

**TOWN OF ERIE
BOARD OF TRUSTEES MEETING
December 8, 2020**

SUBJECT: **PUBLIC HEARING**

Preliminary Plat

Resolution 20-195: A Resolution of The Board of Trustees of The Town of Erie Approving The Colliers Hill Filing No. 4G Preliminary Plat With Conditions

CODE REVIEW: Erie Municipal Code, Title 10

PURPOSE: Review of the proposed 82.01 acres Preliminary Plat for Colliers Hill Filing No. 4G, which includes 205 single-family lots, one amenity lot (future private recreation facility), and nine tracts for a neighborhood park, landscaping, drainage, utility, trail connections, open area, drainage, and future development.

DEPARTMENT: Planning and Development

PRESENTER: Christopher C. LaRue, Senior Planner

STAFF RECOMMENDATION:

Staff finds the Colliers Hill Filing No. 4G Preliminary Plat in compliance with the Preliminary Plat Approval Criteria and recommends the Board of Trustees adopt draft Resolution No. 20-195 approving the Preliminary Plat with the following conditions of approval:

- a. At the time of final plat, Applicant shall execute a detailed Development Agreement, in the form provided by the Town;
- b. Applicant shall make technical corrections to the Colliers Hill Filing No. 4G Preliminary Plat as directed by Town staff.
- c. The Bridgewater P.U.D Overlay Map – Amendment No. 5 shall be recorded before the approval of the Preliminary Plat is effective.
- d. The applicant shall provide documentation from the oil and gas easement holder approving the proposed encroachment of improvements.
- e. At the time of final plat, applicant shall address the Department of Parks and Recreation comments.
- f. The applicant shall comply with the recommendations of the Colorado Geologic Association as stated in their letter dated March 5, 2020.
- g. All newly submitted and updated reports (Phase I Environmental, Draft Phase I Environmental Site Assessment, Draft Geotechnical Site Development Study, & Wetland, Threatened, and Endangered Species Observation and Cultural Resources Review) shall be reviewed at the time of final plat. The applicant shall

comply with any recommendations from the updates, and applicable requirements shall be incorporated into the final plat Development Agreement.

PLANNING COMMISSION RECOMMENDATION:

On November 18, 2020 the Planning Commission, in a 6 to 1 vote, recommended the Board of Trustees approve the Colliers Hill Filing No. 4G Preliminary Plat with conditions. Commissioner Witt was the dissenting vote. The Planning Commission discussion at the public hearing included the following:

- The build out of WCR 5, and safety of students was discussed.
- Trail connectivity and park requirements.
- The different submitted studies (phase I environmental, soils and geology, & wetland, threatened and endangered species observation and cultural resources review etc.) were discussed, and questions were asked about ensuring they covered the appropriate areas.

The Planning Commission made a recommendation for approval that recommending the following conditions of approval to their resolution:

- The applicant shall comply with the recommendations of the Colorado Geologic Association as stated in their letter dated March 5, 2020.
- The applicant shall provide the following updated reports with the final plat: Wetland, Threatened Endangered Species Observation and Cultural Resources Review; Phase I Environmental Site Assessment; and the Geotechnical Investigation.

The Phase I Environmental Site Assessment (dated: 9/25/15) submitted with the application contained a study of Colliers Hill, but lacked specifics on the 4G area. The applicant has provided a Phase I Environmental Site Assessment study (dated: 8/5/13), which will need to be submitted and reviewed with the final plat application. The applicant has also provided the draft Phase I Environmental Site Assessment specifically for the 4G area, which was created to be submitted and reviewed with the final plat. The Preliminary Geotechnical Investigation submitted with the application (dated: 6/30/05) covered the 4G area. Regardless, the applicant has submitted a draft Geotechnical Site Development Study which was created to be submitted and reviewed with the final plat. The wetland, threatened, and endangered species observation and cultural resources review covered a large portion of Colliers Hill, but not specifically the 4G area. The applicant has provided a draft update to this study which is attached, and no concerns were noted.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

