additional language for an amendment to the sign code.

Chairman Schick noted that staff has done an excellent job interpreting the code.

Mr. Moore agreed and noted that in talking to Mr. Haws, he got the impression that Mr. Haws' concern was about the intensity of the lights, rather than the use of the reader sign.

DISCUSSION REGARDING ELECTRONIC READER BOARD SIGNS AND SECTION 16-126 SIGN REGULATIONS OF ARTICLE IX OF THE TOWN OF WINDSOR MUNICIPAL CODE (CONT'D)

Mr. Ballstadt noted that the requirement and sign permit do state a requirement for a subdued level of lighting. Mr. O'Neill noted he sees the sign on a regular basis and does not feel the sign is especially bright. Mr. Ehrlich noted that he thinks the sign is very bright. Mr. O'Neill noted that when buildings are in place on the corner with lighting, for example the future bank at that corner, that the intensity of the sign might be less noticeable.

Mr. Ballstadt asked the members if the lighting level continues to be a distraction that they bring their concerns to staff to address with the property owners.

Mr. Ballstadt further noted that it is staff's interpretation that any such signs shall only be incorporated into freestanding monument signs and shall not be installed or mounted on a building or structure as the corridor plans require that a high level of quality architecture and overall site aesthetics is maintained and such a building mounted sign would most likely detract from the building and would not be consistent with the intent of the corridor plan.

The Planning Commission consensus was that the current language is adequate and staff's interpretation of the code regarding the reader board signs is correct.

COMMUNICATIONS FROM THE PLANNING COMMISSION

Mr. O'Neill noted that he works with the Windsor Habitat for Humanity and that they are looking for people interested in helping interview applicants for the three homes they will be building this year. Mr. Ehrlich stated that he would be interested in this endeavor.

There were no further communications from the Planning Commission.

COMMUNICATIONS FROM STAFF

Mr. Plummer reminded the members of the February 5<sup>th</sup> deadline to submit their applications for the APA conference to make the earlier registration deadline.

Mr. Ballstadt noted that the Grand Tree Larimer County referral has been scheduled for the February 5, 2004 Planning Commission meeting rather than this meeting in accordance with the applicant's request.

**TO:** Town of Windsor Planning Commission  
**FROM:** Scott Ballstadt, AICP, Senior Planner   
**VIA:** Joseph P. Plummer, AICP, Director of Planning   
**DATE:** January 15, 2004  
**SUBJECT:** **DISCUSSION REGARDING ELECTRONIC READER BOARD SIGNS AND SECTION 16-126 SIGN REGULATIONS OF ARTICLE IX OF THE TOWN OF WINDSOR MUNICIPAL CODE**

#### **DISCUSSION:**

Staff has placed this item on the agenda for discussion purposes as a question was recently raised by the Planning Commission regarding the new Walgreens "reader board" sign. Staff recently approved the subject Walgreens sign with specific conditions regarding animation and lighting levels to ensure that the sign maintains compliance with Section 16-126(c)(2) of the Municipal Code which states, "No sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights. The only exception shall be signs which provide a legitimate public service, such as the giving of time and temperature."

This section appears to be primarily intended to prohibit gaudy animated signs as opposed to motionless message boards. Therefore, consistent with previous discussions concerning an electronic reader element that the Planning Commission approved for Schrader's Country Store at the Westgate Commercial Center Subdivision, and in an effort to work with the business community, staff developed standard conditions of approval to attach to the approval of any such reader board signs as follows: "The message center reader board shall not change more than one (1) time per day. No flashing, scrolling or other animation or movement shall be allowed. Message center reader board lighting level shall be reviewed and approved by the Town of Windsor. Lighting shall be of a subdued level. These conditions shall apply to all current and future property owners."

Signs such as the Safeway sign that advertises gas prices that don't change more than once per day are similar in nature and staff does not consider such signs to be animated. Furthermore, such signs may also be considered to serve a purpose for the general public. Additionally, such signs will provide another option for the business community to utilize in lieu of temporary banners and similar temporary signs located in the landscape areas of the Main Street Corridor.

Staff has further recommended that any such signs shall only be incorporated into freestanding monument signs and shall not be installed or mounted on a building or structure as such signs are intended to alleviate the need for temporary signage such as banners, A-frame signs and other signs that previously cluttered the landscape area along Main Street. During the review of commercial site plans, careful consideration is taken to ensure that a high level of quality architecture and overall site aesthetics is maintained and such a building mounted sign would most likely detract from the building and would not be consistent with the intent of the corridor plan.

Should the Planning Commission concur with these interpretations and determine that it is necessary and appropriate to incorporate such conditions into the Municipal Code, staff will prepare such an amendment for consideration on a future Planning Commission agenda.

