

TOWN OF ERIE

*645 Holbrook Street
Erie, CO 80516*



Meeting Minutes

Wednesday, September 2, 2020

6:30 PM

via Virtual Meeting

**<http://bit.ly/PCMeetingSept2>
Council Chambers**

Planning Commission

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO FLAG

Chair Zuniga called the September 2, 2020 Virtual Planning Commission Meeting to order at 6:31pm.

II. ROLL CALL

Roll Call:

- Commissioner Witt - present
- Commissioner Sawusch - present
- Commissioner Ames - present
- Commissioner Hoback - present
- Commissioner Luthi - present
- Vice Chair Fraser - present
- Chair Zuniga - present

III. APPROVAL OF THE AGENDA

Commissioner Hoback moved to approve the agenda of the September 2, 2020 Planning Commission Meeting. The motion, seconded by Commissioner Sawusch, carried with the following roll call vote:

- Commissioner Witt - yes
- Commissioner Sawusch - yes
- Commissioner Ames - yes
- Commissioner Hoback - yes
- Commissioner Luthi - yes
- Vice Chair Fraser - yes
- Chair Zuniga - yes

IV. APPROVAL OF MINUTES

[20-405](#) Approval of the July 15, 2020 Planning Commission Meeting Minutes

Attachments: [7-15-2020 PC Meeting Minutes](#)

Commissioner Ames moved to approve the July 15, 2020 Planning Commission Meeting minutes. The motion, seconded by Commissioner Luthi, carried with the following roll call vote:

- Commissioner Witt - yes
- Commissioner Sawusch - yes
- Commissioner Ames - yes
- Commissioner Hoback - yes
- Commissioner Luthi - yes
- Vice Chair Fraser - yes
- Chair Zuniga - yes

[20-439](#) Approval of the August 19, 2020 Planning Commission Meeting Minutes

Attachments: [8-19-2020 PC Meeting Minutes](#)

Commissioner Ames moved to approve the August 19, 2020 Planning Commission Meeting minutes. The motion, seconded by Commissioner Witt, carried with the following roll call vote:

- Commissioner Witt - yes

Commissioner Sawusch - yes
Commissioner Ames - yes
Commissioner Hoback - yes
Commissioner Luthi - yes
Vice Chair Fraser - yes
Chair Zuniga - yes

V. PUBLIC COMMENTS

There were no public comments.

VI. GENERAL BUSINESS

[20-440](#)

Update on UDC Amendment Chapter 12 - Regulations for Oil & Gas Operations

Farrell Buller, Deputy Town Administrator presented Agenda Item 20-440 to the Commission.

Mrs. Buller provided background information and timelines as to when the Commission would see this item before them for questions/comments and a vote.

In addition, Mrs. Buller noted that there would be several public education sessions for the Commission to attend as well as an opportunity to be in attendance at the Board of Trustee meetings regarding this topic.

Some questions/comments of the Commission included the following:

- timeline/dates
- public comment timeline
- comments and feedback
- Senate Bill 181

[20-403](#)

PUBLIC HEARING: A Resolution of the Planning Commission of the Town of Erie Recommending that the Board of Trustees Approve with Conditions the Bridgewater P.U.D. Overlay Map, Amendment No. 5

Attachments: [PC Resolution P20-16](#)
[Staff Report](#)
[Existing Bridgewater \(Colliers Hill\) PUD Overlay](#)
[Proposed PUD document](#)
[Application and Narrative](#)
[Other Applicant Materials](#)
[Referral Comments](#)
[Neighborhood Meeting Summary](#)
[Notifications](#)

Chair Zuniga opened the Public Hearing for Agenda Item 20-403/Resolution No. P20-16 at 6:50pm.

Chris LaRue, Senior Planner presented the agenda item to the Commission and noted that the applicants for this agenda item were available and would also be

providing a presentation.

Jerry Richmond, Raintree Investment Corporation representing Daybreak Recovery LLC gave an introduction and provided information about the project.

Samantha Crowder, Norris Design followed up with a presentation and additional background of this project.

No public comments were taken during the Public Hearing.

Chair Zuniga brought it back to the Commission for questions/comments.

Some questions/comments included the following:

- Is there a builder lined up?
- Price point? Managed product?
- Length of the apartment complex
- Like the idea of the corner & parking situation
- Does this project fit into the Comprehensive Plan?
- Does it fit the spirit of what the Comp Plan and UDC represent?
- Is this consistent with what the Comp Plan represents?
- With regards to the Comp Plan, what is considered a small scale apartment building?
- Is this project considered a small scale apartment complex?
- This project appears to be on the large scale for apartments.
- Was there a Geotechnical Report attached to this application?
- Density concern
- Does not believe this project is consistent with the spirit of the Comp Plan
- How many buildings total are on the site?
- Is there enough parking to accommodate this size of project?
- Concern for the precedent this project sets - single family mixed with multi-family
- Has there been an updated traffic study?
- Can we provide recommendation to rezone this area as an HD (high density) range?
- The increased the density into smaller acreage
- Park built in different location than originally planned
- Location of project is good and makes sense
- Concern with 240 foot long building
- Nice four sided architecture but would like to see this feature on all four buildings
- Language should be updated from "should" to "shall" regarding materials
- Look at Comp Plan as a whole
- Does the Town dictate the price point on affordable housing/this type of product?
- What option does the Town have to require a lower price point than what is market driven?
- Product type is market driven
- Are the zoning requirements in the UDC prescriptive?
- Intent of design and prescriptive design
- Comp Plan is a guide
- Is that product type buyer different than a single family home buyer?
- What is the intent we're trying to achieve?
- We don't want to be in conflict with the intent of the UDC or the Comp Plan
- It appears the project is meeting both the UDC as well as the Comp Plan
- Precedent - Nine Mile Corner; west side of Westerly

Commissioner Sawush made a motion to amend the current PUD resolution before the Commission; recommending that this 13.08 acre section be zoned as High Density. The motion did not receive a second.

Commissioner Ames moved to approve Agenda Item 20-403/Resolution P20-16. The motion, seconded by Commissioner Witt, carried with the following 6-1 roll call vote:

Commissioner Witt - yes
Commissioner Sawusch - no
Commissioner Ames - yes
Commissioner Hoback - yes
Commissioner Luthi - yes
Vice Chair Fraser - yes
Chair Zuniga - yes

VII. STAFF REPORTS

Deborah Bachelder updated the Commission regarding the overall update of the UDC. Staff is looking to bring this forth at a study session for review. There will be notice of a Public Hearing for review and approval of the staff written updates and changes.

At the last meeting, the Commission asked to be invited to the Board of Trustees Study Session regarding the Comprehensive Plan. Planning Commission is invited to attend this meeting.

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS

Chair Zuniga and the Commission had an interactive discussion regarding the overall vision and spirit of the UDC and Comprehensive Plan. Challenges hail with specific projects but until these items are addressed in an update, we need to adhere to what's been adopted. The Commission agrees that updates and changes need to be made regarding the UDC and Comprehensive Plan.

Regarding tonight's public hearing agenda item, Commissioner Sawusch could not address concerns until it came before the Commission. This is a concern and items need to be addressed.

Commissioner Ames noted that with regards to review/discussion, the Commission needs to do homework on best practices and due diligence. The Commission needs to look at the bigger picture and the best outcome for Erie.

Vice Chair Fraser noted developers have to match market demand and demographics can change. They provide what they are financed for and this is based on the needs of the market.

IX. ADJOURNMENT

Chair Zuniga adjourned the September 2, 2020 Planning Commission Meeting at 8:33pm.