



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

CASE NO.: PLN2017-00020

CASE NAME: WOLF CREEK RUN VESTED RIGHTS EXTENSION

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COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

Board of County Commissioners

March 12, 2019

CASE NO.: PLN2017-00020

CASE NAME: Wolf Creek Run Vested Rights Extension

Owner's Name:	Pauls Development East, LLC
Applicant's Address:	1000 Saint Paul Street, Suite 300, Denver, CO 80206
Location of Request:	Northwest of the intersection of East 26 th Avenue & Piggott Road
Nature of Request:	An extension of vested rights for an additional three years
Zone District:	Planned Unit Development (PUD)
Site Size:	Approximately 469 acres
Staff Recommendation:	APPROVAL with 9 Findings-of-Fact and 2 Conditions
Report Date:	February 25, 2019
Case Manager:	Greg Barnes 
Nature of Request:	An extension of vested rights for an additional three years

SUMMARY OF PREVIOUS APPLICATIONS

The Board of County Commissioners approved the Wolf Creek Run Preliminary Development Plan on June 3, 2002 for 660 residential lots. The Board of County Commissioners approved an amendment to the development plan on August 4, 2003, which granted a 15-year vested rights period.

SUMMARY OF APPLICATION

Background

The applicant, Pauls Development East, LLC, is requesting a vested rights extension of the Wolf Creek Run Preliminary Development Plan. The approved preliminary development plan includes 660 residential lots along the eastern and western sides of Piggott Road, north of East 26th Avenue. The development is located just northwest of the unincorporated community of Strasburg. Wolf Creek Run East, which includes 213 lots and accounts for approximately 32% of the preliminary development plan, was approved as a final development plan in 2003, and is now fully constructed.

As part of the preliminary development plan approval, the applicant created conservation easements over much of the adjoining land to the northwest of the proposed development. In

addition, the applicant has conveyed a land dedication to the Strasburg 31J School District for a future school site.

The western portions of the Wolf Creek Run Preliminary Development Plan are subject to expiration because a final development plan application has not yet been submitted. Wolf Creek Run West includes 447 residential lots. The first filing of Wolf Creek Run West has an active preliminary plat application on file with the County to create 104 of the 447 remaining lots. The proposed vested rights extension will allow the applicant an additional three years to file a final development plan for the Wolf Creek Run West portion of the development. The proposed extension would grant the vested rights until August 4, 2021.