pc: Rod Wensing, Town Manager  
John Frey, Town Attorney

Locality	Size	Brightness/Intensity	Rate of Message Change	Allowable Effects	Restrictions	Zoning Allowance	Application Inclusions
Arvada	- Signs using more than 25 millimeters pixel spacing, 33% of allowable sq.ft. - Signs using between 20 and 25 millimeter pixel spacing, 66% of allowable sq.ft. - Signs using 20 millimeter pixel spacing or less, 100% of allowable sq.ft.	- Shall not exceed 600 nits (candelas per sq. meter) between sunset and sunrise. - Shall not exceed (5000) nits between sunrise and sunset.	8 seconds	Static Messages, - Dissolve or fade transitions. - Transitions may not be less than 1 minute long.	- No signage located in Old Town Arvada.	P-1, B-1, B-2, B-3, B-4	x
Aurora	- 50% of the monument sign face	- Automatic dimming software or solar sensors to control brightness for nighttime viewing and varying daytime lighting conditions. - Shall not exceed the brightness of .3 foot candles above ambient light as measured using a footcandle (lux) meter at a preset distance from the face of the sign to the light meter depending on sign area.	8 seconds	Static Messages, - Dissolve or fade transitions not exceeding 1 second of time between each message on the board. - Message change must occur instantaneously, without the use of scrolling, flashing, fading, blinking or other similar transitions.	- Limited to monument signs only. - All existing electronic signs that do not comply with the brightness and animation provisions/restrictions shall conform to the code in 180 days after its adoption	Commercial, Industrial, Institutional Uses (table 16.3)	x
Fort Collins	- 50% of a sign face	- Automatic dimmer software or solar sensors for nighttime viewing and variations in ambient light. - Shall contain mechanism for sign to revert to black screen if sign malfunctions - Code contains detailed light levels based on distance from the sign and size of the sign face, using a foot-candle meter.	1 minute	Static Messages, - Instantly w/ no dissolve or fade transitions allowed - No moving text or images	- Message must be in a single color, value and hue, same with background - The message or image displayed must be complete in itself without continuation in content to the next message. - Electronic message centers shall be integrated harmoniously into the design of the larger sign face and structure. - Shall not be the predominant element of the sign - Shall not be allowed on a freestanding pole sign. - If located at the top of the sign, must include a substantial cap feature above the electronic message center which consists of the same material, form, color or texture as is found on the sign face or structure. - Includes inside signs visible from a public sidewalk or street - All existing signs that do not comply, shall be made to conform or removed by date x, based on type of changes (reader board technology, inside signs, or structural changes).	nonresidential	- Written certification from manufacturer that light intensity pre-sets meet Code. - Once installed an inspection is required to test levels
Greeley	- 50% of a sign face	- Automatic dimmer software or solar sensors for nighttime viewing. - Not to exceed 600 candelas per square meter between dusk to dawn at sign's face	30 seconds	Static Messages, - Instantly or through dissolve or fade transitions (subtle transitions) - No moving text or images	- Limited Hours in Limited Commercial District (6am to 10pm) - Businesses w/ Electronic Message Signs shall not be allowed any temporary signs	Commercial, Industrial, Planned Unit Development	- Manufacturer's specs, - Initial candela/sq. meter, - Method of dimming
Longmont	- 6' in height in CBD and SE-O zoning districts - 8' in other zoning districts, where permitted. - Max area of 32 sq.ft.	- 600 max candelas/sq. meter when adjacent to residential districts, scenic entryway corridors and sensitive wildlife/natural areas. - 800 max candelas/sq. meter in all other areas.	once/day	x	x	All nonresidential portions of a PUD District	x
Loveland	- 50% of a sign face - 60% within the I-25 Corridor	- Automatic dimmer software or solar sensors for nighttime viewing. - Not to exceed 600 candelas per square meter between dusk to dawn at sign's face	5 seconds	Static Messages, - Instantly or through dissolve or fade transitions (subtle transitions) - No moving text, images or varying light intensity	- All existing signs that do not comply, shall be made to conform to this Code Section - U.S. 34 & I-25 Corridor Plan signs shall only be permitted within a planned sign program for commercial centers abutting HWY 34 or I-25 for > 500'	nonresidential	x
Thornton	Monument: - Max of 200 sq.ft. when adjacent to I-25 or E-470. - Max of 40 sq.ft. in other areas, where permitted Changeable Copy: - Max area of 30 sq.ft. Electronic Message Centers: - 50% of total allowable area for wall or monument sign	- Automatic dimmer software or solar sensors to control brightness for nighttime viewing. - Shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare. - Shall not exceed 300 nits (candelas per sq. meter) between dusk and dawn as measured from the sign's face.	5 seconds	Static Messages, - Dissolve or fade transitions. - Shall not have movement, or the appearance or optical illusion of movement or varying light intensity, of any part of the sign structure, design or pictorial segment of the sign	- Only words, numbers and images. - Not allowed in East Lake Historic District	Community Retail, Regional Commercial, Business Park, City Center, Office/Institutional, Employment Center, Mixed Use, Industrial	- Manufacturer's specs; - nit rating
Westminster	- Max area of 100 sq.ft. - Min area of 32 sq.ft. - Max height of 25 ft. - Min height of 6 ft. - Component shall be no more than 1/3rd of total sign size or 30 sq.ft. (whichever is less)	x	30 minutes	x	x	Church, public or private school, college or university, fraternal or civic association, municipal building, hospital or convention center	x
Windsor	- 40% of the sign area	- Automatic dimmer software or solar sensors to control brightness for nighttime viewing and variations in daytime light conditions. - Shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare. - Shall contain mechanism for sign to revert to black screen if sign malfunctions. - Shall not exceed 600 candelas per square meter between dusk to dawn and 800 candelas/sq. meter during all other times, as measured at the sign's face	5 minutes (PC) 2 minutes (TB)	Static Messages, - Instantly w/ no dissolve or fade transitions allowed. - Shall not have moving text, images or varying light intensity.	- Shall meet all other sign requirements as outlined in the Municipal Code. - Businesses w/ Electronic Message Signs shall not be allowed any temporary signs. - The message or image displayed must be complete in itself without continuation in content to the next message. - Shall be integrated harmoniously into the design of the larger sign face and structure. - Shall not be the predominant element of the sign. - If located at the top of the sign, shall include a substantial cap feature consisting of the same material, form, color or texture as is found on the sign face or structure - Shall not be located closer than 150 feet from the nearest residential district or development, measured to the property line.	General Commercial (GC), Neighborhood Commercial (NC), Limited Industrial (I-L), Heavy Industrial (I-H), *commercial portions of Residential Mixed Use (RMU)	- Manufacturer's specs - Method of dimming

(x = not mentioned within Code)

**Sec. 16-9-60. Design criteria.**

- (a) Freestanding, ground-mounted signs shall be constructed with a monument-type base consisting of materials that are complementary and compatible with the architectural elements of the project. The height of the monument base of any sign shall not exceed fifty percent (50%) of the overall height of the sign. The width and length of such base shall be at least as wide and long as the bottom edge of the sign area.
- (b) Freestanding signs shall be incorporated into a landscape planting bed with low landscape elements placed in front of signage to soften the sign and taller landscape placed behind single-sided signs to offer a backdrop.
- (c) All freestanding signs which incorporate lighting shall be served by underground utility service.
- (d) Vertical clearance. Any projecting sign or awning mounted sign which projects over the public right-of-way, sidewalk or pedestrian area shall maintain a minimum of eight (8) feet of unobstructed vertical clearance.
- (e) Building-mounted signs shall be sensitively designed to be integrated with the architecture and scale of the building on which they are mounted. (Prior code 16-126; Ord. 2004-1193 §1; Ord. 2006-1236 §1)

(f) Signs that contain an electronic message center shall be subject to the following limitations. For the purposes of this section, electronic message center shall mean the portion of an on premise freestanding sign that is capable of displaying words or images that can be electronically changed by remote or automatic means. The Town limits illumination levels, hold times and flashing/scrolling to minimize driver distraction and protect corridor and community aesthetics to protect the public's health, safety and welfare.

