

**TOWN OF ERIE
BOARD OF TRUSTEES
April 23, 2019**

SUBJECT: Spring Hill Sketch Plan - A Sketch Plan represents a generalized land use plan and layout for the area proposed to be included within a subdivision. A Sketch Plan application is required to allow for an early, informal evaluation of a proposed subdivision before detailed planning and engineering work has occurred.

CODE: Municipal Code, Title 10

PURPOSE: Review and comment on a Sketch Plan application for of 632 lots and 33 tracts as well as right of way, parks, and open space.

DEPARTMENT: Planning and Development Department

PRESENTER: Hannah Hippely AICP, Senior Planner

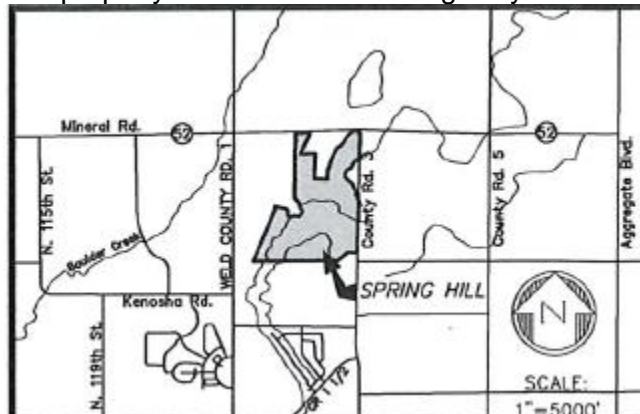
STAFF RECOMMENDATION: See Attachments for Staff and Referral Agency Comments

SUMMARY AND BACKGROUND OF SUBJECT MATTER

Owner: I&J Partnership/Moradi Holdings

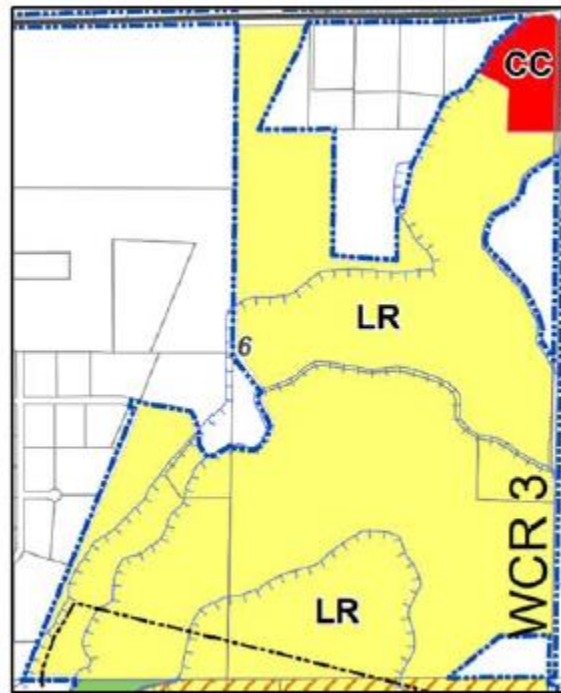
Applicant: ME Erie, LLC
Matt Jenke/Chris Elliot
7353 South Alton Way
Centennial, CO 80112

Location: The property is located south of Highway 52 and west of County Road 3.



Existing Conditions within Sketch Plan Area:

Zoning: Low Density Residential (LR)



