TOWN OF ERIE
TOWN COUNCIL AGENDA ITEM
June 23, 2026

SUBJECT: **PUBLIC HEARING: SRU2025-00005**

Resolution of the Town Council of the Town of Erie Approving the Erie Junction Duplex Special Review Use with one Condition

CODE REVIEW: Erie Municipal Code, Title 10

PURPOSE: Consideration of a proposal to allow duplex uses within the Erie Junction Subdivision which is zoned Old Town Residential (OTR).

DEPARTMENT: Planning and Development

PRESENTER: Christopher C. LaRue, Principal Planner

STAFF RECOMMENDATION:

Staff find the Erie Junction Special Review Use (SRU) application complies with the Approval Criteria and recommend the Town Council approve the SRU.

PLANNING COMMISSION RECOMMENDATION:

The Planning Commission considered this request on May 20, 2026, and unanimously recommended Approval to Town Council with one condition. No public testimony was presented during the hearing. The applicant expressed frustrations about securing financing for the project and that he believed he had already received approval for the Special Review Use. Topics discussed included:

- Fencing and who maintains it—and requiring it on the northern lots
- Product types, number of units, streets
- Comprehensive Plan designation for the site
- Process
- Support for providing more diverse housing options within the area

The Planning Commission recommended the following condition:

> The developer shall build and pass along maintenance responsibility for fences where shown on the current concept plan on the two northern lots but not including the area adjacent to the paved roadway.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant: Diverge Homes LLC
c/o Nick Jacobs
603 South Public Road, # 765
Lafayette, CO 80026

Existing Conditions:

Zoning:	Old Town Residential (OTR)
Future Land Use Map:	Residential-Medium
Property Size:	2.73 Acres
Existing Use:	Vacant Lots

Location Map:

The site is located at the northeast corner of East County Line Road and Balcom Street in Old Town Erie. The map below highlights the site in red and shows the surrounding context:

Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Old Town Residential (OTR)	Single-Family detached
SOUTH	Old Town Residential (OTR)	Balcolm Street & Single-Family detached
EAST	Old Town Residential (OTR)	Alley & Single-Family detached
WEST	Business (B)	Day Care & Mountain Kids Gymnastics

Site History:

2021

- January: Staff considered Sketch Plan for the project
    - The project was referred out as a plat, Special Review Use, and site plan.
    - The platting process was completed prior to the SRU moving forward. This is allowed by code but is atypical.
- December: Preliminary Plat was recommended for approval by Planning Commission

2022

- January: Preliminary Plat was approved by Board of Trustees (BOT)

2023

- November: Final Plat and Development Agreement was approved by Town Council (TC) on the consent docket.

2024

- The site infrastructure was built out according to the approved final plat and Construction Documents. The infrastructure is in preliminary acceptance and still under the warranty through July 28, 2027.

2025

- May: Project site was listed for sale.
- December: Applicant inquired about building permits for vertical construction. Staff determined that the SRU and site plan for the triplex were required next steps.
- Staff advised the applicant to submit the SRU for the duplex and one triplex along with a site plan for the triplex.
- Applicant chose to move forward with only the duplexes in the SRU.
- Applicant submitted for the SRU on December 23, 2025.

2026

- Application was considered complete on February 23, 2026
- Sent for referral on February 27, 2026
- Development Review Team (DRT) meeting April 2, 2026
- Public Hearings scheduled for May 20 for PC and June 23 for TC

Future Required Applications:

If Town Council approves the SRU for the duplexes, the applicant may move forward with architecture reviews, building permits, and construction. One triplex building

remains ineligible for building permits until the applicant submits and receives approval for an SRU and site plan specific to that use. Duplex development is not subject to site plan review.

