



TOWN OF ERIE

Community Development Department – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: Flight Business Park

PROJECT ADDRESS: 2800 Airport Drive, Erie, CO

PROJECT DESCRIPTION: The project includes the Planned Unit Development (PUD) Zoning of a 10.340 acre site at the Erie Air Park.

LEGAL DESCRIPTION (attach legal description if Metes & Bounds)

Subdivision Name: Erie Air Park Tract E Minor Subdivision Replat A

Filing #: 1 Lot #: E-2 Block #: 1 Section: 31 Township: 1N Range: 68W

OWNER (attach separate sheets if multiple)

Name/Company: Real Investments, LLC

Contact Person: Mr. David Nassar

Address: 3000 Airport Drive, Unit 203

City/State/Zip: Erie, CO 80516

Phone: 303.775.5502

Fax:

E-mail: david@nassardevelopment.com

AUTHORIZED REPRESENTATIVE

Company/Firm:

Contact Person: Mr. Donald P. Ash, P.E.

Address:

City/State/Zip:

Phone: 303.918.7859

Fax:

E-mail:

MINERAL RIGHTS OWNER (attach separate sheets if multiple)

Name/Company: Rocky Mountain Fuel Company

Address: 8020 South County Road 5 #200

City/State/Zip: Fort Collins, CO 80528

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company:

Address:

City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: AP - Airport

Proposed Zoning: PUD - Planned Unit Development

Gross Acreage: 10.340 ac

Gross Site Density (du/ac): n/a

Lots/Units Proposed: n/a

Gross Floor Area: 175,000 SF

SERVICE PROVIDERS

Electric: Xcel

Metro District: n/a

Water (if other than Town): Town

Gas: Xcel

Fire District: Mountain View

Sewer (if other than Town): Septic

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES

ANNEXATION		SUBDIVISION	
☐ Major (10+ acres)	\$ 4000.00	☐ Sketch Plan	\$ 1000.00 + 10.00 per lot
☐ Minor (less than 10 acres)	\$ 2000.00	☐ Preliminary Plat	\$ 2000.00 + 40.00 per lot
☐ Deannexation	\$ 1000.00	☐ Final Plat	\$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		☐ Minor Subdivision Plat	\$ 2000.00
☐ Major	\$ 3000.00	☐ Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
☐ Minor	\$ 1200.00	☐ Road Vacation (constructed)	\$ 1000.00
ZONING/REZONING		☐ Road Vacation (paper)	\$ 100.00
☐ Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
☒ PUD Rezoning	\$ 1700.00 + 10.00 per acre	☐ Residential	\$ 1400.00 + 10.00 per unit
☐ PUD Amendment	\$ 1700.00 + 10.00 per acre	☐ Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
☐ Major PD Amendment	\$ 3700.00 + 10.00 per acre	☐ Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
☐ Minor PD Amendment	\$ 500.00	☐ Non-Resi. (<2,000 sq. ft.)	\$ 200.00
SPECIAL REVIEW USE		☐ Amendment (major)	\$ 1100.00
☐ Major	\$ 1000.00	☐ Amendment (minor)	\$ 350.00
☐ Minor	\$ 400.00	VARIANCE	
☐ Oil & Gas	\$ 1200.00	SERVICE PLAN	
		\$ 10,000.00	

All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: _____

Date: 10/11/19

Owner: _____

Date: _____

Applicant: _____

Date: _____

STATE OF COLORADO)
County of Weld) ss.

The foregoing instrument was acknowledged before me this 11th day of October, 2019, by David Nassar.

MELINDA R. HELMER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20124009525
My Commission Expires March 7, 2020

My commission expires: March 7, 2020
Witness my hand and official seal.

Melinda R. Helmer
Notary Public

LOT 1 ERIE AIR PARK REPLAT D
Erie, Colorado
Planned Development (PD) Rezoning Submittal

WRITTEN NARRATIVE

1.0 INTRODUCTION

This Planned Development (PD) Rezoning submittal has been prepared in response to the proposed Lot 1 Erie Air Park Replat D project.

