

# ERIE GATEWAY SOUTH ANNEXATION NO. 8

- ANNEXATION
- INITIAL ZONING

Board of Trustees – September 28, 2021

# Request

- OEO 2, LLC requests annexation to the Town of Erie for ~16 acres of property and initial zoning to PD – Planned Development
- Application package includes 1 Resolution and 2 Ordinances

# Location



# Project Information

<b>Existing Zoning:</b>	A – Agricultural (Boulder County)
<b>Comprehensive Plan:</b>	MDR – Medium Density Residential
<b>Existing Land Use:</b>	SFD home, accessory buildings and ag uses
<b>Annexation Acreage:</b>	15.7 acres
<b>Zoning Acreage:</b>	15.7 acres
<b>Proposed Zoning:</b>	PD – Planned Development

# Adjacent Zoning and Land Use

	<b>CURRENT ZONING</b>	<b>COMPREHENSIVE PLAN – LAND USE MAP DESIGNATION</b>
<b>NORTH</b>	LR – Low Density Residential with PUD overlay	LDR – Low Density Residential
<b>SOUTH</b>	A - Agricultural (Boulder County)	N/A
<b>EAST</b>	LR – Low Density Residential with PUD overlay	P/OS – Parks and Open Space
<b>WEST</b>	LR – Low Density Residential and A - Agricultural (Boulder County)	LDR – Low Density Residential and CC – Community Commercial



# Zoning Map

## ERIE GATEWAY SOUTH ANNEXATION NO. 8 ZONING MAP

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36,  
TOWNSHIP 1 NORTH, RANGE 69 WEST, 6TH PRINCIPAL MERIDIAN,  
COUNTY OF BOULDER, STATE OF COLORADO  
15.7314 ACRES  
1Z-001141-2020

### LEGAL DESCRIPTION:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 36, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF BOULDER, STATE OF COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SECTION 36 BEING S 89°36'44" W AND MONUMENTED AS FOLLOWS:

-SOUTHWEST CORNER OF SECTION 36, BEING A FOUND 2.25" ALUMINUM CAP IN RANGE BOX, PL5 28666 PER MON REC DATED 12-3-93.

-SOUTH 1/4 CORNER OF SECTION 36, BEING A FOUND 3.25" ALUMINUM CAP AS A 75' W.C. RL5 4846 PER MON REC DATED 9-10-08.

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 36;

THENCE N 00°30'01" W ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 36 A DISTANCE OF 75.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 7 (BASELINE ROAD) SAID POINT ALSO BEING THE SOUTHWEST CORNER OF ERIE GATEWAY SOUTH ANNEXATION NO. 1, ORD. NO. 33-2016, RECEPTION NO. 03072283 AND THE POINT OF BEGINNING;

THENCE S 89°36'44" W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 574.04 FEET TO THE SOUTHEAST CORNER OF ERIE GATEWAY SOUTH ANNEXATION NO. 7, ORD. NO. 05-2018, RECEPTION NO. 3649284;

THENCE ALONG THE EASTERLY AND SOUTHERLY BOUNDARY OF SAID ERIE GATEWAY SOUTH ANNEXATION NO. 7 THE FOLLOWING TWO (2) COURSES;

1. N 00°11'08" W A DISTANCE OF 1209.44 FEET;

2. S 87°02'19" E A DISTANCE OF 673.88 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID ERIE GATEWAY SOUTH ANNEXATION NO. 1, ORD. NO. 33-2016, RECEPTION NO. 03072283;

THENCE S 00°20'01" E ALONG SAID WESTERLY BOUNDARY A DISTANCE OF 1176.06 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL CONTAINS AN AREA OF 685,260 SQUARE FEET OR 15.7314 ACRES MORE OR LESS.

