

**TOWN OF ERIE
PLANNING COMMISSION MEETING
March 15, 2017**

SUBJECT:

PUBLIC HEARING:

Consideration Of A Resolution Regarding The Wise Farms PUD Zoning Map, Adopting Certain Findings Of Fact And Conclusions Favorable To The PUD Overlay Rezoning.

PURPOSE:

The applicant is proposing a PUD Overlay on the Wise Farms Rezoning Map to modify single family lot sizes, setbacks and architectural standards.

PROJECT FILE NO: PUD-000790-2016

CODE: Erie Municipal Code, Title 10

DEPARTMENT: Community Development

PRESENTER: Hannah Hippely AICP, Senior Planner

STAFF RECOMMENDATION

Approval with conditions

SUMMARY AND BACKGROUND OF SUBJECT MATTER

Applicant Jasper Land Investments, LLC
 9162 S. Kenwood Court
 Highlands Ranch, CO 80126

Owners Wise Homestead, LLC; and,
 Elizabeth Kissell

Location The Wise Farms property is located south of Jasper Road and west of 119th Street. The property is separated by the RTD railroad right of way.



Existing Conditions

Zoning Current zoning is RR – Rural Residential; however, the applicant is processing a concurrent rezoning application.

PUD Size 169 Acres

Existing Use On the property are two existing single family houses and associated accessory structures; historic farm structures; one oil/gas facility; with the majority of the property being used for agriculture.

Adjacent Land-Use/Zoning

	ZONING	LAND USE
NORTH	Rural Residential Neighborhood Mixed Use AG-OS Agricultural – Open Space A-Agricultural: Boulder County	Single Family Residential Erie Historical Museum Boulder County/Town Open Space Farm/Agriculture
EAST	A-Agricultural: Boulder County RR -Rural Residential: Boulder County ER- Estate Residential	Farm/Agriculture Single Family Residential
SOUTH	RR – Rural Residential: Boulder County	Single Family Residential
WEST	A-Agricultural: Boulder County	Farm/Agriculture

Purpose of PUD Overlay

Below is the “Purpose” for the Planned Unit Development Overlay District as described in the Municipal Code (10.2.7.D).

The PUD Overlay District is generally used when there is special public interest that doesn't coincide with the traditional zoning in a geographic area. The PUD Overlay District may only be used when an application is not able to meet the requirements of a standard zone classification. The PUD is a mapped area with restrictions in addition to, or less than, those in the underlying traditional zone. Rather than attempt to create a new zoning category, an overlay zone is superimposed over the traditional zone and establishes additional regulations, or reduces or extends the existing uses. The underlying zoning identifies permitted land uses, the overlay zone may provide design restrictions, additional setbacks, or other exceptions to the base district regulations.

General purposes of a PUD are as follows:

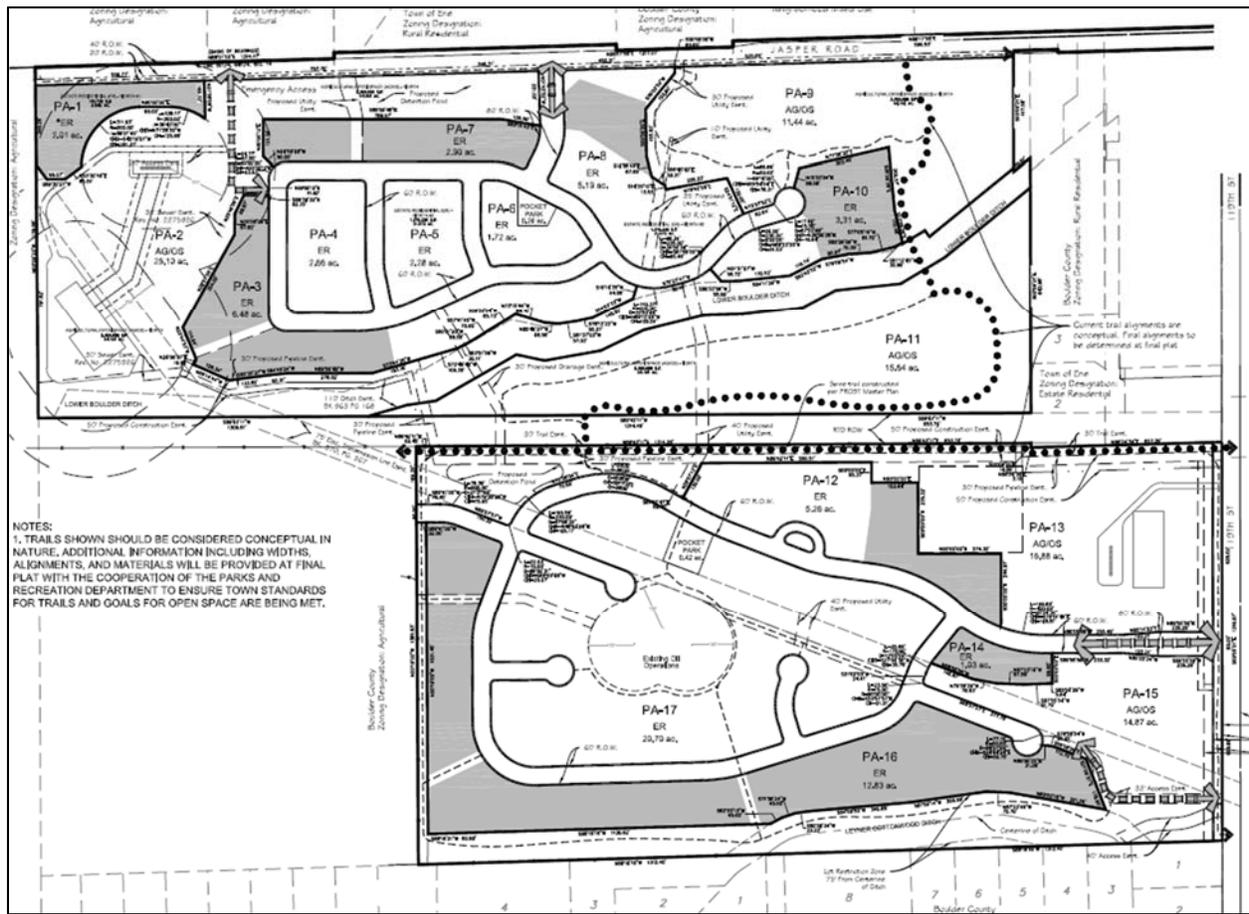
- a. Establish a procedure for the development of larger parcels of land in order to reduce or eliminate the rigidity, delays, and inequities that otherwise would result from application of zoning standards and procedures designed primarily for small parcels.
- b. Ensure orderly and thorough planning and review procedures that will result in high-quality urban design.
- c. Encourage variety and avoid monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenity.
- d. Provide a mechanism for considering mixes of uses that can be made compatible by application of careful and imaginative treatment of interrelationships of activity.
- e. Encourage allocation and improvement of common open space in residential areas, and provide for maintenance of the open space at the expense of those who will directly benefit from it.
- f. To convert land so poorly developed as to be a public liability.
- g. Encourage the preservation of serviceable existing structures of historic value or artistic merit by providing the opportunity to use them imaginatively for purposes other than that for which they were originally intended.
- h. Encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods.
- i. To simplify processing of development proposals for developers and the Planning Commission by providing for concurrent review of land use, subdivision, public improvements and siting considerations.

Wise Farms PUD Proposal

The Wise Farms PUD Zoning Map (PUD) sets the maximum number of dwelling units at 102. The applicant is committing to dedicate a two public pocket parks of a combined 0.68 acre and 27.08 acres of open space which exceeds the Town requirements.

The PUD Map identifies 17 overlay planning areas; 12 residential planning areas, and 5 agricultural/ open space areas. Although the PUD overlays the entire Wise Farms property, modifications to the underlying zoning will only occur within the residential Planning Areas. Additionally, within the residential planning areas the lots identified as perimeter lots will comply with the requirements of the underlying Estate Residential zone district; modifications allowed by the PUD apply only to the interior lots of the residential planning areas.

Wise Farms PUD Zoning Map



Minimum Lot Size and Width

The Wise Farms PUD proposes reduced minimum lot sizes and minimum lot widths for the interior lots within the Estate Residential (ER) zoned Planning Areas 1, 3, 4, 5, 6, 7, 8, 10, 12, 14, 16, 17. The table below shows the proposed PUD standards in comparison with the requirements of the underlying ER zone district.

