

Millissa Berry, AICP - Senior City Planner  
City of Lafayette Planning Department  
1290 S. Public Rd.  
Lafayette, CO 80026  
Email: [Millissa.Berry@LafayetteCO.gov](mailto:Millissa.Berry@LafayetteCO.gov)  
RE: Willoughby Corner Rezoning Cover Letter

February 8, 2022

Dear Ms. Berry,

On behalf of Boulder County Housing Authority (BCHA), we are requesting the Willoughby Corner property, located at Tract A1, Coal Park Subdivision, be rezoned from M1 to R4. We request this zoning application, including this narrative cover letter, the rezoning application, and rezoning map and legal description, be reviewed by City staff and presented for public hearings before the Planning Commission on March 9, by City Council on April 5th (1<sup>st</sup> Reading) and again by City Council on April 19<sup>th</sup> (2<sup>nd</sup> Reading). The original applications for Rezoning, a Comprehensive Plan Amendment, and a Preliminary Plan were submitted on March 27, 2020. Following the initial submittal, the applications were put on hold while BCHA and the City reacted to the onset of Covid-19 and turned their focus to assisting with immediate housing needs arising from the pandemic. BCHA re-initiated the entitlements applications in the Spring of 2021. Soon after, the City determined the project should first be reviewed under the Planned Unit Development (PUD) process. The first PUD application was submitted on December 14, 2021, along with a resubmittal of the Rezoning application materials. City Comments were received on January 21, 2022. BCHA and the consultant team have been actively preparing revisions to the PUD based on City Comments and anticipates a revised 2<sup>nd</sup> PUD submittal to the City on or around February 22<sup>nd</sup>.

BCHA is pursuing competitive funding opportunities and grants to support the development of this much needed affordable housing project in Lafayette. Along with many other qualifying criteria, the Colorado Housing and Finance Authority (CHFA) requires the property to be zoned to allow for housing by the time of applicant interview, if BCHA is selected to move to the interview round. For this grant cycle, the interviews will be held in early April. Receiving rezoning approval by April 5<sup>th</sup> would put BCHA and the City of Lafayette in the position to secure \$12.4M in tax-credit equity from CHFA for the Phase 1A Willoughby Senior Apartments and significant additional funding for 93 family apartments and a Community Building in Phase 1B. With the City's recent update to the Comprehensive Plan in Fall 2021, the property now has a Future Land Use designation of "Housing Area". As such, the property is identified to be rezoned to a residential zoning designation to reflect the intent to the Comprehensive Plan and to provide affordable housing on a site that is compatible with surrounding land uses. BCHA understands the rezone does not include any approvals for the development of the property. Development entitlements will come with the public hearing on the PUD, the final PUD, and Final Site Plan(s).

BCHA is committed to developing this residential community which will deliver 400 permanently affordable housing units. BCHA owns the land and has also executed an Intergovernmental Agreement (IGA) with the City of Lafayette which sets forth BCHA's commitment to building affordable housing on this property. BCHA continues to be engaged with the East Lafayette Action Committee (ELAC) and will hold a meeting to inform them of the rezoning application moving ahead of the PUD. The [Willoughby Corner](#) website will be updated with information related to the rezoning public hearing process. BCHA and the project team will provide mailing labels to the City for notification of all neighbors within a 750' radius of the Willoughby Corner site.

BCHA is eager to move this project forward and streamline the City review process so the project can have a coordinated funding of both Phase 1A and 1B this year, with construction starting early 2023. We appreciate the valuable feedback from the City so far in the PUD process and we are all excited to present a well-prepared PUD later this month. As noted, allowing the rezoning to track slightly ahead will ensure substantial funding from CHFA and we appreciate the City's willingness to work with us to satisfy the zoning requirement needed by April 5th.

Sincerely,



Kristin Dean, AICP, Senior Associate



Planning & Building Department

REZONING REVIEW Application Form

Planning & Building Department
1290 S. Public Road, Lafayette, CO 80026

303-665-5588 \* Fax: 303-665-2153
Email: planning@cityoflafayette.com

An application must be received at least 30 days prior to the Planning Commission meeting.

Applicant Norrie Boyd, Boulder County Housing Authority Date Filed: 3/27/2020
Address 2525 13th St., Ste. 204, Boulder, CO 80304 Amount Paid: \$
Phone 303-431-7030 File Number:
Fax: Email nboyd@bouldercounty.org

Table with 2 columns: Conference Date, Fee Paid. Row 1: Date of First Pre-Application Conference 2/6/2020, Fee Paid \$0. Row 2: Date of Second Pre-Application Conference waived per 3/19 email, Fee Paid N/A.

