

**TOWN OF ERIE
BOARD OF TRUSTEES AGENDA ITEM
Board Meeting Date: April 24, 2018**

SUBJECT: LAND DEVELOPMENT RESOLUTIONS & ORDINANCES:

PUBLIC HEARING (Continued from March 13, 2018 and March 27, 2018): A Resolution By The Board Of Trustees Of Erie, Colorado Making Certain Findings Of Fact And Conclusions Favorable To The Parkdale Preliminary Plat; Imposing Conditions Of Approval; Approving The Parkdale Preliminary Plat With Conditions; And Setting Forth Details In Relation Thereto.

PURPOSE: Consideration of a Preliminary Plat that includes 595 single-family lots, 6 tracts for parks, public open space, and a private amenity, 2 tracts for future development, and 38 tracts for landscaping, private open space, drainage, utility and other uses.

CODE: Erie Municipal Code, Title 10

DEPARTMENT: Planning & Development

PRESENTER: Todd Bjerkaas PLA, Director of Planning & Development

STAFF

RECOMMENDATION: Approval With Conditions

PLANNING

COMMISSION

RECOMMENDATION: Approval With Conditions

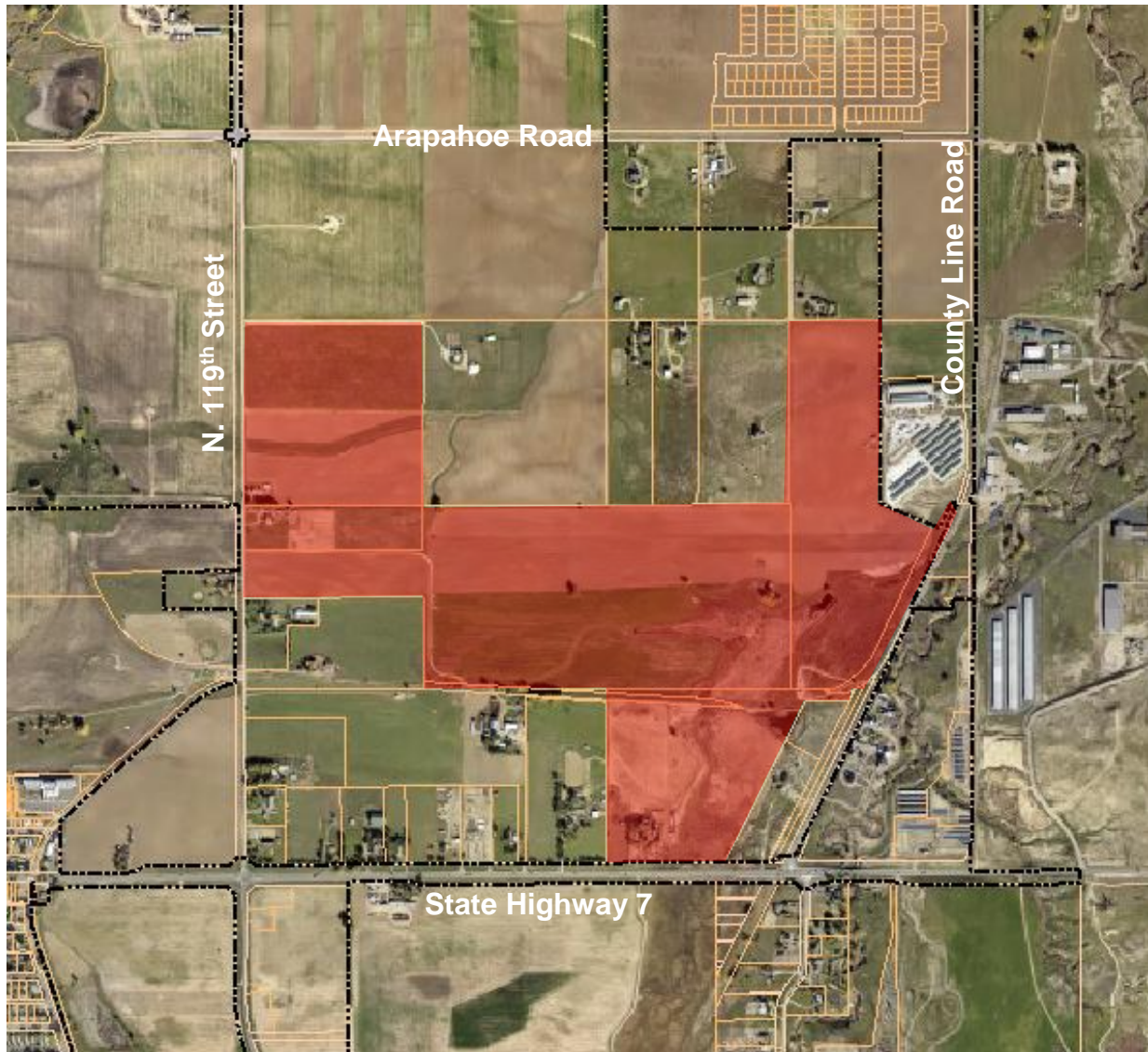
SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant: OEO LLC
Matt Janke
7353 South Alton Way
Centennial, CO 80112

