

**TOWN OF ERIE  
BOARD OF TRUSTEES AGENDA ITEM  
February 28, 2017**

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**SUBJECT:**           **Agenda #17-089:**  
                                  Consideration Of A Resolution Making Certain Findings Of Fact And Conclusions Favorable To The Site Plan For 460 Jones Court, Austin Industrial Park, Lot 8, Town Of Erie, Colorado; And, Setting Forth Details In Relation Thereto.

**CODE REVIEW:**   Erie Municipal Code, Title 10

**PURPOSE:**        Public hearing for consideration of a Site Plan application at 460 Jones Court, Erie, Colorado.

**DEPARTMENT:**   Community Development

**PRESENTER:**     Deborah Bachelder AICP, Senior Planner

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**STAFF RECOMMENDATION:**   Approval with Conditions

**PLANNING COMMISSION RECOMMENDATION:**   Approval with Conditions

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**SUMMARY AND BACKGROUND OF SUBJECT MATTER**

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**Owner:**           Mike Amend  
                                  Longs Peak Sprinkler  
                                  408 East Geneseo Street  
                                  Lafayette, CO 80026

**Location:** 460 Jones Court, Erie, CO  
Austin Industrial Park, Lot 8



**Existing Conditions:**

Zoning: LI – Light Industrial  
 Lot Size: 0.97 Acres  
 Existing Use: Vacant Lot

**Adjacent Land-Use/Zoning:**

	ZONING	LAND USE
<b>NORTH</b>	LI – Light Industrial Austin Industrial Park	Vacant Lot / Bowhaus
<b>SOUTH</b>	LI – Light Industrial Austin Industrial Park	Magnum Plastics
<b>EAST</b>	LI – Light Industrial Austin Industrial Park	King Signs
<b>WEST</b>	LI – Light Industrial Right Move Subdivision	Detention / County Line Auto Body / Vacant Lot

**Site Plan Application:**

The applicant is proposing to construct an office/warehouse building that will be comprised of 4 separate units. The unit on the south end of the building will be occupied by the property owner’s Longs Peak Sprinkler business and there will be

an adjacent outdoor storage area (4,750 square feet) that is associated with the business.

**Site Specific Information:**

Lot Size:	0.97 acres
Building Size:	6,912 square feet
Number of Tenant Spaces:	4 units
Longs Sprinkler Unit Size:	2,208 square feet
Outdoor Storage Area:	4,750 square feet
Other Unit Size:	1,568 square feet
Parking Spaces (based on 1/300 office):	23 parking spaces

Vehicular Access:

- The 460 Jones Court lot is located at the end of an existing cul-de-sac. The drive access to the site will require an improved culvert crossing of the street burrow ditch.

Storm Water:

- A small water quality pond is located in the southeast corner of the property. A drainage swale will be constructed from the pond to Mason Avenue. The majority of the swale will be installed in existing utility easements; however, there is a small area on an adjacent lot that will need a new maintenance and utility easement obtained by the owner before a building permit can be submitted to the Town.

Gas Line:

- The west side of the property is encumbered by an existing natural gas pipe line and associated 20 foot easement. The applicant has worked with the mineral right holder to obtain acceptance of the proposed development improvements within the easement.

**Compliance with Design Guidelines:**

The Town of Erie has Design Guidelines that apply to the Site Plan application. Below is a summary of the major elements of the Site Plan and a staff determination on those that the applicant has met and those that the applicant is requesting “Alternative Equivalent Compliance” as allowed in Municipal Code 10.6.1.

Principal Building:

- Building setback requirements have been met.
- The wall articulation requirement, for every 40 feet in length of a wall, has been met on the east and west elevations.

- The wall articulation requirement, for every 40 feet in length of a wall, has not been met on the north and south elevations, please see alternative equivalent compliance see request details below.