Zoning Map

Project Size: 301.89 Acres

Existing Use: Agriculture/Vacant

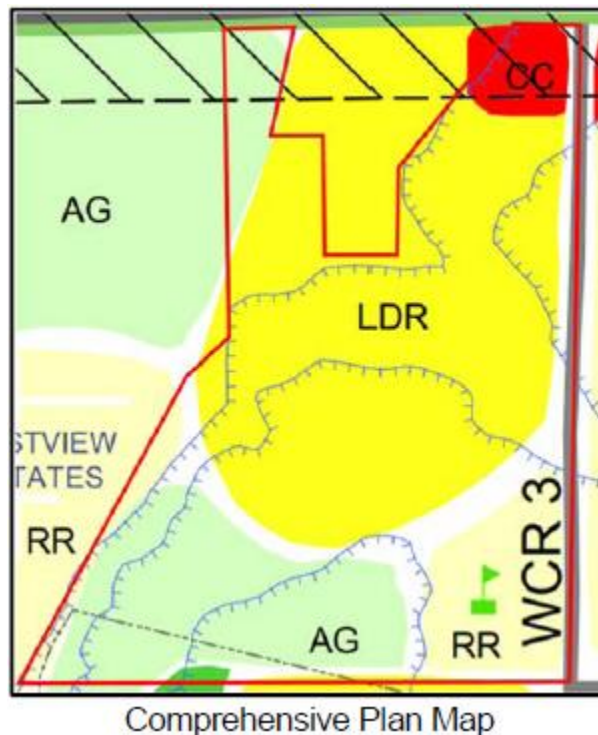
Adjacent Land-Use/Zoning:

| | ZONING | LAND USE |
|-------|---|-----------------------------------|
| NORTH | Weld County - Agricultural | Residential/Agriculture |
| SOUTH | SR/PUD – Suburban Residential LR/PUD - Low Density Residential | Morgan Hill - Residential |
| EAST | Weld County – Agricultural Weld County - PUD | Vacant/Agriculture Residential |
| WEST | Weld County – Agricultural Weld County – R-1 | Vacant/Agriculture Residential |

Zoning:

The property is currently zoned 301.89 acres of Low Density Residential (LR) and 632 lots are proposed within this area for a gross density of 2 dwelling units per acre. The purpose of the Low Density Residential zone district is to provide residential uses of an urban character at a gross density not to exceed 5 dwelling units per acre. While the uses and range of density provided could conform to the zoning, these details along with the other aspects of the zoning requirements would be reviewed at preliminary plat.

Town of Erie Comprehensive Plan:



The Land Use designations on the Comprehensive Plan, Land Use Plan Map are:

- LDR – Low Density Residential (Gross Density of 2-6 Dwelling Units/Acre)
- AG – Agriculture (No specific density range is given but as a secondary use “very low density rural residential” is indicated)

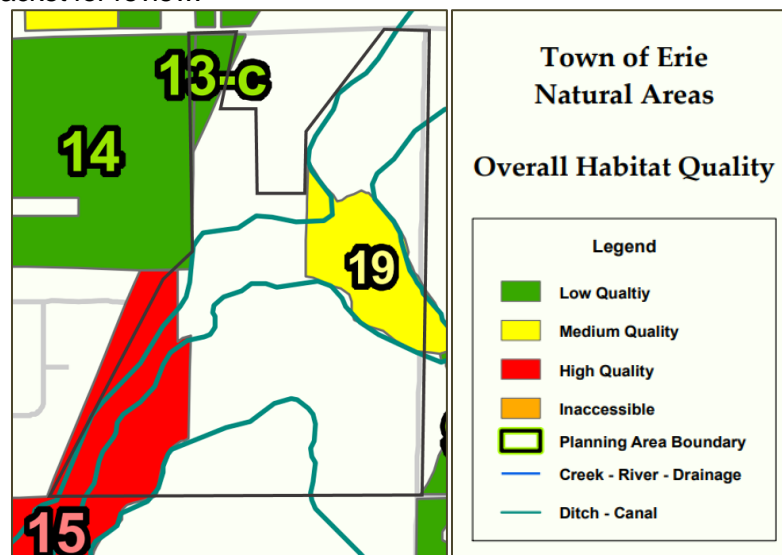
The proposed plan does not align with the Comprehensive Plan Land Use designation for this property. The approximately 70 acre area south and west of the Cottonwood Extension ditch is shown as Agriculture on the Comprehensive Plan. According to the Comprehensive Plan farming, ranching, and other agriculturally related uses and very low density rural residential uses are appropriate in this area. Also, lands designated Agriculture “serve a vital role in defining the history and character of Erie and should be maintained where viable, to serve as gateways and buffers, preserve vistas, and retain the desired character of the Town.” Within this area the sketch plan shows the western edge, the areas adjacent to the western two ditches (Lower Boulder Ditch and the Boulder/Weld Ditch), as open space and develops the remainder at a density consistent with an LDR land use designation. The LR Zone Designation (which defines allowed uses and development standards for those uses) does not negate the need for the subdivision plan to be consistent with the Comprehensive Plan. A Comprehensive Plan amendment allowing the change in Land Use designation from this area would be required to be approved for this subdivision plan to conform to the Comprehensive Plan.

