

**TOWN OF ERIE**

Planning & Development – Planning Division  
645 Holbrook Street – PO Box 750 – Erie, CO 80516  
Tel: 303.926.2770 – Website: [www.erieco.gov](http://www.erieco.gov)

**LAND USE APPLICATION**

*Please fill in this form completely. Incomplete applications will not be processed. Application fees must accompany application.*

**STAFF USE ONLY**

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

**PROJECT/BUSINESS NAME:** King Soopers #138**PROJECT ADDRESS:** 2900 Arapahoe Rd, Erie, CO 80516**PROJECT DESCRIPTION:** A new King Soopers grocery store with drive thru pharmacy is proposed at Nine Mile Corner. Associated utilities, drive aisles, parking, and landscaping will also be constructed.**LEGAL DESCRIPTION** (attach legal description if Metes & Bounds)

Subdivision Name: Nine Mile Corner Amendment No. 2

Filing #: 2      Lot #: 3      Block #: 1      Section: 34      Township: 1N      Range: 69W

**OWNER** (attach separate sheets if multiple)

Name/Company: King Soopers

Contact Person: Dan Hubbell

Address: 65 Tejon Street

City/State/Zip: Denver, CO 80223

Phone: 303-416-0868

Fax:

E-mail: dan.hubbell@kingsoopers.com

☒ Check here if Owner is responsible for Application Billing**AUTHORIZED REPRESENTATIVE**

Company/Firm: Galloway &amp; Company, Inc.

Contact Person: Aaron Johnston

Address: 6162 S. Willow Drive, Suite 320

City/State/Zip: Greenwood Village, CO 80111

Phone: 303-770-8884

Fax:

E-mail: aaronjohnston@gallowayus.com

☐ Check here if Authorized Representative is responsible for Application Billing**MINERAL RIGHTS OWNER** (attach separate sheets if multiple)

Name/Company:

Address:

City/State/Zip:

**MINERAL LEASE HOLDER** (attach separate sheets if multiple)

Name/Company:

Address:

City/State/Zip:

**LAND-USE & SUMMARY INFORMATION**

Present Zoning: PD

Proposed Zoning: (no change)

Gross Acreage: 7.85

Gross Site Density (du/ac): n/a

# Lots/Units Proposed: n/a

Gross Floor Area: 103,000 sf

**SERVICE PROVIDERS**

Electric: Xcel

Metro District: Nine Mile Corner

Water (if other than Town): Town of Erie

Gas: Xcel

Fire District: Mountain View Fire Protection District

Sewer (if other than Town): Town of Erie

**PAGE TWO MUST BE SIGNED AND NOTARIZED**



DEVELOPMENT REVIEW FEES			
<b>ANNEXATION</b>		<b>SUBDIVISION</b>	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<b>COMPREHENSIVE PLAN AMENDMENT</b>		<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Minor Plat Amendment	\$400.00
<b>ZONING/REZONING</b>		<input type="checkbox"/> Road Vacation (constructed)	\$1000.00
<input type="checkbox"/> Initial Zoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Road Vacation (paper)	\$100.00
<input type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre		
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<b>SITE PLAN</b>	
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input checked="" type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2,200.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
<b>SPECIAL REVIEW USE</b>		<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (major)	\$1100.00
<input type="checkbox"/> Minor	\$ 400.00	<input type="checkbox"/> Amendment (minor)	\$350.00
<input type="checkbox"/> Oil & Gas	\$ 1200.00	<b>VARIANCE</b>	
<b>MISCELLANEOUS</b>		<b>METRO DIST SERVICE PLAN</b>	
<input type="checkbox"/> Outdoor Café Permit/R.O.W. Encroachment	\$50.00	\$10,000.00	
<input type="checkbox"/>			

All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. **The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Title 10, Section 7.2.B.5 of the Town of Erie Municipal Code, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.**

Owner: Dan Hubbell

Date: 5/21/21

Owner: \_\_\_\_\_

Date: \_\_\_\_\_

Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF COLORADO )

County of Denver ) ss.

The foregoing instrument was acknowledged before me this 21<sup>st</sup> day of May, 2021 by Dan Hubbell.

LAURA ARCHULETA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20184025143  
MY COMMISSION EXPIRES JUNE 15, 2022

My commission expires: June 15, 2022  
Witness my hand and official seal.

Laura Archuleta  
Notary Public

**King Soopers #138**  
**SEC of Arapahoe Road and Highway 287, Erie, CO**  
**Erie Nine Mile Corner – Lot 10A**

**PROJECT NARRATIVE**

**Project Description**

**Zoning**

The property is currently zoned PD as part of the Nine Mile Corner PD-DP Amendment No. 1. King Soopers intends to construct an approximately 103,000 square foot grocery store with a pharmacy drive through on Lot 10A of the Erie Nine Mile Corner development.

King Soopers falls within the Retail Sales and Service classification in the PD PA-1 Uses Table, where general retail and a pharmacy with drive-through service is a permitted use.

**Access**

Access into the subject property will be from internal private access drives that are being constructed by the master developer (Evergreen).