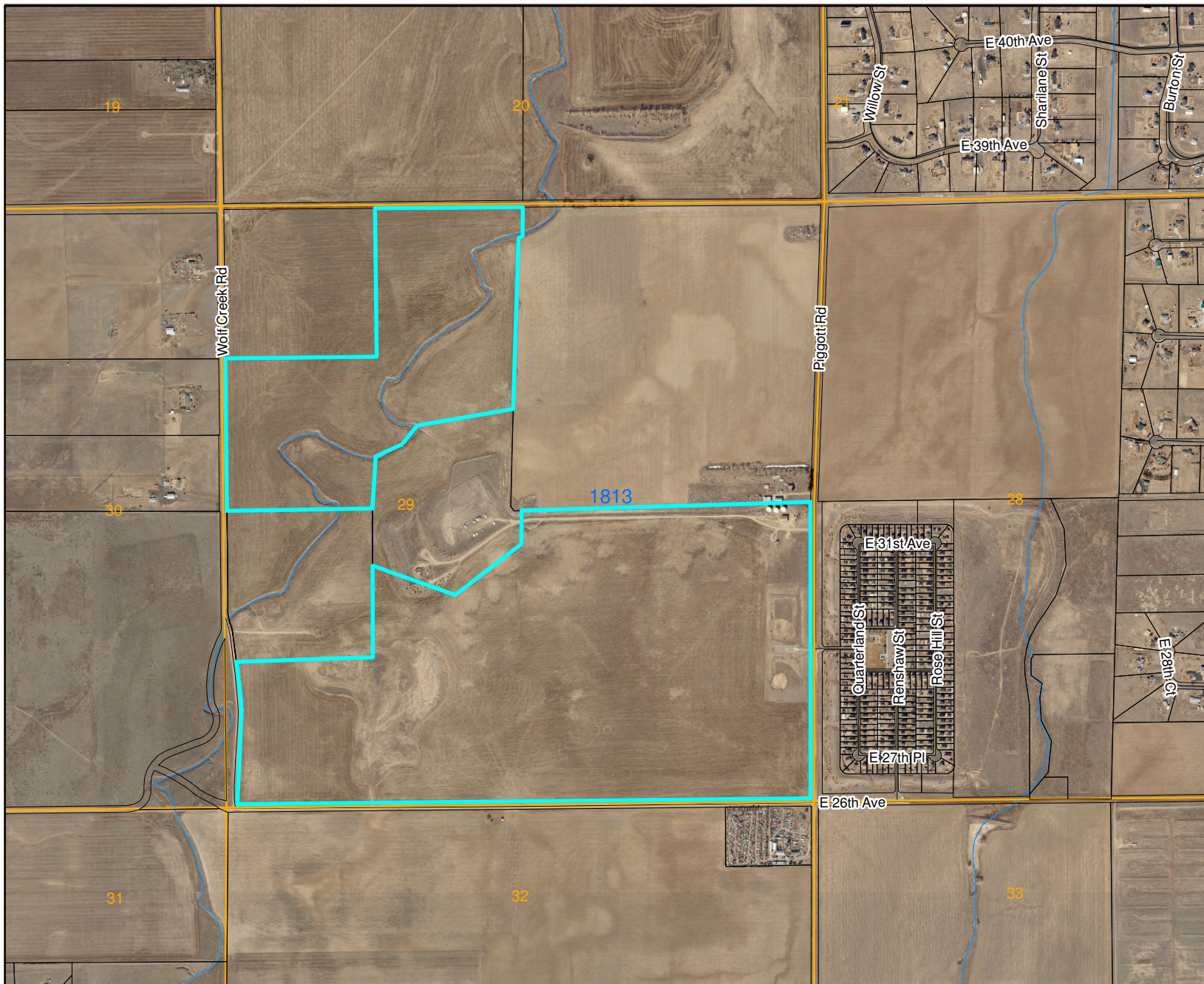
Development Standards and Regulations

Chapter 1 of the Adams County Development Standards and Regulations outlines the regulation of vested rights. Per Section 1-07-05, the Board of County Commissioners (BoCC) may grant an extension of vested rights for up to three years when such extension is deemed to be in the public interest and warranted as the result of expansive size, economic cycles, or market conditions. According to the applicant, economic conditions and a diminished housing market presented hurdles for full build-out of the development between 2003 and 2012. Additional housing products in the Strasburg area have been developed since 2012, which have saturated the housing market in the area; this includes the first three filings of the Blackstone Ranch subdivision, which has created approximately 240 single-family residential lots.

Comprehensive Plan

Adams County has worked in conjunction with Arapahoe County on the Strasburg Plan. The proposed lots will be consistent with both the Comprehensive Plan and the Strasburg Plan. Both of these plans designate the subject site for residential uses. This designation supports single-family dwelling development, which is consistent with the subject request. The Strasburg Plan goals include projected growth of Strasburg to 10,000-12,000 residents while maintaining the small town agricultural character of the community. Per the Plan, the Adams County portions of Strasburg should limit residential estate development. Residential Estate development is defined as a density of less than one dwelling unit per acre. The proposed density for the subject request is greater than one dwelling unit per acre and consistent with the comprehensive plan. Therefore, the density of this proposal conforms to the Strasburg Plan.

Staff Recommendation:	APPROVAL
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Legend