1. Permitted zoning districts: General Commercial (GC), Neighborhood Commercial (NC), Limited Industrial (I-L), Heavy Industrial (I-H), and the commercial portions of Residential Mixed Use (RMU).
2. The maximum allowed size of an electronic message center in a freestanding sign shall be no greater than forty percent (40%) of the total allowed sign area.
3. The electronic message center must be programmed so that the displayed message does not change more frequently than once every five (5) minutes from one (1) static display to another instantaneously without the use of scrolling, flashing, fading or other similar effects, per Sec. 16-9-70(b). The message or image displayed must be complete in itself without continuation in content to the next message.
4. The electronic message center:
  - a. shall not produce glare, the effect of which constitutes a traffic hazard or is otherwise detrimental to the public health, safety or welfare;
  - b. shall not have moving text, images or varying light intensity;
  - c. shall not exceed 600 candelas per square meter between dusk to dawn and 800 candelas per square meter during all other times, as measured at the sign's face;

- d. shall contain a mechanism for the sign to revert to a black screen if the sign malfunctions;
- e. shall be integrated harmoniously into the design of the larger sign face and structure;
- f. shall not be the predominant element of the sign and if located at the top of a sign, must include a substantial cap feature above the electronic message center which consists of the same material, form color and texture as is found on the sign face or structure.

- 5. Businesses with electronic message centers shall not be allowed any temporary signs.
- 6. The electronic message center must be provided with automatic dimming software, solar sensors or a comparable method as approved by the Town to control brightness for nighttime viewing and variations in daytime light conditions. The application shall include the Manufacturer's specifications programmed to meet the code, along with the method of dimming.
- 7. In no event shall a freestanding electronic message center sign be allowed within one hundred fifty (150) feet of the nearest residential district or development, with this distance being measured from the nearest portion of the sign to the nearest property line contained within any such residential district or development.
- 8. Building-mounted electronic message centers shall only be permitted when providing a legitimate public service, such as the giving of time and temperature or when located on a fueling station canopy and shall be subject to the size regulations of Section 16-9-100 for building-mounted signs.

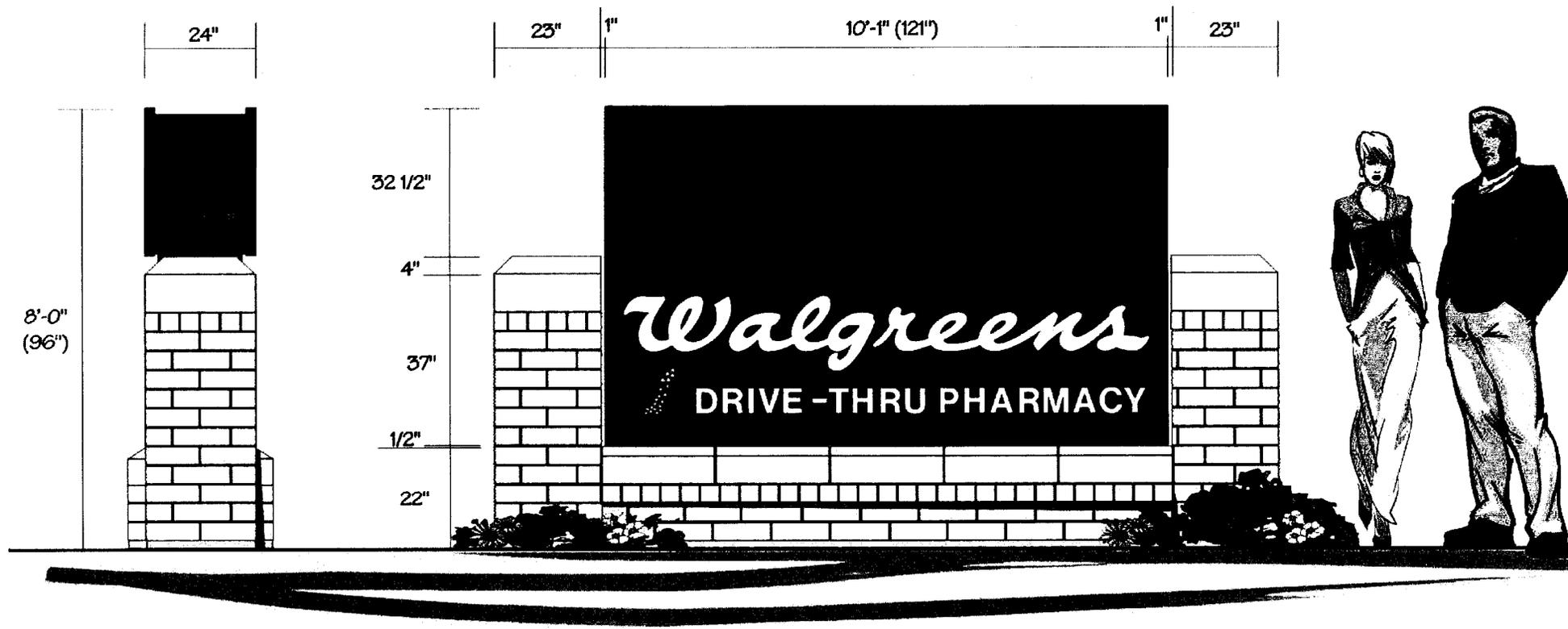
**Sec. 16-9-70. Prohibited signs.**

- (a) No sign shall be erected on the roof of any building.
- (b) No sign shall be illuminated by or contain flashing, intermittent rotating or moving light or lights. The only exception shall be signs which provide a legitimate public service, such as the giving of time and temperature.
- (c) Except as outlined in Section 16-9-135 of this Article, no sign or part thereof shall contain or consist of strings of lights, ribbons, streamers, spinners, pennants or similar moving, fluttering or revolving devices.
- (d) Except as outlined in Section 16-9-135 of this Article, searchlights (whether stationary or revolving), beacons or other similar illuminating devices used for the purpose of advertising or attracting attention shall be prohibited.
- (e) Unpainted signs, broken signs and signs on vacated buildings shall be removed from the premises or repaired or renovated by the owners of the premises on order of the Zoning Officer.
- (f) No sign shall obscure vision or views of the natural landscape or the larger urban area along arterial and collector streets and roads, nor shall any such sign be distracting to motorists.

