

**TOWN OF ERIE
PLANNING COMMISSION MEETING
Wednesday, April 3, 2019**

SUBJECT:

PUBLIC HEARING:

1. Preliminary Plat

Resolution P19-03: A Resolution Of The Planning Commission Of Erie Recommending That The Board Of Trustees Approve The Main Street Subdivision Preliminary Plat With Conditions.

2. Site Plan

Resolution P19-04: A Resolution Of The Planning Commission Of The Town Of Erie Making Certain Findings Of Fact And Conclusions Favorable To The Site Plan For The Main Street Subdivision.

3. Special Review Use

Resolution P19-05: A Resolution Of The Planning Commission Of The Town Of Erie Recommending That The Board Of Trustees Approve A Special Review Use For An Accessory Dwelling Unit, At Block 1, Lot 2, Main Street Subdivision.

4. Special Review Use

Resolution P19-06: A Resolution Of The Planning Commission Of The Town Of Erie Recommending That The Board Of Trustees Approve A Special Review Use For An Accessory Dwelling Unit, At Block 4, Lot 1, Main Street Subdivision.

5. Special Review Use

Resolution P19-07: A Resolution Of The Planning Commission Of The Town Of Erie Recommending That The Board Of Trustees Approve A Special Review Use For An Accessory Dwelling Unit, At Block 5, Lot 1, Main Street Subdivision.

6. Special Review Use

Resolution P19-08: A Resolution Of The Planning Commission Of The Town Of Erie Recommending That The Board Of Trustees Approve A Special Review Use For A Residential Assembly (HOA), At Block 3, Lot 5, Main Street Subdivision.

PURPOSE:

Consideration of a Preliminary Plat, Site Plan, and 4 Special Review Use land use applications for the Main Street Subdivision that includes 18 lots for 1 existing single family dwelling unit, 9 new single family dwelling units, 14 duplex dwelling units, 3 accessory dwelling units, a HOA facility and tracts on 4.68 acres.

CODE REVIEW:

Erie Municipal Code, Title 10

DEPARTMENT:

Planning and Development

PRESENTER:

Audem Gonzales, Planner

STAFF RECOMMENDATION:

1. Preliminary Plat

Staff finds the Main Street Subdivision Preliminary Plat in compliance with the Preliminary Plat Approval Criteria and recommends the Planning Commission adopt Resolution No. P19-03 recommending approval to the Board of Trustees with the following conditions of approval:

- a. At the time of Final Plat, Applicant shall execute a detailed Development Agreement, in the form provided by the Town.
- b. With the Final Plat application, Applicant shall submit the additional geotechnical studies/information in response to the Colorado Geological Survey comments related to underground water testing.
- c. Applicant shall make technical corrections to the Main Street Subdivision Preliminary Plat, as directed by Town staff.

2. Site Plan

Staff finds the Site Plan for Main Street Subdivision in compliance with the Site Plan Approval Criteria and recommends the Planning Commission adopt Resolution No. P19-04 with the following conditions of approval:

- a. The Final Plat shall be approved and recorded before the Site Plan approval comes into effect.
- b. Applicant shall make technical corrections to the Main Street Subdivision Site Plan, as directed by Town staff.

3. Special Review Use

Staff finds the Special Review Use application for the Accessory Dwelling Unit located at Block 1, Lot 2 of the Main Street Subdivision in compliance with the Special Review Use Approval Criteria and recommends the Planning Commission adopt Resolution No. P19-05 recommending approval to the Board of Trustees with the following conditions of approval:

- a. The Final Plat shall be approved and recorded before the Special Review Use approval comes into effect.
- b. The Site Plan shall be approved before the Special Review Use approval comes into effect.
- c. Within 60 days of the date of this Resolution, Applicant shall make technical corrections to the application and supporting documentation as required by the Town.