- Railroad
- Major Water
- - - Zoning Line
- ▭ Sections

Wolf Creek Run Vested Rights Extension

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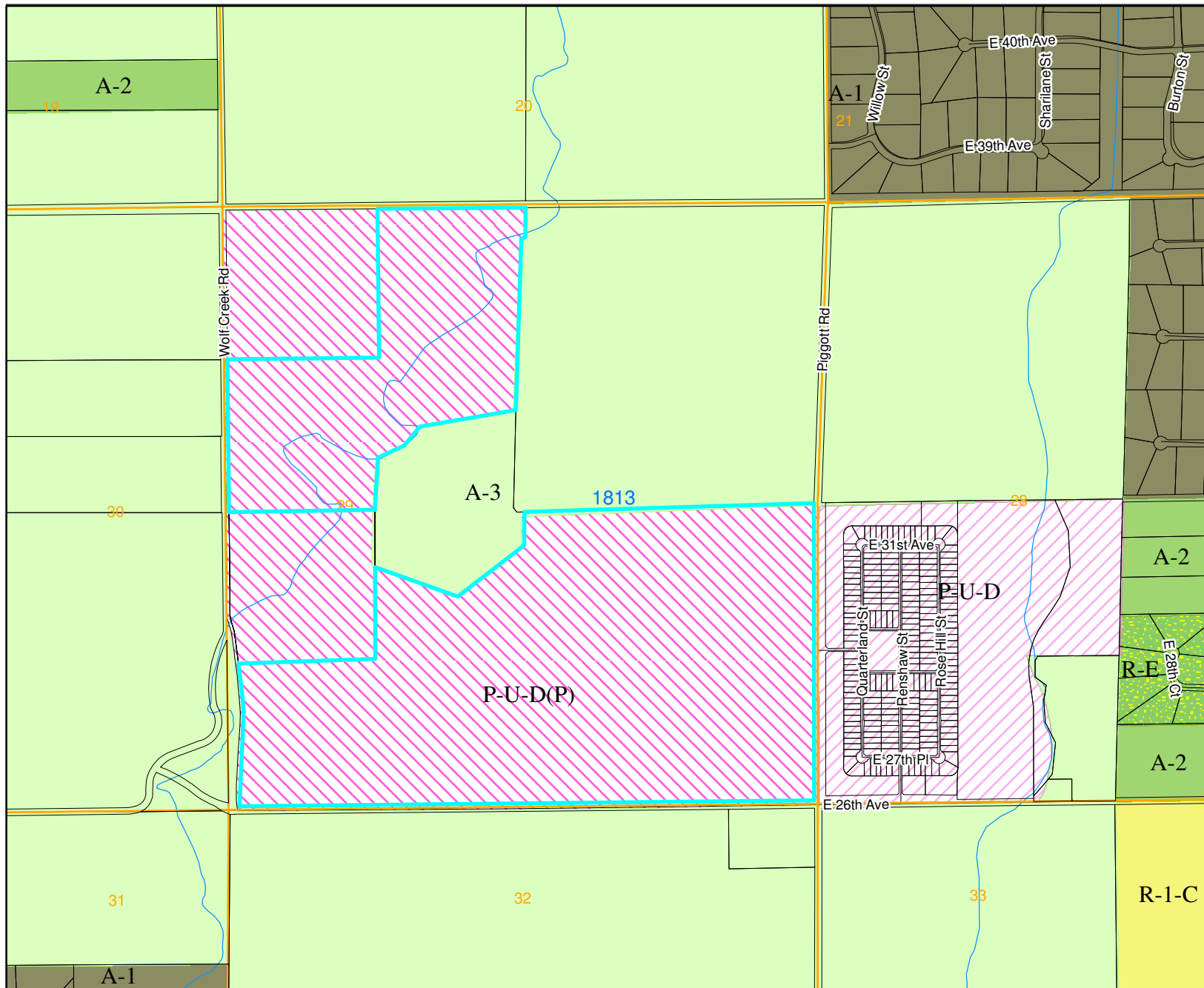


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ADAMS COUNTY
COLORADO

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Legend

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Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)



