

**TOWN OF ERIE  
PLANNING COMMISSION MEETING  
Wednesday, February 16, 2022**

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**SUBJECT:**

**PUBLIC HEARING:**

**Rezoning**

Resolution P22-01: A Resolution of the Planning Commission of the Town of Erie Recommending that the Board of Trustees Approve an Ordinance Rezoning Coal Creek Park from Old Town Residential (OTR) to Downtown (DT)

**PURPOSE:**

Consideration of rezoning Coal Creek Park from Old Town Residential (OTR) to Downtown (DT)

**CODE REVIEW:**

Erie Municipal Code, Title 10

**DEPARTMENT:**

Planning and Development

**PRESENTER:**

Audem Gonzales, Senior Planner

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**STAFF RECOMMENDATION:**

**Rezoning: Resolution P22-01**

Staff finds the Coal Creek Park Rezoning application in compliance with the Rezoning Approval Criteria and recommends the Planning Commission adopt Resolution No. P22-01 recommending approval to the Board of Trustees.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

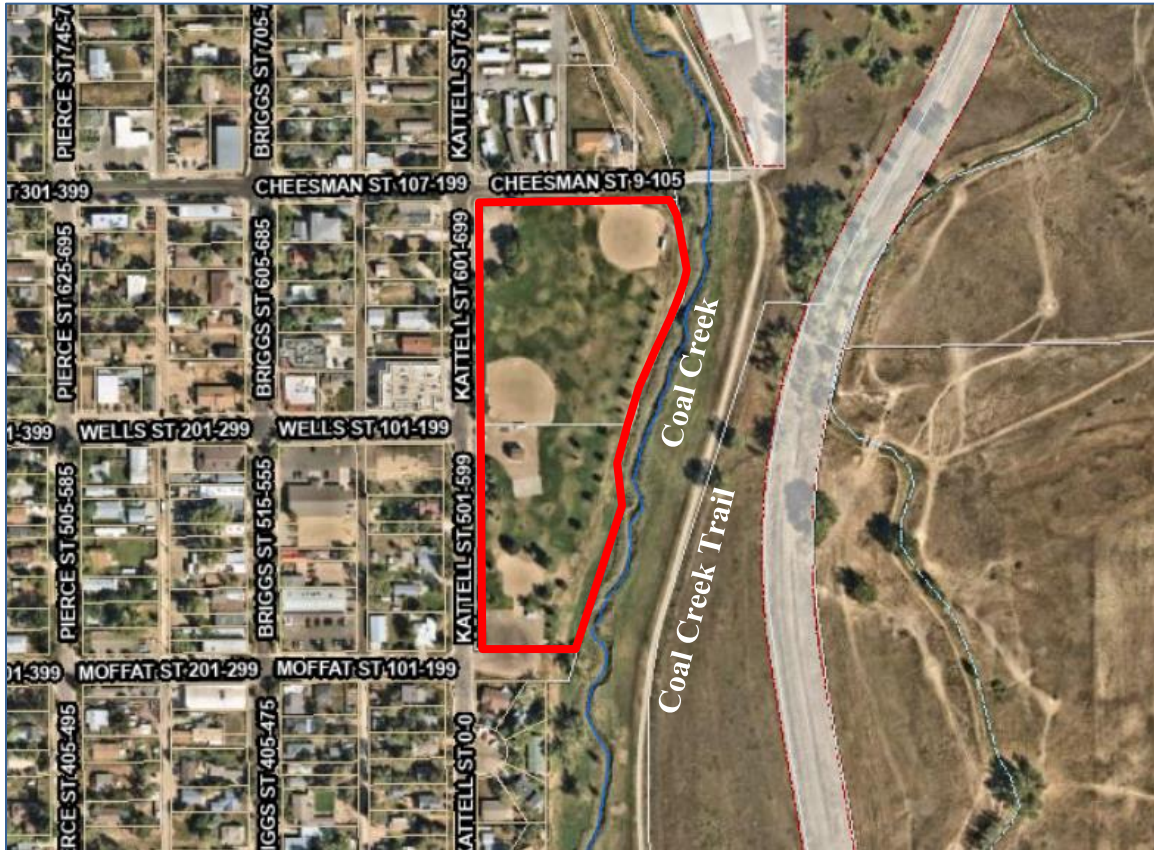
**Applicant:**

Town of Erie  
645 Holbrook Street  
Erie, CO 80516

**Existing Conditions:**

Zoning: Old Town Residential  
Future Land Use: P/OS – Park/Open Space and MDR – Medium Density Residential  
Project Size: 5.6 Acres  
Existing Use: Park (Coal Creek Park)

The property is located in Old Town Erie and is surrounded by Cheesman Street to the north, Kattel Street to the west, Moffat Street ROW to the south and Coal Creek to the east.



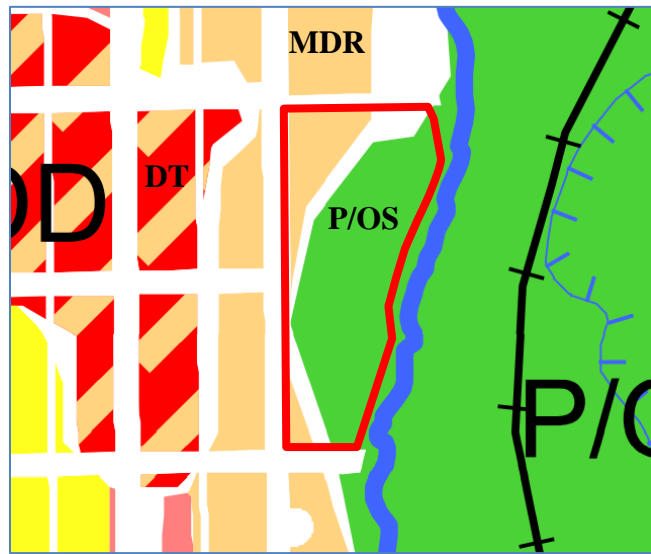
Adjacent Land-Use/Zoning:

	CURRENT ZONING	COMPREHENSIVE PLAN- LAND USE MAP DESIGNATION
<b>NORTH</b>	OTR – Old Town Residential	MDR – Medium Density Residential
<b>SOUTH</b>	OTR – Old Town Residential	MDR – Medium Density Residential
<b>EAST</b>	PLI – Public Land Institution	P/OS – Park/Open Space
<b>WEST</b>	DT - Downtown	MDR – Medium Density Residential



#### Compliance with Town of Erie Comprehensive Plan:

The application is in general compliance with the Land Use designations on the Comprehensive Plan, Land Use Plan Map. The Comprehensive Plan shows the P/OS - Park/Open Space and MDR – Medium Density Residential designations for the property. The majority of the property is designated as P/OS. Parks are permitted in the Downtown zone district, therefore, Staff believes the rezoning proposal is generally consistent with the Comprehensive Plan.



#### Project Summary

The subject area was originally platted as residential lots in 1885 with the Town of Erie, East Addition subdivision. Currently, Coal Creek Park is zoned Old Town Residential and is made up of several of those platted residential lots. Coal Creek Park is owned by the Town of Erie and maintained by the Parks and Recreation Department.

In January 2022, the Coal Creek Park redevelopment project commenced at this site. This project includes installing new park amenities and features. The project required Wells Street right-of-way to be vacated where portions of that ROW ran through the park. The right-of-way vacation was approved by the Board of Trustees on January 25, 2022. The redevelopment project also requires re-platting the park into one legal lot. That application is currently under review by Town staff.

Coal Creek Park may expand under the Old Town Residential zoning but the setbacks will create several issues. OTR zoning anticipates traditional single-family homes, therefore, setbacks are much larger. Single-family development typically includes large front and rear yards and accessory buildings located behind the principal structure. Downtown zoning provides for smaller setbacks and is more aligned with the type of development that is planned for Coal Creek Park, with multiple elements proposed along Kattel Street. Several of these elements cannot meet the setbacks in the Old Town Residential zone district, therefore, a rezoning is required to accommodate this project. Specifically, a shade structure and a solid fence along Kattel street (proposed to provide a buffer from the park parking lot) are not permitted at the proposed locations per the OTR standards. They would need to be setback a minimum of 20 feet from the property line. They would be permitted if the property were zoned DT which allows for a 0 foot front setback along Kattel Street.

Staff finds the park improvements acceptable at their proposed locations and supports the rezoning to Downtown to accommodate this project. The park does not abut any residential property, therefore, potential impact of the redevelopment project are minimal.

## **APPROVAL CRITERIA - STAFF ANALYSIS:**

The Coal Creek Park Rezoning application was reviewed for conformance with Municipal Code 10.7.5 B.9. Rezoning Approval Criteria. Staff finds the application is in compliance with the Rezoning Approval Criteria as listed below.

- a. The Rezoning will promote the public health, safety, and general welfare;  
Staff: *The rezoning allows the implementation of the Coal Creek Park redevelopment project which will greatly promote public health, safety and general welfare. Coal Creek Park is envisioned to be a major gathering location for not only Downtown Erie, but also for the entire community.*
- b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;  
Staff: *The Town's Comprehensive Plan and UDC strive to have a diversity of public amenities within the Town. The Comprehensive Plan designation for the site is mostly P/OS – Park/Open Space and a small portion being MDR – Medium Density Residential. The area is developed as a park which is consistent with the P/OS designation. Rezoning to DT does not change the use on the site as parks are permitted within the DT zone. The rezoning is generally consistent with the Comprehensive Plan and UDC.*
- c. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;  
Staff: *Adequate facilities and access to these facilities are found adjacent to the project area. Future development within the park will require connections to several of these facilities.*
- d. The 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;  
Staff: *The area under consideration is already used as a park. Changing the zoning to DT – Downtown will not affect the natural environment, including air, water, noise, storm water management, wildlife, and vegetation.*
- e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;  
Staff: *The property may develop under the Old Town Residential zoning. The rezoning simply better accommodates the redevelopment project that is underway. The use is not changing on the site nor are any adverse impacts anticipated. The park does not abut any residential properties. It is surrounded by right-of-way on three sides with the fourth side (east boundary) abutting Open Space.*
- f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and  
Staff: *Future uses are not anticipated to be out of scale with adjacent properties.*
- g. The Zoning is generally consistent with the Towns' economic development goals and objectives to bring positive growth and sustainable revenues to the Town.

*Staff: Rezoning the property to Downtown will greatly enhance Old Town Erie because the rezoning will help facilitate the expansion of the park. Coal Creek Park is a central gathering place within Erie and will become even more popular with improved parking and additional amenities.*

**NEIGHBORHOOD MEETING:**

The Neighborhood Meeting requirement for the rezoning application was waived by the Director of Planning and Development. The Coal Creek Park redevelopment project has had extensive input from the public throughout the last few years. Citizen feedback was gathered at a Farmers Market event, an Open House was scheduled for citizens and several presentations were given to the Board of Trustees with concept plans for Coal Creek Park.

**PUBLIC NOTICE:**

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	January 26, 2022
Property Posted as required:	January 28, 2022
Letters to Adjacent Property Owners:	January 28, 2022

**PUBLIC COMMENTS:**

No written public comments have been received for these applications.