

**TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
May 8, 2018**

SUBJECT: **Agenda #:18-155**

PUBLIC HEARING: A Resolution Regarding The Minor Subdivision Plat Of Coal Creek Center 3RD Amendment, Adopting Certain Findings Of Fact And Conclusions Favorable To The Minor Subdivision Plat; And, Setting Forth Details In Relation Thereto.

CODE REVIEW: Erie Municipal Code, Title 10

PURPOSE: Public hearing for consideration of a Minor Subdivision application to subdivide one lot (Lot 1) into 2 lots (Lot 1A and 1B) in Coal Creek Center.

DEPARTMENT: Planning and Development

PRESENTER: Hannah Hippely, AICP, Senior Planner

STAFF RECOMMENDATION: Approval with Conditions

PLANNING COMMISSION RECOMMENDATION: Approval With Conditions

SUMMARY AND BACKGROUND OF SUBJECT MATTER

Owner: Erie Commercial LLC
 720 Austin Ave. #200
 Erie, CO 80516

Location: Northeast corner Austin Avenue and County Line Road



Project Process and Summary:

Minor Subdivision plats for non-residential lots require public hearings before the Planning Commission and Board of Trustees. Town staff has reviewed the Coal Creek Center plat and have found it to be in compliance with the Town Municipal Code. No public improvements are required as part of this minor subdivision as the necessary improvements are already in place.

Project Description:

The Coal Creek Center 3rd Amendment plat is platting one existing commercial lot into 2 lots.

Site Specific Information:

- Existing Use: Vacant Lot
- Property Size: 1.771 acres
- Zoning: Community Commercial
- Number of Proposed Lots: 2 lots

Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Community Commercial	Gas Station and Convenience Store
SOUTH	Light Industrial	Multi-Tenant Retail and Office
EAST	Light Industrial	Aspen Ridge Preparatory School
WEST	PD – Planned Development Canyon Creek/Four Corners	Vacant Land

Minor Subdivision Analysis

Staff finds the application is consistent with the Minor Subdivision Plat – Non-Residential Parcels approval criteria in Municipal Code, Section 10.7.7.F.10, as outlined below:

- a. The Minor Subdivision is generally consistent with the Town's Comprehensive Master Plan;

Staff: The application is in Compliance with the Land Use designations on the 2005 Comprehensive Plan, Land Use Plan Map. The layout and size of lots, access, circulation, and utilities is consistent with commercial developments as identified in the CC- Community Commercial land use designation of the Comprehensive Plan.

- b. The Minor Subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located;

Staff: The commercial lots meet the requirements for the Community Commercial zone district.

- c. As applicable, the Minor Subdivision is generally consistent with the terms and conditions of any previously approved development Plan;

Staff: The commercial lots are consistent with the development plan for Coal Creek Center in that the lot split is not anticipated to increase the overall development of Coal Creek Center. Two smaller developments could now occur rather than one large development.

- d. The Minor Subdivision complies with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible;

Staff: The design of the Minor Subdivision plat takes into account applicable use, Development and Design Standards of Chapters 3, 5, and 6 of Municipal Code Title 10.

- e. The Minor Subdivision complies with all applicable regulations, standards, requirements, or plans of the Federal or State governments and other relevant jurisdictions, including but not limited to wetlands, water quality, erosion control, and wastewater regulations;

Staff: The Minor Subdivision plat complies with applicable regulations, standards and requirements of Federal, State and local governments and agencies.

- f. The Minor Subdivision will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

Staff: Significant impacts are not anticipated for the natural environment.

- g. The Minor Subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features;

Staff: The Minor Subdivision plat provides vehicular and pedestrian connections to adjacent roadways. The application proposes a shared access to Lot 1B. As a condition of approval the shared access agreement shall be finalized and recorded and this recordation information shall be shown on the plat.

- h. The Minor Subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated;
Staff: The Minor Subdivision plat will not have significant adverse impacts on adjacent properties.
- i. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;
Staff: Adequate services and facilities currently exist.
- j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.
Staff: Adequate infrastructure capacity is available for the development.

Neighborhood Meeting:

As required by the Municipal Code a Neighborhood Meeting was held as follows:

Neighborhood Meeting Date: March 20, 2018
Neighborhood Meeting Location: 671 Mitchell Way

The required posted and mailed notice of the Neighborhood Meeting was provided as required.

Public Notice:

The required notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly: April 18, 2018
Property Posted: April 13, 2018
Letters to Adjacent Property Owners within 300': April 17, 2018