ADAMS COUNTY
COLORADO

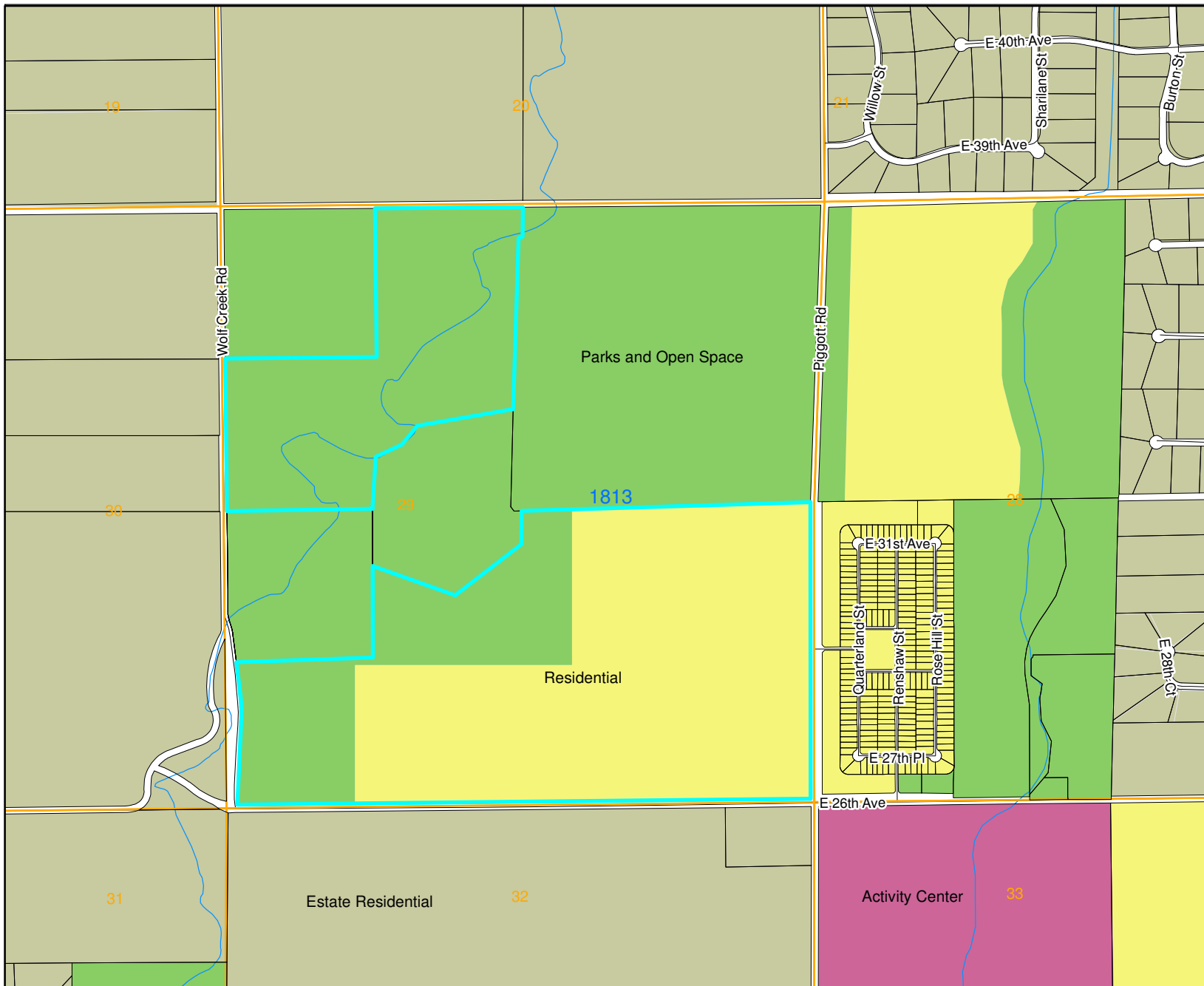
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Wolf Creek Run Vested Rights Extension

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Wolf Creek Run Vested Rights Extension

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Todd G. Messenger
(303) 894-4469
tmessenger@fwlaw.com

February 17, 2017

Sent via Personal Delivery

Kristin Sullivan
Adams County, Colorado
4430 Adams County Parkway, Suite W2000
Brighton, CO 80601

Re: Request for Extension of Vested Rights - Wolf Creek Run

Dear Ms. Sullivan:

Our firm represents Pauls Development East ("Pauls"), owner of property located in Strasburg at the Northwest corner of Piggott Road and 26th Avenue, commonly known as Planning Area 1 of Wolf Creek Run (Parcel # 0181329200007). The purpose of this letter is to request a five-year extension of vested rights for Planning Area 1. Enclosed are a check for \$500 and a universal application form.

Background. Wolf Creek Run was originally vested for 660 units. East of Piggott Road, there are 213 platted lots in Wolf Creek Run, most of which are built-out. West of Piggott Road, the P.U.D. allows for 447 additional units.

As part of the P.U.D. approval, Pauls created conservation easements over much of the land in Parcel #0183292000007, and also agreed to convey a school site to Strasburg School District 31J. The conveyance to the school district is nearly complete. Water and sewer service to the development west of Piggott will be provided by Eastern Adams County Metropolitan District pursuant to existing binding agreements.