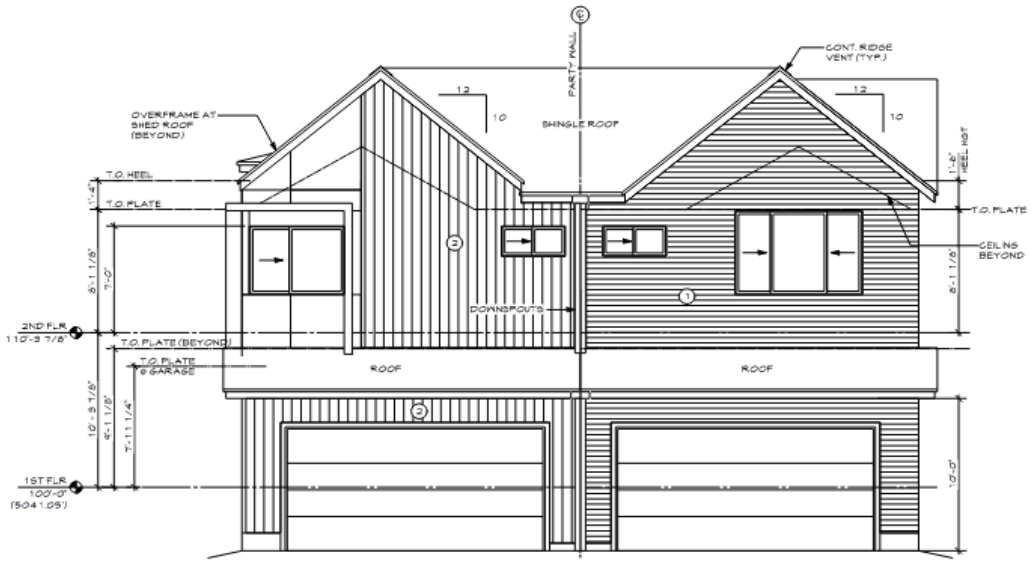
Proposal Overview:

The site has a Final Plat that allows development of ten duplex buildings (20 units total) and one triplex building (3 units). The entire property is zoned Old Town Residential (OTR), which permits single-family detached dwellings by right. Duplex dwellings and single-family attached dwellings (three or more units) are allowed only through Special Review Use (SRU) approval. As noted in the project history, the plat process was completed prior to initiating the SRU. The SRU described in this report and application applies solely to the duplex lots.

Existing lot sizes range from 3,043 to 3,354 square feet. Access to all lots is provided via private streets and alleys connecting to Balcolm Street. Most homes will take access from the alley for garage placement, while six units on the west side of the development will have front-loaded garages. Each duplex must be designed in compliance with the Town of Erie's Development Design Standards, which will be fully evaluated during future architectural review applications. The applicant has submitted one conceptual design to illustrate the vision for the development.

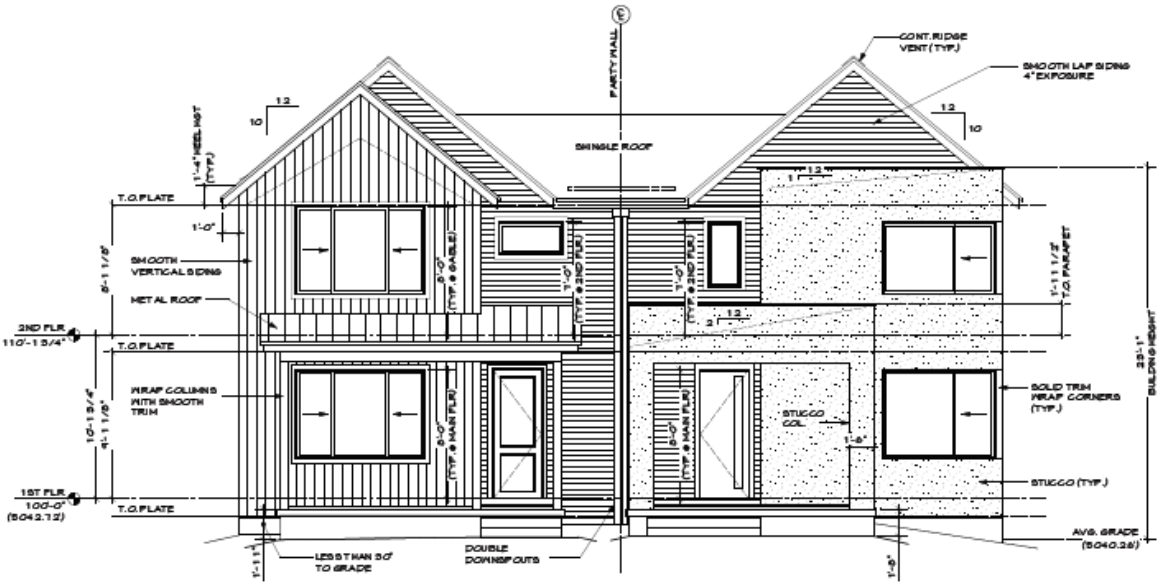
Below is an example of an alley loaded product:

EAST ELEVATION
1/4"=1'-0"

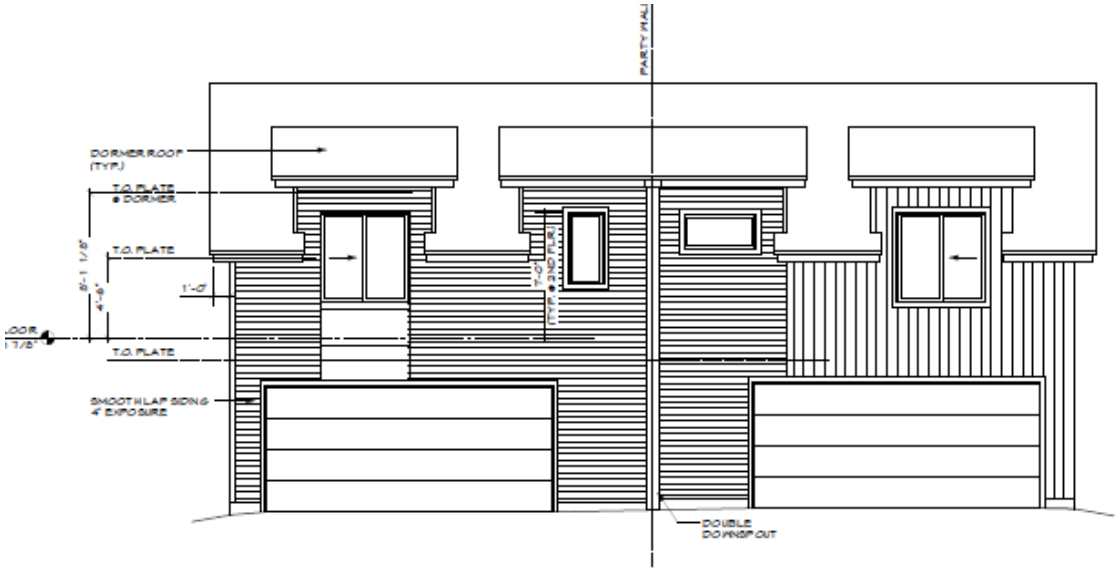


WEST ELEVATION

Below is another example of architecture followed by its detached garage:



WEST ELEVATION
1/4"=1'-0"



EAST ELEVATION
1/4"=1'-0"

Below is a sample color rendering:

The applicant will submit the final products for architectural review upon SRU approval.

Compliance with Town of Erie Comprehensive Plan:

The SRU application is consistent with the land use designations shown on the 2024 Comprehensive Plan Future Land Use Map. The map identifies this site as Residential–Medium. The subject property is outlined with a black dashed line on the Future Land Use Map.

This application is consistent with the Comprehensive Plan in both the Residential-Medium land use designation and the applicable policy goals outlined in the plan. According to the Comprehensive Plan, the Residential-Medium category accommodates a mix of housing types, ranging from small-lot single-family homes and duplexes to townhouses and garden apartments. Density within this designation generally ranges from 8 to 18 dwelling units per acre. As platted, the project falls at the lower end of this range, at 8.42 du/ac.

