

**TOWN OF ERIE
BOARD OF TRUSTEES MEETING
August 13, 2019**

SUBJECT: **PUBLIC HEARING: RESOLUTION**

A Resolution of the Board of Trustees of the Town of Erie Approving A Development Agreement and Approving with Conditions the Minor Subdivision for Vista Ridge Filing No. 14, 5th Amendment.

PURPOSE: Consideration of a Minor Subdivision Plat for three commercial lots and associated Development Agreement.

CODE REVIEW: Erie Municipal Code, Title 10

DEPARTMENT: Planning and Development

PRESENTER: Christopher LaRue, Senior Planner

STAFF RECOMMENDATION

Minor Subdivision

Staff finds the Vista Ridge Filing No. 14, 5th Amendment in compliance with the Minor Subdivision Non-Residential Approval Criteria and recommends the Town Board of Trustees adopt the Resolution with the following conditions of approval:

- a. At the time of final plat, Applicant shall execute a Development Agreement in the form provided by the Town; and
- b. Applicant shall make technical corrections to the Application and related documents as directed by Town staff.

PLANNING COMMISSION RECOMMENDATION

The Planning Commission held a public hearing for the Minor Subdivision application on August 7, 2019. Staff will provide an update regarding the Planning Commission's decision at the Board of Trustee's hearing.

BACKGROUND INFORMATION:

Applicant: State Highway 7 Market Place, LLC
 Andy Chaikosvsky
 4915 South Gaylord St.
 Englewood, Colorado, 80113

Existing Conditions:

Zoning: Planned Development (PD) – Vista Ridge Development Plan
 (Designated within the Commercial Planning Area)

Project Size: 7.31 Acres

Existing Use: Vacant Property

Location:

The property is located southeast of Ridge View Circle and Ridge View Drive. The boundary is outlined in red below:



Adjacent Land Use and Zoning:

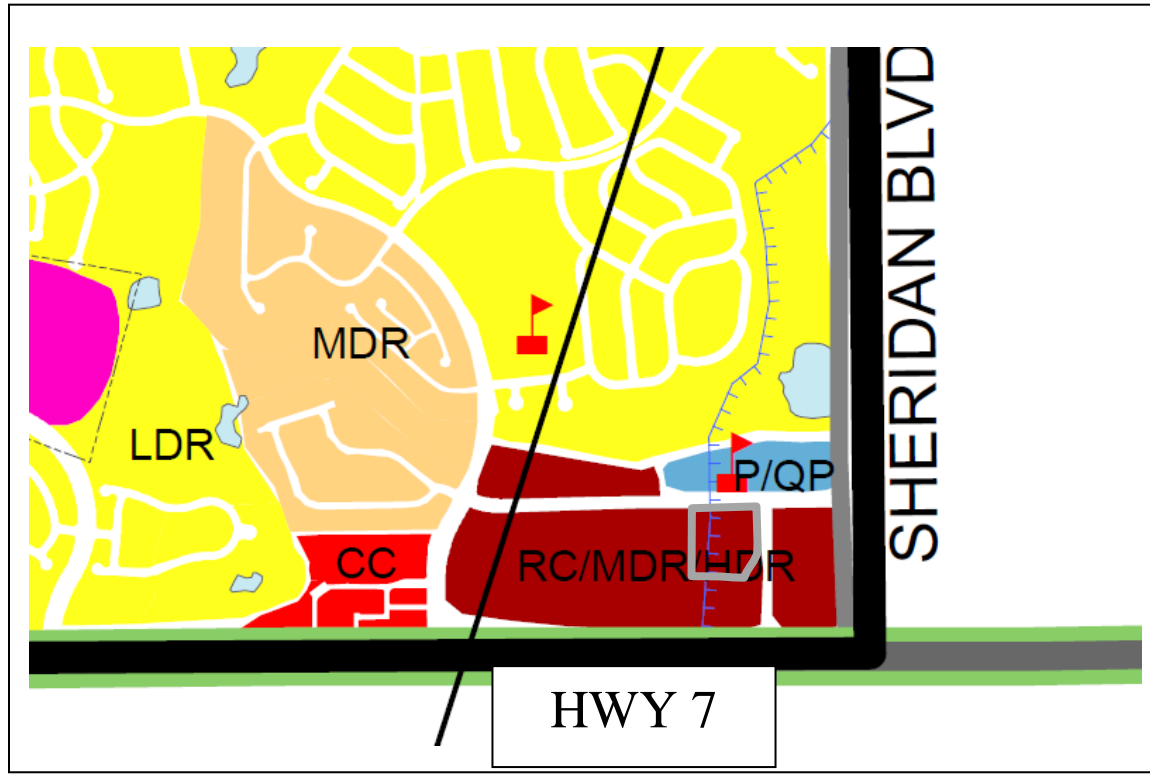
	ZONING	LAND USE
NORTH	Vista Ridge PD – Planned Development	Institutional (Vista Ridge Academy) SF Residential (Montex North)
EAST	Vista Ridge PD – Planned Development	King Soopers
SOUTH	Vista Ridge PD – Planned Development	Commercial Sites
WEST	Vista Ridge PD – Planned Development	Multi-Family Apartments

