

**TOWN OF ERIE
PLANNING COMMISSION
RESOLUTION NO. P18-18**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
ERIE RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE
THE ERIE HIGHLANDS PRELIMINARY PLAT NO. 3 WITH
CONDITIONS**

WHEREAS, Clayton Properties Group II, Inc., 4908 Tower Road, Denver CO 80249 ("Applicant") filed an application (the "Application") for approval of a preliminary plat (the "Erie Highlands Preliminary Plat No. 3") for the real property legally described as Tract K and Tract L Erie Highlands Filing No. 11 A Portion of Section 20, Township 1 North, Range 68 West of the 6th Principle Meridian, Town of Erie, County of Weld, State of Colorado (the "Property");

WHEREAS, on December 5, 2018, the Planning Commission held a properly-noticed public hearing on the Application; and

WHEREAS, upon consideration of the Application and supporting documentation, the recommendation of Town staff and any public comment received at the public hearing, the Planning Commission wishes to recommend that the Board of Trustees approve the Erie Highlands Preliminary Plat No. 3 with conditions.

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF
THE TOWN OF ERIE, COLORADO, THAT:**

Section 1. Findings of Fact.

- a. The Erie Highlands Preliminary Plat No. 3 is in substantial compliance with Title 10 of the Erie Municipal Code (the "UDC").
- b. Specifically, the Application satisfies the following criteria set forth in Section 10.7.7(C)(10) of the UDC:
 - i. The subdivision is generally consistent with the Town's Comprehensive Plan;
 - ii. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located;
 - iii. 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 the UDC;

- iv. The subdivision complies with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of the UDC that have not otherwise been modified or waived pursuant to this Chapter or the UDC;
 - v. The subdivision complies with all applicable federal and state regulations, standards, requirements and plans, including without limitation wetlands, water quality, erosion control, and wastewater regulations;
 - vi. 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;
 - vii. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features;
 - viii. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated;
 - ix. 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; and
 - x. The proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.
- c. The Erie Highlands Preliminary Plat No. 3 will preserve the public health, safety and welfare.

Section 2. Decision. Based on the foregoing Findings of Fact, the Planning Commission hereby approves the Erie Highlands Preliminary Plat No. 3, subject to the following conditions:

- a. The Erie Highlands Planned Unit Development shall be followed in the development of the Property;
- b. At the time of final plat, Applicant shall executed a detailed Development Agreement, in the form provided by the Town;
- c. Applicant shall remove the gas line located perpendicular to Erie Parkway (Reception No. 4351303) and vacate the associated easements, and Applicant shall submit appropriate documentation to the Town with the final plat application;
- d. With the final plat application, Applicant shall submit the additional geotechnical studies proposed in the response to the CGS comments related to expansive soils and bedrock;

- e. Applicant shall remove the existing oil and gas access road (for Encana and Kerr-McGee), relocate it from WCR 5 to Glacier Drive, and remove the existing access road, and Applicant shall submit appropriate documentation to the Town, including final construction documents, with the final plat application;
- f. In the final plat application, Applicant shall clarify the width and location of the existing gas line located along CR 5, as set forth in Reception No. 2331355 and the associated surface use agreement recorded at Reception No. 3952706; and
- g. Applicant shall make technical corrections to the Erie Highlands Preliminary Plat No. 3, as directed by Town staff.

ADOPTED this 5th day of December, 2018.



J. Eric Bottenhorn, Chair

ATTEST:



Melinda Helmer, Secretary

TOWN OF ERIE

*645 Holbrook Street
Erie, CO 80516*



Meeting Minutes

Wednesday, December 5, 2018

6:30 PM

Council Chambers

Planning Commission

I. CALL TO ORDER & PLEDGE OF ALLEGIANCE TO FLAG

Chairman Bottenhorn called the December 5, 2018 Planning Commission Meeting to order at 6:30pm.

II. ROLL CALL

Roll Call:

- Commissioner Witt: present
- Commissioner Fraser: absent/excused
- Commissioner Ames: present
- Commissioner Zuniga: present
- Commissioner Hedahl: present
- Vice Chairman Harrison: present
- Chairman Bottenhorn: present

III. APPROVAL OF THE AGENDA

Commissioner Witt moved to approve the agenda of the December 5, 2018 Planning Commission Meeting. The motion, seconded by Vice Chairman Harrison, carried with all voting in favor thereof.

