

**TOWN OF ERIE
PLANNING COMMISSION MEETING
March 4, 2020**

SUBJECT: **AGENDA # 20-139: PUBLIC HEARING**

A Resolution of the Planning Commission of the Town of Erie Recommending the Board of Trustees Approve with Conditions the Minor Subdivision for Nine Mile Corner.

PURPOSE: Consideration of a Minor Subdivision Plat for ten commercial and one multifamily lots.

CODE REVIEW: Erie Municipal Code, Title 10

DEPARTMENT: Planning and Development

PRESENTER: Hannah Hippely, Senior Planner

STAFF RECOMMENDATION

Minor Subdivision (Resolution 20-04)

Staff finds Nine Mile Corner in compliance with the Minor Subdivision Non-Residential Approval Criteria and recommends the Planning Commission adopt Resolution No. P20-04 recommending conditional approval to the Board of Trustees.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Location: Southeast corner of Hwy 287
 and Arapahoe Road
 (outlined in red)

Owners: Town of Erie URA
 645 Holbrook St.
 Erie, CO 80516

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645 Holbrook St.
Erie, CO 80516

Applicant: Evergreen 287 & Arapahoe, LLC
 1873 S. Bellaire St., Suite 12000
 Denver, CO 80222



Existing Conditions:

Existing Use: Vacant Land

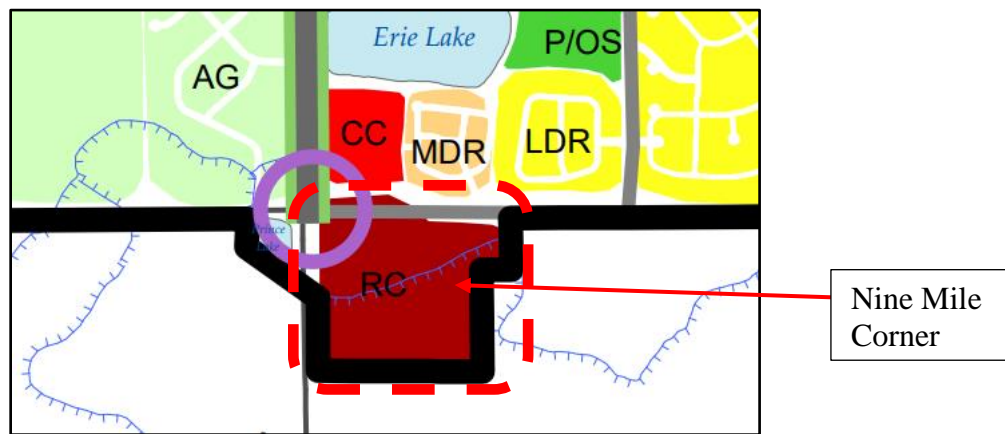
Property Size: 47.21 acres

Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Arapahoe Ridge PD – Planned Development	Commercial; Single Family Residential
EAST	RR – Rural Residential (Boulder County)	Single Family Residential
SOUTH	R1 – Medium Density Residential (City of Lafayette)	Single Family Residential
WEST	A – Agricultural (Boulder County)	Rural residential

Compliance with Town of Erie Comprehensive Plan:

The properties are shown as RC – Regional Commercial in the 2015 Comprehensive Plan, Land Use Plan Map (see a clip below). The Comprehensive Plan contemplates Regional Commercial primary land uses as “More intense retail and employment uses designed to serve the community or region, including general retail, employment (e.g. business parks), retail with outdoor storage, “big box” retail centers, and regional malls.” Under secondary land uses in Regional Commercial, “Up to 30% medium or high density residential is permitted as a secondary use. Open space and recreation, general commercial, places of worship, other public uses are also appropriate.” The commercial uses and design standards listed in the PD are consistent with the Comprehensive Plan designation. The high density residential uses comprise less than 30% of the PD and are also consistent with the Comprehensive Plan designation.



SITE SPECIFIC DEVELOPMENT INFORMATION:

Development Data:

- Minor Subdivision Plat Size: 47.63 acres
- Number of Commercial Lots: 10 lots
- Number of Residential Lots: 1 lot

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 determined that the minor subdivision plat complies with the Town Municipal Code. Construction and Landscape drawings are also under review by staff. While these have not yet been accepted it has been determined that with corrections the plans can meet the Standards and Specifications for the Design and Construction of Public Improvements. Acceptance of these plans by the Town is a recommended condition of approval of the plat.

Roadways:

The property is adjacent to Hwy 287 and Arapahoe Road. One access into the subdivision is provided from Hwy 287 and three points of access are provided from Arapahoe Road. The residential lot, which is the easternmost lot will have direct access to Arapahoe Road as well access to Hwy 287 across the lots to the west. The Minor Subdivision dedicates small areas of additional right of way along Arapahoe Road. Internal to the subdivision, access easements are granted so that all lots are provided access to the public roads.

Utilities:

The properties will be served by the Town of Erie water and sanitary sewer service. Stormwater facilities are also being developed. All of these facilities are under review by the Town and acceptance of these plans is a recommended condition of approval of the plat. Appropriate utility easements are provided on the final plat for other dry utility providers.

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:

Landscaping for Nine Mile Corner is under review as part of the subdivision. These plans include, the areas adjacent to Hwy 287 and Arapahoe Road, and the southern landscape buffer. Together these tracts provide the minimum landscaping required by the PD documents. Additionally, 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. However, the residential portion of the development will be providing a pocket park on site as part of the site development and which will be reviewed as part of the site plan. Additionally, fee in lieu for Open Space will be paid by the developer. These requirements will be captured in the Development Agreement that is a condition of approval of the subdivision.

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 Colorado Geologic Survey responded to the referral request on this application and indicated that appropriate recommendations had been made in the studies they reviewed including recommendations related to settlement monitoring in the area where the dry lake will be filled.

STAFF REVIEW AND ANALYSIS

Staff finds the application is consistent with the Minor Subdivision Plat 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 proposed subdivision is within an area zoned PD. The intention behind the PD has been to develop the corner as a commercial and multifamily development. The subdivision is consistent with and implements those goals.

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

Staff comment: The subdivision is not within an area with a previously approved development plan.

- 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, no resources of concern have been identified on the site.

- 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 internal connections are provided.

- 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 as buffers to adjacent development have been provided.

- 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 or will be developed in order to serve the properties. As a condition of approval the construction and landscape plans will require final acceptance by the Town.

- 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.

NEIGHBORHOOD MEETING:

A neighborhood meeting was held on October 30, 2019 at the Erie Community Center Meeting Room. Meeting minutes and notice information is included as an attachment.

PUBLIC NOTICE

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

Published in the Colorado Hometown Weekly:	February 12, 2020
Property Posted as required:	February 14, 2020
Letters to Adjacent Property Owners:	February 14, 2020