**FABRICATE AND INSTALL ONE(1) DOUBLE FACE ILLUMINATED MONUMENT SIGN AS PER DRAWING.**

- \* ALUMINUM CONSTRUCTION CABINET PAINTED BRONZETONE WITH CWHO FLUORESCENT ILLUMINATION INTERNALLY.
- \* LEXAN FACES WITH VINYL #3630-73 RED AND #3630-36 BLUE APPLIED.
- \* ALUMINUM CONSTRUCTION L.E.D. DISPLAY (16x80) PAINTED BRONZETONE WITH INSET REVEAL BELOW FOR ACCESS AND VENTILATION.
- \* CMU BLOCK BASE - BY G.C.

Electronic Message Center = ~44% of the overall Sign Area



SCALE: 3/8" = 1'-0"

© 2003 Fluoresco Lighting & Signs

Coordinator Approval \_\_\_\_\_

Production Approval \_\_\_\_\_

Ground Due Date \_\_\_\_\_

**Job Name:** \_\_\_\_\_

**Address:**  
1020 WALNUT STREET  
WINDSOR, CO \_\_\_\_\_

**Designer:** CASEYEASTON

**Sales:** LDCHASE

**Scale:** Noted

**Date:** 8.16.12

**Revisions:**


**Customer Approval:**

\_\_\_\_\_ Date: \_\_\_\_\_

Without Changes

With Changes As Shown

Electrical hookup by others.  
Electrical requirements: 120V or as indicated.  
All landscaping by others.

*This artwork is copyrighted, and the exclusive property of DaVinci Sign Systems. It is the result of the original work of its employees, and is submitted to your organization for the sole purpose of your consideration of whether to purchase from DaVinci Sign Systems. Distribution or exhibition of this artwork to anyone other than employees of your organization, or the use of this artwork to construct a similar sign is strictly prohibited. In the event your organization fails to comply with the stipulations outlined above, DaVinci Sign Systems expects to be compensated \$1000 for its original design work. At any time you may purchase this artwork for \$1000, at which point you may use it however you see fit.*