### PD NOTE:

1. THIS PD ZONING MAP CREATES STANDARDS THAT SUPERSEDE STANDARDS FOUND IN MUNICIPAL CODE TITLE 10. IN THE EVENT THAT THERE IS A DISCREPANCY BETWEEN THE MUNICIPAL CODE AND THIS PD, THE PD SHALL CONTROL. ANY PROVISIONS THAT ARE NOT SPECIFICALLY ADDRESSED IN THIS PD ZONING MAP SHALL COMPLY WITH THE MUNICIPAL CODE. ANY DEVELOPMENT STANDARDS NOT ADDRESSED IN THIS PD WILL COMPLY WITH THE MR ZONE DISTRICT.
2. THE TEMPORARY USES SHALL EXPIRE AND NO LONGER BE REBUILT IN THIS PD WHEN THE PROPERTY DEVELOPERS WITH THE PRINCIPAL USES LISTED IN PLANNING AREA 1.
3. OIL & GAS SETBACKS SHALL BE AS FOLLOWS - 350' SETBACK FROM AN ACTIVE WELL SITE, 26' FOR PLUGGED AND ABANDONED WELLS SITES. NO ROW IS PERMITTED WITHIN 150' OF AN ACTIVE WELL SITE.

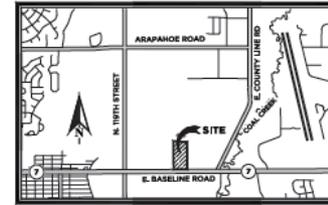
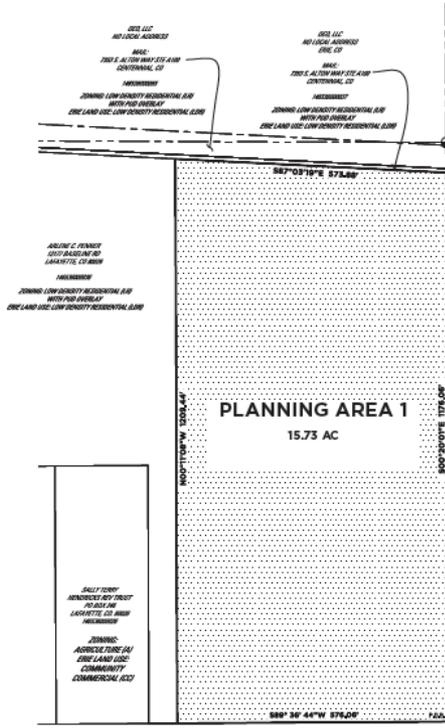
USE TABLE	
VILLAGE	PERMITTED PRINCIPAL USES
PLANNING AREA 1	SINGLE FAMILY ALLEY LOAD, PARKS, OPEN SPACE, UTILITIES
PLANNING AREA 1 TEMPORARY USES	OPEN SPACE, UTILITIES, PRINCIPAL AND ACCESSORY USES AS DEFINED IN THE AG HOLDING DISTRICT IN THE MUNICIPAL CODE

### LEGEND:

- ZONING BOUNDARY
- PROPERTY BOUNDARY
- - - SECTION LINE
- ABANDONED RAILROAD R.O.W. ACQUIRED BY CRD, LLC
- SECTION CORNER



SOUTHWEST CORNER OF SECTION 36  
BEING 2.25" ALUMINUM CAP IN  
RANGE BOX, PL5 28666 PER MON  
REC. DATED 12-3-93



### SURVEYOR'S CERTIFICATE

I, \_\_\_\_\_, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PD ZONING MAP TRULY AND CORRECTLY REPRESENTS THE ABOVE DESCRIBED LEGAL DESCRIPTIONS FOR EACH PUD OVERLAY ZONE DISTRICT.

