



BOARD OF TRUSTEES
STAFF REPORT & REQUEST FOR BOARD ACTION

Date Prepared: May 31, 2023
Meeting Date: June 7, 2023

RE: Clayton Court Rezoning

To: Town of Fraser Board of Trustees

From: Ben Thurston, AICP, Baseline

Project Number: TF-23-06

Project Address: Multiple Properties on Clayton Court

Applicant: Town of Fraser

Property Owner: Multiple Property Owners

Zoning: Medium Density Single Family (MDSF) Residential District

CC: Michael Brack, Fraser Town Manager



MATTER BEFORE THE BOARD OF TRUSTEES:

Rezoning of nine properties on Clayton Court

ACTION REQUESTED:

The Town of Fraser requests a rezoning of nine lots on Clayton Court from Medium Density Single Family (MDSF) to Business (B).

BACKGROUND

The Clayton Subdivision was approved in 1986 with four tracts (A-D). In 1991, Tracts B and C were resubdivided and eight lots were established on Clayton Court. In 1993, Lot 8 was resubdivided into two lots, resulting in the current nine lots on Clayton Court. In 2018, with the adoption of the new Fraser Land Development Code (LDC), Clayton Court was rezoned from Medium Density Mobile Home (M2) to Medium Density Single Family (MDSF) with an overlay zone of Riverwalk Mixed Use (RMU).

According to Sec. 19-2-235 of the Fraser LDC, the MDSF district provides for:

...medium density residential neighborhoods that accommodate a wide variety of single-family dwelling types, parks and low-impact community facilities, where not more than two (2) single-family units are to be attached in one (1) structure on individually deeded and platted lots.

According to Sec. 19-2-255 of the Fraser LDC, the RMU overlay district provides for:

...development that fosters the creation of a high density, walkable, mixed-use neighborhood which will integrate Fraser's historic downtown with the Fraser River and generate opportunities for downtown redevelopment, affordable housing and economic revitalization.

The 2017 Downtown Strategic Plan's SWOT analysis identifies the MDSF zoning of Clayton Court as a "threat" because it allows single-family development that is contrary to the purpose of the RMU overlay



stated above. Current conditions include vacant lots, some sheds, and three mobile homes on the east side of Clayton Court.

On August 19, 2023, staff presented a workshop to the Town Board regarding a proposal to rezone Clayton Court to Business (B). At the conclusion of the workshop, the Town Board directed staff to proceed with a Town-initiated rezoning of the property from MDSF to B. The change of the underlying zoning district will not affect the continued applicability of the Riverwalk Mixed Use (RMU) overlay.

PLANNING COMMISSION REVIEW AND RECOMMENDATION:

On May 24, 2023, the Fraser Planning Commission unanimously approved Resolution 2023-05-03 recommending the Fraser Board of Trustees approve the Clayton Court rezoning.