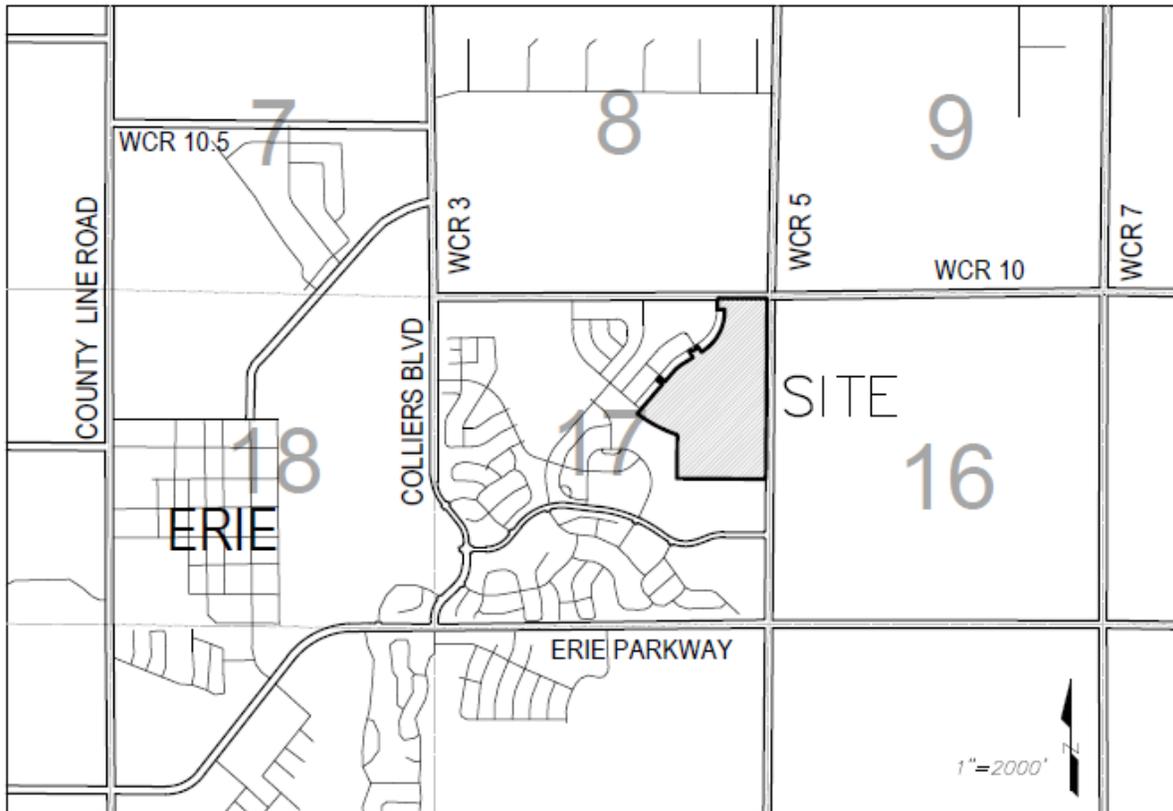
Applicant: Daybreak Recovery Acquisition
7200 S. Alton Way, Suite C-400
Centennial, CO 80112

Existing Conditions:

Zoning: LR – Low Density Residential / PUD
Project Size: 82.01 Acres
Existing Use: Vacant Property

Location:

The property is generally located on the southwest corner of WCR 5 and 10. Below is a map which depicts the site (shaded) and surrounding area:



Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Suburban Residential-SR / Planned Unit Development	Future Residential
SOUTH	Low Density Residential LR	Future Community Park
EAST	A – Agricultural (Weld County) / PLI- Public Land & Institutions	Agricultural / Public School
WEST	Low Density Residential-LR	Single-Family & Open Space

Site History and Specific Development Information:

The subject site, and surrounding Colliers Hill area was annexed by the Town on October 9, 2007 by Ordinance No. 29-2007. The area for Filing No. G was platted in March 2017 as Tract

E of Colliers Hill Filing No. 4C Final Plat. Tract E was specifically designated as future development. In addition, the Colliers Hill PUD Amendment No. 5 was approved by the Board of Trustees (BOT) on November 10, 2020. PUD Amendment No. 5 designated the 4G Preliminary Plat area for single-family detached units.

The preliminary plat proposes 205 single-family lots, 1 amenity lot (for a future private recreation facility), and nine tracts. Lot sizes would range from approximately 5,700 to approximately 12,700 square feet. Access to all lots would be provided through new public streets which connect to the overall development. The development will incorporate a new pocket park and trail connections that would tie into the overall development. In addition, the project includes Tract B which will be developed as a future neighborhood park. The landscaping plans depict the master plan concept preliminary design of the park.