IV. APPROVAL OF MINUTES

[18-402](#) Approval of the October 17, 2018 Planning Commission Meeting Minutes

Attachments: [10-17-2018 PC Meeting Minutes](#)

Commissioner Hedahl moved to approve the minutes of the October 17, 2018 Planning Commission Meeting. The motion, seconded by Commissioner Zuniga, carried with all voting in favor thereof.

V. PUBLIC COMMENTS

No Public Comments were taken.

VI. RESOLUTIONS

[18-427](#) I-25 Urban Renewal Plan

Attachments: [I-25 URA Resolution](#)

Ben Pratt, Economic Development Manager presented Agenda Item 18-42 (Resolution P18-20): I-25 Urban Renewal Plan to the Commission.

The Urban Renewal Plan is to confirm consistency with the Town's Comprehensive Plan. Anne Ricker, the Town's consultant is also in attendance for questions and will provide a presentation to the Commission.

The I-25 Master Plan was adopted at the October 23, 2018 Board of Trustees Meeting. From an economic development perspective, this area is a great opportunity for diversifying the Town's land uses especially when it comes to commercial retail and commercial and industrial real estate. After approximately 10 months of the planning process, several community

meetings/outreach meetings were held. Three different concepts were created and shared with the community at the Farmer's Market as well as the property owners, and master developers. The I-25 Master Plan was created so that the Town could better understand the cost associated with infrastructure, etc. so that the Town could execute an Urban Renewal planning effort.

Anne Ricker, Ricker-Cunningham gave background information on the Urban Renewal Plan, process and procedures. The Urban Renewal Authority plays one role but it does it in partnership with the authority, the board or the council of the community as well as in partnership with the Planning Commission. The Urban Renewal Plan should be consistent with the Town's Comprehensive Plan and any other supportive plans of the Town. The statute requires that when you implement an urban renewal plan, you do it for the purpose of eliminating adverse conditions, conditions of blight and that you advance the goals and priorities of the community as expressed in the adopted and accepted policy documents.

Chairman Bottenhorn asked if there was anyone present in the Board Room that wished to speak on this agenda item. There were no comments.

Chairman Bottenhorn brought it back to the Commission for comments and/or questions of the applicant and staff.

Some comments/questions included:

- Financial impact on Erie (short & long term)
- Types of buildings
- What would make Erie distinct?
- Mitigating the economic cycle
- Has Town Attorney reviewed the Urban Renewal Plan?
- How does this relate HB10-1107: Limits opposed on Colorado Urban Renewal Site?
- Alternative ways of financing
- Community partners/compatibility of surrounding land
- Attracting various types of businesses/development
- Lightrail plans
- Do you have to remediate or show conditions of blight?
- Implementation plan/strategy
- Other Urban Renewal Areas/location
- Comp Plan Update/Does this fall within that area

After some discussion among the Commissioners, the consensus was that additional time was needed to review the I-25 Urban Renewal Plan.

Commissioner Hedahl moved to table the Agenda Item until a future date. The motion, seconded by Vice Chairman Harrison, carried with all voting in favor thereof.

[18-415](#)

PUBLIC HEARING: A Resolution Of The Planning Commission Of The Town Of Erie Recommending That The Board Of Trustees Approve The Erie Highlands Preliminary Plat No. 3 With Conditions.

The Preliminary Plat proposes 103 single-family lots and 6 tracts on 88.9 acres.

Attachments: [18-415 STAFF MEMO](#)
[18-415 RESOLUTION](#)
[18-415 PRELIMINARY PLAT](#)
[18-415 APPLICATION MATERIALS & NEIGHBORHOOD MEETING NOTES](#)
[18-415 OSTAB REFERRAL](#)

Chairman Bottenhorn opened the Public Hearing for Agenda Item No. 18-415/Resolution No. P18-18: A Resolution Regarding the Erie Highlands Preliminary Plat Number 3 at 7:52pm.

Hannah Hippely, Senior Planner presented the Resolution to the Commission.

Ms. Hippely noted that much of the development has already been through both the preliminary plat and final plat phases. This preliminary plat addresses a new area within the remaining undeveloped area.