Required information to be submitted with this form:

Required information to be submitted with this form:

- 1. Application signed by all legal owners of property within the area of request, requesting rezoning of the property.
2. Legal description of property being requested for rezoning in word format.
3. 10 copies - 8 1/2" x 11" drawings of property being requested for rezoning (drawn by engineer or surveyor). Drawings to be folded before submittal if larger than 8 1/2" x 11".
4. Submission shall include a JPEG image, an optimized PDF, and an 8 1/2" x 11" copy of each drawing. Three (3) jump/flash drives containing an electronic version of all application materials required.
5. A public hearing fee shall be included with all applications requiring a public hearing. This fee does not include the cost of publishing public notices or postage.
6. Mailing labels and funds for first class postage for all property owners within 750' of the boundaries of the property requesting rezoning and a list and map of those owners.
7. Certification of Mineral Interest Notice completed. (See page 2 of this application.)

Complete the following information (if more space is needed, use back of this sheet).

- 1. Location of property requesting rezoning Southeast corner of East Emma Street and 120th Street, Lafayette
2. Current zoning of property PUD
3. Zoning of surrounding properties to the: north Lafayette: B-1, Boulder County: Agricultural
south Lafayette: PUD
east Lafayette: PUD & Developing Resource
west Boulder County: Agricultural
4. Zoning requested PUD with R4 overlay
5. Reasons why the requested zoning is compatible with surrounding zoning and land uses
R4 is compatible with agricultural and developing resource areas due to the unobtrusive nature of homes.
6. Proposed uses for the property in question Affordable senior housing, multi-family housing, single-family attached homes, neighborhood community center, neighborhood park.

Pre-application conference(s) with the community development director or director's representative is required prior to submitting an application. Fees associated with the pre-application conference must be paid at the time of the conference.

A rezoning requires a public hearing with the Planning Commission and City Council. If the request is approved by the Planning Commission, it will be forwarded to the City Council for a public hearing at the first available meeting. Two City Council readings of an ordinance are necessary. The City will post your property and send the letters to the property owners within 750 feet of your property ten (10) days prior to the scheduled meeting day.

The applicant or a duly authorized representative must be present at any and all public meetings to answer any questions raised by the Planning Commission or the general public.

I hereby certify that I am the legal owner(s) at the above-described property; that I desire to apply for a rezoning of my property from to and that the information contained herein is true and accurate to the best of my knowledge.

Signature: Norrie Boyd Date: 3/26/20

**CERTIFICATION OF NOTICE PURSUANT TO C.R.S. 24-65.5-103**

The undersigned do(es) hereby certify that an examination of the records in the office of the County Clerk and Recorder was made in accordance with C.R.S. 24-65.5-103 *et seq.* and

(check applicable box and fill in the information)

- Thereafter, on April 2, 2020, 201  , which is not less than thirty (30) days before the date scheduled for the initial public hearing, or, which is not less than thirty (30) days before the date of submittal of an application for staff action, on the application for the development known as Willoughby Corner, notice was sent, by first class mail, to the below-named mineral right owner(s) as listed in the records of the County Clerk and Recorder, containing the time and place of the initial public hearing, or the date of submittal of an application for staff action and contact information of the Community Development Department, the nature of the hearing or staff action, the location and legal description of the property that is the subject of the hearing or staff action, and the name of the applicant(s).

Listing of Mineral Right Owner(s):

Name(s): Vessels Oil & Gas

Address: 1050 Seventeenth St, Suite 2000, Denver CO 80265

Extraction Oil & Gas LLC

370 17th St., Ste. 5300, Denver CO 80202

Dede Thompson Bartlett, John Erickson  
Bartlett, Katherine Morgan Bartlett

151 Woodridge Dr., New Canaan, CT 06840

- Such records do not identify any mineral right owners.

41 White Birch Rd., New Canaan, CT 06840

Norris Boyd  
Development Applicant's Signature

Norris Boyd  
Surface Owner's Signature

NORRIS BOYD  
Print Name

NORRIS BOYD  
Print Name

**Acknowledgment**

State of Colorado )  
County of Boulder ss  
The foregoing instrument was acknowledged before me this 14 day of December, 2021 A.D. by NORMS BOYD of BCHA as Applicant of the property described hereon. Witness my hand and official seal. My commission expires 3/16/22.

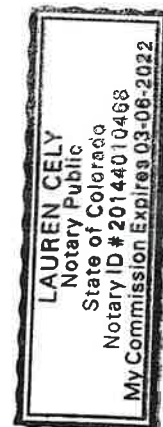
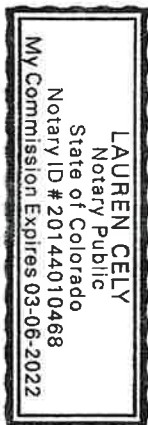
Lauren Cely  
Notary Public

**Acknowledgment**

State of Colorado )  
County of Boulder ss  
The foregoing instrument was acknowledged before me this 14 day of December, 2021 A.D. by NORMS BOYD of BCHA as Owner of the property described hereon. Witness my hand and official seal. My commission expires 3/16/22.