The Land Use Plan Map identifies, with a green flag, a future Saint Vrain Valley School District school site on the property. The sketch plan anticipates and provides a 10 acre elementary school site.

Natural and Scenic Resources:

Natural and Scenic Resource Protection sections of the UDC are intended to protect and enhance the natural and man-made features that contribute significantly to the Town's scenic quality and small-town character.

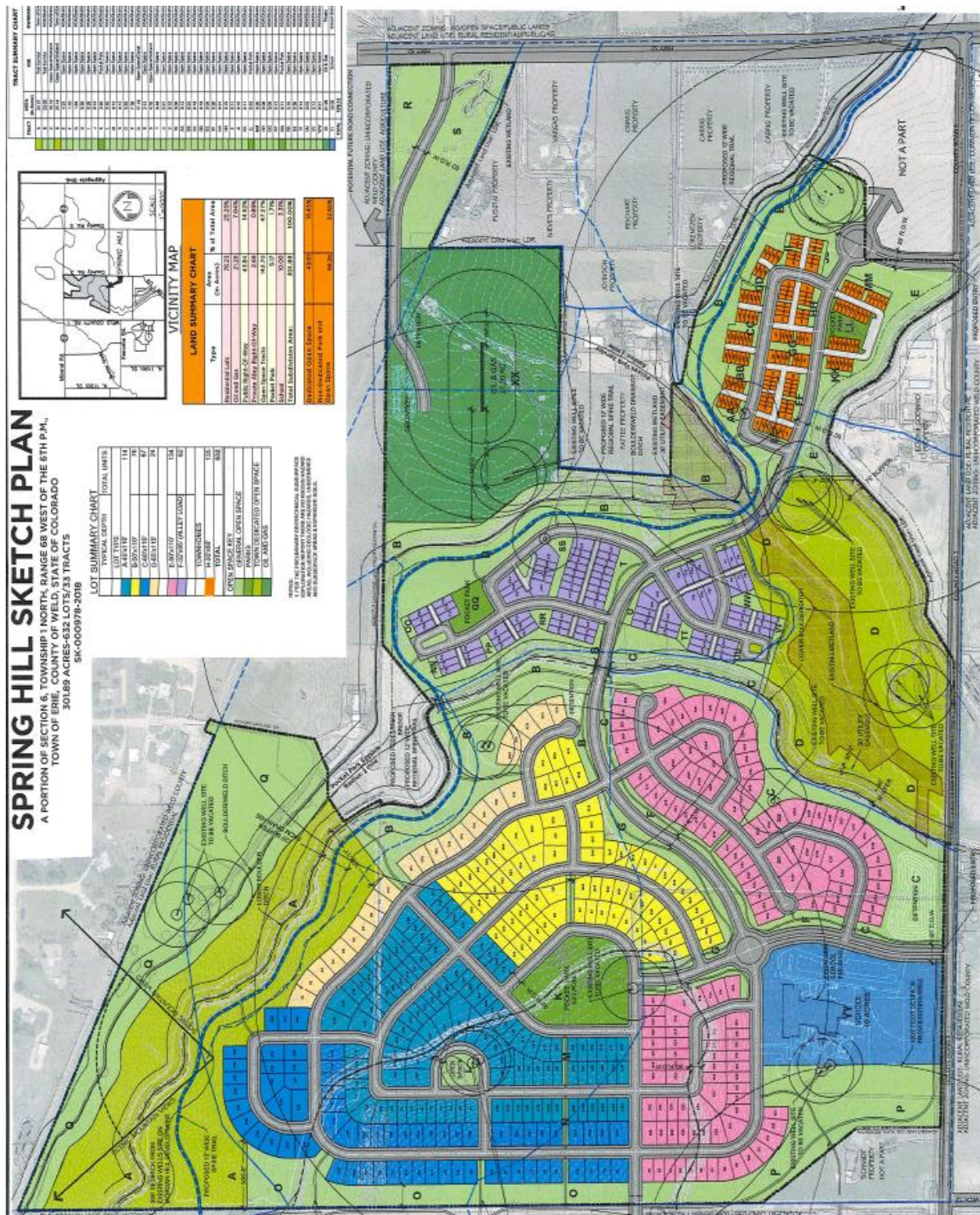
The maintenance of the Town Natural Areas Inventory is a policy of the Comprehensive Plan aimed at preserving sensitive areas. Within the property two natural areas are designated in the Inventory. Site 15 is a high quality area and Site 19 which is a medium quality area. Site 15 is associated with the three ditches on the east side of the property and the primary factors include that water or wetland is present and that the site serves as a migration or movement corridor. Site 19 is a low area in between ditches where the primary factor is that water or wetland is present. Both site include secondary factors for designation and the relevant site analysis forms from the Inventory are included in the packet for review.