Land Owners: OEO LLC
Linn S. McDonald
Sonja J. Lewis

Location:

The subject properties are generally located north of Colorado State Highway 7, west of County Line Road, south of Arapahoe Road, and east of N. 119th Street.



Existing Conditions within the Preliminary Plat Area:

Zoning: LR – Low Density Residential

Project Size: 218.48 Acres

Existing Use: Agriculture, Single Family Homes, Vacant

Adjacent Zoning and Comprehensive Plan Land Use Designation:

	CURRENT ZONING	COMPREHENSIVE PLAN- LAND USE MAP DESIGNATION
NORTH	A – Agricultural (Boulder County)	LDR – Low Density Residential P/OS – Parks/Public Open Space
SOUTH	LR – Low Density Residential A – Agricultural (Boulder County) C1 – Regional Business (City of Lafayette)	LDR – Low Density Residential Commercial (City of Lafayette) Opportunity Parcel (City of Lafayette)
EAST	PD – Planned Development LI – Light Industrial Ag/OS – Agriculture/Open Space P – Public (City of Lafayette)	I – Industrial P/OS – Parks/Public Open Space Public Facility (City of Lafayette)
WEST	RR – Rural Residential (Boulder County) P – Public (City of Lafayette) DR – Developing Resource (City of Lafayette)	Existing Open Space (City of Lafayette) County Open Space (City of Lafayette) Opportunity Parcel (City of Lafayette)

Purpose of Preliminary Plat:

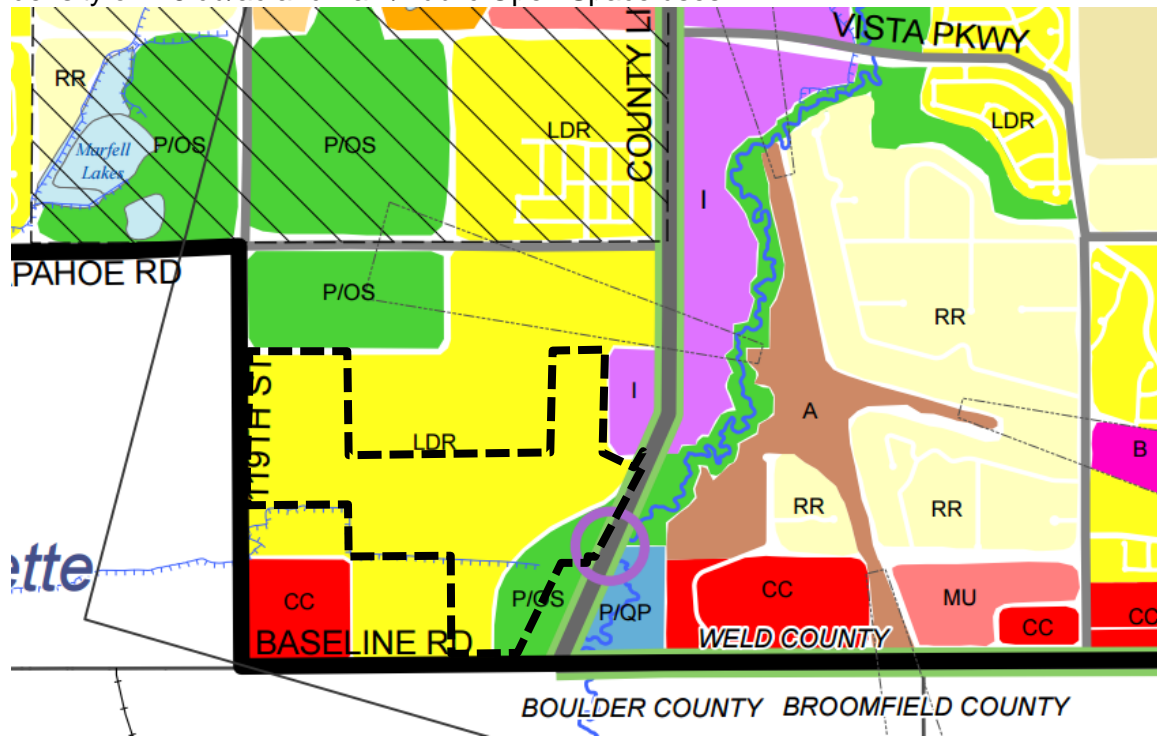
The Parkdale Preliminary Plat proposes development of 481 single-family detached lots and 114 single-family attached lots throughout the LR zoned portion of the property. 6 tracts are shown to accommodate parks, public open space, and a private amenity. 38 tracts accommodate other landscaping, buffers, drainage and utility uses.