Compliance with Town of Erie Comprehensive Plan:

The application is in general compliance with the Land Use Plan Map designations on the Comprehensive Plan. The Comprehensive Plan shows the Regional Commercial (RC), Medium

Density Residential (MDR), and High Density Residential (HDR) land use designations for this area. The layout and size of lots, access, circulation, and utilities are consistent with the Regional Commercial land use designation.

The property is highlighted in gray on the map below:



Compliance with the Vista Ridge PD:

The purpose of this application is to create a Minor Subdivision plat. The proposed commercial lot layouts meet the requirements in the PD for commercial subdivisions.

SITE SPECIFIC DEVELOPMENT INFORMATION:

Development Data:

- Minor Subdivision Plat Size: 7.31 acres
- Number of Commercial Lots: 3 lots

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, 5th Amendment minor subdivision plat and construction drawings and have found them to comply with the Town Municipal Code and the Standards and Specifications for the Design and Construction of Public Improvements.

Roadways:

The property is adjacent to Ridge View Drive and two internal private access roads. No new road dedications will be required with this Minor Subdivision. The two access roads provide both

vehicular and pedestrian access internal to the development between Mountain View Boulevard on the west and King Soopers on the east. A private drive is proposed between Lot 10A, Lot 11, and Lot 12. Public access is being granted across the private drive via notes on the plat.

Utilities:

The properties will be served by the Town of Erie water and sanitary sewer service. Utility service providers for the property are Xcel Energy for natural gas, United Power for electric, Century Link Communications for telephone services and Comcast for cable television. Appropriate utility easements are provided on the final plat.

Natural Areas Inventory:

There are no known natural areas shown on the Town of Erie Natural Areas Inventory list for this property.

Threatened and Endangered Species and Significant Habitats:

There are no known threatened and endangered species and significant habitats on this property.

Landscaping:

Each lot will be individually landscaped per an approved site plan.

Parks, Trails and Open Space:

Commercial development does not require dedications for parks, trails or open space.

Police:

The Erie Police Department will provide service to the property.

Fire Protection:

The Mountain View Fire Protection District will provide fire and emergency medical services.

Soils and Geology:

The applicant provided a Geologic and Preliminary Geotechnical Investigation report. The report addressed expansive soils and bedrock, and shallow groundwater. These concerns are proposed to be addressed through grading, foundations, floor systems, surface and subsurface drainage, pavements, etc. Additional geotechnical investigation is required with future development of the property.

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, 5th Amendment.

NEIGHBORHOOD MEETING:

The Director of Planning and Development waived the neighborhood-meeting requirement.

PUBLIC NOTICE

Notice of the Public Planning Commission Hearing was provided as follows:

Published in the Colorado Hometown Weekly:	July 3, 2019
Property Posted as required:	July 5, 2019
Letters to Adjacent Property Owners:	July 5, 2019