



Department of Community Development

Planning and Building

The Town of Erie

645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2775
FAX (303) 926-2706

Memo

To: John Lee

From: Chris LaRue, Senior Planner

Date: July 23, 2019

Re: Development Review Team (DRT) comments by Community Development for:
1. CPA-000925-2017 Erie Commons Filing No. 4 Comprehensive Plan Amendment

Town Staff has reviewed the Erie Commons Comprehensive Plan Amendment application for conformance with Municipal Code, Title 10. The application was reviewed at the July 11, 2019 Development Review Team (DRT) meetings. A list of the Town staff that have commented and referral agencies that have responded are listed below. Referral comments received by the Town after the date of this memo shall be forwarded on to the applicant.

The next step for the Erie Commons Comprehensive Plan Amendment is revision and resubmittal. Please make the appropriate revisions to the application materials and provide written response to address each written comment from the Town staff and referral agencies. The comments are minimal, but need to be addressed prior to scheduling the Comprehensive Plan Amendment for public hearing. You may re-submit by e-mail to expedite the process.

Digital Copies:

- A PDF format of all of the updated submittal materials The updated information will be distributed to the following referral agencies:
 1. Town of Erie – internally distributed to: Planning, Engineering, & Parks
 2. Tetra Tech
 3. Xcel
 4. CGS

Below are the Community Development Department comments.

Comprehensive Plan Amendment Comments:

1. The request contemplates changing a part of the existing Community Commercial area to Medium Density Residential. Per the Comprehensive Plan, gross densities for Medium Density Residential neighborhoods may range from 6-12 dwelling units per acre, to allow for a variety of housing types; however, average gross densities will not typically exceed 8 dwelling units/acre.

- i. Based upon the proposal of 160 units, the project would provide 13.157 dwelling units per acre. The proposal would be inconsistent with the Comprehensive Plan goals for the Medium Density Residential designation.
 - ii. The number of overall units could be reduced to meet the dwelling units per acre maximum, or you could consider utilizing the High Density Residential designation. High Density Residential has a density range of 12 to 20 dwelling units per acre.
 - iii. The designation on the PD Amendment (Mid-Town Residential) depicts the density range from 7.5 to 13 units per acre. The density would need adjusting to accommodate the proposed density.
2. The narrative will need updating relative to these comments. Update the Comprehensive Plan narrative to remove references to the zoning/PD application. The zoning references are incorrect anyway and should have referenced the PD designations. In addition, the parcel of land subject to the Comprehensive Plan Amendment should state the correct acreage of 12.181 acres.
3. Housing Diversity: Requirement Met
 - a. Including this proposed amendment (12.161 acres) there would be 184.81 acres in the overall Erie Commons neighborhood zoned for residential uses. Municipal Code 10.6.7.D requires the developer to provide either 4 housing types, 3 housing types and 1 housing type variation, or 2 housing types and 2 housing type variations. The Erie Commons neighborhood has already met the requirement by providing 2 housing types and 2 housing type variations; housing type: townhomes – alley loaded, housing type: single-family detached – under 5,000 square feet lot; housing variation: single-family detached – 5,000-9,999 square feet lot; housing variation: single-family detached – 10,000-39,999 square feet lot.
 - i. The applicant proposes townhomes and duplexes. The duplexes would provide an additional housing type that is not already provided.
4. Please note, the comments provided on this Comprehensive Plan Amendment should not be applied to or condone the future PD/Annexation Amendment, Subdivision Plat, or Site Plan. Separate comments will be provided for the listed applications at a later date.

Since review is a cumulative process and dependent on various criteria, we reserve the right to provide further comment(s) and request additional information upon receipt of this requested information. Please do not hesitate to contact me at 303.926.2776 for further clarification or with any questions or concerns that you may have.

To: Chris LaRue, Senior Planner

cc: Jim Lenzotti, Tetra Tech

From: Savannah Benedick-Welch, Land Use Planner III

Date: July 9, 2019

Subject: Erie Commons Filing 4 – Comprehensive Plan Amendment

Project Description:

This proposal includes an amendment to the Erie Comprehensive Plan for Erie Commons. The proposal includes revising a portion of Lot B-4A from Community Commercial uses to Medium Density Residential uses. The revision is illustrated on the Comprehensive Plan Amendment Map on page 2.