LOCATION MAP

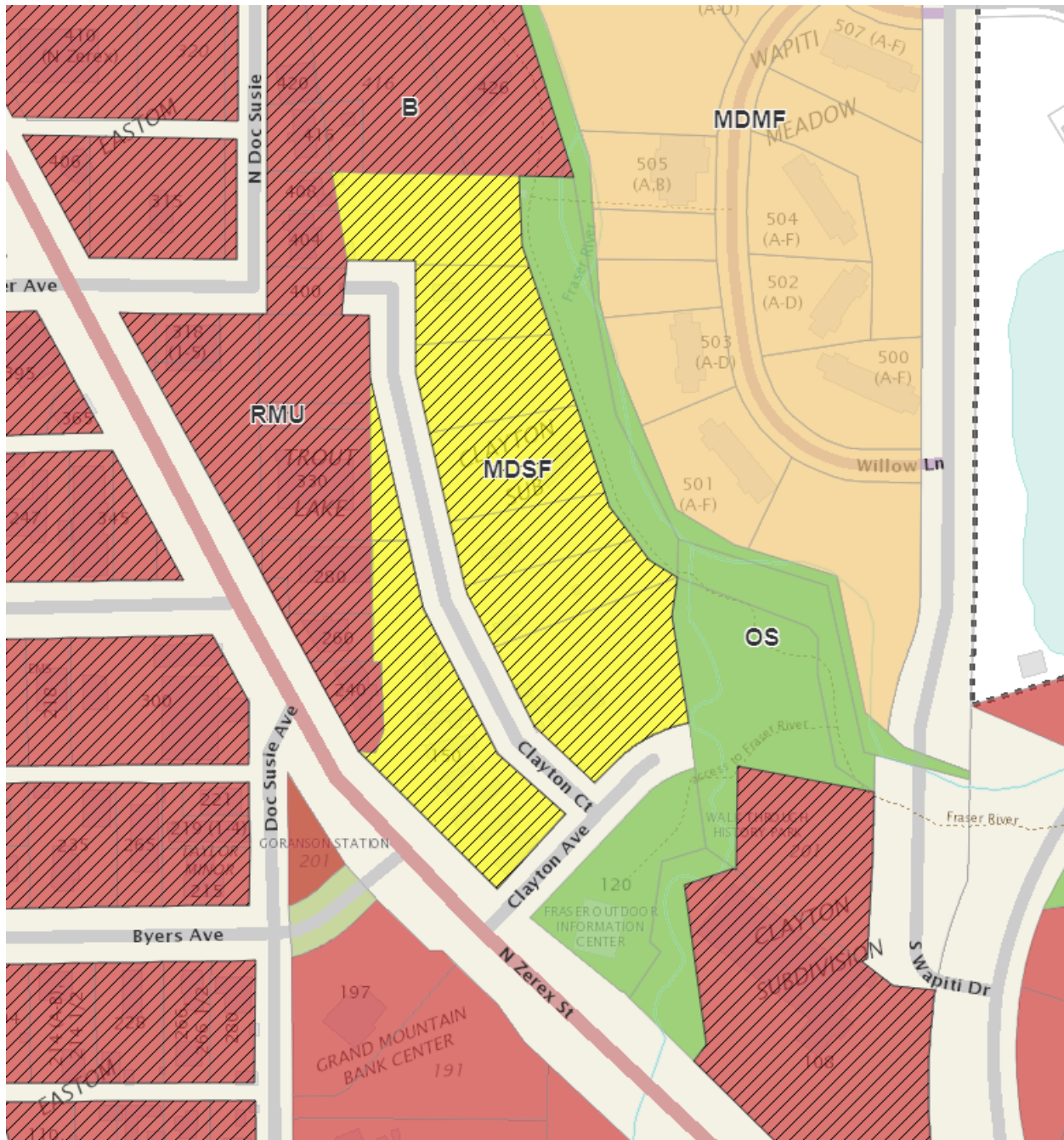




ZONING & LAND USE

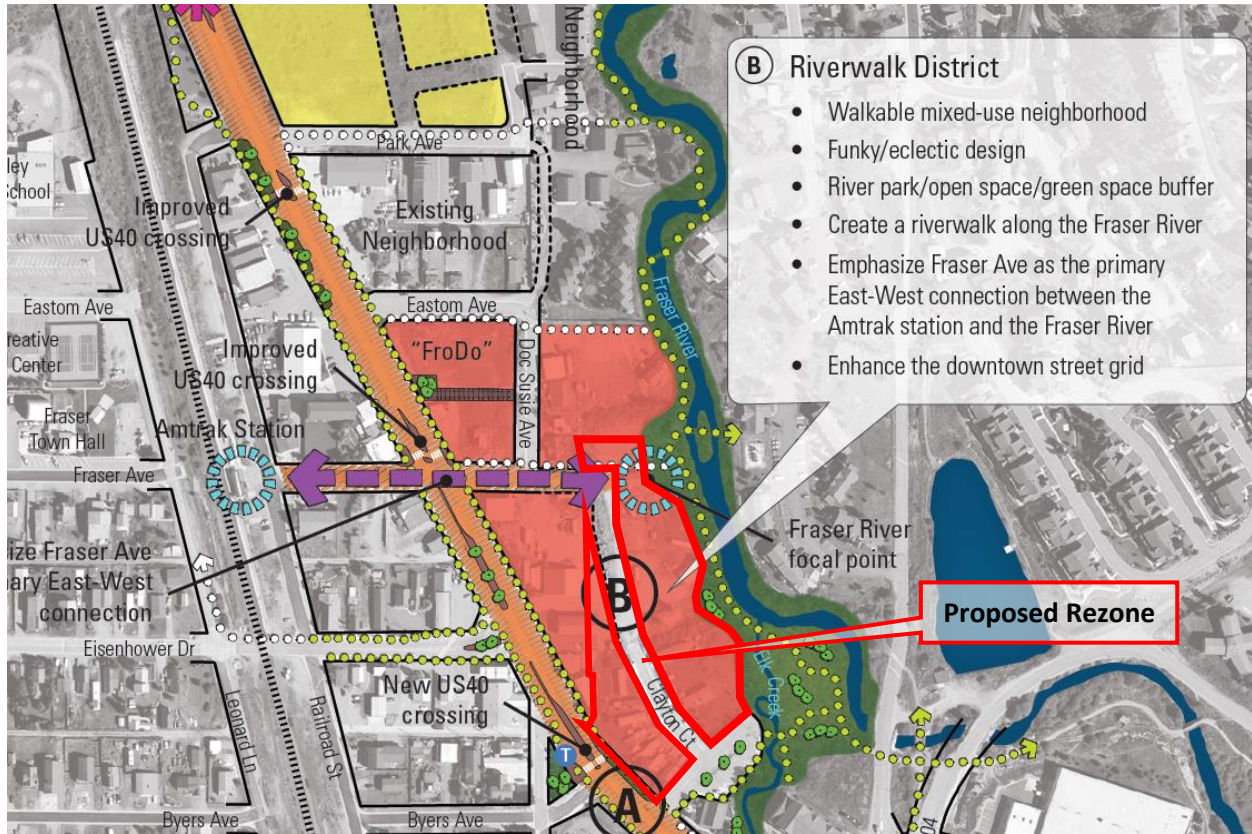
The subject property is zoned Medium Density Single-Family (MDSF) Residential. It is bordered by Open Space (OS) zoning to the east and south, and Business (B) zoning to the north and west. Like the subject property, the adjacent Business zoning is also subject to the Riverwalk Mixed Use (RMU) overlay.