Lauren Cely  
Notary Public

**FAILURE TO PROVIDE THIS CERTIFICATION, INDICATING COMPLIANCE WITH C.R.S. 24-65.5-103 ET SEQ., IS LIKELY TO RESULT IN A CONTINUANCE OF THE HEARING OR STAFF ACTION.**



TRACT A-1:  
 EXISTING ZONING: PUD-M1  
 PROPOSED ZONING: PUD-R4

C1

CITY LIMITS (TYPICAL)

E EMMA STREET  
 R1

PUD-M1

DR

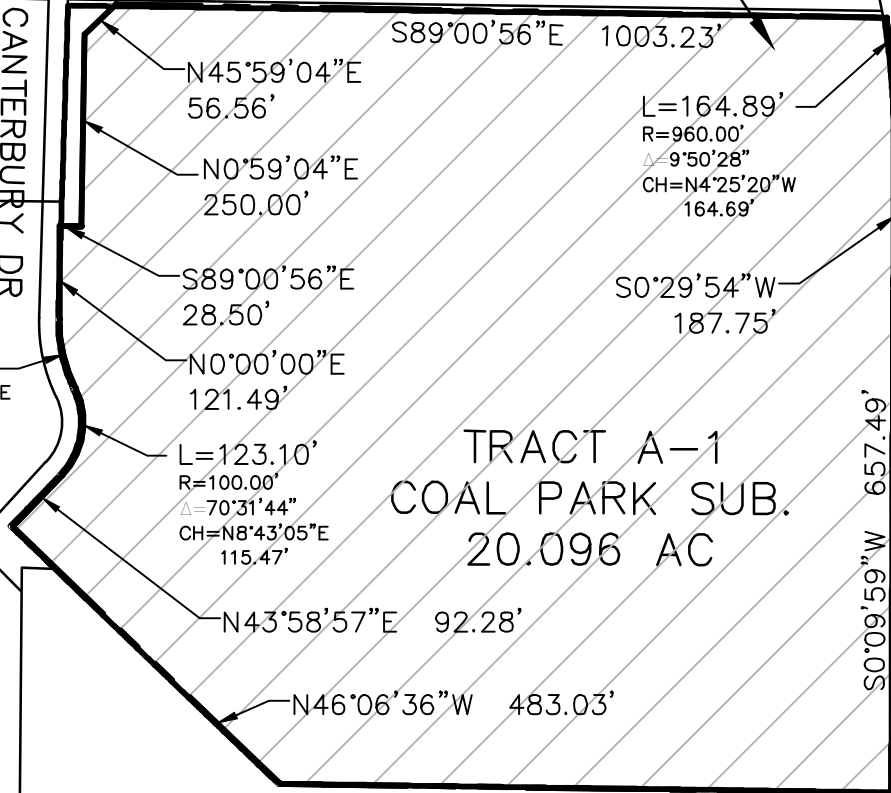
L=92.66'  
 R=200.00'  
 $\Delta=26^{\circ}32'47''$   
 CH=S13°16'24"E  
 91.84'

PUD-P

PUMA DR

PEAK TO PEAK  
 CHARTER SCHOOL

CANTERBURY DR



CITY LIMITS (TYPICAL)

FLAGG DR

120TH STREET

R1

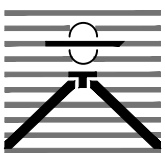
LANCELOT ST



SCALE 1" = 250'

PUD-M1

PUD-M1



WILLOUGHBY CORNER  
 REZONE MAP

Drexel, Barrell & Co.  
 Engineers • Surveyors

DATE:  
 12/03/2021

DWG. NO.

ZM

JOB NO:  
 21072-01

SHEET 1 OF 1



Drexel, Barrell & Co.