4. Special Review Use

Staff finds the Special Review Use application for the Accessory Dwelling Unit located at Block 4, Lot 1 of the Main Street Subdivision in compliance with the Special Review Use Approval Criteria and recommends the Planning Commission adopt Resolution No. P19-06 recommending approval to the Board of Trustees with the following conditions of approval:

- a. The Final Plat shall be approved and recorded before the Special Review Use approval comes into effect.
- b. The Site Plan shall be approved before the Special Review Use approval comes into effect.
- c. Within 60 days of the date of this Resolution, Applicant shall make technical corrections to the application and supporting documentation as required by the Town.

5. Special Review Use

Staff finds the Special Review Use application for the Accessory Dwelling Unit located at Block 5, Lot 1 of the Main Street Subdivision in compliance with the Special Review Use Approval Criteria and recommends the Planning Commission adopt Resolution No. P19-07 recommending approval to the Board of Trustees with the following conditions of approval:

- a. The Final Plat shall be approved and recorded before the Special Review Use approval comes into effect.
- b. The Site Plan shall be approved before the Special Review Use approval comes into effect.
- c. Within 60 days of the date of this Resolution, Applicant shall make technical corrections to the application and supporting documentation as required by the Town.

6. Special Review Use

Staff finds the Special Review Use application for the HOA Facility, Residential Assembly (HOA) use, located at Block 3, Lot 5 of the Main Street Subdivision in compliance with the Special Review Use Approval Criteria and recommends the Planning Commission adopt Resolution No. P19-08 recommending approval to the Board of Trustees with the following conditions of approval:

- a. The Final Plat shall be approved and recorded before the Special Review Use approval comes into effect.
- b. The Site Plan shall be approved before the Special Review Use approval comes into effect.
- c. Within 60 days of the date of this Resolution, Applicant shall make technical corrections to the application and supporting documentation as required by the Town.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant: Old Town Living, LLC
1036 Walnut Street
Louisville, CO 80027

Existing Conditions:

Zoning: OTR – Old Town Residential
Project Size: 4.680 Acres
Existing Use: Vacant Property and 1 existing single family dwelling unit

Location:

The property is generally located at the south end of Main Street and at the west end of Anderson Street.



Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	OTR - Old Town Residential	Single-Family Homes
EAST	PLI - Public Lands and Institutions	Trail corridor
SOUTH	PLI - Public Lands And Institutions	Inactive RTD right-of-way
WEST	OTR - Old Town Residential	Single-Family Homes

Compliance with Town of Erie Comprehensive Plan:

The application is in general compliance with the Land Use designation on the Comprehensive Plan, Land Use Plan Map. The Comprehensive Plan shows the Low Density Residential (LDR) designation for this property. Medium Density Residential requires a density of 2-6 dwelling units per acre. This project proposes a density of 5.1 dwellings per acre which is aligned with the Comprehensive Plan.



Compliance with Town of Erie Zoning Map:

The property is zoned OTR – Old Town Residential. The density proposed on the Preliminary Plat is 5.1 dwellings per acre which is in compliance with the OTR zoning district maximum density of 5 units/acre for single family and 16 units/acre for multi-family.



SITE SPECIFIC DEVELOPMENT INFORMATION:

The project proposal includes several land use application types:

1. Preliminary Plat (18 lots and 7 tracts)
2. Site Plan (7 duplex buildings or 14 individual units)
3. Special Review Use (3 Accessory Dwelling Units and 1 HOA facility)

Development Data:

• Preliminary Plat Size:	4.680 acres
• Number of lots	18 lots
• New residential units	23 dwelling units
• Existing residential units	1 dwelling unit
• Accessory Dwelling Units	3 dwelling units
• HOA facilities	1 HOA facility
• Tracts	7 tracts
• Gross Residential Density	5.1 dwelling units per acre

The Preliminary Plat proposes platting 10 lots for single-family detached homes. One of these homes currently exists at the NE portion of the site. The home is currently located on several narrow legal lots with the intention being that the Preliminary Plat would combine all the lots into one new legal lot. The remaining 9 single-family detached home lots would be for new development. The 9 single-family homes include 8 alley loaded garages and 1 street loaded garage. 3 of the single-family detached home lots propose Accessory Dwelling Units (ADUs) above the garage. All ADUs are subject to the Special Review Use process.

