

**TOWN OF ERIE
PLANNING COMMISSION MEETING
June 21, 2017**

SUBJECT:

PUBLIC HEARING:

Consideration of Resolution P17-11: A Resolution Regarding The Nine Mile Corner Planned Development Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Planned Development Rezoning.

PURPOSE:

Consideration of a rezoning from CC-Community Commercial and PD-Planned Development to PD-Planned Development for the Nine Mile Corner Development.

PROJECT NO.:

PD-000831-2016

CODE REVIEW:

Erie Municipal Code, Title 10

DEPARTMENT:

Community Development

PRESENTER:

Todd Bjerkaas PLA, Senior Planner

STAFF RECOMMENDATION:

Approval of the Planned Development with conditions.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant:

Evergreen DevCo, Inc.
1873 South Bellaire Street, Suite 1106
Denver, Colorado

Owners:

Town of Erie
645 Holbrook Street
P.O Box 750
Erie, Colorado 80516

Town of Erie Urban Renewal Authority
645 Holbrook Street
P.O Box 750
Erie, Colorado 80516

Location:

The southeast corner of Arapahoe Road and State Highway 287.



Existing Conditions:

Zoning: CC – Community Commercial
PD – Planned Development
Project Size: 47.15 Acres
Existing Use: Vacant

Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Arapahoe Ridge PD – Planned Development	Commercial; Single Family Residential
EAST	RR – Rural Residential (Boulder County)	Single Family Residential
SOUTH	R1 – Medium Density Residential (City of Lafayette)	Single Family Residential
WEST	Arapahoe Ridge PD – Planned Development; and, A – Agricultural (Boulder County)	Vacant

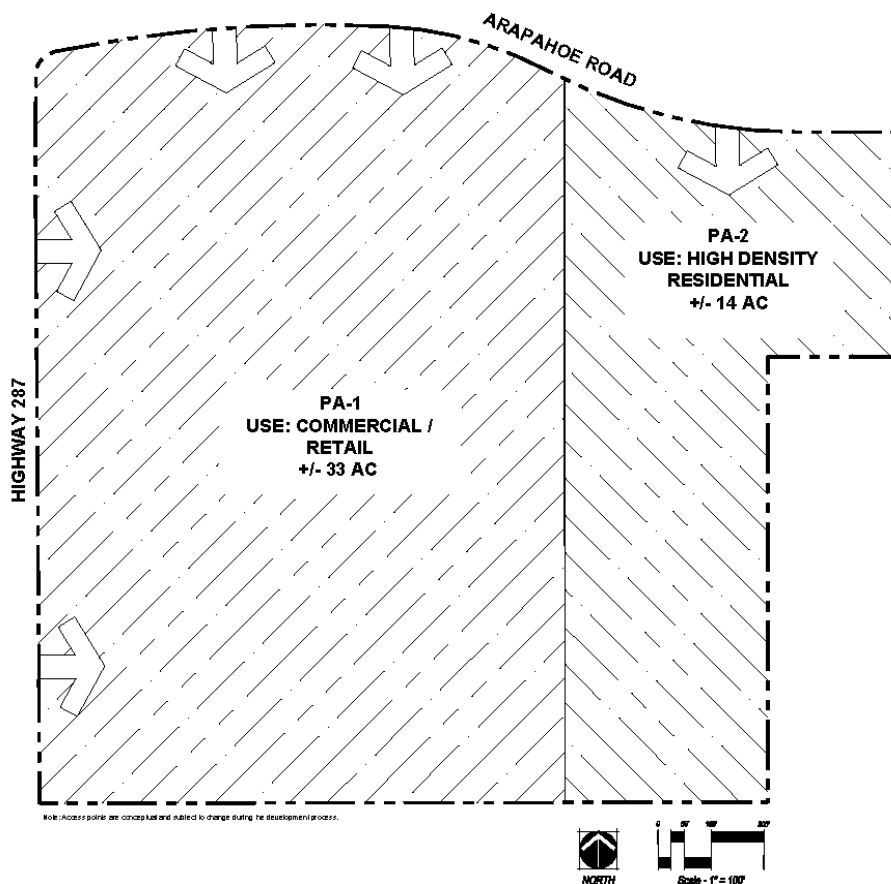
Compliance with Town of Erie Comprehensive Plan:

The properties are shown as RC – Regional Commercial in the 2015 Comprehensive Plan, Land Use Plan Map. The Comprehensive Plan contemplates Regional Commercial primary land uses as “More intense retail and employment uses designed to serve the community or region, including general retail, employment (e.g. business parks), retail with outdoor storage, “big box” retail centers, and regional malls.” Under secondary land uses in Regional Commercial, “Up to 30% medium or high density residential is permitted as a secondary use. Open space and recreation, general commercial, places of worship, other public uses are also appropriate.” The commercial uses and design standards listed in the PD are consistent with the Comprehensive Plan designation. The high density residential uses comprise less than 30% of the PD and are also consistent with the Comprehensive Plan designation.

Nine Mile Corner PD Planning Areas:

As illustrated on the proposed PD map below, the 47.15 acres of land are broken up into two Planning Areas. Planning Area 1 (PA-1) is located on the western portion of the site adjacent to Highway 287 and Arapahoe Road, is designated as Commercial/Retail, and comprises approximately 33 acres of the site. Planning Area 2 (PA-2) is located on the eastern portion of the site, is designated as High Density Residential, and comprises approximately 14 acres of the site.

Proposed Nine Mile Corner PD Map



Proposed Land Uses:

As detailed in the PD Development Plan, certain land uses are designated for each planning area. The intent of the commercial planning area, PA-1, is to provide for a range of retail goods and services, business and professional services which support residential uses, and complementary public community services and facilities. Uses Permitted by Right in PA-1 are identical to the Uses Permitted by Right in the Regional Commercial (RC) Zone District of the Town's Unified Development Code (UDC). In addition, Special Review Uses in PA-1 are identical to Special Review Uses in the RC Zone District of the Town's UDC. The only uses in PA-1 that vary from the UDC are Accessory Uses that include Outdoor Display and Storage and Seasonal Display. These uses are permitted as accessory uses to primary uses that occupy a building at least 25,000 sf in gross floor area and are required to be designated on an approved site plan.

The residential planning area, PA-2, also retains the Uses Permitted by Right in the High-Density Residential (HR) Zone District of the UDC. More specifically, the PD calls out multi-family dwellings and carriage units over garages as Uses Permitted by Right. The PD also increases the gross density of PA-2 to 22 DU/acre from the HR district's maximum of 16 DU/acre. This allows for a maximum of 308 units in PA-2. In addition, the maximum number of 24 units per building in the UDC is increased to a maximum of 28 units per building for buildings three-stories or less in height and 44 units per building for buildings four-stories in height.

Architectural Design Standards:

In addition to designating allowed land uses, the PD also proposes certain architectural design standards for each Planning Area.

For PA-1, the Regional Commercial (RC) zone design standards in the UDC have been retained.

For PA-2, the Multi-Family Residential design standards in the UDC have been retained with modifications as follows.

Building Orientation (PA-2):

Building orientation to primary streets and/or common areas has been retained, except for the clubhouse/amenity center and carriage units over garages that could also be oriented towards parking areas or alleys.

Architectural Character (PA-2):

Four-sided architecture, detailing, articulation, and roof requirements have been retained. A requirement for three-story buildings to step down at the ends has been added. The maximum length of a multi-family building has increased from 156 feet to 220 feet.

Architectural Variety (PA-2):

The PD adds a limit to the number of bedroom types, setting a maximum of 55 percent for the total number of units with the same number of bedrooms. The PD also increases the minimum number of building models from two (2) to three (3).

Materials (PA-2):

The materials section for multi-family residential in the UDC has been retained in the PD. The PD has also specifically prohibits the use of vinyl siding in the planning area.

Parking and Garage Placement:

The maximum length of carports and common garages is increased from 60 feet to 100 feet in length. The maximum percentage of parking lots and detached garages or carports

along perimeter public street frontage is increased from 30 percent to 50 percent. The garage doors of garages attached to an apartment building allows for up to four doors to be in the same plane before requiring an offset of two (2) feet to the next garage door. In the UDC, each garage door is required to be offset four (4) feet from an adjacent garage door.

