

Town of Erie
Planning Commission Regular Meeting
Wednesday, January 21, 2015
6:30 p.m.
Board Room, Erie Town Hall, 645 Holbrook, Erie, Co 80516

I. CALL MEETING TO ORDER & PLEDGE OF ALLEGIANCE

Chairman Bottenhorn called the Regular Meeting of the Erie Planning Commission to order at 6:30 p.m.

II. ROLL CALL

Commissioner Bottenhorn - Present

Commissioner Burgard – Present

Commissioner Campbell - Present

Commissioner Kemp - Present

Commissioner Fraser - Present

Commissioner Gippe - Present

Commissioner Harrison - Present

Staff Present:

R. Martin Ostholthoff, Community Development Director;

Deborah Bachelder, Senior Planner;

Gary W. Behlen, Public Works Director; and

Hallie Sawyer, Secretary to the Commission

III. APPROVAL OF THE AGENDA

Commissioner Burgard moved to approve the January 21, 2015, Regular Meeting Agenda as submitted. The motion, seconded by Commissioner Campbell, carried with all voting in favor thereof.

IV. APPROVAL OF MINUTES

a. Minutes from the January 7, 2015, Regular Meeting.

Commissioner Gippe moved to approve the January 7, 2015, Minutes as submitted. The motion, seconded by Commissioner Harrison, carried with all voting in favor thereof.

V. PUBLIC COMMENTS (This agenda item provides the public an opportunity to discuss items other than items that are on the agenda. The Planning Commission is not prepared to decide on matters brought up at this time, but it warranted, will place them on a future agenda.)

None.

VI. RESOLUTIONS (This agenda item is for all matters that should be decided by resolutions.)

1. Public Hearing – Wise Farms Rezoning

Purpose: Consider Wise Rezoning

Project File #: RZ-13-00070

Request: Consider Resolution P15-07, A Resolution Regarding The Wise Farms Zoning Map, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Rezoning.

Location: South of Jasper Road, West of N.119th Street

Zoning: RR – Rural Residential

Applicants: Jasper Land Investments LLC – Jim Dullea

(Staff Planner: Deborah Bachelder)

Chairman Bottenhorn opened the Public Hearings at 6:32 p.m. Deborah Bachelder, Senior Planner, presented the applications for the Wise Farms Rezoning, PUD Overlay and Preliminary Plat, entered the documents into evidence and presented the staff recommendations for approval of the three resolutions.

John Prestwich, PCS Group; Jim Dullea, Jasper Land Investments, LLC and David Glater, CTL Thompson were present. Mr. Prestwich gave the applicants presentation, outlining the process that had been followed to develop the proposed plan. Mr. Dullea fielded general questions from the Commission and Mr. Glater addressed specific questions related to undermining on the property.

Public Comment was taken from Brian Carlson, 4100 N. 119th Street; Karl and Karen Schultz, 4049 N. 119th Street; Jennie Elke, 4038 N. 119th Street; Dennis Nowak, 11577 Billings; Dick Przyantowski, 11619 Billings Avenue; Kathy Tepoel, 12050 Jasper Road; Rita Ellis, 12110 Jasper Road; Ingrid Bakke, 11309 Jasper Road; John and Joseph Hickey, 4340 N. 119th Street; Eldon Shaffer, 11311 Jasper Road; Karl & Mary Volz, 11587 Jasper Road; Mary Beggs, 12134 Jasper Road; Kit Wagner, 11810 Jasper Road; Nancy Pugh, 12234 Jay Road; Anita Schuneman, 11848 Billings Avenue; Suzanne Engert, 11686 Flatiron Drive; Christine Comment; 11255 Dobbins Run; Tim Jones, 12134 Jasper Road; Reb Jasper, 855 Briggs St.; Jon Kottke, 2975 Valmont Road; Pete Marburger, 3968 Frailey Drive; and Joe Pflug, 11852 Juniper.

Comments covered the plan is moving closer to the neighbors ideas, but isn't there yet; there is no trail shown to Red Hawk Elementary; there will be an isolated pocket of residential; the rezoning is only a benefit to the developers; there is no motivation for the public good; oil and gas operations; mine subsidence; property is awesome as it is and no development is needed; Comp Plan allows for lower density; the current zoning better fits the property; this is a perfect opportunity to utilize large lots; the proposal will have a negative effect on Brownsville; hope that profit for developers is not the criteria the Planners use; want a 150 foot buffer for Brownsville; lots must be 2 acres; future residents need to have livestock; Brownsville does not want street lights added to their neighborhood; traffic; the plan will create a city island in the middle of agriculture; neighbors want their lifestyle to continue; schools are overcrowded; there is no shopping in Erie; development will not be within walking distance to community facilities; there is no concern being shown for N. 119th Street to improve the road; current traffic in Boulder County is already a nightmare; the development doesn't make Erie a special place; the prettiest place in Erie will be destroyed; habit for owls in the trees and barns will be destroyed; history is being taken from Erie; No one east of N. 119th received notice; current residents have not been considered; hope the public is not wasting their time; USGS maps show mine shafts that are not shown on this plan; reviewed the rezoning approval criteria, citing how it was not being met; all wildlife habitats will be destroyed and wild life driven away; the development will stick out like a sore thumb; the power of government is being used to enrich developers; and the danger of cut thru traffic in Brownsville.