The UDC section on the Preservation Of Existing Main Ditches states “existing irrigation ditches shall be incorporated into subdivision plats and preserved as open space areas to the maximum extent reasonably practicable”. The Cottonwood Extension Ditch (the ditch highest on the hill) enters the property from the south where it exits Morgan Hill and extends to the north and east before it turns south east to exit the property where it reenters the Morgan Hill development. The Cottonwood Extension Ditch, when examined during the review for the adjacent Morgan Hill, was found eligible for the National Register of Historic Places and coordination with the State Historic Preservation Office was required for the portion of the ditch which will be put underground as part of that project. The Sketch Plan proposes to underground the length of the Cottonwood Extension Ditch throughout the development.

The application proposes a total of 632 lots, tracts, parks, open space, right of way and an oil and gas operation area.

Overall Sketch Plan



| LAND SUMMARY CHART | | |
|--------------------------------|--------------------|-----------------|
| Type | Area (in Acres) | % of Total Area |
| Residential Lots | 76.23 | 25.25% |
| Oil and Gas | 21.26 | 7.04% |
| Public Right-Of-Way | 43.84 | 14.52% |
| Private Alley Right-Of-Way | 2.69 | 0.89% |
| Open Space Tracts | 142.70 | 47.27% |
| Pocket Park | 5.17 | 1.71% |
| School | 10.00 | 3.31% |
| Total Subdivision Area: | 301.89 | 100.00% |

| | | |
|--|--------------|---------------|
| Dedicated Open Space | 49.61 | 16.43% |
| Non-Dedicated Park and Open Space | 98.26 | 32.55% |

Housing Diversity:

The UDC requires 4 housing types or 3 housing types and one variation on a development of this size however; the annexation agreement for this property modified the requirement by stating “the property shall be required to provide not more than one (1) housing type and two (2) housing type variations”. By providing single family detached housing with a range of lot sizes, front and alley loaded variations, as well as townhouses the applicant will exceed the annexation agreement.

Parks and Open Space:

With 632 dwelling units included in the Sketch Plan the overall parks and open space dedication requirements apply: Neighborhood Park 5.48 acres; Pocket Park 0.91 acres; Community Park 9.13 acres; Open Space 31.05 acres. A Neighborhood Park is not required since the 7 acre minimum was not reached however, the Neighborhood Park Land and Development Construction Cost Fee will apply. The Community Park is not required as the 30 acre minimum is not met.

| PARKS AND OPEN SPACE DEDICATIONS | | | |
|----------------------------------|------------------------|---------------|---------------|
| TYPE | REQUIREMENT | REQUIRED (AC) | PROVIDED (AC) |
| Pocket Park | 0.5 AC/1,000 residents | 0.91 | 5.17 |
| Neighborhood Park | 3 AC/1,000 residents | 5.48 | 0 |
| Community Park | 5 AC/1,000 residents | 9.13 | 0 |
| Open Space | 17 AC/1,000 residents | 31.05 | 49.61 |

Streets:

The applicants proposed Sketch Plan includes construction of the roads within the subdivision which connect County Road 3 to the east and the Morgan Hill property to the south. Improvements to adjacent existing roads will be necessary.