Parking Requirements:

The PD follows the Town's UDC for parking requirements except as modified below for each Planning Area.

Parking Schedule (PA-1):

Parking ratios for Regional Commercial uses in the UDC have been retained except in the case of Large Retail Uses which are defined as uses located in buildings 25,000 sf or larger in gross floor area. For Large Retail Uses, the required parking ratio in PA-1 is decreased from one (1) parking space per 200 sf to one (1) parking space per 250 sf. All uses under 25,000 sf in size shall meet the UDC requirements.

Parking Dimensions (PA-1):

Parking dimensions in the Town's UDC have been retained except in the case of Large Retail Uses which are defined as uses located in buildings 25,000 sf or larger in gross floor area. For Large Retail Uses, the PD retains the drive aisle widths and stall widths for head in and angled parking, but decreases the stall lengths. These parking dimension reductions are identical to those approved for the King Soppers site plan in Vista Ridge and are only applied to large retail uses at Nine Mile. All uses under 25,000 sf in size shall meet the UDC requirements.

Parking Schedule (PA-2):

Parking ratios for the multi-family residential uses in the UDC have been modified from the UDC. The 1.5 parking spaces per 1 bedroom unit and the 2.0 parking spaces per 2+ bedrooms unit are consistent with the Town's UDC. The guest parking has been reduced from 1.0 parking space per 3.0 dwelling units to 1.0 parking space per 4.0 dwelling units.

Dimensional Standards:

The PD follows the Town's UDC for dimensional standards except as modified below for each Planning Area.

Building Height (PA-1):

The maximum height of 45' for a principal structure has been retained from the UDC's Regional Commercial zone district. The PD has added a maximum height of 25' for accessory structures.

Building Height (PA-2):

The maximum height of 35' for a principal structure in the UDC for the HR zone district has been increased in the PD to 45' for buildings up to three stories in height and 49' for buildings four stories in height. Four story buildings shall be located interior to the site and no closer than 400' to the north and south boundaries of the planning area.

The 25' maximum height for accessory structures has been retained from the UDC.

Setbacks – Arapahoe Road and Highway 287:

- The 20' setback for Regional Commercial in the UDC has been increased to a 30' setback in PA-1 along Arapahoe Road and 287. 30' is consistent with the UDC's required 30' landscape buffer along arterials.

- The 20' setback for HR in the UDC has been increased to a 100' setback in PA-2 along Arapahoe Road.

Setbacks – South Property Line:

- The side setback of 10' for principal buildings and 5' for accessory buildings in the UDC's RC district has been increased to 100' along the south property line in PA-1.
- The rear setback of 20' for principal buildings and 5' for accessory buildings in the UDC's HR district has been increased to 100' along the south property line in PA-2.

Setbacks – East Property Line (PA-2):

- The 10' side setback for HR in the UDC has been retained along the north portion of PA-2.
- The 10' side setback for HR in the UDC has been increased to 30' along the south portion of PA-2.

Setbacks – Between Planning Areas:

- The 20' rear setback for RC in the UDC has been increased to 30' in PA-1 where adjacent to PA-2. The 5' accessory structure rear setback is increased to 10'.
- The 10' side setback for HR in the UDC has been increased to 20' in PA-2 where adjacent to PA-1. The 5' accessory structure side setback is retained.

Landscape Buffer– Between Planning Areas:

- A landscape buffer a minimum of 30' wide is added between PA-1 and PA-2. The buffer can be reduced to 15' when walls, fences, and accessory structures are incorporated.

Encroachments:

- Parking areas, drive aisles, and access drives may encroach into the principal building setbacks consistent with the UDC's provisions.

STAFF ANALYSIS:

The Nine Mile Corner Planned Development Rezoning was reviewed for conformance with Municipal Code, Title 10, UDC Section 10.7.23.C.9. Approval Criteria. Staff finds the Nine Mile Corner Planned Development Rezoning application in compliance with the Approval Criteria as listed below.

