



TOWN BOARD  
REGULAR MEETING

September 10, 2018 // 7:00 p.m. // Town Board Chambers  
301 Walnut Street, Windsor, CO 80550

MINUTES

A. CALL TO ORDER

Mayor Melendez called the meeting to order at 7:02 p.m.

1. Roll Call

Mayor  
Mayor Pro Tem

Kristie Melendez  
Ken Bennett  
Myles Baker  
Barry Wilson  
Paul Rennemeyer  
Thomas Jones

Absent- David Sislowski

Also Present:

Town Manager  
Town Attorney  
Assistant Town Attorney  
Communications/Assistant to Town Manager  
Director of Economic Development  
Director of Parks, Recreation and Culture  
Chief of Police  
Director of Finance  
Town Clerk

Shane Hale  
Ian McCargar  
Kim Emil  
Kelly Houghteling  
Stacy Miller  
Eric Lucas  
Rick Klimek  
Dean Moyer  
Krystal Eucker

2. Pledge of Allegiance

Mayor Melendez led the pledge of allegiance. A moment of silence followed in honor of Brycen Zerby.

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 Rennemeyer moved to approve the agenda as presented, Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays-None; Motion passed.**

4. Plaque Presentation

- Jack Goodell – 25 years of service on the Water and Sewer Board
  - Kenton Brunner – 36 years of service on the Water and Sewer Board
- Mayor Melendez thanked Mr. Jack Goodell for his service on the Water and Sewer Board and presented him with an appreciation plaque.

5. Proclamation – Cities and Towns Week

Mayor Melendez read the Cities and Town Week proclamation.

6. Board Liaison Reports

- Town Board Member Baker – Tree Board, Historic Preservation Commission
- Town Board Member Baker reported the Tree Board discussed adding a Tree Board Member to the PReCAB Board although no decision was made. The landscape standards were also discussed. The Tree Board is planning a park

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 prior to the meeting to make arrangements.

audit on September 25, 2018 at the Windsor Highland Park. A landscape boot camp is being planned for early next year where homeowners can learn about plants that work in this area.

- Town Board Member Wilson – Parks, Recreation & Culture Advisory Board; Poudre River Trail Corridor Board  
Town Board Member Wilson thanked the Parks, Recreation and Culture staff for all their hard work during the Harvest Festival.  
Mr. Wilson reported a 2-mile section of the Poudre River Trail east of 257 will be closed starting September 23, 2018 for repairs. A fundraiser, Party on the Poudre is scheduled for September 12, 2018 at Island Grove.
- Mayor Pro Tem Bennett – Water & Sewer Board  
Mayor Pro Tem Bennett had no report.
- Town Board Member Rennemeyer – Chamber of Commerce  
Town Board Member Rennemeyer reported Generations Church just joined the Chamber of Commerce and their grand opening is on September 23, 2018. The public is invited to attend their open house/ribbon cutting at their new campus that they will be sharing with Journey Church on September 11, 2018.
- Town Board Member Jones – Windsor Housing Authority; Great Western Trail Authority  
Town Board Member Jones reported the Great Western Trail Authority has applied for two grants; one is a Colorado Beautiful Grant and the other is the Colorado Youth Conservation Grant. Any grants that may be awarded will go towards completing the Trail between Severance and Eaton.
- Town Board Member Sislowski – Clearview Library Board; Planning Commission  
Town Board Member Sislowski – Absent.
- Mayor Melendez – Downtown Development Authority; North Front Range/MPO  
Mayor Melendez reported the DDA will meet September, 19, 2018.  
Ms. Melendez reported the groundbreaking for the I-25 project was this morning. Ballot initiatives 153 and 167 were discussed in detail at the MPO Meeting. Ballot initiative 153 will turn into proposition 110 and 167 will turn into proposition 109. The difference between the two is 110 is the sales tax increase and 109 is the Caldera Fix Our Roads measure; if the sales tax proposition would pass, it would lend itself an additional \$24 million over the next 20 years for road and bridge expansion, construction, maintenance and repair of specific statewide projects.

7. Public Invited to be Heard

Mayor Melendez opened the meeting up for public comment.

Wendall Bradley, 608 Meadow Drive, Windsor, CO, voiced his concerns regarding oil and gas waste.