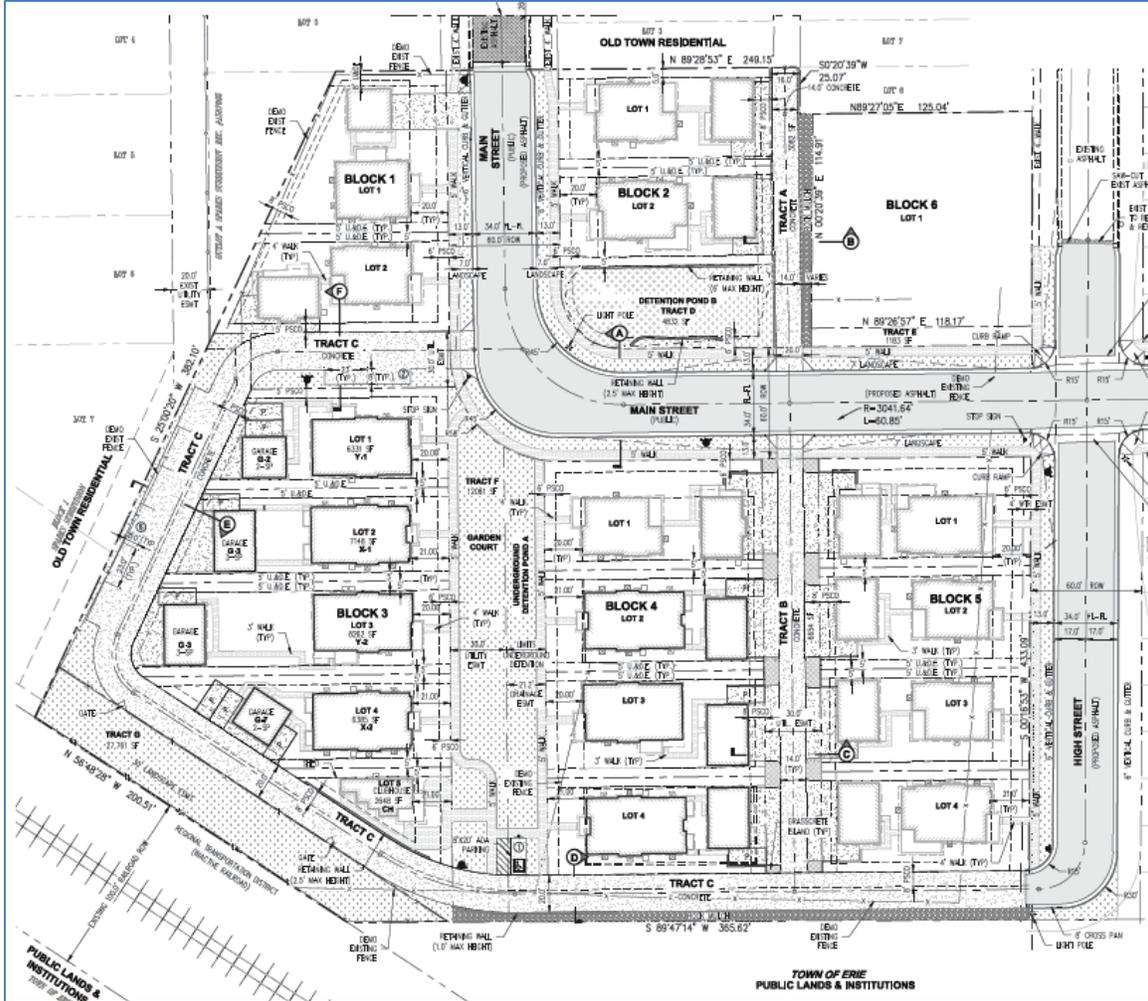
7 of the 18 lots are proposed to be platted for duplex buildings. Each duplex building would have 2 individual dwelling units on a single lot. All of the duplexes front onto a landscape garden court. Each duplex lot also contains a detached garage with either 2 or 3 car stalls. All of the garages for the duplexes are alley loaded. All duplex buildings are subject to Site Plan Review.