Erie Highlands Preliminary Plat No. 3 proposes the next phase of development for Oakwood Homes. Preliminary Plat No. 3 includes 103 single family lots with a typical lot size of approximately 5,000 square feet and 6 tracts. This is the development of Erie Highlands Planning Area 8.

Staff has requested that the large waste rock pile located east of County Road 5 be removed prior to any final plats in this area and the applicant has already completed the removal.

The plat shows a gas line perpendicular to Erie Parkway, a condition of approval requires that this line be removed and the easement vacated. Documentation of this being completed is to be provided with the final plat application submittal. The preliminary plat also shows gas line easements along CR 5; additional research on information regarding the width of these easements is requested at the time of final plat application.

The proposal will comply with the density requirements of the MR zone district once the entire area zoned MR is developed. Based on proposals currently under review, staff anticipates a density of approximately 7.56 dwelling units per acre; where the Comprehensive Plan asks for 6 – 12 and the zoning minimum is 5 dwelling units per acre. This proposal will also complete all improvements which implement the Area of Special Consideration of the Comprehensive Plan.

Staff is recommending the conditional approval of this application.

Layla Rosales of Terracina Designs presented the background, concept plan and master plan for Erie Highlands Preliminary Plat #3. There was a pocket park built in Filing 1 and the amenity and pool site opened last year. An 8 acre Town park will be constructed in the middle of the Erie Highlands project. This is a Park House product with various models.

Chairman Bottenhorn asked if there was anyone in the Board Room wishing to speak or give comment about this agenda item. There were no comments.

Chairman Bottenhorn brought it back for the Commission to ask questions of staff and the applicant.

Some questions/comments included the following:

- Oil and gas setbacks
- Elementary school designation/Are there any plans for a high school?
- Market
- Description of 8 acre park
- Is the Park House product an extension of the existing buildings?
- School plans

Commissioner Zuniga moved to approve Agenda Item 18-415. The motion, seconded by Commissioner Witt, carried with all voting in favor thereof.

[18-430](#)

PUBLIC HEARING: A Resolution Of The Planning Commission Of The Town Of Erie Recommending That The Board Of Trustees Approve An Amendment To The 2015 Town Of Erie Comprehensive Plan.

Amend the Comprehensive Plan to re-designate property for higher and better land use potential along HWY 7.

Attachments: [18-430 Staff Memo](#)

[18-430 Resolution P18-19](#)

[18-430 Exhibit A: Comprehensive Plan Amendment](#)

[18-430 Other Applicant Materials](#)

Chairman Bottenhorn opened the Public Hearing for Agenda Item 18-430 (Resolution P18-19): A Resolution Of The Planning Commission Of The Town Of Erie Recommending That The Board Of Trustees Approve An Amendment To The 2015 Town Of Erie Comprehensive Plan at 8:06pm.

Planner, Audem Gonzales presented Agenda Item 18-430 to the Planning Commission. The Resolution is to amend the Comprehensive Plan to re-designate property for higher and better land use potential along Highway 7.

The property is generally located near the northeast intersection of 119th Street and HWY 7 and west of County Line Road. The subject area is zoned LR – Low Density Residential with PUD overlay and A- Agricultural (Boulder County).

This subject area has several property owners, with the properties being located within the Town of Erie and Unincorporated Boulder County. The properties are proposed to be designated a variety of land uses including LDR-Low Density Residential, MDR-Medium Density Residential, CC-Community Commercial and P/OS-Open Space on the Land Use Plan Map. The purpose of this amendment is to designate property with the highest and best land use, especially along HWY 7. The result would be aligned with portions of the Parkdale Filing No. 1 Preliminary Plat and future Parkdale phases.

It's important to note that the Community Commercial piece is not really changing in size. It's going from 27.7 acres to around 28.0 acres. But its being elongated along HWY 7 for better commercial frontage on the street.

Around 18 acres of Low Density Residential are being changed to Medium Density Residential along HWY 7 and 19 additional acres of Open Space is being added to the Land Use Map. The Open Space adjustment correlates with the

approved Parkdale Preliminary Plat.

This subject area has several property owners, with the properties being located within the Town of Erie and Unincorporated Boulder County. The properties are proposed to be designated a variety of land uses including LDR-Low Density Residential, MDR-Medium Density Residential, CC-Community Commercial and P/OS-Open Space on the Land Use Plan Map. The purpose of this amendment is to designate property with the highest and best land use, especially along HWY 7. The result would be aligned with portions of the Parkdale Filing No. 1 Preliminary Plat and future Parkdale phases.

