

For a better quality of life.



HOME BUILDERS
ASSOCIATION
of
METRO DENVER®

05/28/2019

Town of Erie
Malcolm Fleming
Fred Starr
Deborah Bachelder
645 Holbrook Street
Erie, CO 80516

Dear Malcolm, Fred and Deborah:

Thank you so much for hosting our first Joint Task Force (JTF) meeting in Erie. We appreciate the opportunity to discuss challenges, and to build a partnership with you and your staff. As promised, I am including the comments from several HBA members for your consideration.

Process:

- Improved communication would be helpful in the development process.
 - Please consider requiring return phone calls and emails in a timely manner (x business days for response) **Agree**
- Consider eliminating the waste and expense of providing duplicate reports for concurrent applications.
Understand the concern but each separate application has its own set of submittal requirements and are used as part of developing the case file for each application.
- Consider allowing a Preliminary Plat to depict all lots and recognize that as a Preliminary Plat there will be refinements that take place as the final detailed design work is accomplished with the Final Plat.
Need to understand what the question is.
- Consider reducing the information required at Preliminary Plat.
What type of information that is currently being requested are you referring to?
- If Preliminary Plat is not recorded, the town should reconsider enforcing requirement of the Preliminary Plat.
I don't know if any community the Records Preliminary Plats. The preliminary plat is the process where all of the regulatory requirements and determined. The Final Plat is the Recording Document that creates the various lots and creates the Dedication Instrument for right-of-way and easements, etc
- Consider requiring reasonable timelines from staff. Review times can take months. **Agree – we are creating a review schedule timeline for processing all types of applications.**

- Providing Final Construction Documents at the Site Plan and Preliminary Plat stage is very costly and we request that you consider removing this requirement at this stage of the process.
 - I don't believe we require 100% Construction Drawings as a condition of preliminary plat however we need enough detailed to demonstrate constructability to develop the cost estimates for the public improvements. Site plans usually require 100% approved plans since there is no additional step after site plan approval. This may be clarified if we are not requiring site plans for SRF and Duplex lots at time of plat.
- Final Landscape drawings should be done after CDs, not as early as currently requested.
 - The need for this information is to identify any potential conflicts between construction plans and landscape plans and to determine compliance with the Landscaping requirements as a condition of plat and site plan approval.
- Consider reviewing Final Plat applications before Preliminary Plats are approved by the Town Board of Trustees. This could save months in the process.
 - This would require 100% plan approval as part of the process. I am not sure this really saves time. If Final Plats are taking a long time to approve, then there must be unresolved issues that were not identified as part of the preliminary plat process that were carried over to the Final Plat.
- Consider eliminating the public hearings for a Site Plan; give the Planning Director the authority to approve a Site Plan.
 - This would be a Board of Trustee decision. If we eliminate site plans for lots < 5000 sq.ft. then there would not be a Planning Commission hearing.
- Consider making the Sketch Plan optional.
 - Agree
- Consider eliminating the requirement for the Sketch Plan to go before the Planning Commission and Town Board of Trustees.
 - Agree – But Board needs to approve.
- Review all costs and fees; developers are receiving bills for third party consultants that are under Erie's typical service. Unexpected and changing costs reduce certainty in projects.
 - We use outside consultants to provide review services for items we either do not have in-house expertise for, or to help speed up the review process.
- Digital submittals
 - Consider streamlining this process by providing a link to submit plans.
 - Currently each project may require over 50 thumb drives per application.
 - We can look into how this could be accomplished. Perhaps by using Dropbox or some other system.
- Recognize different Open Space and Park dedication requirements for different styles of developments.
 - Not sure what different types of Open Space and Park Deductions you are proposing. Need to see examples to make a determination.
- Consider removing redundant processes and requirements for so much detail on the front end of the process.
 - Need to understand what is considered "Redundant"
 - Allowance for changes within some agreed upon tolerance without having to amend document. What "document" is being referenced. Are we talking about the documents sub
 - Remove requirement to write legals with sketch for zoning boundaries

(take a bubble approach). A Legal Description is required to meet the public notice requirement and to clearly define the area to be rezoned, unless the rezoning is part of a PD-Planned Development plan where "Planning Areas" can be shown and described.

- Allow for permits without street lights and electrical being energized. This represents a Safety issues for residents and emergency responders we may be able to more clearly define what street lights are required along streets with proposed building permits.
- Consider allowing for overlap of processes and allow for concurrent, rather than linear review. What types of concurrent review are you proposing? We currently allow building plans to be submitted with site plans with the understanding that modifications may be needed to the building permit set as a result of the site plan review.
- Consider allowing for phased acceptance of infrastructure with a Plat that will allow for homes to start construction if phase stands on its own. This will reduce small Plats. We can look at this options, but we will need Development Agreements based on the public improvements need by phase. How would a Phase area differ from a Final Plat Filing? We may be able to look at a Phased area with a Final Plat Filing.
- Consider eliminating referring everything out on each submittal and taking to the Development Review Team every time.
 - We are looking at a revised processing schedule where we require a DRT meeting between the applicant and Town Staff at the end of the First Review period. The goal is for both the applicant and staff to have a clearing understanding of the review comments and what is required to address any identified issues. This should reduce the number of review cycles.
- Encourage continuity and grid network between parcels owned by different individuals/companies. Our Code currently requires connectivity between developments. We do not currently have a requirement for construction on a Grid.
- Require a representative sample of the model and elevation of single-family detached homes. Agree – I don't think we need a "Site Plan" review for single family homes.
 - Full architectural review will be completed with the building permit review.
 - This recently held up a project for six months.
- Consider a warranty bond for improvements. The decision about a Letter of Credit vs other forms of security are usually a recommendation of the Finance Director and/or Town Attorney.
 - Guarantees rather than cash in-escrow or a line of credit for Public Improvements.
 - Post LC only for revegetation at time of construction. LC gets posted for warranty amount at SCCA and don't allow permits to be pulled until SCCA is met.
 - Post cash, but allow for drawing against to pay for improvements.
- Consider phased acceptance rather than requiring full infrastructure completion. Again, we need to understand the difference between a "Phased Area" and A Final Plat. When the town approves a Final Plat, we are providing an entitlement and will need to have full infrastructure compete to support that level of development.

