

***Planning and Zoning Commission Communication***  
***City of Longmont, Colorado***

Project Title: A Review and Recommendation from the Planning and Zoning Commission to City Council regarding the proposed Quail Road Annexation

Date of Meeting: December 18, 2024

Staff Planner:

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**GENERAL INFORMATION**

Proposal: Annexation and zoning to Residential- Mixed Neighborhood (R-MN) for development of a maximum of 310 dwelling units.

Location: Generally located south of Quail Road, north of Clover Basin Drive, west of Wildfire Court, and east of Airport Road. Addresses associated with this project include 8902 Quail Road, 0 North 87<sup>th</sup> Street, 8840 Quail Road and 8800 Quail Road.

Area: 17.34 acres

Existing Use: Residential/Agricultural

Zoning: Agricultural (Unincorporated Boulder County)

**SURROUNDING LAND USES AND ZONING**

North: Unincorporated Boulder County, Residential

South: Residential- Single Family (R-SF), Residential

East: Residential- Mixed Neighborhood (R-MN), Residential

West: Unincorporated Boulder County, Residential

**COMPREHENSIVE PLAN DESIGNATIONS**

North: Single Family- Neighborhood

South: Single Family- Neighborhood

East: Residential- Mixed Neighborhood

West: Residential- Mixed Neighborhood

**APPLICANT INFORMATION**

Property Owners: Benjamin Bohren, Melanie Bohren, Linda Lee Kaessner, Michael Kaessner, 8840 Quail, LLC, and The Charles and Elinor Ward Living Trust dated January 14, 1992

Applicant: Tyler Erickson, Vista Residential Partners

Applicant Contact: Carlton Henry

Company: Norris Design

Address: 244 N. College Avenue, Suite 165, Fort Collins, CO 80524  
Phone: 970-409-3414  
Email: chenry@norris-design.com

### **APPLICATION DESCRIPTION**

This application is a request for annexation and zoning to Residential-Mixed Neighborhood (R-MN) to facilitate the development of a maximum of 310 housing units. The housing product proposed on site has not been finalized yet, but the requested R-MN zoning district allows single-family attached, single-family detached and multifamily housing products as permitted uses by right.

The annexation application under review encompasses four (4) individual properties along Quail Road, generally located south of Quail Road, north of Clover Basin Drive, west of Wildfire Court and east of Airport Road. These properties include 8800 Quail Road (4.18 acres), 8840 Quail Road (0.97 acres), 0 North 87<sup>th</sup> Lane (7.11 acres) and 8902 Quail Road (5.08 acres), totaling approximately 17.34 acres.

The subject properties are currently used for single-family homes and agricultural uses and are zoned Agricultural (A) in unincorporated Boulder County.

The Quail Road Annexation under consideration is within the Longmont Planning Area, meets the one-sixth contiguity requirement established by C.R.S. 31-21-104(a) and there is sufficient infrastructure capacity to serve this property.

Annexation applications require review by the Planning and Zoning Commission as a recommending body. The Commission provides a recommendation on the annexation to the City Council, which is the decision-making body for this type of application.

City Council reviewed the applicant's request for annexation referral on March 26<sup>th</sup>, 2024, and directed staff to accept the formal annexation application. Referral of the annexation application does not obligate Council to approve the annexation. Annexation is a discretionary, legislative act. The City shall never be compelled to annex unless otherwise required by Colorado Revised Statutes.

### **Alignment with the Envision Longmont Comprehensive Plan**

The proposed zoning for the property is Residential-Mixed Neighborhood (R-MN). This proposed zoning district aligns with the property's current Envision Longmont land use designation of Mixed Neighborhood.

The Mixed Neighborhood land use category includes the following characteristics:

- Provides residents with a mix of housing options and densities within close proximity to services and amenities.
- Serves as a transition between single-family neighborhoods and higher density corridors, centers, or employment areas.

The Mixed Neighborhood land use category allows for residential uses as a primary use by right at a density range typically between six (6) and eighteen (18) dwelling units per acre. If the applicant builds 310 dwelling units as projected, the gross density of the subject property will be approximately eighteen (18) dwelling units per acre, which is consistent with the requested R-MN zoning district and the current land use category designation as outlined in the Envision Longmont Comprehensive Plan.

Additionally, the four (4) properties included in this annexation application are located within an area of change as identified in the Envision Longmont Comprehensive Plan. Areas of Change are defined as locations where future growth would be desirable and/or beneficial to the community.

This proposed annexation is consistent with many of the goals and policies of the Envision Longmont Comprehensive Plan. Staff have highlighted a few goals and policies below that are supported by this application.