2.0 PROJECT BACKGROUND

The project site is located on Airport Drive, in the Erie Air Park Subdivision. The site is bounded by Coal Creek and an existing commercial/aircraft service building to the north, a light industrial and hangar property to the east (which has been developed by the applicant), undeveloped property to the south and an aircraft hangar property to the west. The project site was previously conceptually planned with prior Town staff as a second phase of the development located to the east of the project site, which is currently vacant.

The project site is approximately 10.340 acres. The existing zoning is AP – Airport.

3.0 PROPOSED IMPROVEMENTS

The PD rezoning would allow for a greater diversity of uses that would normally be allowed under the AP zone district. The Applicant has recently constructed a similar development directly to the east of the subject property. The current PD Rezoning proposal would essentially be an extension of the adjacent development. The site would consist of a mix of light industrial and hangar buildings, with principal access off Airport Drive.

The proposed PD Zoning would allow for a greater flexibility for prospective owners and tenants. The AP – Airport zone district allows for Light Industrial and Light Manufacturing as a Special Review Use. The proposed PD Zone District would allow these uses as a Permitted Use by Right. Uses allowed under the AP zone district are also allowed. Other, more intensive uses such as Heavy Industrial and Heavy Manufacturing uses, are not allowed.

There also may be some aviation type uses, such as aircraft hangars or aircraft repair facilities. Those uses would be isolated along the existing taxiway and would be separated from the other uses. This would reduce and consolidate all potential aircraft taxi area to the existing taxiway.

Site improvement will consist of parking improvements, drive lanes, landscape and stormwater quality areas.

4.0 PROJECT NARRATIVE

a. General project concept and purpose of the request.

Our initial plans would consider a series of light industrial/hangar buildings. We anticipate a varied mix of users, including office, contractor shops, light industrial, light manufacturing, aviation, and other complimentary uses. This would be very similar to the existing development to the east.

The buildings will be designed in accordance with the Town of Erie Aviation and Light Industrial Design Standards. The architectural design will be similar to the existing development to the east.

b. A detailed description of proposed variation(s) of the underlying zone district standards and requirements and the District Specific Standards noted above and the justification for such variations;

The site is currently zoned Airport (AP). The UDC defines airport and related uses as "Any area that is used, or is intended to be used, primarily for the takeoff and landing of aircraft and any appurtenant areas that are used, or intended to be used, for airport buildings or facilities, including open spaces, taxiways, and tie down areas, hangars, and other accessory buildings." In addition to the airport related uses, the AP Zone District permits several other uses such as parks, open space, utilities, bar/tavern, restaurant, office, parking, convenience store and general retail.

In order to gain greater flexibility of uses and tenants at the airport, we intend to expand the AP zoning to allow for light industrial, light manufacturing, repair shop, light equipment sales, service and rental, and contractor's shop. These uses have already been approved as part of the Planned Unit Development (PUD) Rezoning that was approved directly east of the subject property.

The following table outlines the Permitted Uses By Right and by Special Use Review.

USE STANDARDS

PERMITTED USES BY RIGHT

THE FOLLOWING USES SHALL BE PERMITTED IN THE LOT 1 ERIE AIR PARK REPLAT D PD ZONE DISTRICT AS DEFINED IN THE TOWN OF ERIE UNIFIED DEVELOPMENT CODE.

- AVIATION MUSEUM
- REPAIR SHOP
- CONTRACTOR'S SHOP, INTERIOR ONLY
- INDUSTRIAL, LIGHT
- LIGHT EQUIPMENT SALES, SERVICE AND RENTAL
- LIGHT MANUFACTURING, GENERAL

SPECIAL REVIEW USE

THE FOLLOWING USES, AS DEFINED IN THE TOWN OF ERIE UNIFIED DEVELOPMENT CODE, SHALL BE REVIEWED PURSUANT TO THE SPECIAL REVIEW USE PROCESS AND APPROVAL CRITERIA:

- MUSEUM
- COMMERCIAL AMUSEMENT, INDOOR
- CONTRACTOR'S SHOP WITH EXTERIOR STORAGE OR STORAGE YARD
- MINI-WAREHOUSE/SELF STORAGE

NOTES:

1. THIS PD ZONING MAP MODIFIES THE USES SET FORTH IN THE TOWN OF ERIE UNIFIED DEVELOPMENT CODE (UDC) AS PROVIDED FOR IN SECTION 10.3.1.
2. THE TABLE OF PERMITTED USES IN THE UDC FOR THE UNDERLYING ZONE DISTRICT(S) SHALL GOVERN THE PROPERTY UNLESS OTHERWISE ALTERED OR MODIFIED BY THIS PD.
3. IN THE EVENT THAT THERE IS ANY DISCREPANCY BETWEEN THE UDC AND THIS PD, THE PD SHALL CONTROL. ANY PROVISIONS THAT ARE NOT SPECIFICALLY ADDRESSED IN THIS PD ZONING MAP SHALL COMPLY WITH THE UDC.

- c. *Statement specifying the public benefit(s) to be contained in or associated with the PUD.*

The Airport (AP) Zone District provides basic accommodations for airport and airport related functions. The proposed PD Zone District would allow for the use by right for contractor's shops and light industrial uses at the site and would provide for a greater variety of related businesses that would be interested in locating at the Erie Air Park. This would provide an economic benefit to the Town of Erie as compared to straight airport zoning and use in the form of new jobs, added commerce, and added opportunity to the airport as well.

We feel that the overall public benefit would be to allow certain low impact uses which would be complimentary to the commercial area of the airport, which happens to be adjacent to residential areas. The PUD would also provide benefit to help minimize uses that may not be conducive to this particular site.

The Airport Manager has expressed support for the project. We feel that the mix of aircraft hangars, light industrial and office space will provide the needed fees and tax revenue in order to would support airport operations.

Any aviation type uses, such as aircraft hangars or aircraft repair facilities, would be isolated along the existing taxiway, and would be separated from the other uses. This would reduce and consolidate all potential aircraft taxi area to the existing taxiway.

- d. *Intensity and density of uses proposed.*

The entire site will be zoned PD in order to achieve the light industrial uses described in Section 4.0(ii) across 100% of the site. The overall intensity and density of the uses proposed will meet the requirements set forth in the Town of Erie Unified Development Code (UDC) for the underlying zone district.

We would anticipate multiple light industrial/office/hangar buildings totaling 150 KSF to 200 KSF of floor area. This equates to a FAR between 0.3 and 0.45. Building setbacks would be as required in the UDC per the underlying AP zone district. Parking ratios would be as required in the UDC per the associated uses.

e. *Proposed development time-line.*

The project will likely start construction after the Planned Development, Minor Subdivision, Site Plan Review and Building Permit submittals have been approved by the Town. We estimate that construction would start during Q3/Q4 of 2021.

f. *Existing and proposed utilities and public services.*

Sanitary Sewer

The Town of Erie sanitary sewer mains are not located adjacent to the subject property. A future 15" sanitary sewer main extension is anticipated to be constructed as part of the Parkdale development. This proposed sanitary sewer main extension is to be constructed along the north side of Coal Creek, north of the subject property.

The project proposes to construct a 12" main extension which would extend from the subject property, north along Airport Drive, and would connect to the proposed 15" Parkdale sanitary sewer main located north of the airport and east of Coal Creek.

An 8" main extension would continue south along Airport Drive, and would provide additional service to Tract E-3. Another 8" main extension would extend west through Lot 2 Erie Air Park Replat A and into the subject property.

Water

There is an existing 14" asbestos cement concrete pipe (ACCP) water main located in Airport Drive. There is a 12" PVC water main that crosses Lot 2 Erie Air Park Replat A and provides service to the subject property.

The project proposes to construct a 16" water main extension which would extend from the intersection of Airport Drive and Baron Court, north along Airport Drive, and would connect to the proposed 14" water main located north of the airport and east of Coal Creek.