Setbacks:

- Adopt setbacks that are industry standard and that work for alley loaded product. **This will be a determination made by the Board of Trustees**
 - 5' yard setbacks that allow for eave and window well encroachments
 - Window wells and eaves need to be allowable encroachments in side yard setbacks. **The Board of Trustees is not currently in support of an encroachment into a sideyard setback that is different than our current standard.**
- Allow for a 3' rear setback on a rear loaded home. **Want communities and for what type of development are 3' rearyard setback being accepted?**
 - Currently 20' in code
- Reduce the Rear Loaded front setback taking into account for new and evolved home designs that can fit a 35' wide front load home on a 45' wide lot. **Concerned about having a 35ft wide home on a 45ft wide lot AND allowing window well and eave encroachments.**
- Lot coverage should be based upon housing types, not just a simple 50' wide lot. **Our UDC does not have a maximum lot coverage percentage. Not sure I understand the question.**

Zoning Documents

- Eliminate the requirement for legal descriptions on zoning documents.
 - Make documents allow for inherent flexibility for area changes up to a certain percentage.
 - 10 percent is the average in the Denver Metro Area**Unless the Zoning is thru a PD - Planned Development which has a "Bubble Plan" all other Euclidian Zone districts are created by a meets and bounds legal description.**

Comprehensive Plan

- Consider removing compliance with the Comprehensive Plan from approval criteria after zoning.
 - Once a property is zoned, it should have already been found to be in compliance with the Comprehensive Plan. **I understand the position, I believe staff have made this part of the current process to reflect the fact that rezoning has occurred on properties that did not previously process a Comprehensive Plan amendment. Going forward I don't see that we will require an After the Fact Comp Plan amendment.**

Allow for more urban approach to site planning

We can evaluate alternate street design standards and spacing requirements. If a development proposes a true grid system, this may have an effect on the collector street system.

- Consider tighter intersection spacing.
 - Slighter radii on curves allowable provided there is proof that truck turning works.
- Consider not requiring suburban approach of collector throughout entire neighborhood.
 - Multiple smaller streets, facing low volume roads, etc.
- The threshold of when a roadway is a collector is too low (currently 1000 ADT).

Smaller Lots

- Allow for smaller lots and attached product within Preliminary Plat without Site Plan requirement. **Agree that Site Plans are not needed for SFR Lots.**
- Lotting can come with Final Plat. **We will need to see platted lots with the Preliminary Plat since the Final Plat is to be in general conformance to the approved preliminary plat. Proposed lot pattern needs to be part of the preliminary plat submittal.**
- Adjust all fees to a graduated scale depending upon the size of the house. **What specific FEES are being referenced?**
- Site Plan can be by Homebuilder as separate process once they are brought into the project. **Site Plans may not be required for SFR development.**
- Four to One (4:1) slopes on roads **This is an Engineering Standard not necessarily a UDC Standard.**
 - Please relax this in certain conditions when reasonable

Single Family Detached Architecture

- Please consider quantifiable stands which are easier for both the designer and reviewer. **Understand**
 - Current review criteria is too subjective.

Townhome Architecture

- Requirement that each unit is differentiated is not necessarily appropriate for every architectural design. **We will consider.**
- Allow additional variety, especially for three- and four-unit buildings that can be designed to look like manor homes. (Code may already allow for this?)

Landscaping

- Reduce landscaping requirements of open space. **Can you provide the UDC Code Section you are referring to ?**

- Provide different requirements for temporary irrigation than permanent irrigation.
 - i.e., trenching
- Maintenance and turnover of open space to the town should be accepted as soon as possible.
 - Delays save the town money, but provides uncertainty in development costs.
- Provide consistency on concrete hardscape requirements by Parks and Public Works.

Statements

- Please consider eliminating the blanket statement:
 - Plans conform to the Town or Erie specifications or otherwise as directed by the Director of Public Works.

Mill and Overlay Requirement (M/O)

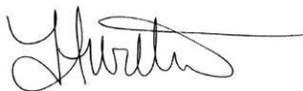
- Unless there is a structural problem, please allow for filling and crack repair on all roads.
- If a problem exists within two years, the developer should repair the road. However, please consider removing the requirement for a blanket M/O for cosmetic reasons.
- On a case by case basis, M/O should be required only if there is excessive patching or failure.
 - 50' to 100' only on either side or area in question, not entire road.

Inspection

- Currently takes six months to get into warranty after major construction items are complete.
 - Inspectors are picking apart every project which in turn causes delays.
- It takes another six months beyond the two-year warranty period to get into final.
 - Please consider a streamlined and reasonable approach.
- The amount of repair and replacement demanded by the inspectors is excessive.
 - Please provide more clarity and accountability.

Thank you for your consideration of our comments as we move forward with the UDC process. The continued partnership between the members of the HBA of Metro Denver and the Town of Erie is appreciated. We appreciate being included in the overall process and look forward to lending our expertise and experience to the Town of Erie.

Warm regards,



Heidi K. Williams
Director of Government Affairs