It's important to note that the Community Commercial piece is not really changing in size. It's going from 27.7 acres to around 28.0 acres. But its being elongated along HWY 7 for better commercial frontage on the street.

Staff finds the Comprehensive Plan Amendment meets the approval criteria found in Chapter 10 of the Municipal Code. Staff responses to the criteria can be found in the staff report.

Staff is recommending approval of Agenda Item 18-430 (Resolution P18-19).

John Prestwich, PCS Group provided a presentation with further background information on the proposed Comprehensive Plan Amendment.

Chairman Bottenhorn asked if there was anyone in the Board Room wishing to speak on this agenda item. There were no comments taken.

Chairman Bottenhorn brought it back to the Commission for any questions/comments of staff or the applicant.

Some questions/comments included the following:

- Vision for the medium density zoning
- Vision for the commercial area
- Open space
- Transition trails

Vice Chairman Harrison moved to approve Agenda Item 18-430 (Resolution P18-19). The motion, seconded by Commissioner Zuniga, carried with all voting in favor thereof.

VII. GENERAL BUSINESS

[18-414](#)

A Sketch Plan Review of Erie Highlands Planning Area 10

A Sketch Plan application for 132 dwelling units in a townhouse housing type.

Attachments: [18-414 Staff Memo](#)

[18-414 Staff and Agency Comments](#)

[18-414 Application Materials](#)

[18-414 Sketch Plan Map](#)

Hannah Hippely, Senior Planner presented the Sketch Plan for Erie Highlands

Planning Area 10 to the Commission.

Erie Highlands Planning Area 10 is generally located south of Erie Parkway and west of County Road 5.

It's currently zoned Medium Density Residential (MR) and is approximately 10.89 acres in size.

The application proposes 132 townhouse style alley loaded dwelling units, internal road and alley system, and two tracts for common areas. Required parks and open space dedications have been made in previous filings of Erie Highlands, connections to the trail network are provided. The Sketch Plan includes construction of the public road within the planning area which connects Highview Drive to Glacier Drive. Privately owned and maintained alleys will provide vehicular access to residences.

The next steps in this project would include a zoning change; preliminary plat; site plan and then final plat.

Layla Rosales of Terracina Design provided additional background on the sketch plan for Erie Highlands Planning Area 10. There will be 3, 4, and 5 unit buildings with the majority of them being 3 units. The construction of this project will be in 2 phases. These are a 2 story product.

Chairman Bottenhorn allowed for the Commission to ask any questions/comments of the applicant/staff.

Some questions/comments included:

- Traffic along Glacier Drive
- Construction of Filing 11
- Dumpster enclosures
- South side of North Vista Drive - T-shape turn-arounds in alley
- Appropriate length on the 5 unit buildings
- Proposed commercial ingress/egress
- Courtyard facing product
- Glacier intersection - traffic
- Diversity of housing
- Organization/alley orientation
- Demand/variety of townhome product
- North Vista Drive -
- Builder

An audience member asked to speak regarding this project.

Chairman Bottenhorn allowed for the resident to take the podium and make public comment.

Gerry Jacob, 423 Altona Way, spoke regarding her concern on the drainage of the development.

Ms. Rosales, the Commission and Ms. Hippely spoke to Ms. Jacob's concerns.

VIII. STAFF REPORTS

Deborah Bachelder, Planning Manager/Deputy Director of Planning & Development updated the Commission on the hiring of Fred Starr, the Town's new Planning & Development Director.

Mrs. Bachelder spoke regarding the first Planning Open House, the participation of the Commission and how well it was received by the community.

There is a public meet and greet at the Erie Community Center tomorrow night (December 6th) to meet the candidates for the vacant Town Administrator position. Attendance is encouraged as this is an opportunity to get to know the four candidates.

Reminder that the Boards and Commissions Holiday Party is this Sunday, December 9th at the Masters Golf Course. Mrs. Bachelder will be in attendance.

The next Planning Commission in December and the first meeting in January 2019 have been canceled.

IX. COMMISSIONER REPORTS AND DISCUSSION ITEMS

There were no Commissioner reports.

X. ADJOURNMENT

Chairman Bottenhorn adjourned the December 5, 2018 Planning Commission Meeting at 8:45pm.