The project also proposes to connect to the existing 12" PVC stub at Lot 2 Erie Air Park Replat A, loop the water main through the subject property, and connect back to the new 16" water main in Airport Drive through a new easement through Lot 2. A new 12" PVC main would also extend south along Airport Drive, from the intersection of Airport Drive and Baron Court. This 12" PVC main would extend past the subject property to the north east corner of Tract E-3. This would provide future water service to Tract E-1 and

Tract E-3. Looped connections back to the main would be constructed during the future development of Tract E-1 and/or E-2.

Dry Utilities

Dry utility providers include Xcel electric, Xcel gas, CenturyLink telecommunications and Xfinity cable/internet. These service providers have been contracted and are able to provide adequate service to the proposed development.

Site Access

The site is accessed from Airport Drive. Airport Drive intersects Baseline Road/State Highway 7 to the south. This provides east-west connectivity to Erie, Lafayette and the I-25 corridor.

Public Services

The fire and school districts will not be affected by the proposed development.

The Fire District noted that water lines and fire hydrants were not shown for the new lots, and that the maximum spacing of fire hydrants on a public street is 300 feet. We have revised the utility plans to show the required fire hydrant spacing along Airport Drive. Additional fire hydrants internal to the site would be proposed as part of the SIP phase of the project. We are anticipating several fire hydrants throughout the site which would provide the required fire hydrant spacing to the proposed buildings.

- g. *How the proposal relates to the existing land-use of the subject property and the zoning and land-use of adjacent properties, including statements describing areas of compatibility and conflict and the mitigation measures utilized.*

The project is generally compatible with the surrounding properties. There is an existing light industrial and hangar complex to the east of the property and existing aircraft hangars to the west of the property. There is also an active taxiway to the airport directly north of the site. The light industrial/aircraft related uses proposed for the site do not pose a conflict with the surrounding area.

In general, mitigation measures included uses that would generate a lower average daily trips (ADT) of generated traffic, uses that would generate a lower number of heavy truck traffic, and uses that would be complimentary

with the adjacent airport uses. We feel that the proposed zoning meets this requirement.

- h. *How the proposal complies with the Town's Comprehensive Plan and approval criteria of the Municipal Code, Title 10, Unified Development Code.*

The Planned Development Rezoning is consistent with the Town of Erie Comprehensive Master Plan, Transportation Master Plan, Park, Recreation, Open Space, and Trails Master Plan.

- i. *A description regarding the location, function and ownership/maintenance of public and private open space, parks, trails, common areas, common buildings.*

There are no public open space, private open space, parks, trails or common buildings that would require separate ownership and a maintenance. There are common landscape areas, parking and driveway areas, which would be owned by the homeowner's association. Ownership and maintenance responsibilities would be provided through the condominium declarations.

- j. *A description regarding the status of mineral rights and the substance of any existing or proposed covenants, special conditions, grants of easements, or other restrictions applying to the proposed subdivision.*

There are no existing or proposed covenants, special conditions, grants of easements or other restrictions placed on the property due to mineral rights or other land use declaration.

The surface rights to the property were sold to George E. Gouger by The Rocky Mountain Fuel Company on August 27, 1946 per document recorded at Book 1186 Page 313. A copy of this deed has been attached to the submittal. The deed grants surface rights to the grantee, George E. Gouger. But the grantor, RM Fuel, reserved all surface and subsurface mineral rights to the property. RM Fuel went bankrupt in 1944, but the assets that were not liquidated were maintained by other RM Fuel entities.

Further discussion with the RM Fuel has determined that the company still has ownership of the subsurface rights. There are no other surface right agreements or operating agreements in place. The mineral owner has stated they have no objection to the project.

5.0 SUBMITTAL DOCUMENTS

1. Application Form
2. Application Fee
3. Proof of Ownership
4. Notarized Letter of Authorization
5. Copies of Special Agreements
6. Written Narrative
7. ALTA/ACSM Land Title Survey
8. PD Development Plan – Zoning Map
9. Conceptual Site Plan