ZONING MAP





2017 DOWNTOWN FRASER STRATEGIC PLAN – DESIGN FRAMEWORK FOR RIVERWALK DISTRICT





PUBLIC NOTICE

Section 19-1-215 of the LDC establishes requirements for public notice when public hearings are required with land use review. Rezoning requires a public hearing before the Board of Trustees and notice of the hearing is required at least fifteen (15) days prior to the hearing. On May 18, 2023, notices were mailed to owners of all properties to be rezoned and within 200 feet. Also on May 18, 2023, a notice was published in the newspaper.

REZONING EVALUATION CRITERIA

Sec. 19-2-170 – Rezoning	Finding	Rationale
1) The compatibility of the rezoning proposal with the surrounding zone districts and land uses in the vicinity of the site of the rezoning including the characteristics of the existing neighborhood, the applicable area and bulk requirements, and the suitability of the site for development in terms of on-site characteristics;	Yes	The proposed zoning of Business (B) is compatible with surrounding zoning and land use, and the property is suitable for commercial or mixed use development envisioned by the Riverwalk Mixed Use (RMU) overlay and the Downtown Strategic Plan.
2) That the land proposed for rezoning, or adjacent land, has changed or is changing to a degree such that it is in the public interest and consistent with the intent, purpose and provisions of this Chapter to encourage different densities or uses within the land in question;	Yes	The only recent change to the land is the removal of the mobile homes on Lot 8a (150 Zerex Street). Staff was recently contacted about development proposals on two of the lots that included a four-unit townhome and a single-family home. Development of these properties as single family residential is not consistent with the Downtown Strategic Plan.
3) That the proposed rezoning is needed to provide land for a demonstrated community need or service and such rezoning will be consistent with the goals, objectives and policies contained within the Comprehensive Plan;	Yes	The proposed rezoning will encourage the highest and best use of the subject property in a manner consistent with the Comprehensive Plan and Downtown Strategic Plan.
4) That the existing zoning classification currently recorded on the Official Zoning Map is in error;	N/A	The current zoning classification on the Official Zoning Map is correct.

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Sec. 19-2-170 – Rezoning	Finding	Rationale
5) That the proposed rezoning is in conformance, or will bring the property into conformance, with the Comprehensive Plan goals, objectives and policies, and other related policies or plans for the area;	Yes	The proposed rezoning conforms with the Comprehensive Plan and Downtown Strategic Plan.
6) That adequate infrastructure/facilities are available to serve the type of uses allowed by the change of zoning, or that the applicant will upgrade and provide such where non-existent or under capacity; and	Yes	Additional infrastructure improvements will be needed to develop most of the existing lots. Sewer is readily available to all lots and water is available to the southern lots. Clayton Court is currently only partially paved at the south end. In a 1999 SIA amendment, the Town agreed to complete infrastructure improvements in exchange for Lot 1.
7) The impacts of the rezoning upon expected traffic generation and road safety, availability of on-site and off-site parking and the availability of adequate utility services and street access to the site.	N/A	The rezoning by itself does not create impacts. Any impacts created by future development will need to be mitigated by those developers in conformance with the LDC.

SUMMARY

The Town has prepared a complete application for rezoning the nine lots on Clayton Court. The application is in compliance with the Fraser LDC.

REQUEST: Town-initiated request to rezone certain property known as Clayton Court.

RECOMMENDATION: Staff recommends that the Town Board APPROVE the proposed rezoning of Clayton Court.

Attachments:

- 01 Proposed Ordinance
- 02 PC Resolution 2023-05-03
- 03 Public Notice Mailing List
- 04 Published Notice Draft