Outdoor Storage:

- The Longs Peak Sprinkler business will be located in Unit 1, at the south end of the building. Adjoining this unit is an outdoor storage area for the business. This contractor's shop and outdoor storage use requires Special Review Use approval.
- The fence meets the height (6 foot), materials, and color requirements.
- The Code restricts the storage of outdoor materials to the height of the fence.
- The landscape material requirements (1 tree per 150 square feet of perimeter landscape area) have been met.
- The landscape planting area requirement (15 feet) has been met on the west side perimeter where it is 20 feet.
- The landscape planting area requirement (15 feet) has not been met on the south side perimeter. The applicant is requesting approval of an Alternative Equivalent Compliance request to reduce the planting area to 10 feet. See request details below.

Trash Enclosure:

- The trash enclosure, located in the northwest corner of the site meets the materials requirement by using materials found on the principal building.
- The dimensional requirements have been met.

Parking:

- The applicant has applied the standard office parking calculation (1 space per 300 square feet) to the building. The applicant has provided the minimum 23 parking spaces for the building as proposed. The applicant has been apprised that their choice of parking calculation may limit their future tenant options.
- Parking is located outside the required setbacks and landscape buffers.
- Parking space sizes and drive lanes meet the required dimensions.
- The landscape requirements for the public parking lots have been met.
- A loading berth has been provided on the west side of the building.
- The applicant has provided the minimum bicycle racks for bike parking.

Ground Mounted Mechanical Equipment:

- The ground mounted mechanical equipment is located on the north side of the building and is screened from Jones Court by a monument sign and landscape screening.

Wall Mounted Mechanical Equipment:

- Wall meters are located on the north side of the building and are screened from view by landscaping.

Lighting:

- The principal building will have wall mounted, cut off fixtures. The building lighting does not exceed the maximum illumination at the property line.
- The parking lots will not be lit.

Business Signs:

- A monument sign is proposed near the northeast corner of the building.
- Wall signs are proposed, near the entry doors for each of the units, on the east side of the building.
- The proposed signs meet the size and location requirements.

Landscaping:

- The minimum requirement for landscaping has been met.
- All landscaping will be irrigated with an automatic irrigation system.

**Requests for Alternative Equivalent Compliance:**

Pursuant to Municipal Code 10.6.1C “Alternative Equivalent Compliance”, the “Purpose” states that *Alternative equivalent compliance is a procedure that allows development to occur where the intent of the design-related provisions of this Chapter is met through an alternative design. It is not a general waiver of regulations. Rather, the procedure permits a site-specific plan that is equal to or better than the strict application of a design standard.*

The following applicant requests for alternative equivalent compliance from their narrative are listed below after the Code citation they are requesting to be altered.

a. Wall Articulation:

Municipal Code 10.6.9. D. requirements for wall articulation are identified below with the portion of the Code that is being requested for alternative equivalent compliance highlighted in yellow:

*Primary structures having single walls exceeding 40 feet in length shall incorporate 3 or more of the following features at least every 40 feet in length:*

- i. *Changes in color, graphical patterning, changes in texture, or changes in material;*
- ii. *Projections, recesses, and reveals, expressing structural bays or other aspects of the architecture with a minimum change of plane of 12 inches;*
- iii. *Windows and fenestrations;*
- iv. *Awnings; or*
- v. *Gable projections or other projecting architectural features.*

i. Applicant Request for Alternative Equivalent Compliance – North Elevation:

The applicant’s narrative states: “The proposed length of the northern building wall is 49 feet, which is slightly longer than the 40 feet criteria. The Owner is requesting that intensified landscaping with deciduous and evergreen trees, above the minimum Code requirements, be installed along the north building wall in lieu of the wall articulation. This will also provide the appropriate screening of the gas and electric meters in this specific area.”

ii. Applicant Request for Alternative Equivalent Compliance – South Elevation:

The applicant’s narrative states: “The proposed length of the northern building wall is 49 feet, which is slightly longer than the 40 feet criteria. The Owner is submitting an alternative compliance request for this southern building wall by utilizing the following features, in lieu of the wall articulation.