1 lot is proposed for a HOA facility (Residential Assembly, HOA) that would serve the entire development. The clubhouse facility is subject to the Special Review Use process.

The tracts on the Preliminary Plat will contain alleyways, landscaped areas, a community garden, and detention ponds.

Housing Diversity:

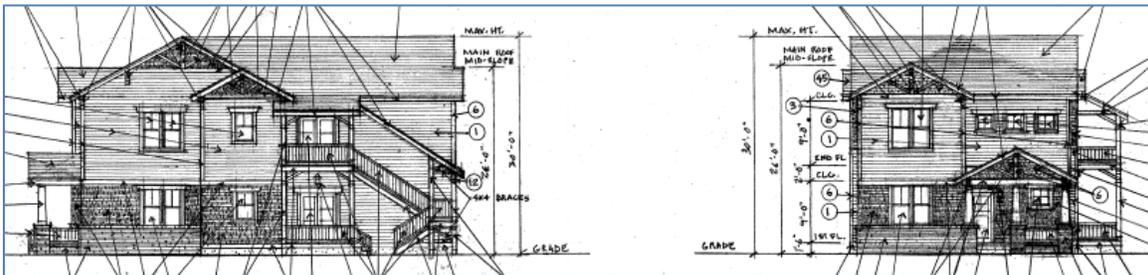
The Unified Development Code requires 1 housing type be provided in the Main Street Subdivision per the Housing Diversity regulations found in Chapter 6. The project includes 9 new single-family detached home lots and 7 duplex buildings. The Preliminary Plat and Site Plan propose the residential units to be street loaded or alley loaded. The housing diversity provision has been exceeded.



Main Street Subdivision Site Plan

Architecture

The detached and attached homes are in compliance with the Town of Erie UDC Development and Design Standards. The Main Street Subdivision incorporates two distinct architectural styles; Craftsman and Farmhouse, each with style specific materials. The duplex buildings are designed to appear as single-family homes by incorporating large front porches that are shared by both units. Each garage is designed in the same style as the principal home on the lot with similar roof pitch, materials, window treatments, etc.



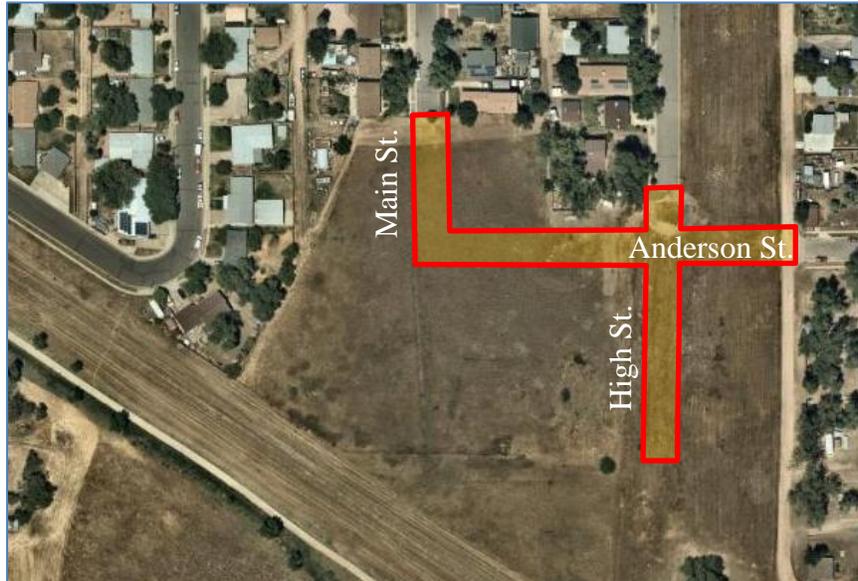
Craftsman style duplex building with cedar shake and lap siding.