B. CONSENT CALENDAR

1. Minutes of the August 27, 2018 Regular Meeting – Krystal Eucker
2. Report of Bills August 2018 – Dean Moyer

3. Resolution No 2018-87 – A Resolution Approving The August 1, 2018, Intergovernmental Agreement Between The Town Of Windsor And The Colorado Department Of Transportation With Respect To Improvements To The Intersection Of State Highway 257 And Eastman Park Drive, And Authorizing The Town Manager To Execute Same – Omar Herrera  
**Town Board Member Rennemeyer moved to approve the consent calendar as presented. Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

C. BOARD ACTION

1. Resolution No. 2018-84 – A Resolution Approving An Agreement For Cooperative Development And Use Of Diamond Valley Property Between The Town Of Windsor And Colorado National Sports Park, LLC
  - Legislative action
  - Staff presentation: Shane Hale, Town Manager; Stacy Miller, Director of Economic Development; Ian D. McCargar, Town Attorney

Mr. Hale informed the Board that Resolution No. 2018-84 would approve a public/private agreement that will transfer ownership of the Diamond Valley property to Colorado National Sports Park, LLC (CNSP). In return, the Town will have perpetual use of the property for recreational programming which includes three baseball fields and two multi-use fields. The two multi-use fields are referred to in the agreement as the phase 1 improvements. If these improvements are not completed by March of 2020, the title of the property reverts back to the Town of Windsor. Colorado National Sports Park, LLC will assume the maintenance of the site beginning in 2020.

Additional highlights of the agreement include:

- The Town and CNSP will cooperatively master-plan the property, either by adopting the existing Town-approved Master Plan or agreeing to another.
- CNSP is required to keep youth athletic activity on the parcel for a minimum of 20 years; failing to do so will result in the title reverting back to the Town.
- After 2038, CNSP can discontinue its youth sports operations after giving the Town 36 months' notice.

The Town had intended to construct multi-purpose fields costing approximately \$4.1 million in 2019. Those fields will now be constructed by CNSP by March of 2020.

Staff recommends approval of Resolution No. 2018-84 and Ordinance 2018-1570.

Mr. Baker inquired if there will be any admission or parking fees to the fields.

Mr. Hale stated there will be no admission or parking fees at the fields.

Mr. Baker inquired as to what would happen if CNSP sells parcels of the land and then the land reverts back to Windsor.

Mr. McCargar stated the transfer of smaller parcels within the park property would be subject to the reversion clause that is built into the agreement.

Mr. Baker inquired as to how many lacrosse, soccer and football fields is Windsor getting in phase 1.

Mr. Lucas stated the original intention was to build one 600' by 600' field which would have been four adult soccer fields or 16 youth fields. CNSP will be constructing two of those fields.

Mr. Baker inquired if Windsor will continue renting the facility for tournaments.

Mr. Lucas stated if Windsor is hosting the tournament, there is the option to rent out the facility.

Mr. Baker inquired if this agreement will help to solve the park shortage in Windsor.

Mr. Lucas stated it would help with the shortage.

Mr. Baker inquired as to how Windsor will be using the fields.

Mr. Lucas stated most of the play is Monday – Friday and some soccer on Saturdays. Coordination will take place with CNSP in terms of their use and Windsor's use. This agreement will allow Windsor to grow programs. As it sits today, there have been kids turned away from soccer as Windsor is unable to keep up with the demand of people and the fields that Windsor lacks. Also, by taking kids off of Eastman Park, that will give those fields a break.

Mr. Baker inquired if the hotel and restaurant would be started in the first year.

Mr. Steven Chasteen stated it would be in 2020.

Mr. Baker inquired as to the traffic flow in the area of the park.

Mr. Chasteen stated as the tournaments wind down through the week there are less teams as teams fall out of the tournament.

**Mayor Pro Tem Bennett moved to approve Resolution No. 2018-84. Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays-None; Motion passed.**

2. Ordinance No. 2018-1570 – An Ordinance Approving the Transfer of Real Property from the Town of Windsor to Colorado National Sports Park, LLC
  - Legislative action
  - Staff presentation: Shane Hale, Town Manager; Stacy Miller, Director of Economic Development; Ian D. McCargar, Town Attorney

Mr. Baker expressed his concern of traffic in the area of the sports park.

Ms. Miller stated there will be a traffic study completed.