I ATTEST THE ABOVE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

(SURVEYOR'S NAME)  
COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR # (RPLS)

### BOARD OF TRUSTEES APPROVAL CERTIFICATE

THIS PD ZONING MAP IS TO BE KNOWN AS THE \_\_\_\_\_ PD ZONING MAP AND IS APPROVED AND ACCEPTED BY ORDINANCE NO. \_\_\_\_\_ ADOPTED AT THE REGULAR SPECIAL MEETING OF THE BOARD OF TRUSTEES OF THE COUNTY OF BOULDER, COLORADO, HELD ON \_\_\_\_\_, 20\_\_\_\_.

MAYOR \_\_\_\_\_  
ATTEND \_\_\_\_\_ TOWNSHIP CLERK \_\_\_\_\_

### CLERK & RECORDER CERTIFICATE

STATE OF COLORADO )  
COUNTY OF \_\_\_\_\_ )  
I HEREBY CERTIFY THAT THIS PD ZONING MAP WAS FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, A.D. AND WAS RECORDED AT RECEPTION NUMBER \_\_\_\_\_.

\_\_\_\_\_  
COUNTY CLERK AND RECORDER

### DIMENSIONAL STANDARDS SUMMARY CHART

LOT TYPE	MINIMUM LOT STANDARDS		MINIMUM LOT SETBACKS (FT.)					HEIGHT
	WIDTH (FT.)	AREA (S.F.)	FRONT ON STREET	FRONT ON GARDEN COURSE	SIDE (TO ADJACENT STREET)	SIDE (TO ADJACENT LOTS)	REAR	
SINGLE FAMILY ALLEY LOAD	30' 30'	5,000	FRONT - 10' CORNER LOTS	FRONT - 5'	10'	S'	FRONT - 0' ACC - NA	FRONT - 30' ACC - NA
PLANNING AREA 1 TEMPORARY USES	300'	650,000	FRONT - 200' ACC - 150'	FRONT - NA ACC - NA	FRONT - 50'	NA	FRONT - 200' ACC - 100'	FRONT - 30' ACC - 30'

1. 200' SETBACK FROM ACTIVE WELL SITES. 2. 200' SETBACK FROM PLUGGED AND ABANDONED WELLS SITES. 3. 200' SETBACK FROM OIL & GAS WELLS. 4. 200' SETBACK FROM OIL & GAS WELLS. 5. 200' SETBACK FROM OIL & GAS WELLS. 6. 200' SETBACK FROM OIL & GAS WELLS. 7. 200' SETBACK FROM OIL & GAS WELLS. 8. 200' SETBACK FROM OIL & GAS WELLS. 9. 200' SETBACK FROM OIL & GAS WELLS. 10. 200' SETBACK FROM OIL & GAS WELLS.

SHEET INDEX  
1. \_\_\_\_\_ COVES - PD PLANNING AREA  
2. \_\_\_\_\_ PD STANDARDS

PREPARED BY  
ERIC MANAGEMENT  
7303 SOUTH ALTON WAY  
CENTENNIAL, CO 80112

LAND PLANNING

pcs group  
300 KALAMATH STREET  
DENVER, CO 80233  
303.551.4809  
www.pcsgroupco.com