Parking:

Each lot contains either a two car or three car detached garage. Most garages are accessed off the alley and not the street; the exception is Lot 1, Block 1 which does not have alley access. Additional off-street parking is provided adjacent to or in front of each garage. 9 guest parking spaces are provided in Tract C (private alley) which loops through the development. These spaces are provided for guests of the development and for parking for the HOA facility. The parking within this development exceeds the parking requirements of the Unified Development Code.

Roadways and Alleys:

The Preliminary Plat proposes to extend Main Street, High Street, and Anderson Street in the grid pattern traditional to the Old Town neighborhood, see graphic below. The proposed residential lots either front onto the street or onto landscaped garden courts. Lots fronting onto garden courts will provide vehicular access from private alleys that run behind the lots while sidewalks to front doors are provided in the garden courts. All private alleys are paved and meet the minimum size requirements.



Proposed street extensions

Drainage:

A Drainage Study was submitted and reviewed by Town staff. The applicant has proposed two detention ponds within the development area to serve the development. One of these detention ponds will be undergrounded and located in Tract F. The other pond is above ground and is located in Tract D.

Utilities:

The property will be served by the Town of Erie water and wastewater services. Utility service providers for the property are Xcel Energy for electric and natural gas, Century Link Communications for telephone services and Comcast for cable television. Utility easements for these providers are shown on the Main Street Subdivision Preliminary Plat.

Soils and Geology:

A Geotechnical Report was provided by the applicant which confirms shallow groundwater is present at the development site. Staff is adding a condition of approval to the Preliminary Plat, based on the Colorado Geological Survey’s referral comments, that a groundwater monitoring program be performed to determine basement feasibility or for use in design of a subsurface drainage system to the satisfaction of CGS’s recommendation prior to recordation of the Final Plat.

Landscaping, Parks, Trails and Open Space:

- A 30 foot landscape buffer is provided along the south west portion of the site adjacent to the RTD right-of-way to meet the Town’s UDC requirement. A community garden is proposed within the landscape buffer.
- Pedestrian sidewalks loop throughout the development making connections between single-family homes/duplex units and garden courts.
- Pedestrian sidewalks also connect this development with the pedestrian trail being installed by the Town to the east of High Street and to the greater street/sidewalk network of the Old Town neighborhood.
- The Unified Development Code, Park and Open Space requirement is proposed to be met in the following manner:

	Required Dedication	Dedication Type
Pocket Park	0.04 acres	Fee in lieu
Neighborhood Park	0.22 acres	Fee in lieu
Community Park		Impact fee
Open Space	1.26 acres	Fee in lieu

Lighting:

Standard street lighting is provided on all public streets. Lighting fixtures on all single-family and duplex units are full cut-off fixtures. No site lighting is proposed at this time.

Natural Areas Inventory:

There are no designated Natural Areas Inventory areas in the subject area.

Threatened and Endangered Species and Significant Habitats:

A Phase I Environmental Site Assessment was provided by the applicant which states no critical habitats were identified within the site area.

Trash Service:

Individual units will contract for local pickup service.

Schools:

The Main Street Subdivision development is located in the St. Vrain Valley School District. No schools sites are required to be dedicated within this subdivision.

Police Service:

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.

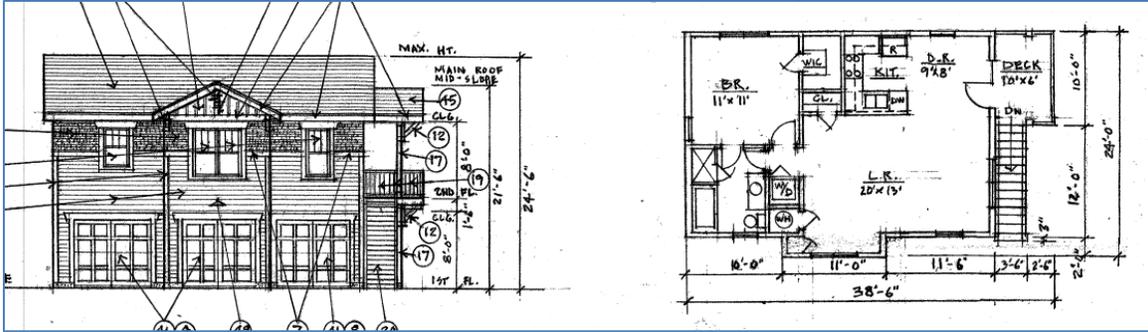
Oil and Gas Facilities:

There are no existing or proposed Oil and Gas Facilities within or near the project area.

Accessory Dwelling Units (Special Review Uses):

Three Accessory Dwelling Units (ADUs) are proposed behind single-family detached homes above the detached garage. Per the Unified Development Code regulations, ADUs shall be permitted on lots with a minimum lot size of 6,000 square feet, shall be no smaller than 500 square feet in the Old Town Residential zone district or up to 33% of the floor area of the principal dwelling unit, and include 1 additional parking space. All new detached ADUs are required to match the principal dwelling unit in regards to exterior finish of materials, roof pitch, window treatment, eaves and when built above a garage cannot exceed 35 feet in height. All proposed ADUs in the Main Street Subdivision meet the requirements listed above.

Location	Home Size	ADU Size	Percentage
Block 1, Lot 2	2,337 sf. habitable area	726 sf. habitable area	31% of principal dwelling unit area
Block 4, Lot 1	2,337 sf. habitable area	726 sf. habitable area	31% of principal dwelling unit area
Block 5, Lot 1	2,200 sf. habitable area	726 sf. habitable area	33% of principal dwelling unit area



Craftsman style ADU above three car garage. Maximum height: 24'6".

HOA Facility (Special Review Use):

A 381 square foot private clubhouse facility is proposed to be located at the southern end of the garden court on Block 3, Lot 5. This facility would serve the entire development and would include a common room, kitchen, community garden storage, and large porch. The private facility is classified as a Residential Assembly (HOA) in the UDC and is required to go through the Special Review Use process. The building is designed in the Craftsman style and is 16' 6" in height which is compliant with the Old Town Residential zone district standards.

APPROVAL CRITERIA - STAFF ANALYSIS:

1. Preliminary Plat

The Main Street Preliminary Plat was reviewed for conformance with Municipal Code, Title 10, UDC Section 10.7.7 C.10. Approval Criteria. Staff finds the Preliminary Plat in compliance with the Preliminary Plat Approval Criteria as listed below.

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

Staff: The subdivision is generally consistent with the Comprehensive Plan. The proposed density of 5.1 dwellings per acre is aligned with the Low Density Residential density of 2-6 dwellings per acre.

- b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.

Staff: The subdivision is in compliance with the Old Town Residential zoning district which allows up to 5 units per acre for single-family and 16 units per acre for multi-family. This project consists of single-family detached and attached units which are compatible with existing uses in the Old Town area.

- c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.

Staff: The subdivision meets the Town's standards.

- d. The 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 or this UDC. 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: *The subdivision meets the Town's standards.*

- e. The 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: *The subdivision will meet the standards.*

- f. The 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: *Significant adverse impacts are not anticipated.*

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

Staff: *This plat proposes extensions of Main Street, Anderson Street and High Street. Completing the Old Town street grid will greatly enhance connectivity in the area by providing street and pedestrian links.*

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

Staff: *Significant adverse impacts are not anticipated. The project provides alley loaded garages which will take vehicles off the street.*

- 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: *Adequate facilities are available to serve the property.*

- j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

Staff: *Adequate infrastructure is available.*

2. Site Plan

The Site Plan for the Main Street Subdivision was reviewed for conformance with Municipal Code, Title 10, Section 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 Town's Comprehensive Master Plan. This area is designated as Low Density Residential. This application is aligned with that designation.*

- 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 proposed Preliminary 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 complies with all applicable development and design standards set forth in the UDC, this Development Design Standards.