**Parking**

The Applicant proposes an approximately 103,000 square foot building. The approved PD for the Nine Mile development provides guidance on off-street parking requirements. Per the PD a Large Retail Use should be parked at 1 space per 350 SF. Additionally the Development Code for the Town of Erie provides in Section 10.6.6.D.4 "...off-street vehicle parking spaces shall not be provided in any amount that is more than 125 percent of the minimum requirements established in Table 6.6-1, *"Off-Street Parking Schedule A"*. Utilizing this guidance, the proposed use would be allowed a maximum parking supply of 369 spaces. The Applicant is proposing a total of 404 parking stalls, which exceeds the 125% maximum allowable parking, but is less than the number of parking stalls typically required by King Soopers for a store of this size. Please reference the enclosed Parking Variance Request Letter for justification.

**Pedestrian Connectivity**

Pedestrian connectivity will be provided through the site by sidewalks being proposed through the main parking field to the Private Access Drive, as depicted on the enclosed Site Plan.

**Approval Criteria per Title 10.7.12 of the Unified Development Code**

- a. **"The Site Plan is generally consistent with the Town's Comprehensive Master Plan"**

The proposed use is allowed under this site's current zoning, and no zoning change has been proposed for the area.

- 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"**

This site is consistent with the approved Nine Mile Corner PD-DP Amendment No. 1.



- c. **“The Site Plan complies with all applicable development and design standards set forth in this UDC, including but not limited to the provisions in Chapter 2, Chapter 3, Chapter 4, and Chapter 6”**

The site complies with all applicable development and design standards as reflected in the civil drawings included in this submittal.

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

Any such impacts will be mitigated or offset to the maximum extent reasonably practicable.

- e. **“The development proposed on the Site Plan and its general location is or will be compatible with the character of surrounding land uses.”**

This site is consistent with the approved Nine Mile Corner PD-DP Amendment No. 1.

### **Building Architecture**

The proposed building architecture provides visual interest consistent with the community's identity, character and scale by providing a mix of quality materials, and forms complimenting surrounding structures, including sloped metal roofing, stone, glass, and colored CMU. Building facades and rooflines are articulated to reduce the mass, scale, uniform and monolithic appearance by integrating variations in height, color, and materials every 60' or less in length. Architectural features and details across the façade include transitions of wall heights, metal awnings, tower elements, glass, and varying colors of CMU. These elements provide visual interest at the scale of the pedestrian with building entries and sidewalks adjacent to multiple sides of the building.

The following demonstrates the compliance to the Commercial Design Standards in the PD:

1. **Building Orientation**

- a. The main façade and entry of the building are oriented toward the west, providing visibility from the adjacent Hwy 287.
- b. Support functions, including the trash compactor and loading dock, are oriented toward the east, away from the adjacent street and screened from view by CMU walls.

2. **Building Massing and Façade**

- a. Building height varies between 27'-0" and 42'-8" to ensure equipment is screened properly by parapets and equipment screens.
- b. The following features are incorporated on each side of the building:
  - i. North:
    1. Cultured stone and multiple CMU colors create changes in color and material.
    2. Windows / glass are used.
    3. Awnings are used.
  - ii. West:
    1. Cultured stone and multiple CMU colors create changes in color and material.
    2. Repeating horizontal and vertical CMU reveals, along with vertical stone, express structural bays and architectural articulation.
    3. Gabled roof elements are used at the main entrance.

- 4. Windows / glass are used.
- iii. South:
  - 1. Cultured stone and multiple CMU colors create changes in color and material.
  - 2. Windows / glass are used.
  - 3. Awnings are used.
- iv. East:
  - 1. Cultured stone and multiple CMU colors create changes in color and material.
  - 2. Repeating horizontal and vertical CMU reveals, along with vertical stone, express structural bays and architectural articulation.
  - 3. CMU screen walls hide loading dock and utility equipment.
- c. Primary building entrance contains a clearly defined pedestrian entrance featuring the three following features:
  - i. Awnings
  - ii. Gabled roof
  - iii. Storefront glazing

Flat roofs incorporate parapet walls at least 18" in height. Roofs also use internal roof drains.

Intense, bright, or fluorescent colors are not used as a predominant color on the building. The use of such design elements as roofs with knee bracing and stone masonry, reflect the local materials and functions of the Town of Erie's origins.

### **Development Schedule**

The construction of the public improvements of the overall Development commenced in October 2020. Delivery of the building pads for Lowe's and King Soopers was provided in May 2021. The public and private infrastructure improvements are anticipated to be completed in December 2021 with King Soopers store opening dates expected in July 2023.

### **Maintenance**

The Metro District will maintain all Tracts within the Development. The Manager of the shopping center will maintain the primary north-south access drive and monument signs, while each lot owner maintains the improvements located on their respective lots

### **Mineral Rights**

Reference enclosed ALTA/TITLE COMMITMENT

Please feel free to contact us with any questions as the projects progresses. We look forward to another successful project in the Town of Erie.

Sincerely,

Aaron Johnston, PE  
Civil Project Engineer  
[AaronJohnston@gallowayus.com](mailto:AaronJohnston@gallowayus.com)  
303-770-8884