Chairman Bottenhorn called for a 5 minute break at 8:52 p.m. The meeting was called back to order at 8:58 p.m.

Commissioner questions covered Comp Plan Density calculations; why doesn't town take undeveloped land into consideration in the calculations; ditch crossings and maintenance; lot sizes and modifications; wetlands inventory; SUA's; utilities availability to property; financing utilities; long term traffic on Jasper and N. 119th; why the density change between the north and south parcels; in the rezoning, what promotes the health, safety and welfare; why increase density when it's not wanted; connectivity; RTD crossing; access to town amenities; what livestock would be allowed; how long has this been in process; is there an alternative plan if the rezoning is denied; have we indicated this would be an easy process; what are the grounds for rezoning; sink holes and mine locations; roads – do town plans for Jasper and N. 119th depend on this development; existing concrete oil and gas storage; development standards; have builders been selected; and price points.

Chairman Bottenhorn closed the Public Hearings at 10:02 p.m.

Commissioner comments covered questing why rezoning needs to be done; thinking what we're preserving for the future; appreciation for the public's time and reassurance it is not being wasted; appreciation for the level of detail and time to put this application together and match it to the criteria; Erie is about being unique; lots of stakeholders involved in this application; the south half better fits the neighborhood; there is no creative solution here; if approved, we will be setting up a train wreck for the

future; we need to provide living incentives for the future; public feels like they aren't heard, but they are; the zoning and Comp Plan do align; and urban development is not suitable here.

Commissioner Kemp moved to deny Resolution P15-07, A Resolution Regarding The Wise Farms Zoning Map, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Rezoning, citing the following approval criteria:

- b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
- e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property; and
- f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;

The motion, seconded by Commissioner Campbell, carried with all voting in favor thereof.

2. Public Hearing – Wise Farms PUD Overlay

Purpose: Consider Wise PUD Overlay

Project File #: PUD-13-00071

Request: Consider Resolution P15-08, A Resolution Regarding The Wise Farms PUD Zoning Map, Adopting Certain Findings Of Fact And Conclusions Favorable To The PUD Overlay Rezoning.

Location: South of Jasper Road, West of N.119th Street

Zoning: RR – Rural Residential

Applicants: Jasper Land Investments LLC – Jim Dullea
(Staff Planner: Deborah Bachelder)

Chairman Bottenhorn called for a short recess while the Commission pulled criteria for denial of the other resolutions together at 10:25 p.m. The meeting was called back to order at 10:33 p.m.

Commissioner Burgard moved to deny Resolution P15-08, A Resolution Regarding The Wise Farms PUD Zoning Map, Adopting Certain Findings Of Fact And Conclusions Favorable To The PUD Overlay Rezoning, citing the following approval criteria:

- c. The PUD Rezoning is consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
- f. The PUD Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
- h. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
- i. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;

The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

3. Public Hearing – Wise Farms Preliminary Plat

Purpose: Consider Wise Preliminary Plat

Project File #: PP-13-00012

Request: Consider Resolution P15-09, A Resolution Regarding The Preliminary Plat For Wise Farms Preliminary Plat, Adopting Certain Findings Of Fact And Conclusions Favorable To The Preliminary Plat.

Location: South of Jasper Road, West of N.119th Street

Zoning: RR – Rural Residential

Applicants: Jasper Land Investments LLC – Jim Dullea
(Staff Planner: Deborah Bachelder)

Commissioner Kemp moved to deny Resolution P15-09, A Resolution Regarding The Preliminary Plat For Wise Farms Preliminary Plat, Adopting Certain Findings Of Fact And Conclusions Favorable To The Preliminary Plat, citing the following approval criteria:

- a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.
- b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.
- 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.
- g. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.
- h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.

The motion, seconded by Commissioner Gippe, carried with all voting in favor thereof.

VII. STAFF REPORTS (This agenda items is reserved for specific items from Staff requiring Commission direction or just relaying important information.)
None.

VIII. COMMISSIONER REPORTS AND DISCUSSION ITEMS (This agenda item is for all Planning Commission reports and items of information as well as Commission discussion items, not listed on the agenda)
None

IX. ADJOURNMENT

There being no further business to come before the Commission, Chairman Bottenhorn adjourned the January 21, 2015, Regular Meeting of the Planning Commission at 10:35 p.m.

Respectfully Submitted,

Town of Erie Planning Commission

By: 
Hallie S. Sawyer, Secretary

By: 
J. Eric Bottenhorn, Chair