ER Standard Minimum Lot Area	PUD Minimum Lot Area	ER Standard Minimum Lot Width	PUD Minimum Lot Width
40,000 sq. ft.	11,700 square feet	100 feet	80 feet

Minimum Setbacks and Maximum Height

The Wise Farms PUD proposes new minimum setbacks standards for the interior lots within the Estate Residential/single family development areas. The table below shows the proposed minimum setbacks and maximum height in comparison with the requirements of the underlying zone district.

Zone District	Front Setback	Side Setback (Street)	Side Setback (Interior Lot Line)	Rear Setback	Maximum Building Height
ER- Estate Residential	30 feet	30 feet	10 feet	30 feet	35 feet
PUD Overlay	25 feet	20 feet	10 Feet	25 feet	35 feet

STAFF REVIEW AND ANALYSIS

The Wise Farms PUD (Planned Unit Development) was reviewed for conformance with Municipal Code 10.7.6 D.9. Approval Criteria. Staff finds the Wise Farms PUD in compliance with the PUD Approval Criteria as listed below.

Staff finds the application is consistent with the Approval Criteria of Title 10, Section 7.6 D.9 PUD Overlay Rezoning:

- a. The PUD Rezoning is generally consistent with the purpose of the PUD Overlay District in Section 2.7.D.1;

Staff: The applicant has met the requirements of Section 2.7.D.1.

- b. The PUD Rezoning will promote the public health, safety, and general welfare;

Staff: The Wise Farms PUD promotes the public health, safety, and general welfare.

- c. The PUD Rezoning is consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;

Staff: The Wise Farms PUD sets the maximum number of dwelling units allowed on the property. The gross density proposed (0.60) is within the 0 to 2 dwelling units per acre density range for the Rural Residential Land Use in the Comprehensive Plan.

- d. The PUD Rezoning is generally consistent with the PUD standards in Subsection 2.7.D.2;

Staff: The Wise Farms PUD is generally consistent with the PUD standards.

- e. Adequate facilities and services (including roads 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;

Staff: The Wise Farms development will need to bring Town water to the site. All other facilities and services are available.

- f. The PUD Rezoning 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 substantially mitigated;

Staff: The Town and applicant have worked to preserve the significant natural features of the site including the existing healthy trees, riparian vegetation along the ditch, and the non-jurisdictional wetland on the east side of the property in addition to preserving a larger tract of public open space.

- g. The PUD Rezoning is not likely to result in significant adverse impacts to significant scenic and historic features as identified in plans adopted by the Town;

Staff: At Final Plat a plan to address the current historic mill buildings that encroach into the current and future Jasper Road right of way will be provided by the applicant.

- h. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

Staff: Staff has not identified significant adverse impacts that will result from the modifications of the zoning standards for the interior lots as proposed by the PUD. The Wise Farms PUD identifies buffers on all sides of the proposed development. Additionally, the perimeter residential lots are larger lots which will be a minimum of 40,000 sq. ft. in size.

- i. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;

Staff: Future uses on the subject property will be single family homes; the same use which is found to the south and east in the existing neighborhoods. The residential density of 0.60 DUs per Acre is consistent with the existing residential densities in the area.

- j. The proposed phasing of the development is appropriate and the development can be substantially completed within the time period specified in the schedule of the development or Development Agreement submitted by the applicant; and

Staff: The applicant has not proposed phasing of the property.

- k. The PUD Plan provides public benefit(s).

Staff: The PUD facilitates a design which results in the dedication of additional open space which preserves existing natural resources, supports the development of the regional spine trails through the property, and provides a buffer to the neighborhoods to the south and east.

NEIGHBORHOOD MEETING

As required by the Municipal Code a Neighborhood Meeting was held:

Neighborhood Meeting Date:	February 13, 2017
Neighborhood Meeting Location:	Erie Community Center

The required posted and mailed notice of the Neighborhood Meeting was provided as required.

PUBLIC NOTICE

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	February 22, 2017
Property Posted:	February 27, 2017
Letters to adjacent property owners within 300':	February 24, 2017