**Goal 1.1: Embrace a compact and efficient pattern of growth.**

**Policy 1.1A: Growth Management-** *Prioritize the development of sites located within the Municipal Service Area, where infrastructure and services can be readily provided; continue to use open space buffers, agricultural easements, and other tools to ensure Longmont remains a free-standing community with a unique and separate identity from surrounding communities.*

**Policy 1.1B: Infill and Redevelopment-** *Support the adaptive reuse or redevelopment of underutilized sites and buildings and encourage higher density infill and redevelopment in centers and mixed-use corridors, and other areas of change where development can easily be accessed on foot, by bike, or using public transit.*

**Goal 1.2: Promote a sustainable mix of land uses.**

**Policy 1.2D: Development Types-** *Plan for a combination of greenfield development, infill development and redevelopment, and adaptive reuse within the Municipal Service Area to meet the needs of Longmont's residents, businesses, and people who work in Longmont.*

**Policy 1.2E: Mix of Housing Types-** *Anticipate and plan for the changing needs of the community, and diversify the City's housing stock by:*

- *Encouraging the development of a range of housing types, sizes, prices, and densities;*
- *Actively working with the private sector to promote and potentially incent the construction of housing types documented to be in short supply; and*
- *Supporting the integration of a more diverse array of attached and multifamily housing types in Mixed Residential neighborhoods and in defined centers and corridors.*

Staff conclude that this application can meet the above goals and policies of the Envision Longmont Comprehensive Plan, the zoning district being requested aligns with the existing land use designation and, the location of the subject properties has been designated as an area of change meaning future growth in this area could be desirable and beneficial to the community.

**DEVELOPMENT REVIEW COMMITTEE PROCESS**

The Development Review Committee (DRC) began its review of this application for annexation in

May of 2024. Three DRC reviews and numerous meetings with the development team were completed prior to this application being scheduled for a public hearing before the Planning and Zoning Commission. Staff have also worked with the applicant to draft the annexation agreement that details the conditions of annexation, if approved.

As part of the DRC review, the following referral agencies were notified to provide comments on this annexation proposal.

- Airport Advisory Board
- Boulder County Land Use and Development
- Boulder County Open Space
- Century Link
- Comcast
- Federal Aviation Administration
- Longmont Post Office
- St. Vrain Valley School District
- USPS
- Xcel Energy
- Boulder County Health Department
- Boulder County Transportation
- U.S. Fish and Wildlife
- Colorado Parks and Wildlife
- Northern Colorado Water Conservancy District
- Left Hand Water District
- St. Vrain and Left Hand Water Conservancy District
- Mountain View Fire Protection District

Comments were received from St. Vrain Valley School District, Xcel Energy, the Federal Aviation Administration, Boulder County Long Range Planning and U.S. Fish and Wildlife.

The school district stated they will provide comments during future development steps. Xcel Energy provided a letter of “no objection” and indicated overhead electric distribution facilities are located within the areas indicated in this annexation application and requests the development team to coordinate with Xcel Energy during the design process if applicable.

The FAA provided comments two times on this proposal. The FAA has stated that given the subject properties location and the surrounding residential, they have no comments on the proposed annexation and concept plan. The FAA also stated a 4760 Obstruction Evaluation Request must be submitted during future development steps if this annexation is approved. The U.S. Fish and Wildlife Service responded by stating the subject property is not within any critical habitat for the Preble’s Meadow Jumping Mouse.

Finally, comments provided by Boulder County Long Range Planning stated the subject property is part of the Potential Annexation Area (PAA) as defined in the Comprehensive Development Plan Intergovernmental Agreement (IGA). Areas within the PAA are anticipated to be annexed

into the City of Longmont, making this annexation consistent with the IGA.

Per Section 4.g of the IGA: *“The City agrees that County enclaves within the PAA should be brought into the City to ensure adequate facilities and services are provided and to ensure that any future development is consistent with the goals and policies of the City.”* This IGA was approved under Ordinance O-2024-18.

Boulder County has also provided referral comments on access, proposed multi-modal connectivity and annexation agreement language.

All referral comments received regarding this application have been included as Attachment 9.

**NEIGHBORHOOD INPUT – NOTIFICATIONS AND SIGN POSTING**

<u>Notice Type</u>	<u>Date Sign Posted</u>	<u>Date Mailed/Postmarked</u>
Neighborhood Meeting	April 11, 2024	April 11, 2024
Notice of Application	July 12, 2024	July 12, 2024
Planning and Zoning Commission	December 3, 2024	December 3, 2024

A neighborhood meeting was held via livestream on April 25, 2024, and per the applicant’s neighborhood meeting summary submitted in May of 2024, the meeting had 238 views. At the time of writing, the recorded neighborhood meeting has been viewed 446 times via the City of Longmont’s YouTube channel. The neighborhood meeting is available for viewing at <https://www.youtube.com/watch?v=8CsUQ-O8fwg&t=64s>.