**Town Board Member Rennemeyer moved to approve Ordinance No. 2018-1570 Approving the Transfer of Real Property from the Town of Windsor to Colorado National Sports Park, LLC. Town Board Member Wilson seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

3. Resolution No. 2018-85 – A Resolution Approving and Adopting Revised Design Criteria and Construction Specifications – Division I Streets
  - Legislative action

- Staff presentation: Paul Hornbeck, Senior Planner

Per Mr. Hornbeck, Division I of the Town's Design Criteria and Construction Specifications (henceforth referred to as "Specifications") include construction and design standards for all streets within the Town. The current Specifications were adopted in 2009 by Resolution 2009-0074 and were last amended in 2014. Resolution 2009-0074 authorized the Director of Engineering to make minor amendments or modifications but required any major amendments or modifications to first be approved by Town Board resolution. Town staff has prepared the following major amendments for Town Board consideration.

The proposed amendments are based on four primary goals:

1. Implementing the "Complete Streets Guide" adopted by Town Board (Resolution No. 2017-33)
2. Enhancing community image (e.g. landscaped medians, improved streetscape, etc.)
3. Allowing greater flexibility for innovative or alternative designs (e.g. Raindance PUD innovations)
4. Achieving greater consistency with neighboring jurisdictions

The full text of the proposed modifications to the Specifications is attached. A summary of the major changes proposed are summarized as follows:

1. Sidewalks mandatory on all street types
2. Increased sidewalk width (from 4' to 5' and 5' to 6')
3. Developers have the option to use a detached sidewalk instead of attached sidewalk on local residential streets
4. Detached sidewalk required on minor collectors
5. Bike lanes required on minor collectors
6. Inclusion of a landscaped median on gateway corridors
7. Curb extensions in high pedestrian areas (trail crossings, schools, parks, etc.)
8. A range of speed limits for each street type to allow greater flexibility for unique contexts
9. Addition of loop lanes to provide individual driveway access allowing the house to front the street when not otherwise allowed on collector streets

Should Town Board approve these modifications, staff will administratively make additional minor modifications to the Specifications to update related sections. The minor modifications will primarily be updates to technical specifications and can be viewed as "development friendly" as they will allow greater flexibility based on the lower design speeds proposed. For example, a reduced centerline radius is possible where lower design speeds are used, thereby requiring less land to accommodate the road layout.

In June of 2017 staff provided an overview of these proposed changes to the street standards at a Town Board work session and also met with stakeholders, such as developers and engineering consultants, to gather any feedback. The draft changes were then refined and presented to Town Board in June of 2018. An additional stakeholder meeting was held July 12, 2018 to gather further input.

At their September 5, 2018 meeting, the Planning Commission forwarded to the Town Board a recommendation of approval of the resolution amending the Design Criteria and Construction Specifications – Division I Streets as presented.

Mr. Baker inquired if the loop lane is a private drive.

Mr. Hornbeck stated they are private drives.

Mr. Jones inquired if there is a min or max number of homes that would be allowed on a loop lane.

Mr. Hornbeck stated there will be a maximum number of homes and that criteria is still being looking at.

Ms. Melendez inquired if the proposed changes have been presented to the development community.

Mr. Hornbeck stated there have been two outreach meetings; one last summer and one this summer. There was a letter received from a consultant with some suggestions and some of those suggestions have been incorporated.

**Town Board Member Rennemeyer moved to approve Resolution No. 2018-85. Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays-None; Motion passed.**

4. Resolution No. 2018-86 – A Resolution Approving an Amendment to a Master Plan for Windshire Park Subdivision – Jeff Feneis, Director of Loveland Housing Authority on behalf of Windsor Housing Authority, applicant / Jim Doyle, TB Group, applicant’s representative

- Quasi-judicial
- Staff presentation: Carlin Malone, Chief Planner

Per Ms. Malone, the item before the board is the 3<sup>rd</sup> amended master plan for the Windshire Park Subdivision. The master plan is typically done with the annexation and since then the master plan has been amended twice. The property is located north of Jacoby Road and south of Guardian Drive.

The property is currently zoned RMU (Mixed Use Residential), which allows for a mix of primarily residential uses and secondary commercial uses. In 2017, a master plan amendment designated 58 dwelling units for Parcel E. Also in 2017, a site plan for the property was approved for 57 townhome units and the plan remains valid. If the proposed amendment is approved, the applicant will pursue a major subdivision and site plan for an affordable senior housing development, which will be owned and operated by the Windsor Housing Authority.

