

**CITY OF FORT LUPTON
CITY COUNCIL**



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Michael Sanchez, Ward 3

Zo Stieber, Mayor

David Crespin, Ward 1
Tommy Holton, Ward 2
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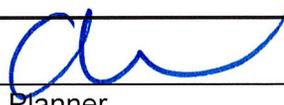
AM 2020-099

A RESOLUTION OF THE CITY COUNCIL OF FORT LUPTON APPROVING THE COTTONWOOD GREENS FINAL PUD DEVELOPMENT PLAN AND FINAL PLAT FOR FILING NOS. 1 – 3 SUBMITTED BY ARBOR CAPITAL PARTNERS, LLC TO CREATE A RESIDENTIAL SUBDIVISION

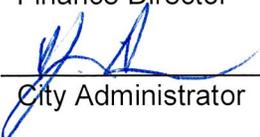
- I. **Agenda Date:** Council Meeting – May 19, 2020
- II. **Attachments:**
 - a. Proposed Resolution
 - b. Staff Report
 - c. Land Use Application
 - d. Withdrawal Letter for Filings Nos. 4 – 5
 - e. Final Plat Maps for Filing Nos. 1 – 3
 - f. Layout Revisions Exhibit
 - g. Landscape & Phasing Plan
 - h. Development Guide
 - i. Phase III Drainage Report
 - j. Preliminary Geotechnical Evaluation Report
 - k. Construction Drawings & Grading, Erosion and Sediment Plans
 - l. Civil Costs Estimate
 - m. Referral Responses

III. Summary Statement:

Arbor Capital Partners, LLC has applied for approval of the Cottonwood Greens Final PUD Development Plan and Final Plats for Filings Nos. 1 – 3 (“Final PUD Plats”). The proposed development is for a residential subdivision that will include single-family detached houses and single-family attached (townhomes) house, as well as a neighborhood park, pocket parks, and a trail system that will interconnect to the Fort Lupton Parks & Trails Master Plan. The Property is located north and adjacent to 9th Street, and between Northrup Avenue and County Road 31.

IV. **Submitted by:** 
Planner

V. **Finance Reviewed** _____
Finance Director

VI. **Approved for Presentation:** 
City Administrator

VII. **Attorney Reviewed** _____ Approved _____ Pending Approval

VIII. **Certification of Council Approval:** _____ City Clerk _____ Date

IX. Detail of Issue/Request:

Arbor Capital Partners, LLC has applied for approval of the Cottonwood Greens Final PUD Development Plan and Final Plats for Filings Nos. 1 – 3 (“Final PUD Plats”). The proposed development is for a residential subdivision that will include single-family detached houses and single-family attached (townhomes) house, as well as a neighborhood park, pocket parks, and a trail system that will build out a portion of the Fort Lupton Parks & Trails Master Plan. The single-family attached portion of the development will require additional submittals and review prior to development of Track D included in Filing 3. The Property is located north and adjacent to 9th Street, and between Northrup Avenue and County Road 31.

Additional information on this application can be found in the attached application materials, as well as the attached staff report. Other submittal documents may not be included with this packet, but can be available for review upon request.

X. Legal/Political Considerations:

This Final PUD Plat is being reviewed under the PUD Planned Unit Development District provisions in the Zoning Regulations, as well as the final plat provisions of the code in the Subdivision Regulations. Section 16-45(c)(3) states that, except as specifically provided in this Section, PUD plan applications shall be processed in the same manner as set forth in this Code for major subdivisions. Section 17-23 states that a final plat is to be reviewed by City Council, and does not require Planning Commission review. The Code requires that a subdivision improvements agreement be submitted by the applicant for review by the City Attorney and City Council. A subdivision improvements agreement has been addressed in the conditions of approval included on the proposed resolution.

This is the final step in the major subdivision process. The first step is approval of a sketch PUD plat (reviewed and approved on May 6, 2019), and the second step is approval of the preliminary PUD plat (reviewed and approved on December 16, 2019).

Notifications are not required for a final plat, however referral agencies were provided with the submittal documents for review. All referral comments received are enclosed with this Action Memorandum.

The original submittal requested approval of Filing Nos. 1 - 5, however the Applicant has requested a withdrawal of Filing Nos. 4 and 5 in order to address oil and gas operations that affect those filings. A request was submitted by the Application to withdraw consideration of Filing Nos. 4 and 5, and is included in the materials attached to this Action Memorandum.

XI. Alternatives/Options:

The City Council has the following three options for each request:

- a) Approve the proposed resolution.*
- b) Approve the proposed resolution with conditions.*
- c) Continue the hearing for additional information or further study.*
- d) Deny the proposed resolution.*

XII. Financial Considerations:

All applicable land use application fees have been paid and a fee deposit has been submitted to cover costs related to the application.

XIII. Staff Recommendation:

Staff recommends conditional approval of the Cottonwood Greens Final PUD Development Plan and Final Plat for Filing Nos. 1 – 3.