

**TOWN OF ERIE
BOARD OF TRUSTEES AGENDA ITEM**

Board Meeting Date: September 27, 2016

SUBJECT:

RESOLUTIONS – PUBLIC HEARING:

CONSIDERATION OF RESOLUTION 16-__: A Resolution By The Board Of Trustees Of The Town Of Erie, Colorado Approving The Vista Ridge Filing No. 14, 2nd Amendment Minor Subdivision Plat With Conditions; Accepting Dedications As Shown On The Vista Ridge Filing No. 14, 2nd Amendment Minor Subdivision Plat; Adopting Certain Findings Of Fact And Conclusions Favorable To The Approval, Acceptance Of The Dedications Contained Therein, Authorizing The Town Of Erie, Colorado, To Enter Into The Vista Ridge Filing No. 14, 2nd Amendment Non-Residential Development Agreement; Authorizing And Directing The Appropriate Town Officers To Sign Said Development Agreement; And, Setting Forth Details In Relation Thereto.

PURPOSE:

Board of Trustees to consider the approval of the Vista Ridge Filing No. 14, 2nd Amendment Minor Subdivision Plat; the acceptance of dedications on the Vista Ridge Filing No. 14, 2nd Amendment Minor Subdivision Plat; and authorization to sign the Vista Ridge Filing No. 14, 2nd Amendment Non-Residential Development Agreement.

PROJECT FILE NO:

MS-000778-2016

ZONING:

PD – Vista Ridge Planned Development

CODE:

Title 10 - UDC

**APPLICANT/
OWNER:**

State Highway 7 Market Place
Andy Chaikosvsky
4915 S. Gaylord St.
Englewood, Colorado, 80113

DEPARTMENT:

Community Development
Todd Bjerkaas PLA, Senior Planner

STAFF RECOMMENDATION

Staff recommends the Board of Trustees authorize the Mayor to accept the dedications, authorize signature of the Development Agreement, and to approve the Vista Ridge Filing No. 14, 2nd Amendment Minor Subdivision Plat with the following conditions by approving Resolution 16-__:

- a. Prior to recordation of the minor subdivision plat, the applicant shall obtain an easement from the property owner to the north for construction and maintenance of the retaining wall.
- b. Prior to a Site Plan approval or a Subdivision Amendment of Lot 10, the applicant shall provide a recorded Shared Parking Agreement for Lot 10.

- c. Prior to recordation of the minor subdivision plat, technical corrections to the plat and associated construction plans shall be made to the Town's satisfaction.

BACKGROUND INFORMATION:

Property Location:

The property is located on the northeast corner of State Highway 7 and Mountain View Boulevard.



Project Process and Summary:

Minor subdivision plats for non-residential lots require Board of Trustees approval with public hearings before the Planning Commission and Board of Trustees. Town staff has reviewed the Vista Ridge Filing No. 14, 2nd Amendment minor subdivision plat and construction drawings and have found them to be in compliance with the Town Municipal Code and the Standards and Specifications for the Design and Construction of Public Improvements.

Because the construction of certain public improvements are included in this subdivision plat, the Vista Ridge Filing No. 14, 2nd Amendment Non-residential Development Agreement outlining the obligations of the Town and the Owners is provided for the Board's consideration and authorization.

Project Description:

The Vista Ridge Filing No. 14, 2nd Amendment minor subdivision plat consists of ten (10) commercial lots and two (2) tracts for drainage and roadway. The plat subdivides Lot 2 of Vista Ridge Filing No. 12, Tracts A1 & A2 of Vista Ridge Filing No. 12, 1st Amendment, and Tracts A & C of Vista Ridge Filing No. 14.

The commercial lots are located adjacent to State Highway 7, Mountain View Boulevard, and Ridge View Drive. The two tracts include the existing and expanded detention pond and the

private road, both to be owned and maintained by the Owner. An additional detention area is located at the northwest corner of Lot 10.

A 30' to 33' wide private access drive is located along the north property lines of Lots 3 – 9 and provides vehicular and pedestrian access internal to the development between Mountain View Boulevard on the west and King Soopers on the east. Additional improvements include a 10' sidewalk along State Highway 7, sidewalk along Ridge View Drive, water mains and sewer mains. Because of the grade difference and slope from State Highway 7 down to the proposed commercial lots and again down to the Montex South manor homes, a terraced retaining wall between 1' and 10' in total height is located on the south and east edges of Montex South. The applicant is proposing a timber guard rail at the top of the wall to match the Vista Ridge Commercial aesthetics and selected landscaping in between the walls.

Site Specific Information:

- Minor Subdivision Plat Size: 19.372 acres
- Number of Commercial Lots: 10 lots
- Number of Tracts: 2 tracts

Current Land Use and Zoning:

Current Land Use: Vacant Land
 Current Zoning: PD – Vista Ridge Planned Development

Adjacent Land Use and Zoning:

	ZONING	LAND USE
NORTH	Vista Ridge PD – Planned Development	Institutional (Vista Ridge Academy) SF Residential (Montex North)
EAST	Vista Ridge PD – Planned Development	King Soopers
SOUTH	Broomfield PUD – Planned Unit Development	Single Family Residential /Vacant
WEST	Vista Ridge PD – Planned Development	Commercial/Vacant (Village Vista)

STAFF REVIEW AND 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 comment: The application is in Compliance with the Land Use designations on the 2015 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 RC – Regional 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 comment: The commercial lots proposed fall within Planning Area 7-3 of the Vista Ridge Development Plan. Planning Area 7-3 is designated as Commercial and the proposed subdivision layout meets the requirements for commercial subdivisions.

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

Staff comment: The commercial lots proposed fall within Planning Areas 7-3 of the Vista Ridge Development Plan. Planning Area 7-3 is designated as Commercial and the proposed subdivision layout meets the requirements for commercial subdivisions.

- 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 comment: 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 comment: 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 comment: Significant impacts are not anticipated for the natural environment that cannot be substantially mitigated.

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

Staff comment: The minor subdivision plat provides vehicular and pedestrian connections to adjacent roadways and properties and future filings within the proposed development.

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

Staff comment: 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 comment: 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 comment: Adequate infrastructure capacity is available for the phasing of development for Vista Ridge Filing No. 14, 2nd Amendment.

NEIGHBORHOOD MEETING:

As required by the Municipal Code a Neighborhood Meeting was held on July 7, 2016 at 6:00 p.m. at the Vista Ridge Community Center. The required notice for the Neighborhood Meeting was provided and a copy of the minutes and sign-in sheet are attached.

PUBLIC NOTICE

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	September 7, 2016
Property Posted as required:	September 8, 2016
Letters to Adjacent Property Owners:	September 9, 2016