Comments provided during the neighborhood meeting were related to increased traffic, density, and building heights. The annexation itself does not create additional traffic or density however, additional traffic and increased density is likely if the subject parcels are developed following annexation. Staff and the applicant team reiterated that the density being proposed on site is compatible with the Envision Longmont Plan and the underlying zoning district being proposed.

Public comments were also related to vehicular access onto Quail Road. The applicants have addressed this concern by proposing emergency access only via Quail Road.

Notices were sent to all property owners within a 1,000-foot radius prior to the neighborhood meeting, upon application receipt, and in advance of the Planning and Zoning Commission hearing. In addition, signs were posted at the subject property. Certificates of noticing are included as Attachment 10.

Staff have received approximately 55 public comments on this proposal since a formal development application was submitted. These public comments have been included in the document packet for review, as Attachment 13.

The public comments received regarding this annexation proposal reflect citizen concerns about potential impacts this annexation could have on the existing community. Many residents expressed worries about increased traffic, and how this project could exacerbate already crowded roadway infrastructure. There was also a strong emphasis on the potential loss of wildlife habitat with several commenters highlighting the ecological value of the area and the need to preserve green spaces. Additionally, community character was a recurring theme with some residents fearing high density development could alter adjacent neighborhood's small-town, rural feel. Finally, there were calls for better attention to bike and pedestrian safety, with several comments suggesting that any development must include safe, accessible pathways to support alternative modes of transportation.

These concerns raised by the public underscore the need for careful consideration of both environmental and community priorities as this annexation is considered now, and in future development processes.

The applicant has proposed several measures to address the concern raised by the public. To mitigate traffic impacts, improvements will be done to Clover Basin Drive including upgrades to key intersections. In response to concerns about density and community character, the applicant is proposing a mix of residential products to ensure future development serves as a transition between single-family neighborhoods and higher density corridors as imagined in Envision Longmont. To address concerns about bike and pedestrian safety, the applicant has included plans for enhanced bike and pedestrian infrastructure to promote safe and sustainable transportation options. These options are highlighted in the multimodal plan that has been included in the document packet for review.

### **CRITERIA EVALUATION**

The applicant is responsible for demonstrating that the application meets the applicable review criteria. The following is staff's evaluation of the review criteria.

#### **Review Criteria For All Application Types- Section 15.02.055**

- 1. The application is consistent with the comprehensive plan and the purpose of the code and zoning district; conforms to any previously approved concept plan, preliminary plat, or PUD overall development plan; and complies with all applicable statutes, codes, ordinances and regulations.**

The requested annexation and R-MN zoning is generally consistent with the existing Mixed Neighborhood designation in the Envision Longmont Comprehensive Plan. This plan also designates the location of the subject parcels as an "area of change" which means this location is appropriate for redevelopment and future growth.

No previously approved concept plans, plats or PUD development plans exist for the subject property so conformance with existing site-specific plans is not applicable.

The subject property meets the statutory requirements for annexation, including the one-sixth contiguity requirement of C.R.S. 31-12-107.

- 2. The application complies with applicable city standards, including for street and utility design and layout, and adequate utilities are available or will be provided for appropriate urban-level services.**

Applicable city standards for utility and transportation improvements will be followed as this project moves forward through the development review process. Adequate utilities exist to serve future development of this property.

- 3. The application proposes development compatible with surrounding properties in terms of land use, site and building layout and design, and access.**

The subject property is surrounded by residential uses of varying densities in both the City of Longmont and unincorporated Boulder County. These residential uses include single-family residential to the north, south and west. The single-family home to the west is in unincorporated Boulder County. East of the annexation area includes single-family homes and townhomes.

Access is proposed via two entrances off Clover Basin Drive along the southern property line. Accessing the site from Clover Basin Drive was a direct result of addressing concerns of the neighbors to the north, which did not want a primary entrance/exit along Quail Road, which is in unincorporated Boulder County. As proposed, only Emergency Vehicle Access is planned along Quail Road adjacent to the northern property line.

Staff conclude that this annexation and proposed future residential on site is compatible with the surrounding properties in terms of land use, design and access.

- 4. The application will not adversely affect surrounding properties, the natural environment, existing or planned city transportation, or utility services or facilities, or the adverse impacts of the use will be mitigated to the maximum extent feasible.**

Annexation of these properties along Quail Road will not adversely affect surrounding properties, the natural environment or existing or planned city facilities. City of Longmont utility providers have adequate capacity to serve this proposed development.

A traffic study was submitted and accepted as part of the review process. The traffic study found the proposed development could be incorporated into the existing and future roadway network in Longmont. This study is included as Attachment 12. Future development review processes will require updates to this study and design of needed improvements.