- a) 12’x32’ overhang lean-to on the south wall
- b) 12’x16’ overhead sliding door on the south wall
- c) Utilize 3 different materials (and colors) on the south building wall as follows: Woodgrain lap siding (power grey), Steel ribbed sheeting (burnished slate), and Thin stoned columns (plum creek)
- d) The south building wall and outdoor storage area will be adequately screened from other properties by utilizing a 6-foot wood fence.
- e) Trees and shrubs along the perimeter of the screening fence will be installed.”

b. Screening of Non-Residential Outdoor Storage for Industrial Uses:

Municipal Code 10.6.4. G.10.c.ii. requirements for landscape planting area outside of the outdoor storage screening fence are identified below with the portion of the Code that is being requested for alternative equivalent compliance highlighted in yellow:

*A minimum 15 foot wide planting area composed of screening landscaping is required around the perimeter of the site when the site*

*is adjacent of non-residential districts or street right-of-ways. The 15 foot wide planting area shall not be located within a street right-of-way.*

i. Applicant Request for Alternative Equivalent Compliance:

The applicant's narrative states: "The Owner is requesting an alternative compliance request for the southern fence be approved with a 10-foot setback. This setback distance coincides closely with the 8-foot drainage and utility easement, and the proposed water quality swale in the area of the property."

**ALTERNATIVE EQUIVALENT COMPLIANCE ANALYSIS:**

The requests for Alternative Equivalent Compliance listed above were reviewed for conformance with Municipal Code 10.6.1. C.5. Approval Criteria. Staff finds the requests in compliance with the Approval Criteria listed below.

- a. The proposed alternative achieves the intent of the subject design standard to the same or better degree than the subject standard;

Staff: Wall articulation on the north end of the building has been modified to acknowledge the landscape screening proposed by the applicant. Wall articulation on the south end of the building has been modified to acknowledge the screening elements of the outside storage area adjacent to the south elevation. And, the third request is to reduce the landscape area from 15 feet to 10 feet while maintaining the tree landscape requirements.

- b. The proposed alternative achieves the goals and policies of the Town's Comprehensive Master Plan to the same or better degree than the subject standard;

Staff: The alternatives achieve the goals and polices of the Comprehensive Master Plan.

- c. The proposed alternative results in benefits to the community that are equivalent to or better than compliance with the subject design standard.

Staff: The alternatives are equivalent to the standard.

**SITE PLAN ANALYSIS:**

The Site Plan was reviewed for conformance with Municipal Code 10.7.12. F.9 Approval Criteria. Staff finds the Site Plan in compliance with the Site Plan Approval Criteria as listed below.

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

Staff: The site plan is generally consistent with the Comprehensive Master Plan.

- b. The Site Plan is generally consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable;

Staff: The site plan is consistent with the plat.

- c. The Site Plan complies with all applicable development and design standards set forth in this Code, including but not limited to the provisions in Chapter 2, Chapter 3, Chapter 4, and Chapter 6;

Staff: The site plan generally with the development and design standards of the Code with the exception of those specific requests for alternative equivalent compliance.

- d. Any significant adverse impacts reasonably anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and

Staff: Adverse impacts are not anticipated.

- e. The development proposed on the Site Plan and its general location is or will be compatible with the character of surrounding land uses.

Staff: The development is generally compatible with the surrounding land uses.

**NEIGHBORHOOD MEETING:**

As required by the Municipal Code a Neighborhood Meeting was held as follows:

Neighborhood Meeting Date: November 2, 2016  
Neighborhood Meeting Location: Erie Community Library

The required posted and mailed notice of the Neighborhood Meeting was provided as required.

**PUBLIC NOTICE:**

The required notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly: February 8, 2017  
Property Posted: February 10, 2017  
Letters to Adjacent Property Owners within 300': February 10, 2017