**Sales Approval:**

\_\_\_\_\_ Date: \_\_\_\_\_

**Production Approval:**

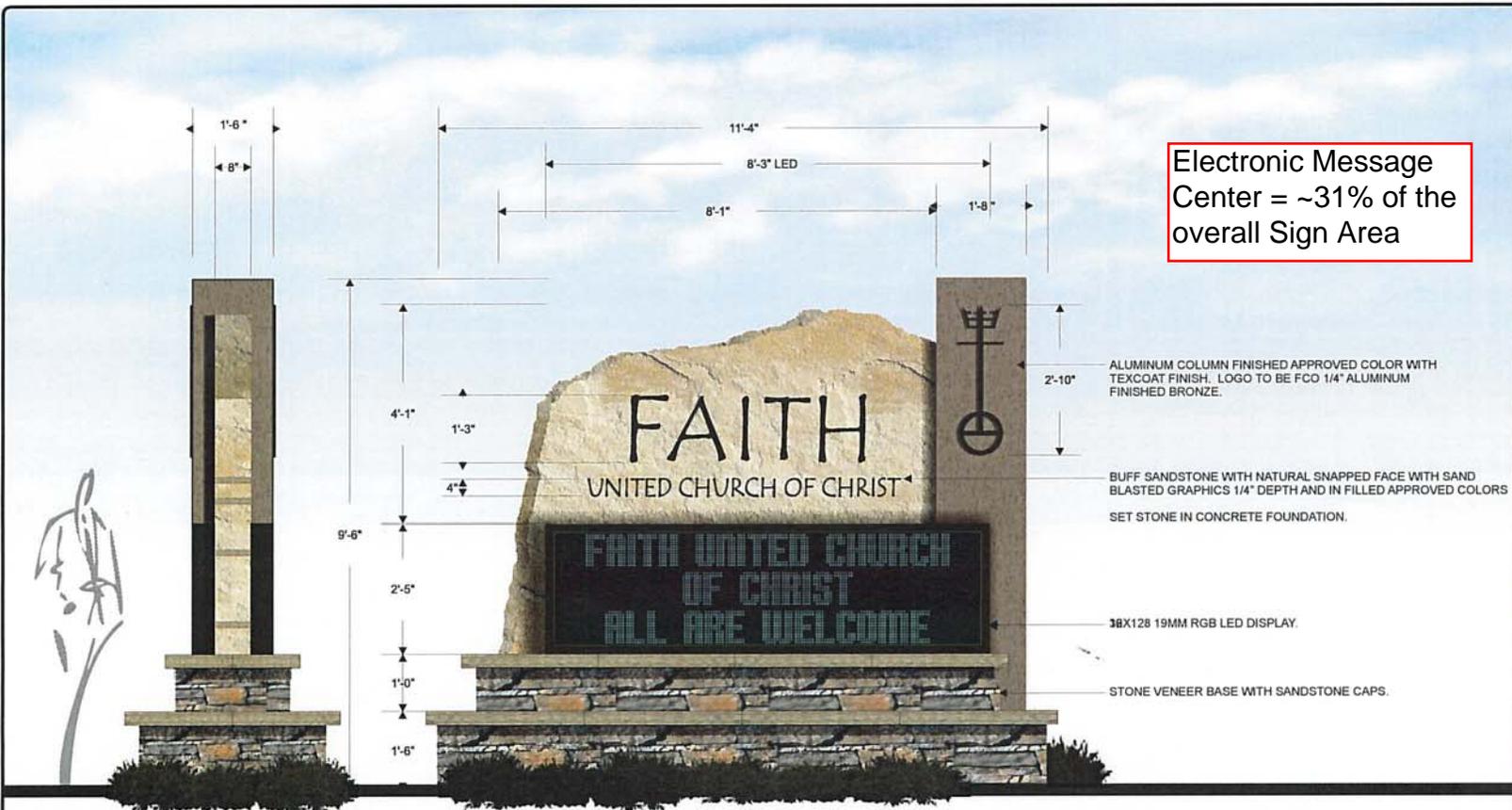
\_\_\_\_\_ Date: \_\_\_\_\_

Design #

**12-479R8**

Page: **1** of: **2**

Electronic Message Center = ~31% of the overall Sign Area

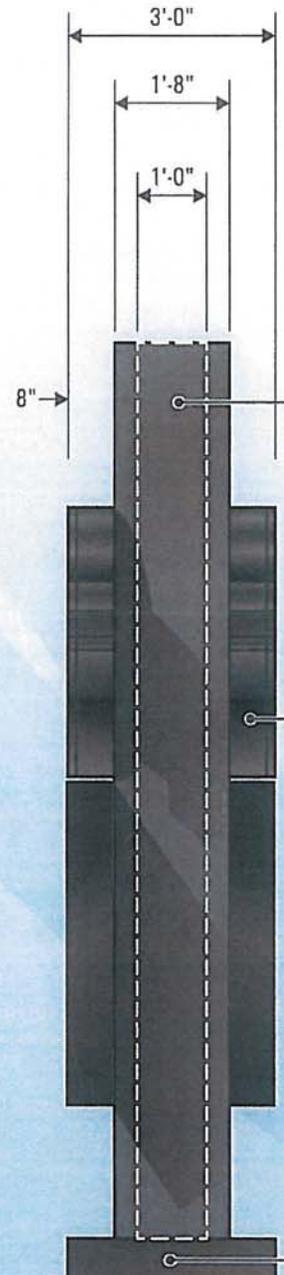
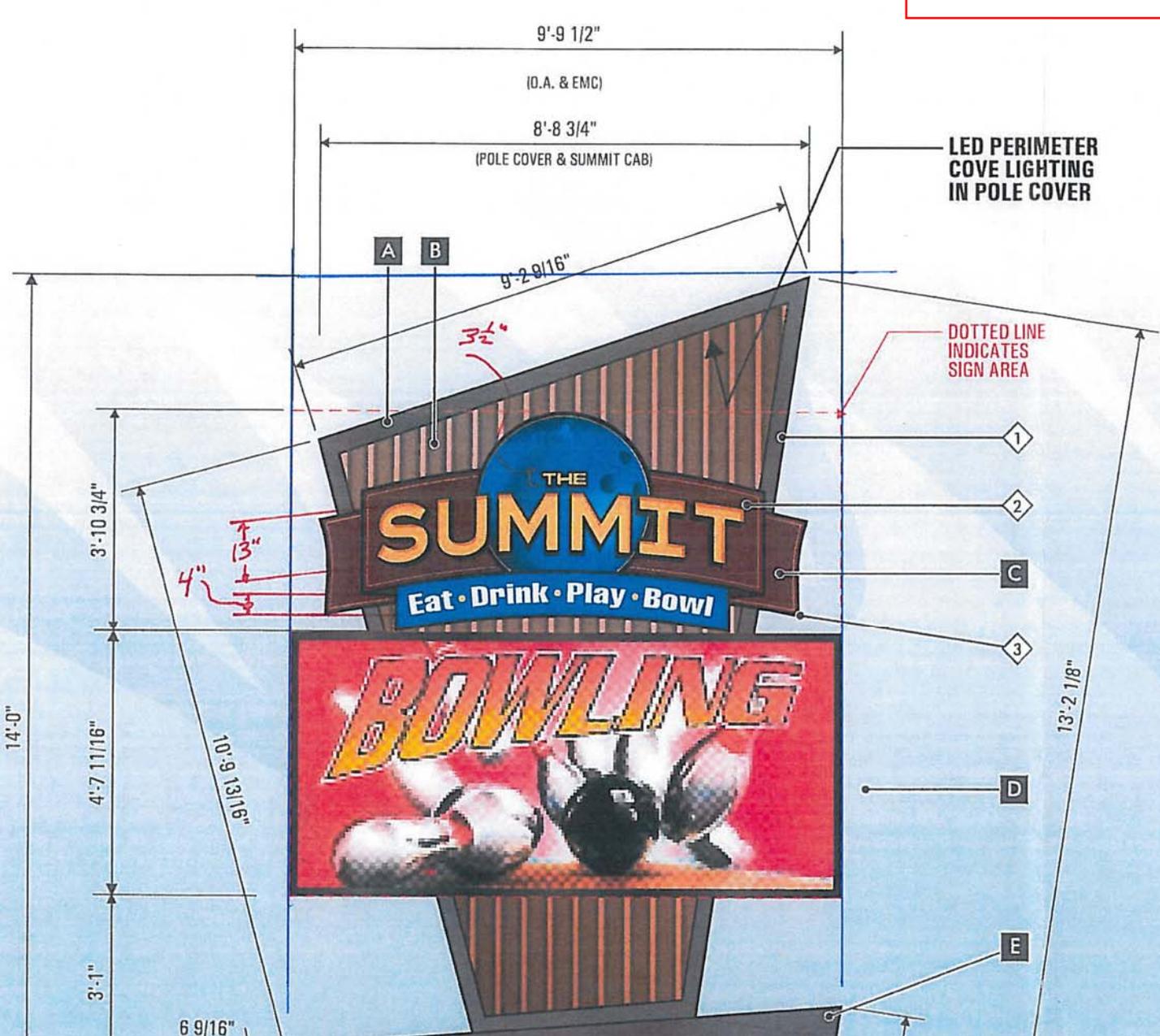


END VIEW SCALE: 1/2" = 1'-0"

**1** D/F ILLUMINATED SANDSTONE MONUMENT SIGN DISPLAY SCALE: 1/2" = 1'-0"  
 QUANTITY: 1 MANUFACTURE AND INSTALL

Copyright 2012  
 DaVinci Sign

Electronic Message Center = ~54% of the overall Sign Area.