- 5. The application, where required, complies with the sustainability evaluation system**

**requirements to mitigate impacts of development within the city's riparian areas, and as applicable to other projects as determined by separate agreement.**

The subject properties are not within a designated riparian area.

- 6. The application includes an appropriate transportation plan, including multi-modal transportation access, and is integrated and connected, where appropriate, with adjacent development through-street connections, sidewalks, trails and similar features.**

A traffic study and multi-modal plan were submitted as part of this application. These documents show proposed transportation access and connectivity where appropriate. Both of these documents will require updates as proposed development moves through subsequent review processes. Future applications will require a revised multi-modal plan further detailing appropriate improvements, including connections, sidewalks, trails and similar features.

#### **Additional Review Criteria for Annexation- Section 15.02.060.A**

Annexations shall also comply with the following additional criteria. However, annexation is a discretionary, legislative act. The city shall never be compelled to annex, unless otherwise required by state law, even if all these review criteria have been satisfied.

- a. The annexation complies with the Municipal Annexation Act of 1965, as amended (C.R.S. § 31-12-101 et seq.). The proposed annexation complies with the Municipal Annexation Act of 1965, as the property boundaries are contiguous with the City of Longmont city limits along at least one-sixth of the boundaries.**

The proposed annexation complies with the Municipal Annexation Act of 1965. The property boundaries are contiguous with the City of Longmont city limits along at least one-sixth of the perimeter of the property.

- b. The property is within the municipal service area (MSA) or the Longmont Planning Area (LPA) as stated in the comprehensive plan. No property outside of the MSA or LPA shall be considered for annexation unless the city council finds that, consistent with the comprehensive plan, the best interests of the city would be served by annexation of such property, and a land use plan for the area proposed to be annexed is submitted together with the annexation application.**

The subject property is within the municipal service area as shown on the Envision Longmont Future Land Use and Transportation System Map.

- c. The proposed zoning is appropriate, based upon consideration of the following factors:**

**i. The proposed zoning is consistent with the comprehensive plan designation of the property; and**

**ii. The proposed land uses are consistent with the purpose and intent of the proposed zoning district.**

The proposed R-MN zoning district is consistent and appropriate giving that the property is located within an area designated as Mixed-Neighborhood in the Envision Longmont Comprehensive Plan. The anticipated multifamily development on site is permissible as a permitted use within the R-MN zoning district.

**d. The annexation will not limit the ability to integrate surrounding land into the city or cause variances or exceptions to be granted if the adjacent land is annexed or developed.**

The annexation of this parcel will not limit the ability to integrate surrounding land into the City or cause variances or exceptions to be granted if adjacent land is annexed or developed. Adjacent unincorporated properties remain eligible for annexation.

**e. Unless otherwise agreed to by the city, the landowner has waived in writing any preexisting vested property rights as a condition of such annexation.**

This criterion has been met. The annexation agreement will include conditions relating to preexisting vested property rights and existing uses.

**f. The property to be annexed meets the environmental requirements of section 15.02.140.**

The property to be annexed meets the environmental requirements of Section 15.02.140. The applicant has provided a Phase 1 Environmental Assessment that revealed no Recognized Environmental Conditions in connection with the site.

**g. City-initiated annexations shall conform to C.R.S. § 31-12-106 and the annexation ordinance shall include an annexation map meeting the requirements of C.R.S. § 31-12-107(1)(d).**

This annexation is not being initiated by the City of Longmont.

#### **Planning and Zoning Commission Options**

The Planning and Zoning Commission may consider the following options when reviewing the Quail Road Annexation:

1. Recommend approval of the Quail Road Annexation application, finding that the review criteria have been met, as reflected in PZR-2024-10A

2. Recommend conditional approval of the Quail Road Annexation application, finding that the review criteria have been met, with conditions, as reflected in PZR-2024-10B
3. Recommend denial of the Quail Road Annexation application, finding that the review criteria have not been met, as reflected in PZR-2024-10C

**Recommendation**

Staff recommends that the Planning and Zoning Commission recommend approval of the Quail Road Annexation application, as reflected in PZR-2024-10A.

**Attachments**

1. Planning and Zoning Resolution Recommending Approval of the Quail Road Annexation
2. Planning and Zoning Resolution Recommending Approval with Conditions of the Quail Road Annexation
3. Planning and Zoning Resolution Recommending Denial of the Quail Road Annexation
4. Cover Letter
5. Annexation Petition
6. Annexation Map
7. Concept Plan
8. Neighborhood Meeting Summary
9. Referral Agency Comments
10. Certificates of Sign Postings and Mailings
11. Environmental Site Assessment
12. Traffic Study
13. Public Comments
14. Multimodal Transportation Plan

**Project File Number**

DV-ANNEX-2024-00007