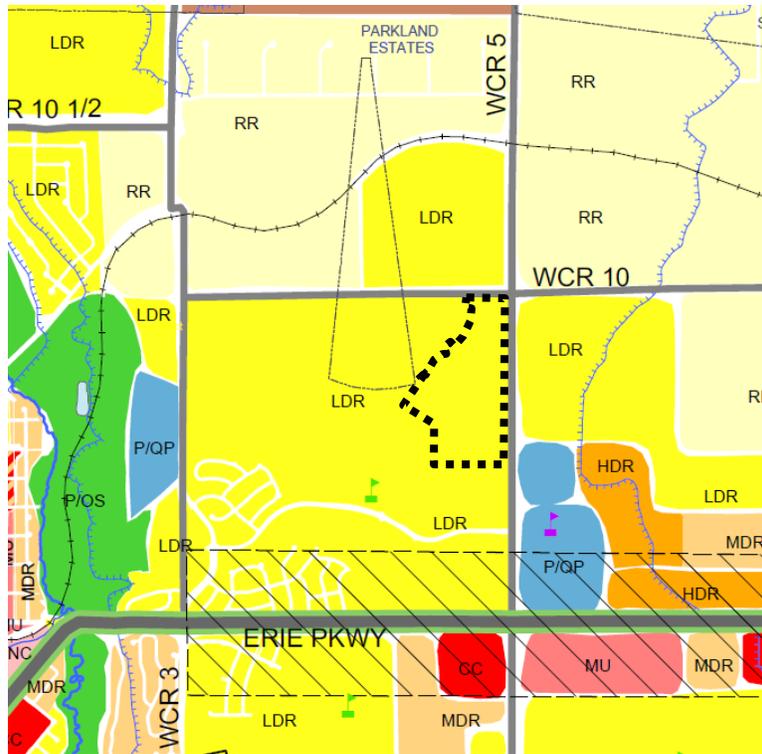
Proposed Preliminary Plat:

Development Information:

- Preliminary Plat Size: 82.01 acres
- Number of Single-Family Lots - Proposed: 205 lots (34.42 acres)
 - Minimum Lot Size Permitted – LR/PUD: 3,500 square feet
- Number of Tracts: 9 tracts (34.05 acres)
- 1 Private Amenity Lot: 1.05 acres
- Residential Density Proposed: 2.49 dwelling units per acre
- Residential Density Allowed: 0 to 5 dwelling units per acre
- Open Area 19.37 acres

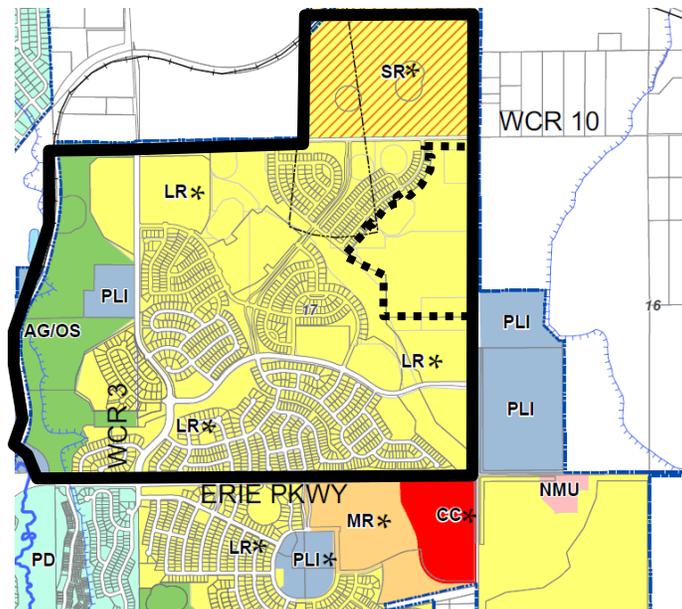
Compliance with Town of Erie Comprehensive Plan:

The Preliminary Plat application is in general compliance with the Land Use designations on Residential the 2005 Comprehensive Plan, Land Use Map. The Filing No. 4G subject site is designated as Low Density (LDR). Per the Comprehensive Plan, LDR requires a density of 2-6 dwelling units per acre. There are approximately 82.01 acres of LR zoned land with a proposed 205 detached single-family homes within the Filing No. 4G area. This would amount to a density of 2.49 du/ac. As a whole, the Colliers Hill project proposes 2,880 dwelling units (the 4G site is included in the overall number) on 965.83 acres for a density of 2.98 dwelling units per acre. The proposed development would be consistent with the Comprehensive Plan. Highlighted in a dashed black line below is the Colliers Hill Filing No. 4G site on the Comprehensive Plan Map:



Compliance with Town of Erie Zoning Map:

The subject property is zoned LR – Low Density Residential with a PUD – Planned Unit Development Overlay. The density proposed in this Preliminary Plat is 2.49 units/acre (2.98 du/ac for all of Colliers Hill) and is in compliance with the LR zoning district maximum density of 5 units/acre. In the zoning map below, the property is highlighted with a black dashed line. Also highlighted below in a heavy black line is the overall Colliers Hill development.



Housing Diversity:

The Town of Erie's housing diversity requirement is based on the acres of residentially zoned property. The regulations intend to ensure that as the Town grows, a variation in housing choices are available. The Colliers Hill property has a total of 965.83 acres zoned LR - Low Density Residential and SR – Suburban Residential and ER- Estate Residential. The UDC requires a mix of housing options. Specifically, the UDC requires 6 housing types, 5 housing types and 1 variation, or 4 housing types with 2 variations.

PUD Amendment No. 5 allows four housing types consisting of detached single-family homes, duplexes, apartments, and townhomes. Currently Colliers Hill has two housing types (single-family homes with two variations in lot sizes and duplex homes) approved through the subdivision process. Filing 4G would not add to the housing diversity requirement. Future developments in Colliers Hill will be required to provide two more different housing types to meet the housing diversity requirement.

Schools:

The proposed subdivision is located in the St. Vrain Valley School District. The applicant will be required to provide appropriate impact fees, and has already dedicated a 10-acre site to the school district for a future elementary school. Also, a new elementary school will be constructed in Erie Highlands to the south of Erie Parkway.

Fire Protection:

The Mountain View Fire Protection District will provide fire and emergency medical services. The closest fire stations is located on the southwest corner of Erie Parkway and Bonanza Drive in the Grandview Subdivision.

Police Services:

The Erie Police Department will provide service to the property.

Roadways:

A Traffic Impact Study was submitted with the Preliminary Plat application materials. All of the streets proposed are public roads. The streets and improvements proposed are in compliance with the Town's Standards and Specifications. Access into the site is proposed from two points onto Flora View Drive on the south and Audubon Peak Drive on the North. County Line Road 5 to the east of the proposal is considered to be a community gateway by the UDC. As a gateway, additional design standards shall apply. These standards include a 30-foot landscape buffer, an eight-foot sidewalk, screening of parking, and limits on fencing and signage. These requirements have been met on the preliminary plat.

Parks, Open Space and Trails:

Throughout the site and street corridors, there are landscape buffers. In these areas, landscaping has been designed to continue the character of the landscaping of the Colliers Hill development. A Pocket park is required per the UDC and PUD and is depicted on the Preliminary Plat. The proposed pocket park complies with all Town Standards and Specifications. All parks and amenity areas will be accessible to the residents via trail linkages and block crossings. Pedestrian areas will tie into the larger open space and trails network with the overall Colliers Hill Development.

The required dedications for public parks and open space dedications are based on the Bridgewater PUD. The proposed Preliminary Plat includes a future Neighborhood Park and is contiguous to a dedicated Community Park. The applicant has provided a preliminary design of the neighborhood park as part of the landscaping plan with the Preliminary Plat. Parks has provided initial comments on the park, and a final review of the facility will occur with the final plat.

The Parks Division has provided the applicant with some general comments on the landscaping which should be satisfied at the time of Final Plat.

Open Space and Trails Advisory Board (OSTAB):

OSTAB has reviewed the application materials and provided referral comments in the attachments. As noted in the OSTAB referral there are no Natural Areas Inventory sites within the Preliminary Plat area. In addition, OSTAB had suggestions for connections and connectivity.

Utilities:

The Town of Erie will provide both water and wastewater services to the property.