Oil and Gas Operations:

Within the subject property the proposed Sketch Plan anticipates the closure of the existing oil and gas wells and associated facilities. These operations are proposed to be relocated to a 21.26 acre area in the northwest portion of the property where a separate access point into Highway 52 would be developed.

Other oil and gas operations exist to the south of the project within the Morgan Hill development. The Sketch Plan shows a 1,000 foot setback from the wells located south of the school site and a 350 foot setback from the wells on the west side of Morgan Hill.

Next Steps:

In order for the subdivision to be fully implemented as shown in the sketch plan the following applications would need to be approved:

1. Comprehensive Plan Amendment
2. Preliminary Plat
3. PUD
4. Site Plan
5. Final Plat

Compliance with Town of Erie Municipal Code Title 10:

Town staff has generally reviewed the proposed Sketch Plan for compliance with the Code requirements and has provided the applicant with detailed comments in the attached staff review memos.

SKETCH PLAN PROCESS

Below is the process outlined in Title 10 (UDC) of the Municipal Code for Sketch Plan review.

2. Step 2A (Development Application Submittal – Sketch Plan)

Two types of application submittals are required – first, a Sketch Plan, followed by a Preliminary Plat. The Sketch Plan requirements are listed in this Subsection. The Preliminary Plat requirements are listed below as “Step 2B.” Applications for Subdivision shall only be accepted for property annexed into the municipality. A Subdivision application cannot be reviewed concurrently with an annexation application.

a. Purpose

A Sketch Plan represents a generalized land use plan and layout for the area proposed to be included within a subdivision. Sketch Plan is required to allow early, informal evaluation of a proposed subdivision before detailed planning and engineering work has been undertaken and before substantial expenses have been incurred by the applicant.

b. Sketch Plan Submittal Requirements

A Sketch Plan shall be prepared and submitted to the Community Development Director pursuant to the User's Guide. An Alta Survey shall be prepared and submitted to illustrate the existing conditions on the property and, at a minimum, the Sketch Plan shall contain the following:

- i. Uses proposed;
- ii. Intensity or density of uses proposed;
- iii. Location of public and private open space;
- iv. Drainage Facilities;
- v. Road, street, and pedestrian networks proposed; and
- vi. Existing or proposed utilities and public services for the development.

c. Staff Review

The Community Development Department shall review the Sketch Plan, focusing on standards and criteria of this UDC that are applicable to the proposed development. The Community Development Department shall summarize the results of the review in writing and provide a copy to the applicant. The summary shall include any special information regarding the proposed project, plus an evaluation of the proposal with respect to the current policies of the Town, identifying areas of potential compatibility or conflict with these policies. All comments made by the Community Development Department shall not be binding on the Town's consideration of any subsequent application, and are intended only to provide an informal evaluation of the proposed project.

d. Meeting to Discuss Sketch Plan

At the request of the Community Development Director or applicant, the parties shall meet to discuss the results of the review. The applicant shall be informed of the necessary provisions of this UDC relating to subdivision application, including submittal requirements, required public improvements, design standards, and Development Agreements. The Community Development Director shall inform the applicant whether or not a Planning Commission Review shall be required.

e. *Planning Commission Review*

In addition to the staff review the Community Development Director may require that the Sketch Plan be reviewed by the Planning Commission or the applicant may request this review. The staff review summary shall be submitted to the Planning Commission for consideration. All comments made by the Planning Commission shall not be binding on the Town's consideration of any subsequent application, and are intended only to provide an informal evaluation of the proposed project.

f. *Effect of Review*

The Sketch Plan is not part of a formal application for approval of a subdivision and any comments made by the Town in reaction to a Sketch Plan shall not be binding on the Town's consideration of any subsequent Preliminary or Final Plat application, nor result in a vested property right under this UDC or State Statute. Since the Sketch Plan is conceptual only, there are no lapse provisions applicable.