Development Data:

- Preliminary Plat Size: 218.48 acres
- Number of Residential Lots: 595 lots (76.78 acres)
- Number of Tracts (OS/Parks/Private Amenity): 6 tracts (52.91 acres)
- Other Tracts (Landscape/Buffers/O&G): 38 tracts (37.70 acres)
- Public Right-Of-Way: 51.09 acres
- Residential Density Proposed: 2.72 dwelling units per acre
- Residential Density Allowed: 5.0 dwelling units per acre

Compliance with Town of Erie Comprehensive Plan

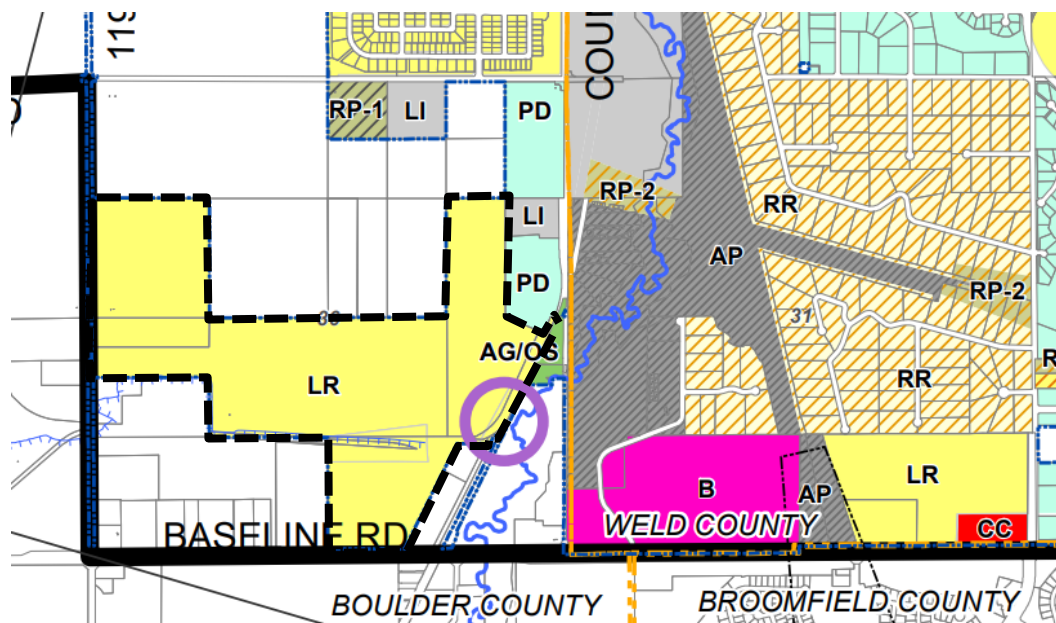
The application is in Compliance with the Land Use designations on the Comprehensive Plan, Land Use Plan Map. This particular property allows Low Density Residential land uses with a density of 2-6 du/ac and Park/Public Open Space uses.



Compliance with the Town of Erie Zoning Map

The property is zoned LR – Low Density Residential with a proposed PUD – Planned Unit Development Overlay. The single-family residential lots are shown within the LR zoned district.