- a. The PD district zoning is generally consistent with the purpose of the PD zone district as set forth in UDC Sections 2.5 and 7.6.

Staff: *The Nine Mile Corner PD is generally consistent with Section 2.5. Section 7.6 (PUD Overlay) is not applicable.*

- b. The modification to the UDC regulations is based on creative and innovative design and amenities incorporated in the PD zone district that could not otherwise be achieved through other standard zoning districts or through another modification processes such as Alternative Equivalent Compliance in UDC Subsection 6.1.C or the PUD Overlay District in UDC Subsection 2.7.D.

Staff: *The PD allows for certain modifications to the UDC that Alternative Equivalent Compliance, PUD Overlay Zoning, and other zone districts cannot achieve. The modifications allow for commercial and residential development with unique and creative standards that respond to Nine Mile's specific location*

adjacent to high volume intersection and streets and existing commercial and residential development.

- c. The PD zoning district will promote the public health, safety, and general welfare.

Staff: *The PD Amendment promotes the public health, safety and general welfare.*

- d. The PD zoning district is generally consistent with the Town of Erie Comprehensive Master Plan; Transportation Master Plan; Parks, Recreation, Open Space, and Trails Master Plan, and other pertinent Town plan and policy documents.

Staff: *The PD Amendment is generally consistent with the Town of Erie master plans.*

- e. Adequate and sufficient public safety, utility facilities and services, recreation facilities, parks, open space, and schools are available to serve the property, while maintaining sufficient levels of service to existing development.

Staff: *The above referenced services are available or are within close proximity to the property. Additional facilities and levels of service will be mitigated through subsequent subdivision and site plan approval procedures.*

- f. The PD zone district provides adequate vehicular circulation and parking facilities in terms of traffic volumes, convenience, safety, access, screening and noise.

Staff: *Adequate vehicular circulation and parking facilities are required in the PD and will be provided for through subsequent subdivision and site plan approval procedures.*

- g. A pedestrian and bicycle circulation system that provides connections to adjacent properties, existing and future trails, parks, open space, recreational facilities, schools, and other places of public gathering.

Staff: *Adequate pedestrian and bicycle circulation are required in the PD and will be provided for through subsequent subdivision and site plan approval procedures.*

- h. The PD zone district is not likely to result in significant adverse impacts to the natural environment, and significant scenic and historic features.

Staff: *No significant adverse impacts to the above referenced qualities/conditions are anticipated. The subsequent subdivision and site plan approval process will require the mitigation of impacts to these qualities/conditions if and when they are encountered based on required studies/reports.*

- i. The PD zone district will not result in significant adverse impacts on properties in the vicinity of the PD zone district, or such impacts will be substantially mitigated.

Staff: *Significant adverse impacts are not anticipated as they have been mitigated by requirements in the PD.*

- j. Proposed uses will be compatible in scale with uses on properties in the vicinity of the PD zone district.

Staff: *The proposed development will be compatible in scale.*

- k. The residential areas of a PD zone district allocate a variety of housing types and densities appropriate to the size of the residential development area.

Staff: *The PD Amendment allows for different housing types and a density appropriate to the area.*

- I. Visual relief is provided through building placement, shortened or interrupted street vistas, visual access to open space, parks, and other design methods.

Staff: *Visual relief is provided for through setbacks and PD requirements and will be implemented with subsequent subdivision and site plan procedures.*

- m. The modifications permitted in the PD zone district have been made in exchange for greater public benefits that would not have otherwise be achieved through development under another zone district.

Staff: *The modifications in the PD allow for commercial and residential uses at a scale and design appropriate to the adjacent corridors and larger region while providing increased separation, buffers, and design solutions to adjacent existing uses, both of which are greater public benefits that would not be otherwise achieved under another zone district or districts.*

NEIGHBORHOOD MEETING:

As required by the Municipal Code, a Neighborhood Meeting was held on April 4, 2017 at 7:00 p.m. at the Erie Community Center. The required notice for the Neighborhood Meeting was provided.

PUBLIC NOTICE:

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	May 31, 2017
Property Posted as required:	May 30, 2017
Letters to Adjacent Property Owners:	June 2, 2017