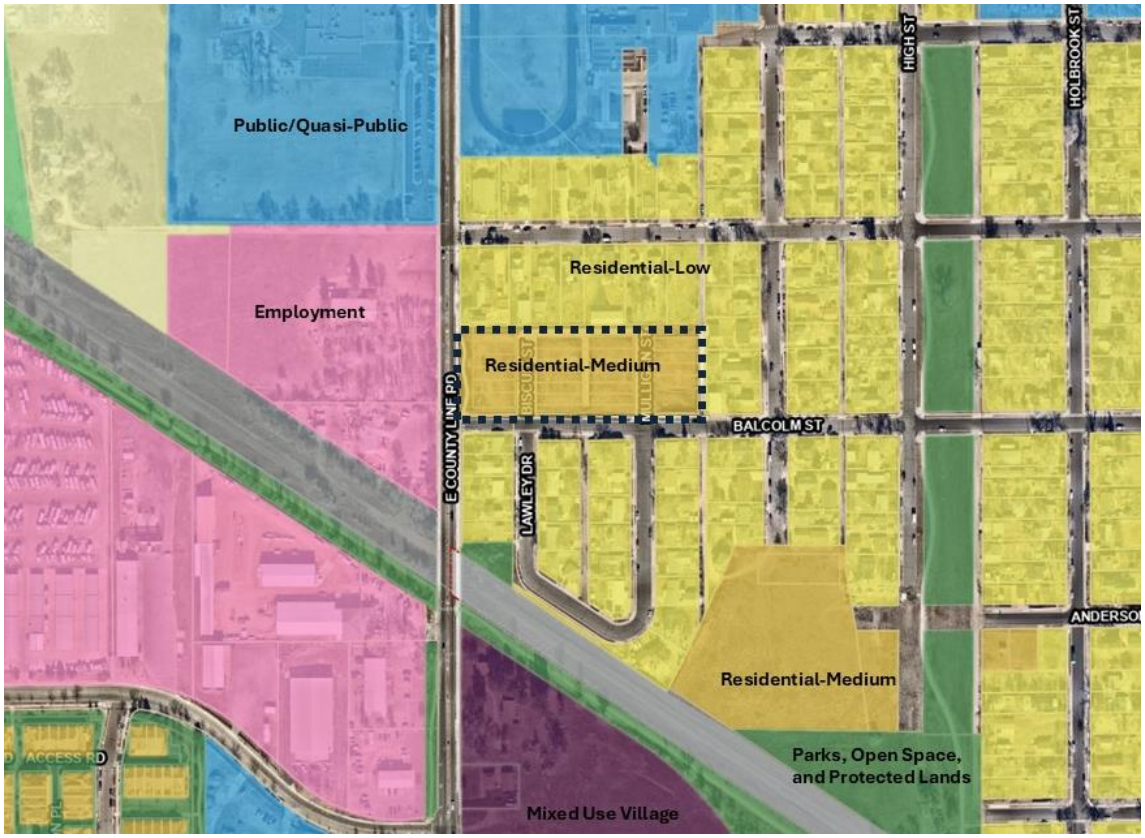
The application conforms with multiple goals and policies within the 2024 Comprehensive Plan including the following:

- C.5.1: Ensure that new development meets Comprehensive Plan vision, priorities, and resources management.

  Developing duplexes will help contribute to the need for more diverse housing typologies and improved affordability within the community.

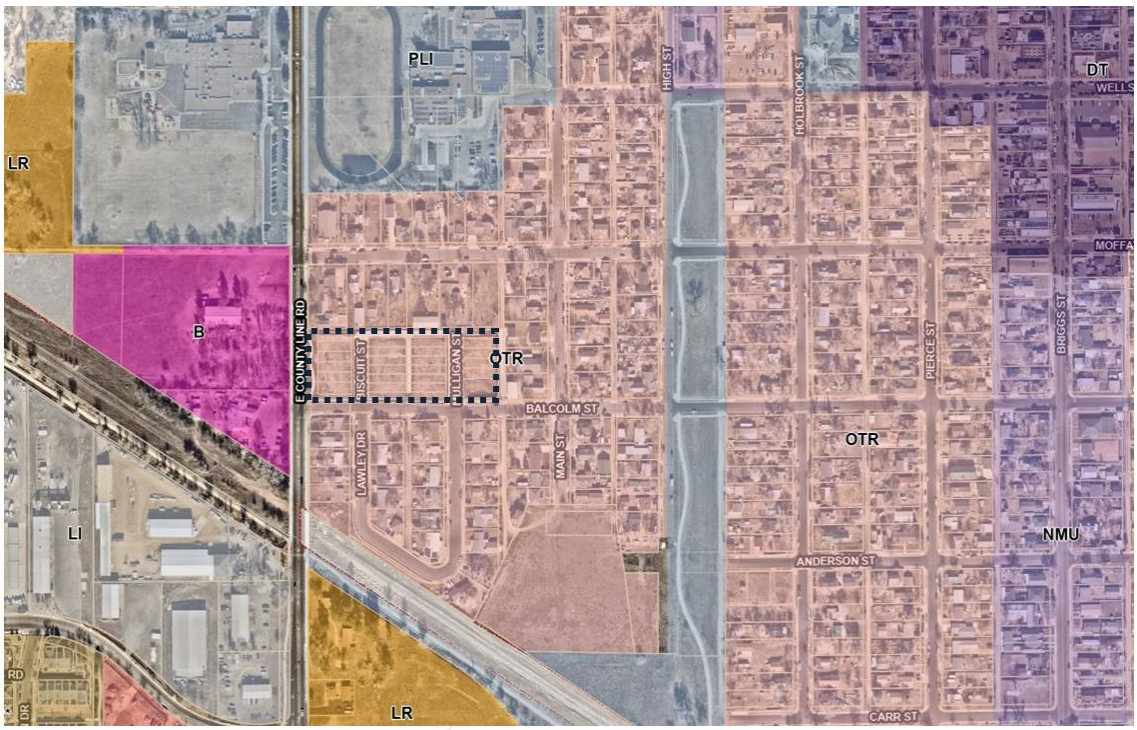
- 2. H.1.1: Locate higher density housing and mixed-use development in areas that are currently served or will be served by bus transit and neighborhood centers.