MARCH 27, 2020

**Engineers/Surveyors**

**Boulder  
Colorado Springs  
Greeley**

1800 38<sup>th</sup> Street  
Boulder, CO 80301-2620

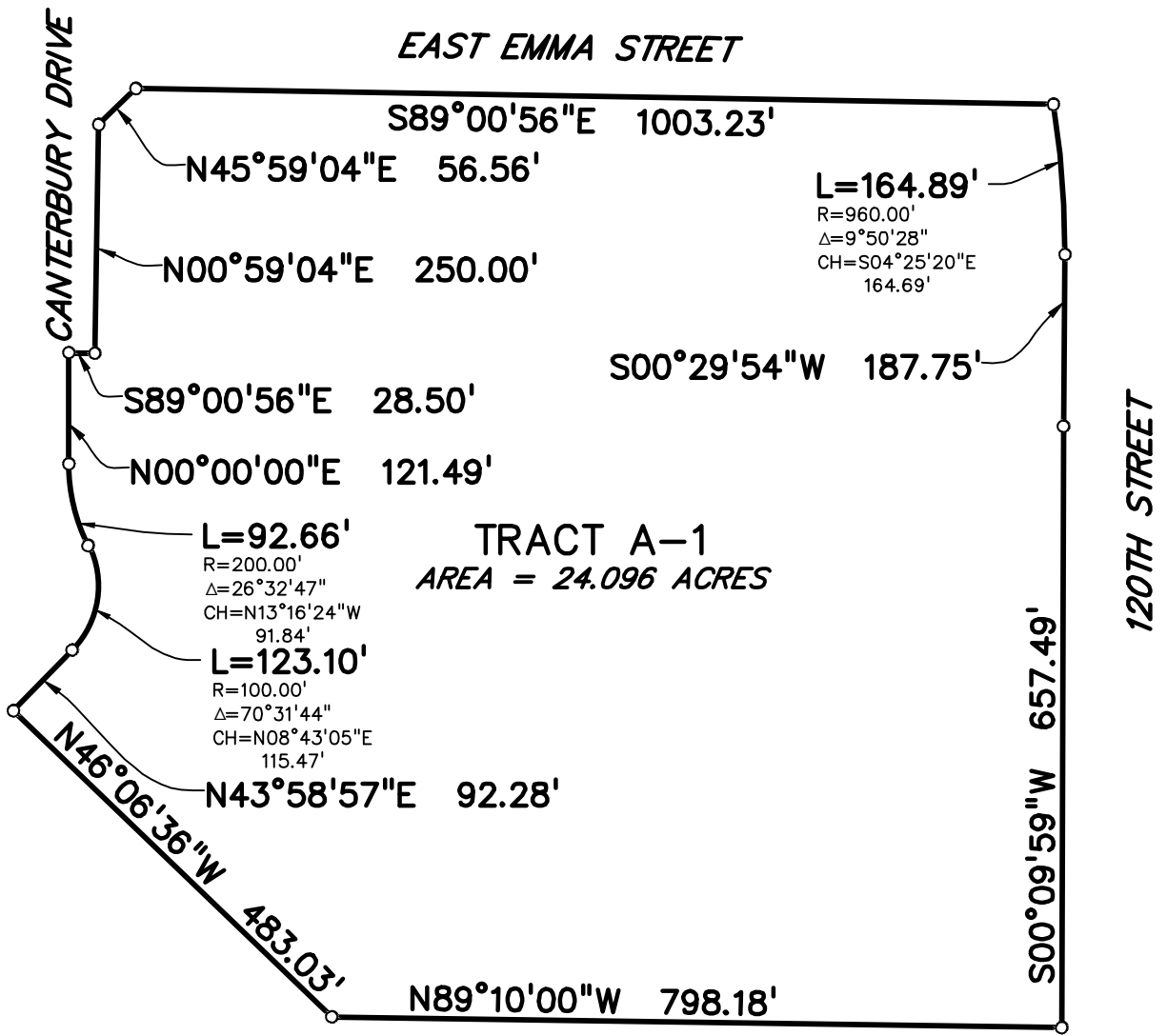
303.442.4338  
303.442.4373 Fax

**LEGAL DESCRIPTION**

TRACT A-1, COAL PARK SUBDIVISION, COUNTY OF BOULDER, STATE OF COLORADO.

CONTAINING 24.096 ACRES

LEGAL DESCRIPTION PREPARED BY:  
MATHEW E. SELDERS  
DREXEL, BARRELL & CO.  
1800 38TH STREET  
BOULDER, CO 80301  
(303) 442-4338



**TRACT A-1**  
**AREA = 24.096 ACRES**



1" = 200'

**REZONING EXHIBIT MAP OF  
TRACT A-1, COAL PARK  
SUBDIVISION, CITY OF  
LAFAYETTE, COUNTY OF  
BOULDER, STATE OF COLORADO.**

IN ACCORDANCE WITH CRS 13-80-105;  
**NOTICE:** ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

**Drexel, Barrell & Co.** Engineers/Surveyors  
1800 38TH STREET BOULDER, COLORADO 80301 (303) 442-4338

BOULDER, COLORADO (303) 442-4338  
COLORADO SPRINGS, COLORADO (719) 260-0887  
GREELEY, COLORADO (970) 351-0645

Revisions - Date	Date 3-27-20	Drawn By VJD	Job No. <b>21072-01</b>
	Scale 1" = 200'	Checked By MES	Drawing No. <b>IN FILE</b>