## MEMORANDUM

**Date:** October 20, 2014  
**To:** Planning Commission  
**Via:** Kelly Arnold, Town Manager  
Joseph P. Plummer, AICP, Director of Planning  
**From:** Josh Olhava, Associate Planner  
**Subject:** Discussion of proposed code language differentiating between large retail establishments and large entertainment establishments.  
**Wks. Item #:** 3

### Discussion:

On April 17, 2013, the Planning Commission granted a variance of Chapter 17, Article XIII Division 2, determining that the forthcoming Summit Entertainment Center project should not be considered a "large retail establishment" and is not subject to those standards. It was determined that the project is primarily an "entertainment" establishment as opposed to retail and would be more appropriately reviewed in accordance with the Commercial Corridor Plan and I-25 Corridor Plan standards. Please see the enclosed excerpt from the April 17, 2013 Planning Commission minutes and staff memo. The proposed language would distinguish between such "retail" and "entertainment" uses.

Also discussed during the Summit project was the use of tilt up concrete panels. The Commercial Corridor Plan permits tilt up concrete panels as an allowable building material but Section 17-13-280(2)b does not allow the use of tilt up concrete panels for use in large retail establishments. The Town has numerous examples of high quality projects which utilize tilt up concrete panels and the proposed language would eliminate the aforementioned prohibition.

Chapter 17, Article XIII, Division 2 of the Municipal Code outlines the Design Criteria and Procedures for Large Retail Establishments. Staff has reviewed all sections of the aforementioned Article and Division of the Code and is proposing the attached additions and subtractions from the municipal code, per comments received during the May 7<sup>th</sup> & June 16<sup>th</sup> Planning Commission and Town Board work sessions and the most recent September 17<sup>th</sup> Planning Commission work session. For reference all blue/underlined text is proposed new language, while any text that is depicted as red/strike-through is proposed to be eliminated.

### Comprehensive Plan:

#### **Commercial and Industrial Land Use Goal 3:**

*Windsor should continue to encourage and promote commercial and industrial development, redevelopment and expansions in order to strengthen its tax base, increase revenue sources, and provide high-quality employment opportunities for its residents.*

**Recommendation:**

Staff asks that the Town Board reach a consensus and provide staff with direction on the proposed code language. Staff will then finalize the proposed code language for public hearings with recommendation from the Planning Commission and formal action by the Town Board.

**Attachments:**

excerpt from the April 17, 2013 Planning Commission minutes  
staff memo from the April 17, 2013 Planning Commission minutes  
proposed code language

- m. The following certification blocks shall be included on the Drilling and Site Improvement Plans:
  - (1) A signed owner's acknowledgement certification block.
  - (2) A signed drilling operator's acknowledgement certification block.
- n. The following notes shall be included on the Drilling and Site Improvement Plans:
  - (1) The applicant shall comply with all rules and regulations of the Colorado Oil and Gas Conservation Commission (COGCC).
  - (2) The applicant shall comply with all rules and regulations of the Colorado Department of Public Health and Environment (CDPHE).
  - (3) The applicant shall maintain on-going compliance with all conditions of the Town and Windsor-Severance Fire Rescue.
  - (4) The facilities shall be kept clean and otherwise properly maintained at all times.
  - (5) The existing access may be utilized for oil and gas well activities. This access point is temporary and will be required to be removed at such time that permanent access is available in the future.
- 2. The applicant shall address and comply with the conditions of Windsor-Severance Fire Rescue.
- 3. The applicant shall address and comply with the comments and conditions of the Town of Windsor Engineering Department.

There were no additional questions or comments from Commissioners.

**Mr. Ehrlich moved to forward a recommendation of approval to the Town Board of the Conditional Use Grant subject to the aforementioned conditions. Mr. Cox seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick, Paul Ehrlich, Steve Scheffel, David Cox, Wayne Frelund; Nays – None. Motion carried.**

**6. Variance of Chapter 17, Article XIII, Division 2 Large Retail Establishment requirements in accordance with Chapter 17, Article XII of the Municipal Code – Eagle Crossing Subdivision, Second Filing, Lot 1 (Family Fun Center) - 4455 Fairgrounds Avenue – Summit Companies, Inc., applicant/Gary Dennison, Vaught Frye Larson Architects, applicant's representative – S. Ballstadt**

Mr. Ballstadt began by stating the applicant, Summit Entertainment Centers, represented by Mr. Gary Dennison, Vaught Frye Larson Architects, is preparing to submit a site plan application proposing a "family entertainment center" on the property, including bowling, laser tag and restaurant facilities. The existing zoning of the property is General Commercial (GC), which allows for the proposed uses as a use by right. He added the Eagle Crossing property was annexed as the Windsor Highlands Ninth Annexation and, per an amendment to the annexation agreement, development of the property will be subject to the Town's Commercial Corridor Plan (CCP) standards. In addition to the CCP standards, the design criteria for large retail establishments outlined in Chapter 17, Article XII, Division 2 may also apply if the proposed building exceeds 50,000 square feet of gross leasable area (GLA). Therefore, the subject variance request is being processed in advance of the site plan application so that the applicant can design the building and site plan to the appropriate criteria.

Section 17-13-210 of the Municipal Code refers to “large retail establishment” as “occupying more than fifty thousand (50,000) square feet of gross leasable area (GLA)”, requiring such establishments to obtain Town Board approval upon meeting additional architectural and site plan criteria. However, the term “large retail establishment” is otherwise undefined and does not differentiate between various types of commercial uses.