  This development supports the neighborhood center of Historic Old Town and is also near Erie Town Center.



Compliance with Town of Erie Zoning Map:

The subject property is zoned Old Town Residential (OTR). The property is outlined with a black dashed line on the zoning map below. The OTR zone district allows duplex, multi-family, and single-family attached housing (3 or more connected units) with a Special Review Use approval. The proposed project is consistent and complies with the land use table, dimensional standards, and the development standards in the UDC.



Access and Parking:

Staff previously reviewed the applicant's traffic impact study during the final plat process. The existing access points and street network can accommodate the development. The project will utilize the existing access points onto Balcolm Street from the constructed private drive. Units will include garage and driveway parking. Additionally, on-street parking is permitted on the two private streets.

Utilities, Infrastructure, and Drainage:

Town engineering staff have no outstanding utility concerns. Adequate utilities are established to serve the site.

STAFF REVIEW AND ANALYSIS

Staff finds the application is consistent with the Special Review Use approval criteria in the UDC, Section 10.7.11.C.2, as outlined below.

a. The proposed use is generally consistent with the town's comprehensive plan and all applicable provisions of this UDC and applicable state and federal regulations;

   Staff: The duplex use is consistent with the goals of the Town's Comprehensive Plan and Future Land Use Plan, as well as all applicable provisions of the Unified Development Code, State regulations, and federal regulations.

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

   Staff: The proposed use is permitted as a Special Review Use within the OTR zone district. The site has been platted to accommodate the proposed development and is consistent with the intent and standards of the zoning district.

c. The proposed use is generally consistent with any applicable use-specific standards set forth in section 10-3-2;

   Staff: The plat was previously approved to accommodate the proposed Special Review Use and demonstrated compliance with the applicable standards. The duplexes will introduce an alternative housing type that is limited within Old Town.

d. The proposed use is 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 twenty duplexes will be consistent with the surrounding area in both design and scale and will not introduce significant impacts. The site layout was previously reviewed and approved through the final plat. Future architectural and building permit reviews will ensure compliance with all applicable standards and requirements in the Unified Development Code.

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

   Staff:

   Adverse impacts to surrounding properties are expected to be minimal, as the proposed duplexes are similar in scale and intensity to existing residential uses in the area. Adequate parking will be provided in accordance with the UDC parking requirements, with each unit supplying two off-street parking spaces. Additional on-street parking can be accommodated along the private streets.

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

   Staff: As a site located within an existing, established developed area, infrastructure and utilities are already in place and available to serve the proposed use.

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

   Staff: Staff have no concerns regarding ongoing maintenance, as the development will be maintained the same as other neighborhoods within Town.

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

   <u>Staff:</u> No significant adverse impacts on the natural environment were identified during the plat approval process.

NEIGHBORHOOD MEETING

As required by the Municipal Code, a Neighborhood Meeting was held on April 16, 2026. A summary of the meeting is attached to this report for reference.

PUBLIC NOTICE

Notice of this Public Hearing has been provided as follows:

Published in the paper: 6/3/26

Property Posted: by 6/5/26

Letters to adjacent property owners within 500 feet: by 6/5/26