

ORDINANCE 18-03

**AN ORDINANCE REZONING PROPERTY BY AMENDING THE
PLANNED UNIT DEVELOPMENT GUIDE FOR THE PROPERTY
LOCATED AT 120 E. WALNUT STREET TO BE KNOWN AS THE
WALNUT SQUARE APARTMENTS PLANNED UNIT
DEVELOPMENT (PUD)**

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF
ELIZABETH, COLORADO, THAT:

Section 1. Findings of Fact.

- A. The Town desires to rezone certain property within the Town of Elizabeth, Colorado, located at 120 E. Walnut Street by amending the Planned Unit Development Guide.
- B. Public notice has been given of such rezoning pursuant to Section 16-4-10 of the Town of Elizabeth Municipal Code more than fifteen (15) days in advance of the public hearing.
- C. A need exists for rezoning the Property by amending the Planned Unit Development Guide pursuant to Sections 16-1-190 and 16-1-240 of the Town of Elizabeth Municipal Code.

Section 2. The Property is hereby rezoned by amending the Planned Unit Development Guide for the Property, to be known as the Walnut Square Apartments Planned Unit Development (PUD) according to the amended Development Guide attached as **Exhibit A**, and incorporated herein by this reference.

Section 3. The Zoning Ordinance and Zoning Map are hereby amended to conform to the zoning change for the Property.

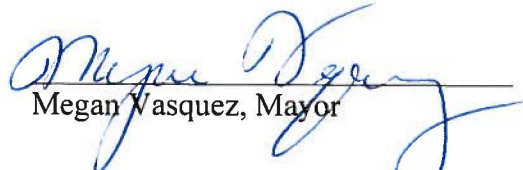
Section 4. Severability. If any section, paragraph clause, or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or enforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance, the intent being that the same are severable.

Section 5. The Board of Trustees hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the health, safety and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The Board of Trustees further determines that the Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 6. This Ordinance shall become effective thirty (30) days after publication.

Read and approved at a meeting of the Board of Trustees of the Town of Elizabeth, Colorado, this 8 day of May, 2018.

Passed by a vote of 5 for and 1 against and ordered published.


Megan Vasquez, Mayor

ATTEST



~~Tina Boness~~, Interim Deputy Town Clerk
Michelle Oeser



Exhibit A

Planned Unit Development Guide Walnut Square Apartments

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Dallas Schroeder Recorder, Elbert County, Co



PROJECT LOCATION: East of S. Elbert Street, south of Walnut Street, North of Maple Street and West of Dale Court. The site is located within Section 18, Township 8 South, Range 64 West, Sixth Principal Meridian, Town of Elizabeth, County of Elbert, State of Colorado.

GENERAL PURPOSE: Amend the current PUD to allow for the development of up to 44 apartments and townhouses with requisite drive lanes, on-site parking, site amenities and water quality structures. Dale Court functioning as an alley way to access the east entrance to proposed on-site parking.

UNDERLYING ZONING: Multi-Family Residence (R-3)

CHANGES TO UNDERLYING ZONING/ PUD ALLOWANCES:

HEIGHT RESTRICTION:

37' maximum height throughout property

SETBACKS:

0' setback adjacent to Walnut Street

0' setback adjacent to Elbert Street

10' setback adjacent to Maple Street

DENSITY:

29 units / acre

(Total site is 1.568 acres)

MINIMUM WIDTH OF LOT:

The minimum lot width is 197 feet

SITE AMENITIES:

1. On-site community room for tenants
2. Playground

OPEN SPACE:

Given the size of the property, 1.568 acres, there will be no open space dedicated to the Town. Onsite open space will consist of 20% lot coverage including the playground and bio swales / raingardens.