The number of allowable units for this subdivision is based on sewer capacity. Parcel E currently has an allowable capacity for 64 multifamily residential units. The Town’s Engineering Director has researched the water and sewer demands for the use of senior housing, finding that the demands are less than standard multifamily residential. As a result, the 90 senior housing units proposed would result in the same capacity needed for 64 standard multifamily residential units. The number of units proposed for senior housing has been accepted by the Town’s Engineering Director.

The proposal is consistent with the Comprehensive Plan as well as the Strategic Plan.

A neighborhood meeting is not required as part of the master plan process although one was held and feedback was all positive on the proposed changed.

At their September 5, 2018 meeting, the Planning Commission forwarded to the Town Board a recommendation of approval of the amended master plan as presented.

Mr. Jim Doyal gave a brief overview of the proposed project. The Windshire Senior Housing campus will consist of 96 1-bedroom units, 27 2-bedroom units and 190 parking stalls. Along the western edge, there will be 33 1-story cottages. There will also be 90 units that are 2-story and consist of two separate buildings with a common area in between.

Mr. Bennett inquired as to what type of energy efficiencies will be incorporated into the project.

Mr. Jeff Feneis stated it is not known as of yet but the intent is to put solar on the project.

**Town Board Member Rennemeyer moved to approve Resolution No. 2018-86. Town Board Member Jones seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

5. Public Hearing – An Amendment to a Planned Unit Development (PUD) for a Sign Criteria Plan, Raindance Subdivision – David Nelson, Raindance Land Company LLC, owner; Martin Lind, Raindance Land Company LLC; owner/owner’s representative / Tom Siegel, Water Valley Land Company LLC, applicant’s representative
  - Quasi-judicial
  - Staff presentation: Carlin Malone, Chief Planner

**Town Board Member Rennemeyer moved to open the public hearing. Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

Per Ms. Malone, the applicant is requesting an amendment to the Raindance PUD for a comprehensive signage plan, referred to as the Raindance Sign Design Guidelines. The proposed amendment applies to the entire PUD with the purpose of establishing an overall design theme and criteria for signs within the development.

The Town approved the Raindance PUD zoning in December of 2015, which established permitted uses, the range of land densities/intensities, overall layout of the development, and project-specific design criteria and guidelines that would not otherwise be possible under the existing zoning and subdivision regulations. At the time the PUD was established, the development was in the conceptual stage of the process and developing sign design guidelines would have been premature; therefore, the subject amendment is necessary for the additional design criteria. Additionally, the current sign code does not address comprehensive sign plans for large-scale subdivisions or developments.

As with the existing Raindance PUD, some of the design elements and design flexibility proposed in the sign design guidelines would not be possible under the current standards. The PUD process allows for some flexibility to those standards when creative design solutions would result in a better design or outcome than allowed under the existing standards. The subject design guidelines will provide design consistency and

predictability throughout the entire development. The guidelines pertain to design only and the requirement of sign permits, as well as locating signs outside of public right-of-way and sight visibility triangles, will remain.

At their September 5, 2018 meeting, the Planning Commission forwarded to the Town Board a recommendation of approval of the PUD amendment.

Staff requests the following be entered into the record:

- Application and supplemental material
- Staff memorandum and supporting documents
- All testimony received during the public hearing
- Recommendation

My Tom Siegel is in agreement with the application presented.

**Mayor Pro Tem Bennett moved to close the public hearing. Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

6. Ordinance No. 2018-1571 – An Ordinance Approving an Amendment to a Planned Unit Development (PUD) for a Sign Criteria Plan, Raindance Subdivision – David Nelson, Raindance Land Company LLC, owner; Martin Lind, Raindance Land Company LLC; owner/owner's representative / Tom Siegel, Water Valley Land Company LLC, applicant's representative
  - Quasi-judicial
  - Staff presentation: Carlin Malone, Chief Planner

Ms. Malone had nothing further to add.

**Town Board Member Rennemeyer moved to approve Ordinance No. 2018-1571 Approving an Amendment to a Planned Unit Development (PUD) for a Sign Criteria Plan, Raindance Subdivision. Town Board Member Baker seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

7. Public Hearing - Conditional Use Grant (CUG) for Oil and Gas Facility (non-producing) South Gate Subdivision, 4th Filing, Lots 3 & 4 –Martin Lind, Windsor Southgate Development, LLC, owner; Stewart Lowenstein, Water Valley Land Company and Dave Thorpe, Norris Design, applicant's representatives
  - Quasi-judicial action
  - Staff presentation: Paul Hornbeck, Senior Planner

**Town Board Member Rennemeyer moved to open the public hearing. Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**



Per Mr. Hornbeck, the proposed conditional use grant is for an oil and gas facility which features an office, warehouse and outdoor storage yard but does not include any oil extraction activity. The definition in the municipal code would classify this proposal as an oil and gas facility.