The density proposed in this Preliminary Plat is 2.72 units/acre and is in compliance with the LR zoning districts maximum density of 5 units/acre.



Compliance with the Proposed Parkdale PUD Overlay Map

A maximum of 595 dwelling units is proposed in the PUD Overlay map for the 218.48 acres of Parkdale. These 595 dwelling units can be developed through different building types as permitted and required in each village of the PUD. Villages 1 through 5 are designated as single-family residential detached uses of varying lot sizes. Village 6 is designated as single-family residential attached. The PUD Overlay Map also designates the location and sizes of public open space, privately maintained open space, parks, trails, and a future oil and gas facility location. The preliminary plat is consistent with the proposed Parkdale PUD.

Roadways:

As a part of this Preliminary Plat, the applicant proposes a new gateway into the Town of Erie through construction of a new intersection at State Highway 7 and realignment of County Line Road as a landscaped arterial parkway. A collector road heading east from this arterial provides access to the Messersmith-Boehle Open Space properties along Coal Creek and the original County Line Road alignment. The original County Line Road will terminate approximately 1,300 feet north of its intersection with SH 7. County Line Road north of this termination will be reclaimed as open space, providing open space connectivity between the wetlands in Parkdale and the Coal Creek open space to the east.

The western half of the subdivision has an access point from N. 119th Street and an access point from new County Line Road. Both of these accesses align with a pocket park/amenity at its terminus to provide a sense of entry. The northeast portion of the subdivision has two access points from the new collector road (Road "O"). The plan also provides for several road stubs into adjacent properties that have future development potential, consistent with the requirements of the UDC.

The new County Line Road arterial boulevard from its southern end features a landscaped median and a 49 acre dedicated open space tract to the east. As the boulevard moves north to its intersection with Road 'O', landscaped buffers are introduced adjacent to the residential villages and range in size between 50' to 120' in width, exceeding the 30' minimum required in the UDC. The landscaped buffers will be maintained by the Homeowners Association and/or Metro District.

Utilities:

The property will be served by the Town of Erie for water and sanitary services. The Town does not currently have sanitary service available to serve the Parkdale development. In order to provide sanitary service, off-site improvements will be built by the developer. These off-site improvements include sanitary main construction through Town-owned open space. The new sanitary sewer main will tie into the Town's South Coal Creek Interceptor adjacent to the Town of Erie Airport. The developer is also responsible for construction of sanitary sewer mains throughout the Parkdale Preliminary Plat area.

The developer is responsible for extending off-site water mains to the property consistent with the Town's water master plan. The developer is also responsible for construction of water mains throughout the Parkdale Preliminary Plat area.

At the time of building permit, raw water fees are collected that allow the Town to purchase water rights ensuring an adequate water supply for potable water and wastewater services. In addition, raw water fees are collected at final plat approval for irrigation of parks, open space, and common areas.

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

Any overhead electric lines on or adjacent to the property shall be buried and called out in the Final Plat Construction Documents.

Drainage and Erosion:

A Drainage Study was submitted and reviewed. The developed areas within the Preliminary Plat drain towards the existing wetlands on the eastern portion of the plat for water quality purposes. The collected runoff is then released across the old railroad right-of-way and old County Line Road right-of-way and into Coal Creek. The drainage area is also retained as a major open space and trail area.

Natural Areas Inventory:

The Town of Erie Natural Areas Inventory does not include the Parkdale Preliminary Plat area.

Threatened and Endangered Species and Significant Habitats

A site specific Threatened and Endangered Species/Wetlands Report, completed by Ecological Resource Consultants, was submitted to assess threatened and endangered species, significant habitats, and wetlands.

Wetlands exist at the southeast corner of the site, and the applicant is preserving the wetlands as dedicated open space. This open space area is in compliance with the Town's Comprehensive Plan Land Use Plan Map which designates the wetlands as Parks/Public Open Space.

Parks, Open Space and Trails:

The applicant is preserving a large open space area which includes the existing wetlands in the southeastern portion of the site and open space trail corridors along the southern edges of the development to provide neighborhood connectivity to the retained wetlands. Three (3) Pocket Parks and a Private Amenity are proposed throughout this preliminary plat. Trails are proposed throughout the development area.