ENGINEERED

KT  
KT ENGINEERING  
11111 11TH ST  
DENVER, CO 80202  
303.733.8200

MASTERS PD  
ERIE, COLORADO

DRAWN BY: SEM  
CHECKED BY: JZ  
DATE: 8-30-2021  
9-8-2021

SHEET NAME  
COVER SHEET  
SHEET NUMBER  
1 OF 2

# PD – Planned Development

1. Applicability
2. Permitted Uses
3. Dimensional Standards
4. Development Standards
5. Oil and Gas Standards

**DIMENSIONAL STANDARDS SUMMARY CHART**

LOT TYPE	MINIMUM LOT STANDARDS		MINIMUM LOT SETBACKS (FT.)					HEIGHT
	WIDTH (FT.)	AREA (S.F.)	FRONT ON STREET	FRONT ON GARDEN COURT	SIDE (TO ABUTTING STREET)	SIDE (TO INTERIOR LOT)	REAR	
<b>SINGLE FAMILY ALLEY LOAD</b>	32'	3,200	PRIN. - 10'	PRIN. - 5'	10'	5'	PRIN. - 0'	PRIN. - 35' ACC. NA
	37' CORNER LOTS						ACC. - NA	
<b>PLANNING AREA 1 TEMPORARY USES</b>	300'	625,000	PRIN. - 200'	PRIN. - NA	PRIN. - 50'	NA	PRIN. - 500'	PRIN. - 35' ACC. 30'
	300' CORNER LOTS		ACC. - 100'	ACC. - NA	ACC. - 25'		ACC. - 500'	

1. ABOVE-GRADE FEATURES INCLUDING EAVES, AND OVERHANGS ARE PERMITTED TO ENCROACH UP TO 2 FEET INTO THE FRONT, SIDE, AND REAR SETBACKS, EXCEPT WHERE THE SETBACK IS 0', THEN NO ENCROACHMENT IS ALLOWED.

2. WINDOW WELLS ARE PERMITTED TO ENCROACH UP TO 3 FEET INTO THE SIDE SETBACKS, EXCEPT WHERE THE SETBACK IS 0', THEN NO ENCROACHMENT IS ALLOWED. WINDOW WELLS ARE REQUIRED TO HAVE A COVER.

# Annexation: Approval Criteria

## **Annexation Criteria (Section 7.3 of the UDC)**

a) The Annexation is in compliance with the Municipal Annexation Act of 1965 (C.R.S. 31-12-101, et seq., as amended).

# Initial Zoning: Approval Criteria

## **Initial Zoning Criteria (Section 7.4 of the UDC)**

- a) The initial zoning will promote the public health, safety, and general welfare.
- b) The initial zoning is generally consistent with the town's comprehensive master plan and the purposes of this UDC.
- c) The initial zoning is generally consistent with the stated purpose of the proposed zoning district.
- d) Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development.
- e) The initial zoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be significantly mitigated.
- f) The initial zoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property.
- g) Future uses on the subject tract will be compatible in scale with uses on the other properties in the vicinity of the subject property.
- h) The initial zoning is generally consistent with the Towns' economic development goals and objectives in bringing positive growth and sustainable revenues to the Town.

# Public Notice

## **Annexation Public Notice:**

The Annexation is in compliance with the required noticing requirements of C.R.S. 31-12-108; with published notice in the Colorado Hometown Weekly, on August 18, 2021, August 25, 2021, September 1, 2021, September 8, 2021, and September 15, 2021.

## **Initial Zoning Public Notice:**

The required notice for the Initial Zoning application is in compliance with Section 10.7.4 of the Municipal Code as follows:

Published in the Colorado Hometown News:	September 8, 2021
Property Posted as required:	September 10, 2021
Letters to Adjacent Property Owners:	September 10, 2021

# Staff Recommendation

## Findings of Fact – Resolution No. 21-123

Staff finds the Erie Gateway South Annexation No. 8 annexation application in compliance with Section 7.3, Annexations, of Title 10 of the Municipal Code and with C.R.S. 31-12-108. Staff recommends the Town Board of Trustees adopt the resolution, making certain findings of fact in favor of the proposed annexation.

## Annexation – Ordinance No. 28-2021

Staff finds the Erie Gateway South Annexation No. 8 annexation application in compliance with Section 7.3, Annexations, of Title 10 of the Municipal Code and with C.R.S. 31-12-108. Staff recommends the Town Board of Trustees adopt the ordinance, annexing the property into the Town of Erie.

## Initial Zoning – Ordinance No. 29-2021

Staff finds the Erie Gateway South Annexation No. 8 Initial Zoning application in compliance with Section 7.4, Initial Zoning, of the Town of Erie Municipal Code and recommends the Town Board of Trustees adopt the ordinance, zoning the property to PD – Planned Development.

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Board of Trustees – September 28, 2021