Utility service provider for the property is Xcel Energy for gas and electric, Century Link Communications for telephone services and Comcast for cable television. Utility easements for these providers will be established at the time of final plat.

Trash Service:

Individual units will contract for local pickup service.

Drainage and Erosion:

A Drainage Study was submitted and reviewed with the Preliminary Plat, with no concerns noted by engineering. Final drainage plans will be reviewed with the final plat.

Oil/Gas Facilities:

No onsite impacts. There is an offsite (on State Land Board property) oil and gas well approximately 1,030 feet east of the 4G site.

Soils and Geology:

The overall area has been subject to undermining activities, though there do not appear to be any impacts to the Preliminary Plat area. CGS stated no concerns provided the applicant provided best practices as previously recommended regarding low subsidence potential, unmapped shafts, expansive soils. A condition has been added stating the applicant shall comply with the recommendations of the Colorado Geologic Association as stated in their letter dated March 5, 2020.

STAFF REVIEW AND ANALYSIS

Staff finds the application is consistent with the Preliminary Plat approval criteria in Municipal Code, Section 10.7.7.C.10, as outlined below:

- a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.

Staff: The subdivision is generally consistent with the Comprehensive Plan. The density for the 4G area is 2.49 du/ac, and the overall proposed density of the Colliers Hill

Development is 2.98 du/ac. This aligns with the Low Density Residential Comprehensive Plan density of 2-6 dwellings per acre.

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

Staff: The subdivision is in compliance with the LR zone district. The density for the 4G area is 2.49 du/ac, and the overall proposed density of the Colliers Hill Development is 2.98 du/ac, which is consistent with the LR zone district maximum of 5 du/ac. The proposed lots meet the minimum zoning requirements and are consistent with the residential intent of the zone. In addition, the proposed lots will comply with the Colliers Hill PUD overlay.

- c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.

Staff: The proposed subdivision meets the applicable Town standards. Trails will provide linkages to the overall community. The proposed grading will preserve existing vegetation and views from adjacent subdivisions to the maximum extent practicable.

- d. The 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 or this UDC. 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 Preliminary Plat takes into account applicable use, development and design standards of Chapters 3, 5, and 6 of the Code. Layout and design of the proposed subdivision is appropriate and consistent with the general provisions of the UDC. Proposed streets and connections are appropriate and will benefit the future residents. Utility easements are provided on the proposed plat. Appropriate provisions are in place for storm water and water and wastewater lines. Appropriate land dedications and fees-in-lieu are provided for within the development.

- e. The 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: Significant adverse impacts are not anticipated. The site is not impacted by a designated floodplain. Provisions are in place to protect water quality, erosion control, and wastewater. Appropriate studies were reviewed during the review of the preliminary plat, and updated studies will be review during final plat. Construction documents as part of the Final Plat process will require Best Management Practices (BMP's) for water quality, stormwater management and erosion control in accordance with the Town of Erie - Standards and Specifications for Design and Construction of Public Improvements

- f. The 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 adverse impacts are not anticipated. Appropriate studies were reviewed during the review of the preliminary plat and updated reports will be reviewed at the time of final plat.

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

Staff: Pedestrian and vehicular accesses are adequately provided throughout the subdivision. Trail connections are provided at key locations. In addition, open areas and buffers are integrated into the subdivision.

- h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

Staff: Significant adverse impacts are not anticipated. As part of the Preliminary Plat review, drainage and erosion, traffic impact, environmental, and cultural studies were reviewed. Updated reports have been provided for environmental and cultural studies and will be reviewed at final plat.

- 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 or will be enhanced (transportation, school impact fee, fire facility site, open space, parks and trails) by the Preliminary Plat that will provide service to the proposed development, adjacent neighborhoods and the community at large.

- j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

Staff: A phasing plan is not proposed for the Preliminary Plat. A Development Agreement between the applicant and the Town will be reviewed by the Board of Trustees as part of Final Plat approvals.

NEIGHBORHOOD MEETING

As required by the Municipal Code a Neighborhood Meeting was held on February 6, 2020 (see attached summary). The required notice for the Neighborhood Meeting was provided.

PUBLIC NOTICE

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	November 18, 2020
Property Posted:	November 20, 2020
Letters to adjacent property owners within 300':	November 20, 2020