Public Dedication Requirements:

The public parks and open space dedication requirements for the Parkdale property are based on the requirements of the Unified Development Code. Parkdale meets or exceeds the Town's parks and open space requirements. The required dedications for parks and open space in the Preliminary Plat area can be found on the table below next to the dedications proposed.

Public Dedications	Required by UDC (acres)	Proposed for Preliminary Plat (acres)
Pocket Park	0.86	2.12
Neighborhood Park	5.16 *	*
Community Park	8.60 **	**
Open Space (Town)	29.23	50.79

* Neighborhood Park land dedication is not required as the required dedication does not meet the 7 acre minimum for Neighborhood Parks.

** Community Park land dedication is not required as the required dedication does not meet the 30 acre minimum for Community Parks.

Parks

The developer is showing three (3) pocket parks. The pocket park locations meet the UDC requirements for spacing in order to provide a pocket park within a ¼ mile of all lots and meet the minimum pocket park size of a ¼ acre. The pocket parks total 2.12 acres in size, exceeding the 0.86 acres required by the UDC. All pocket parks shall be owned and maintained by the Metro District/Homeowners Association and meet the design requirements of the Parks, Recreation, Open Space, and Trails (PROST) Master Plan.

The development generates a requirement for 5.16 acres of Neighborhood Park. As this acreage does not meet the minimum 7 acre Neighborhood Park requirement, the developer shall be required to make payment of the Neighborhood Park Land and Development Construction Cost Fee at Final Plat.

The development generates a requirement for 8.60 acres of Community Park. As this acreage falls short of the minimum 30 acre Community Park requirement, homebuilders shall be required to pay a Parks Impact Fee at the time of building permit.

Open Space

50.79 acres of public open space are proposed for dedication to the Town in the Preliminary Plat. This amount exceeds the 29.23 acres required for the 595 lots by 21.56 acres. With this dedication, 23.2 percent of the Parkdale subdivision will be Town-owned Open Space. Staff will review the open space at the time of final plat to verify that all acreage intended for credit meets the criteria for open space.

Pedestrian Trails:

An east-west Spine Trail alignment is proposed from a future trail extension from the Great Bark Dog Park on N. 119th Street in Lafayette east through an open space corridor, through an underpass beneath the new County Line Road alignment, along the north edge of the dedicated open space and wetlands, across the old County Line Road alignment, and into the existing Coal Creek Trail. Spine Trails are owned and maintained by the Town of Erie.

Local trails are distributed throughout the subdivision and provide connections between the neighborhoods or villages, connections to future phases, and connections to the Spine Trail network.

Housing Diversity:

UDC Section 10.6.7.D.1 details housing diversity requirements for proposed subdivisions within the Town. To meet the UDC Mix of Housing Type requirement (UDC 10.6.7.D.) for the full development of 218.48 acres, the Parkdale development should provide one of the following UDC housing diversities:

- 4 housing types, or
- 3 types and 1 variation, or
- 2 types and 2 variations.

In this Preliminary Plat, the applicant is providing two housing types with two variations within the development. The applicant anticipates that the two housing types would consist of single-family detached homes and duplexes; the two variations would consist of at least two variations in the single-family detached lot sizes.

The development incorporates multiple single-family detached lot types described by the applicant as ranging from larger Manor Home and Country Home lots down to Village Home and Patio Home lots. Paired Homes, mostly facing auto courts, are proposed in the northeast

portion of the subdivision adjacent to Tri-County Storage. The auto-court concept will require Site Plan and PUD amendment applications and is subject to future public hearings.

Schools:

The proposed subdivision is located in the Boulder Valley School District (BVSD). A school site is not proposed on the site. The developer shall be responsible for dedicating a site to the school district, or homebuilders shall be responsible for paying a fee-in-lieu of land dedication to the school district to satisfy the requirements of the Town's Intergovernmental Agreement (IGA) with BVSD.

Police Services:

The Erie Police Department provides service to the property.

Fire Protection:

The Mountain View Fire Protection District will provide fire and emergency medical services to this property. The district has an existing fire station on Bonanza Drive in the Vista Ridge subdivision.