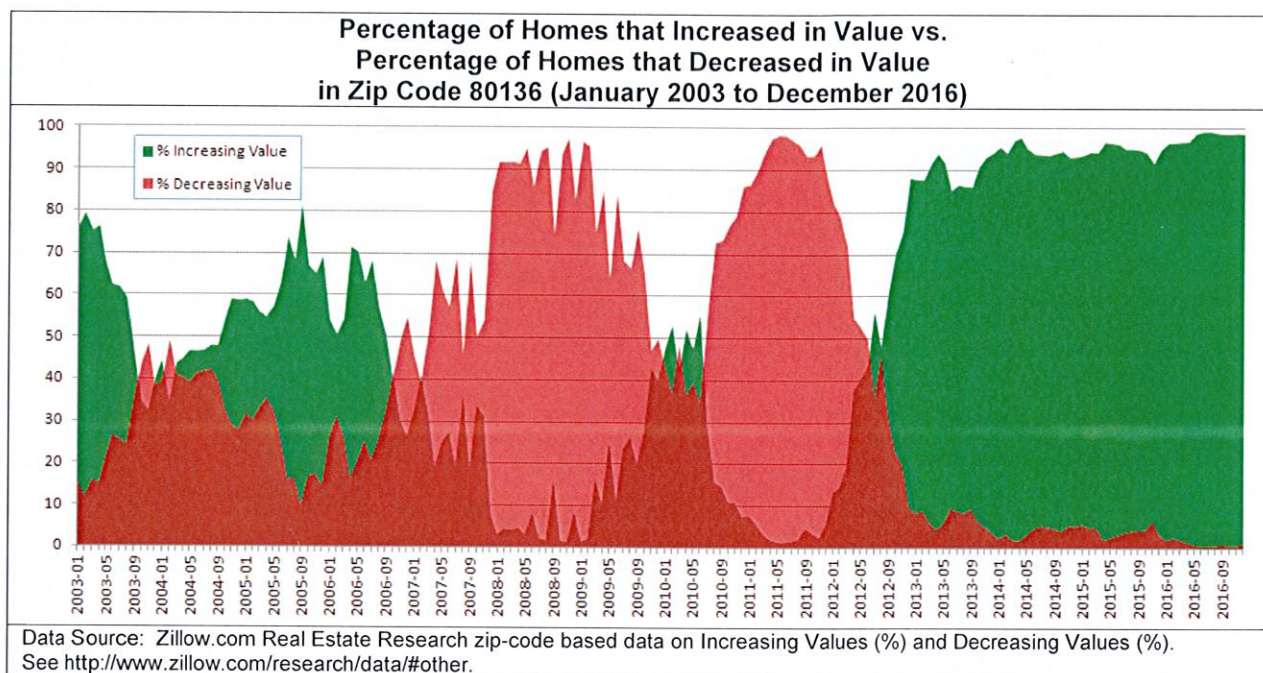
Section 1-07-05, ADCO Standards and C.R.S. § 24-68-104(2) allow the County Commission to extend the period of vested rights by development agreement. To that end, the County Commission is authorized to consider a variety of factors, "... including but not limited to, the size and phasing of the development, economic cycles, and market conditions."

Size and Phasing. Pauls seeks an extension of vesting for 447 of the residential lots that were approved in Wolf Creek Run. In the context of Strasburg, Wolf Creek run is a large development. Of the 660 lots that were approved in the P.U.D., fewer than 213 were absorbed over a 14-year period. That said, given that the housing market in Strasburg is stronger than it has been at any other point this century, Pauls believes that a five-year extension of the vesting period will be sufficient to create and construct the remaining lots.

Economic Cycles and Market Conditions. Data regarding the percentage of homes which were increasing or decreasing in value in zip code 80136 (which includes Wolf Creek Run) are

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available from Zillow.com for the period from January 2003 to December 2016. As the following graph shows, since the end of 2012 the Strasburg housing market has steadily improved. Indeed, since the fourth quarter of 2012, Strasburg has been experiencing an across-the-board rise in housing values, which is indicative of a continuing healthy demand for housing.



From the approval of Wolf Creek Run to 2006, housing values in Strasburg were mixed, and while the market was strong enough to absorb the products that were constructed, it was not exceptional. By the end of 2006, housing values in Strasburg were generally in decline, and during the “great recession” housing development ground to nearly a halt. In fact, in 2008 and again in 2011, there were periods during which more than 90 percent of the homes in Strasburg were declining in value.

Consequently, for 14 years of the anticipated 15-year build-out of Wolf Creek Run, economic conditions would not support sufficient new construction at Piggott Road and 26th Avenue to justify creating buildable lots on the property to the west of Piggott Road.

Pauls has been consistently monitoring market trends in Strasburg and diligently responding to them. After the market turned around in 2013, Pauls created 76 new lots in Blackstone Ranch (to the east of Wolf Creek Run) which are currently under construction, and a preliminary plat for 163 additional new lots is currently in process for the ultimate build-out of Blackstone Ranch.



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County Plan Implementation. Looking forward, Wolf Creek Run is the next step for growth in Strasburg. The Strasburg Area Plan, adopted by both Adams County and Arapahoe County as part of their respective comprehensive plans, anticipates this additional residential growth in Wolf Creek Run. As such, the existing Preliminary P.U.D. for which this vested rights extension is sought is consistent with the Adams County Comprehensive Plan.

Water and Sewer Service. Wolf Creek Run will obtain water and sewer service from Eastern Adams County Metropolitan District, which has committed to provide the service and has capacity to carry out that commitment.

Thank you for your assistance in processing this request. If you have any questions, please feel free to call me any time.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Todd Messenger', with a long horizontal line extending to the right.

Todd Messenger
Fairfield and Woods, P.C.

TM:ds

Enclosures