The subject property is zoned general commercial. The general commercial zone does not currently allow for outdoor storage, however as an oil and gas facility it could be allowed with the conditional use grant. The proposed storage area is located on the north art of the site located to the northwest of County Road 17 and South Gate Drive. The storage is proposed on approximately 4.7 acres on Lot 4 and 6.5 acres on Lot 3. Screening will be provided by a combination of the building orientation, screen walls and fencing. The office and warehouse buildings are depicted on the southern portion of lot 4 which is adjacent to County Road 17 and the outdoor storage is located towards the interior of the site. An 8' tall precast wall is proposed adjacent to County Road 17 to provide additional screening.

The application is in conformance with the Municipal Code requirements for a conditional use grant.

At their September 5, 2018 Planning Commission meeting; forwarded a recommendation of approval to the Town Board subject to the following conditions:

1. CUG approval is for outdoor storage as an accessory use to the proposed oil and gas office building and warehouse. Any other outdoor storage shall be subject to the Municipal Code requirements.
2. Outdoor storage shall be limited to approximately 4.7 acres on Lot 4 and approximately 6.5 acres on Lot 3.
3. A subdivision modifying property lines between lots 3 and 4 is anticipated. This CUG and all conditions shall apply to the current lots and any subsequent lots created.
4. Screening of outdoor storage shall be provided as indicated on the application materials in compliance with the Municipal Code .
5. Outdoor storage shall be limited to equipment directly related to drilling and operation of oil wells, gas wells or injection wells.
6. No equipment taller than 30' shall be stored within the outdoor storage yard.
7. Landscaping shall be provided as required in accordance with the Town's landscape standards through the site plan review process.
8. Campers and recreational vehicles may be stored on site but may not be occupied.

Mr. Baker confirmed that the block fencing will only be on the eastern side with the other sides being some type of chain link screening.

Mr. Hornbeck; that's correct

Mr. Rennemeyer inquired as to the alternate material used for chain link slats.

Mr. Hornbeck stated the applicant can utilize any other type of screening fence.

Ms. Melendez inquired if the applicant is in agreement with the conditions of approval.

Mr. Martin Lind stated he is in agreement with the conditions of approval.

**Town Board Member Jones moved to close the public hearing. Town Board Member Rennemeyer seconded the motion. Roll call on the vote resulted as**

**follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays-None; Motion passed.**

8. Conditional Use Grant (CUG) for Oil and Gas Facility (non-producing) South Gate Subdivision, 4th Filing, Lots 3 & 4 –Martin Lind, Windsor Southgate Development, LLC, owner: Stewart Lowenstein, Water Valley Land Company and Dave Thorpe, Norris Design, applicant’s representatives
  - Quasi-judicial action
  - Staff presentation: Paul Hornbeck, Senior Planner

Mr. Hornbeck has nothing further to add.

**Town Board Member Rennemeyer moved to approve the conditional use grant for Oil and Gas Facility (non-producing) South Gate Subdivision, 4th Filing, Lots 3 & 4 Mayor Pro Tem Bennett seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays-None; Motion passed.**

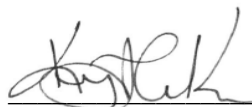
D. COMMUNICATIONS

1. Communications from the Town Attorney  
None.
2. Communications from Town Staff  
Mr. Lucas reminded the Board that the Main Park playground will open at 5:30 on September 13, 2018.
3. Communications from the Town Manager  
Mr. Hale informed the Board of the events planned in Windsor during Cities and Towns Week.
4. Communications from Town Board Members  
Ms. Melendez thanked all town staff and recognize how hard they all work for this community.  
Ms. Melendez also gave a reminder that this Saturday is Coffee With the Mayor at the Community Recreation Center from 7:00 a.m. – 9:00 a.m.

E. ADJOURN

**Town Board Member Rennemeyer moved to adjourn. Town Board Member Wilson second the motion. Roll call on the vote resulted as follows: Yeas – Baker, Wilson, Bennett, Rennemeyer, Jones, Melendez; Nays- None; Motion passed.**

The meeting was adjourned at 8:28 p.m.



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Krystal Eucker, Town Clerk