Oil/Gas Facilities:

There are existing oil and gas facilities on the site. The preliminary plat shows the removal and of these facilities and the plugging and abandoning of the well from the development areas. The plat shows lots at least 50' away from the plugged and abandoned well, exceeding the UDC's requirement of a minimum 25' separation. The preliminary plat shows the location of a future oil and gas operations area on the east side of the site adjacent to an existing oil and gas area that can remain. Residential lots are required by the UDC to be located at least 150' away from existing oil and gas wells and above ground facilities and 350' away from future oil and gas wells and above ground facilities. Residential lots shown in the Parkdale preliminary plat are at least 500' from existing and future wells and above ground facilities.

A condition of approval has been provided requiring execution of a Surface Use Agreement (SUA) between the owner of Parkdale and any mineral rights owner(s) allowing full use of the surface as shown in the Preliminary Plat prior to any Final Plat recordings.

Soils and Geology:

The Colorado Geological Survey (CGS) reviewed various technical/engineering documents and studies provided by the applicant that address soil conditions and ground water levels for the property. In some areas, full-depth basements are not feasible due to anticipated groundwater levels. Soft soils exist in portions of the site. Additional investigations will be performed for the final plat to determine the extent of any sub-excavation, stabilization, or consolidation, and again after site grading to be the basis for foundation and pavement design to mitigate any soil issues.

APPROVAL CRITERIA - STAFF ANALYSIS:

The proposed Preliminary Plat for the Parkdale Preliminary Plat was reviewed for conformance with Municipal Code, Title 10, UDC Section 10.7.7.C.10. Approval Criteria. Staff finds the Preliminary Plat in compliance with the Preliminary Plat Approval Criteria as listed below.

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

Staff: The proposed subdivision is generally consistent with the 2015 Comprehensive Plan Land Use Plan Map land use designation of LDR – Low Density Residential and P/OS – Parks/Public Open Space. Proposed residential lots are shown within the LDR

designated areas and Open Space is shown within and adjacent to the P/OS designated areas.

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

Staff: *The proposed subdivision is in compliance with the LR – Low Density Residential zoning district and the proposed Parkdale PUD Overlay Map.*

- 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's standards for lots, streets, driveways, utilities, drainage facilities, and other services related to health and safety. The subdivision provides for 50.79 acres of dedicated Open Space to the Town, exceeding the Town's requirements of 29.23 acres of Open Space by 73.7 percent. The area dedicated as Open Space includes the existing wetlands, riparian, and wildlife areas. The subdivision accomplishes the purposes and intent of the UDC.*

- 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 proposed subdivision meets the Town's UDC standards including those set forth in Chapters 3, 5 and 6 that have not otherwise been modified in the Parkdale PUD Overlay Map.*

- 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: *The proposed subdivision will meet applicable Federal and State standards including but not limited to wetlands, water quality, erosion control, and wastewater regulations.*

- 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: *No significant adverse impacts on the natural environment are anticipated with the proposed subdivision including those related to air, water, noise, storm water management, wildlife, and vegetation. The subdivision meets the requirements of the UDC which as one of its specific purposes includes managing adverse impacts of land development on the natural environment so they do not result or are substantially mitigated.*

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

Staff: The proposed subdivision as designed will be integrated into the existing road, bicycle, pedestrian, sidewalk and trail network. The subdivision also creates and accommodates connections to potential future development adjacent to the subdivision to provide for integrated pedestrian, vehicle, and trail systems.

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

Staff: No significant adverse impacts on adjacent properties are anticipated with the proposed subdivision. The subdivision meets the requirements of the UDC which ensures that adverse impacts of land development on adjacent properties, which are light industrial, residential and agricultural, do not result or are substantially mitigated.

- 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 facilities for public safety, transportation, utilities, recreation, parks, and schools are available to serve the proposed subdivision, shall be constructed with the development, or shall be mitigated through the dedication of land or payment of fees.

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

Staff: Adequate infrastructure is proposed and will be available to serve the proposed subdivision. If phasing is proposed, the review of plats, construction documents, studies, and referrals at final plat will ensure the adequacy of infrastructure capacity.

NEIGHBORHOOD MEETING:

As required by the Municipal Code a Neighborhood Meeting was held on November 21st, 2017 at 6:00 p.m. at Erie Community Center. The required notice for the Neighborhood Meeting was provided.

PUBLIC NOTICE:

Notice of this Public Hearing has been provided as follows:

Published in the Daily Times Call:	February 24, 2018
Property Posted as required:	February 23, 2018
Letters to Adjacent Property Owners:	February 23, 2018