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

Staff: Significant 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 proposed development is compatible with the character of the surrounding land uses. The incorporation of single-family detached and attached units make this development compatible with existing development in the Old Town Erie neighborhood.

3. Special Review Use

The Accessory Dwelling Units for Block 1, Lot 2, Block 4, Lot 1, and Block 5, Lot 1 of the Main Street Subdivision were reviewed for conformance with Municipal Code, Title 10, Section 7.13.C.9 Approval Criteria. Staff finds the applications in compliance with the Special Review Use Approval Criteria as listed below:

- a. The proposed use is consistent with the Comprehensive Plan and all applicable provisions of this Code and applicable State and Federal regulations;

Staff: The Accessory Dwelling Units are located within the Old Town Residential zone district which is consistent with the Low Density Residential land use designation in the Comprehensive Plan.

- b. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;

Staff: A Special Review Use approval is required for Accessory Dwelling Units within the Old Town Residential zone district. The uses are consistent with the zoning district.

- c. The proposed use is consistent with any applicable use-specific standards set forth in Section 3.2;

Staff: The uses are compatible with all use-specific standards such as size, location, parking, etc.

- d. The proposed use compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

Staff: The proposed uses are compatible with adjacent uses. Each ADU is associated with a single-family detached dwelling unit. The ADUs are all located above garages behind the main home. The accessory dwelling units are compatible in terms of scale, site design, operating characteristics, etc. with the surrounding uses.

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

Staff: No adverse impacts are anticipated. Each ADU has parking within or next to the garage.

- f. Facilities and services (including sewage and waste disposal, water, gas, election, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;

Staff: Facilities and services are available to serve the subject properties.

- g. Adequate assurances of continuing maintenance have been provided; and

Staff: Not applicable.

- h. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practicable.

Staff: No adverse impacts on the natural environment are anticipated.

4. Special Review Use

The HOA Facility for Block 3, Lot 5 of the Main Street Subdivision was reviewed for conformance with Municipal Code, Title 10, Section 7.13.C.9 Approval Criteria. Staff finds the application in compliance with the Special Review Use Approval Criteria as listed below:

- a. The proposed use is consistent with the Comprehensive Plan and all applicable provisions of this Code and applicable State and Federal regulations;

Staff: The Residential Assembly (HOA) use is located within the Old Town Residential zone district which is consistent with the Low Density Residential land use designation in the Comprehensive Plan.

- b. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;

Staff: A Special Review Use approval is required for Residential Assembly (HOA) within the Old Town zone district. The use is consistent with the zoning district.

- c. The proposed use is consistent with any applicable use-specific standards set forth in Section 3.2;

Staff: *Not applicable.*

- d. The proposed use compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);

Staff: *The proposed use is compatible with adjacent uses. The site will be surrounded by a private alley, garden court, and duplex building. The private clubhouse was designed with the same architecture as the homes on the site. The building is smaller in scale than the other buildings in the development.*

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

Staff: *No adverse impacts are anticipated. The clubhouse was located at the southern portion of the development to mitigate any impacts to existing neighborhoods to the west and north of the Main Street Subdivision.*

- f. Facilities and services (including sewage and waste disposal, water, gas, election, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;

Staff: *Facilities and services are available to serve the subject property.*

- g. Adequate assurances of continuing maintenance have been provided; and

Staff: *Not applicable.*

- h. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent practicable.

Staff: *No adverse impacts on the natural environment are anticipated.*

NEIGHBORHOOD MEETING:

As required by the Municipal Code a Neighborhood Meeting was held on October 23, 2018 at 6:00 p.m. in the Erie Community Library. The required notice for the Neighborhood Meeting was provided.

PUBLIC NOTICE:

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	March 13, 2019
Property Posted as required:	March 15, 2019
Letters to Adjacent Property Owners:	March 18, 2019

PUBLIC COMMENTS:

No written public comment has been received for these applications.