Mr. Ballstadt went on to explain the proposed building will be approximately 57,230 square feet in size; however, the retail sales of tangible goods consists of the redemption space and only amounts to approximately 662 square feet or about 1% of the building with approximately 30% of the square footage of the building is dedicated to bowling lanes and equipment and is not space that is occupied by customers or employees. Gaming, laser tag and restaurant/bar areas occupy the remainder of the building. Mr. Ballstadt reminded Commissioners that although sales tax is charged on food and drink, staff recalls that, at the time of adoption, the primary intent of the large retail establishment regulations pertained to retailers that sell tangible retail goods as opposed to restaurants and entertainment establishments. The real question posed by this variance request is whether the focus should be on *retail sales* as the operative word in “large retail establishments”, or whether the focus should simply be on the *footprint* of the establishment, even if retail sales of goods are a small component of the establishment.

Mr. Ballstadt commented the large retail establishment architectural requirements are also intended to prevent the “big box” appearance of such uses, adding the enclosed draft sketch of the front building elevation shows the forthcoming site plan will include varying heights and architectural elements to break up the façade and to make for an attractive building.

Mr. Nick Cashion, Summit Entertainment, LLC, briefly addressed the Commission stating 30% of the facility will be occupied by bowling lanes, with large event and party rooms adjacent to the lanes. He added his team is discussing a slightly smaller footprint for the building, likely just under 50,000 square feet, however, they may propose something slightly greater than 50,000 square feet to include storage and office space.

Mr. Ballstadt then concluded in accordance with Chapter 17, Article XII of the Municipal Code and the aforementioned justification, staff recommends that the Planning Commission approve the variance request, noting a draft Site Plan has been received by the Planning Department, and that plan may come to the Planning Commission for review in May. He also noted this particular section of the Code may be reviewed in the future to address situations such as these.

Mr. Schick agreed stating the original intent of “big box” planning focused on retail locations, not facilities such as these. Mr. Ehrlich agreed.

**Mr. Ehrlich moved to approve the variance request. Mr. Tallon seconded the motion. Roll call on the vote resulted as follows: Yeas – Gale Schick, Paul Ehrlich, Victor Tallon, Steve Scheffel, David Cox, Wayne Frelund; Nays – None. Motion carried.**

7. Public Hearing – An Ordinance Amending Chapter 16 of the Windsor Municipal Code with respect to building location requirements – S. Ballstadt

Mr. Ballstadt stated this ordinance is proposed as a “house-keeping” amendment associated with the adoption of the building codes intended to align the building location requirements of the Municipal Code with those in the International Residential Code (IRC) and the International Building Code (IBC). He noted table R302.1(1) of the 2012 IRC allows building eaves to extend no closer than two (2) feet from a property line and this is consistent with Section 16-11-50(b)(2) of the Municipal Code currently states, “Roof structures, including eaves, cornices, canopies and similar architectural features, may extend to within two (2) feet of the lot line.” The IRC also



---

## MEMORANDUM

**Date:** April 17, 2013  
**To:** Planning Commission  
**Via:** Joseph P. Plummer, AICP, Director of Planning  
**From:** Scott Ballstadt, AICP, Chief Planner  
**Subject:** Variance of Chapter 17, Article XIII, Division 2 Large Retail Establishment requirements in accordance with Chapter 17, Article XII of the Municipal Code – Eagle Crossing Subdivision, Second Filing, Lot 1 (Family Fun Center) - 4455 Fairgrounds Avenue  
**Item #s:** C.6

### **Discussion:**

The applicant, Summit Entertainment Centers, represented by Mr. Gary Dennison, Vaught Frye Larson Architects, is preparing to submit a site plan application proposing a “family entertainment center” on the property, including bowling, laser tag and restaurant facilities. The existing zoning of the property is General Commercial (GC), which allows for the proposed uses as a use by right.

The Eagle Crossing property was annexed as the Windsor Highlands Ninth Annexation and, per an amendment to the annexation agreement, development of the property will be subject to the Town’s Commercial Corridor Plan (CCP) standards. In addition to the CCP standards, the design criteria for large retail establishments outlined in Chapter 17, Article XII, Division 2 may also apply if the proposed building exceeds 50,000 square feet of gross leasable area (GLA). Therefore, the subject variance request is being processed in advance of the site plan application so that the applicant can design the building and site plan to the appropriate criteria.

Section 17-13-210 of the Municipal Code refers to “large retail establishment” as “occupying more than fifty thousand (50,000) square feet of gross leasable area (GLA)”, requiring such establishments to obtain Town Board approval upon meeting additional architectural and site plan criteria. However, the term “large retail establishment” is otherwise undefined and does not differentiate between various types of commercial uses.

According to the enclosed variance request, the proposed building will be approximately 57,230 square feet in size; however, the retail sales of tangible goods consists of the redemption space and only amounts to approximately 662 square feet or about 1% of the building. Approximately 30% of the square footage of the building is dedicated to bowling lanes and equipment and is not space that is occupied by customers or employees. Gaming, laser tag and restaurant/bar areas occupy the remainder of the building. Although sales tax is charged on food and drink, staff recalls that, at the time of adoption, the primary intent of the large retail establishment regulations pertained to retailers that sell tangible retail goods as opposed to restaurants and entertainment establishments. The real question posed by this variance request is whether the focus should be on *retail sales* as the operative word in “large retail establishments”, or whether the focus should simply be on the *footprint* of the establishment, even if retail sales of goods are a small component of the establishment.

Obviously, the large retail establishment architectural requirements are also intended to prevent the “big box” appearance of such uses. As can be seen by the enclosed draft sketch of the front building elevation, the forthcoming site plan will include varying heights and architectural elements to break up the façade and to make for an attractive building.

**Conformance with Comprehensive Plan:** The forthcoming site plan will be consistent with Commercial and Industrial Land Use Goal 3 of the Comprehensive Plan: Windsor should continue to encourage and promote commercial and industrial development, redevelopment and expansions in order to strengthen its tax base, increase revenue sources, and provide high-quality employment opportunities for its residents.

**Conformance with Vision 2025:** The application is consistent with Vision 2025 Economic Vitality Goal 3: “Grow and Diversify the Windsor economy.”

**Relationship to Strategic Plan:** The proposal advances the Strategic Plan Goal 3: “Diversify, Grow, and Strengthen the Local Retail and Industrial Economy”

**Recommendation:** In accordance with Chapter 17, Article XII of the Municipal Code and the aforementioned justification, staff recommends that the Planning Commission approve the variance request.

**Notification:** n/a

**Neighborhood Meeting(s):** n/a

**Attachments:** narrative variance request and sketch materials

pc: Ian McCargar, Town Attorney  
Summit Entertainment Centers, applicant  
Gary Dennison, AIA, Vaught Frye Larson Architects, applicant’s representative

**ARTICLE XIII**  
**Design Criteria and Procedures**

*Division 2*  
*Large Retail Establishments*

**Sec. 17-13-210. Supplementary regulations.**

No large retail establishment occupying more than fifty thousand (50,000) square feet of gross leasable area (GLA), as defined in Section 16-2-20 of this Code, shall be approved for construction or occupancy unless such establishment has been determined by the Town Board to be in compliance with this Division, including subsequent amendments thereto. In addition to the foregoing, no large retail establishment occupying more than fifty thousand (50,000) square feet of GLA shall be approved for construction or occupancy unless such establishment has obtained approval of a qualified commercial site plan approval by the Town Board in accordance with the requirements and standards set forth in this Code. (Ord. 2010-1393 §1)

The Design Criteria and Procedures set forth in this Division 2 of Article XIII of Chapter 17, shall not apply to ~~exclude~~ Large Entertainment Establishments ~~that are otherwise~~ located within a Commercial Corridor Plan area, any Intergovernmental Agreement containing design standards or other any area governed by other specific site plan development standards.

For the purposes of this section, "Large Entertainment Establishments" shall be defined as any facility that, ~~as its~~ the primary purpose of which is ~~business, is devoted to~~ recreational; or entertainment uses, such as showing motion pictures or presentation of dramatic, musical or live performances or containing amusement facilities such as bowling, billiards, and video arcades.

**Sec. 17-13-280. Materials and colors.**

Exterior building materials and colors comprise a significant part of the visual impact of a building; therefore, they should be aesthetically pleasing.

(1) Required materials. Predominant exterior building materials shall be high-quality materials. The Planning Commission may approve additional materials, particularly based upon consistency with materials used in surrounding developed properties. Each principal building, as well as smaller stores located within the principal building, on a site shall incorporate no less than two (2) of the following or other approved materials:

- a. Brick.
- b. Wood.
- c. Sandstone and other native stone.
- d. Tinted, textured, concrete masonry units.

(2) Prohibited materials. Predominant exterior building materials shall not include:

- a. Smooth-faced concrete block.
- ~~b. Tilt-up concrete panels. 17-51~~
- c. Prefabricated steel or other metal panels.

**Sec. 17-13-320. Parking lot orientation.**

Parking areas shall be distributed around principal buildings in order to shorten the distance to other buildings and public sidewalks, to reduce the overall scale of the paved surface and to promote the location of buildings closer to streets to reduce the scale of the building, encourage pedestrian traffic and enhance architectural details.

(1) No more than eighty-five percent (85%) of the off-street parking area for the lot, tract or area of land devoted to the large retail establishment shall be located between the front facade ~~of the large retail establishment~~ and the abutting streets, or "front parking area." If the applicant proposes more than eighty-five percent (85%) of the parking to be located in the front parking area and, in the determination of the Planning Commission and Town Board, the applicant's proposal is equal to or better than the parking lot configuration which meets the eighty-five-percent standard, the Planning Commission may make a recommendation regarding the alternative proposal to the Town Board for final determination.

(2) The front parking area (FPA) shall be determined by drawing a line from the front corners of the building (facade with a main customer entrance) to the nearest property corners. If any such line, when connected to the plane of the front facade of the building, creates an angle that is greater than one hundred eighty (180) degrees, then the line shall be adjusted to create an angle of one hundred eighty (180) degrees. If any such line, when connected to the plane of the front facade of the building, creates an angle that is less than ninety (90) degrees, then the line shall be adjusted to create an angle of ninety (90) degrees. Parking spaces in the FPA shall be counted to include all parking spaces entirely within the boundaries of the FPA, including (i) any partial parking space if that portion within the FPA boundary line constitutes more than fifty percent (50%) of said parking space; and (ii) all parking spaces associated with any pad sites located within the FPA boundaries. (Ord. 2010-1393 §1)



## FUTURE TOWN BOARD MEETINGS

Work Sessions & Regular Meetings will be held in the Board Chambers unless otherwise noted.

---

October 27, 2014 6:00 p.m.	Town Board Work Session Discussion of draft 2015 DDA budget Great Western Metropolitan District request for addition to future inclusion area
October 27, 2014 7:00 p.m.	Town Board Meeting
November 3, 2014 6:00 p.m./Police Station	Town Board Work Session Update on police operations
November 10, 2014 5:30 p.m./1 <sup>st</sup> floor conference room	Board/Manager/Attorney Monthly Meeting Capital improvement projects – final review
November 10, 2014 7:00 p.m.	Town Board Meeting
November 17, 2014 6:00 p.m.	Town Board Work Session
November 24, 2014 6:00 p.m.	Town Board Work Session
November 24, 2014 7:00 p.m.	Town Board Meeting
December 1, 2014 6:00 p.m.	Town Board Work Session
December 8, 2014 5:30 p.m./1 <sup>st</sup> floor conference room	Board/Manager/Attorney Monthly Meeting
December 8, 2014 7:00 p.m.	Town Board Meeting
December 15, 2014 6:00 p.m.	Town Board Work Session
December 22, 2014 6:00 p.m.	Town Board Work Session
December 22, 2014 7:00 p.m.	Town Board Meeting
December 29, 2014	Fifth Monday

### Additional Events

October 29, 2014  
6:00 p.m./RSVP by 10/20/14 Weld Town/County Dinner – Attending: Adams, Melendez, Arnold  
Tentative: Morgan, Bishop-Cotner

**Future Work Session Topics**

Joint meeting with Parks, Recreation & Culture Advisory Board  
Town Board compensation review