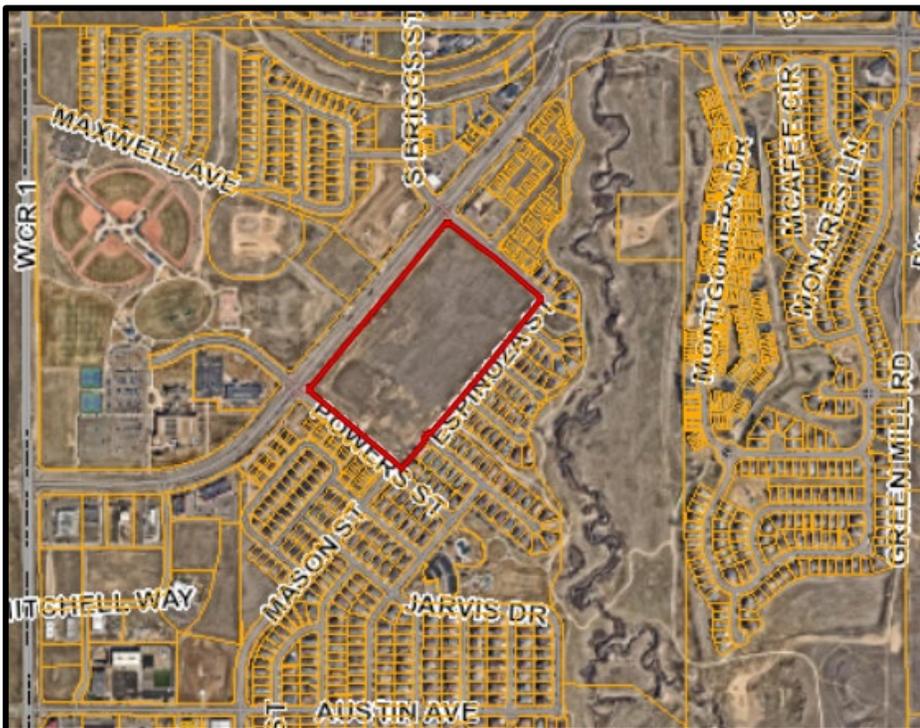
Site Information:

Location: Located southeast of Erie Parkway between County Line Road and Weld County Road 3.

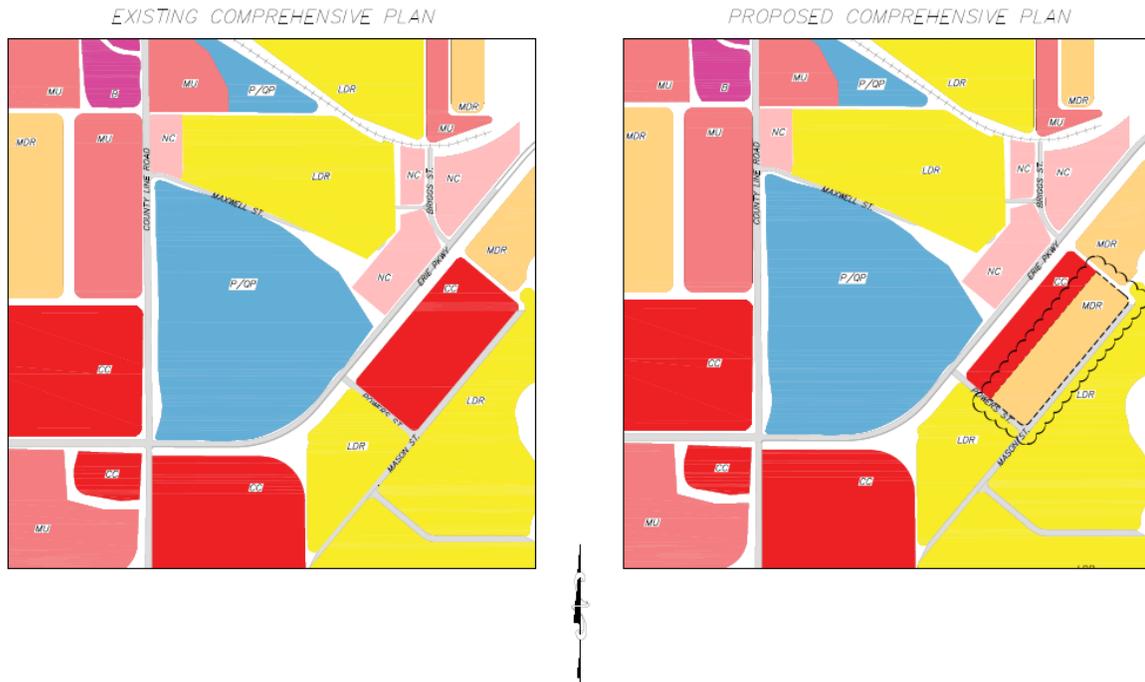
Property zoning: PD Planned Development

Location map

The subject property is highlighted in red below:



Comprehensive Plan Amendment Map:



Areas of Review:

Comprehensive Plan Amendment Process and Procedure (page 7-12 of Comprehensive Plan)

Comprehensive Plan Amendment – Approval Criteria

Surrounding property context review

Comprehensive Plan Amendment Process

For context, the Comprehensive Plan Amendment Process requires the following steps:

1. Pre-application meeting
2. Optional Planning Commission Pre-application Conference
3. Application submittal
4. Application Completeness Determination
5. Application review
6. Resolution of issues
7. Staff Report
8. Published notice of hearing
9. Public Hearings with Planning Commission and Board of Trustees
10. Decision and Findings

Comprehensive Plan Amendment Approval Criteria

The Comprehensive Plan amendment may be approved by the Planning Commission and the Board of Trustees if specific findings are made that the following approval criteria have been met:

1. The existing Comprehensive Plan and/or any related element thereof is in need of the proposed amendment. The narrative should more clearly answer this question. What is the need? Why is the proposal changing the intended use in the Comprehensive Plan from commercial residential?
2. The proposed amendment is compatible with the surrounding area, and the goals and policies of the Plan; The narrative states that the surrounding areas include a mix of residential and commercial, and the proposed development would also include a mix. Below is a more detailed analysis of the surrounding properties:

Direction	Zoning	Land Uses
Northwest	PD Planned Development	Mix of Public/Quasi Public, Low Density Residential, and future Neighborhood Commercial
Northeast	PD Planned Development	School and future Medium Density Residential
Southwest	PD Planned Development and CC Community Commercial	Low Density Residential
Southeast	PD Planned Development	Low Density Residential

As shown in the surrounding zoning/uses table above, the surrounding properties include a mix of residential and commercial. The majority of the surrounding commercial is designated as “neighborhood commercial.” The Land Use section of the Comprehensive Plan defines neighborhood commercial as areas “located at the intersection of two arterial streets or a collector and an arterial street.” The average lot size of the neighborhood commercial use is 10 acres.

This criterion also asks the reader to consider the goals and policies of the Plan. The Plan illustrates a number of goals and policies relating to natural resources and environment; parks, recreation and trails; open space; public facilities and services; regional coordination; transportation/mobility; housing and neighborhoods; community character/design; and economic development.

The Plan area that most relates to this request is economic development, as the proposal includes converting 14 acres of commercial land to residential. The following goals and policies are outlined in this section of the Comprehensive Plan:

“Economic Development Goal: *Diverse economic base*

Related Policy: Jobs/housing balance: In recent years, the majority of new development that has occurred in the Town has been residential, resulting in a jobs/housing ratio that

is heavily weighed on housing. The Town will strive to achieve a more balanced mix of uses by actively recruiting new businesses, commercial development, employment, and industry to the community.

Related Policy: Appropriate areas for Commercial and Employment uses: The Future Land Use Plan map establishes appropriate locations for employment and commercial uses. In addition, the Town will follow criteria to determine appropriate locations for neighborhood commercial development. Criteria are intended to provide flexibility in siting and design, resulting in a mixed-use development pattern that encourages commercial and employment uses to occur as part of the Town's neighborhood fabric.

In reviewing the above policies relative to the proposed amendment, the following questions should be answered:

1. The town should consider whether converting 14 acres of commercial to residential, and keeping 11 acres along Erie Parkway as commercial, will negatively impact the desired balance of residential and commercial in Erie.
2. The town should consider whether the remaining 11 acres along Erie Parkway is an adequate parcel size for commercial development at this location.
3. The town should consider the type of commercial development anticipated at this location due to the proximity to neighborhood commercial and residential uses.
3. The proposed amendment will have no major negative impacts on transportation, services and facilities; Tetra Tech staff do not anticipate major negative impacts on transportation and other services/facilities, however, this will need to be verified by Town staff.
4. The proposed amendment will have minimal effect on service provision, including adequacy or availability of urban facilities and services, and is compatible with existing and planned service provision; Tetra Tech staff do not anticipate major negative impacts on other services/facilities, however, this will need to be verified by Town staff.
5. The proposed amendment, if for an area that is outside of the Town's current municipal boundaries, is consistent with the Town's ability to annex the property; Not applicable – property is within City Limits.
6. Strict adherence to the Plan would result in a situation neither intended nor in keeping with other key elements and policies of the Plan; The applicant's narrative states that "strict adherence to the Plan would cause this parcel to remain undeveloped." While staff cannot comment on the developability of the lot, the context of the lot and surrounding land uses should be considered as part of this review.
7. The proposed plan amendment will promote the public welfare and will be consistent with the goals and policies of the Comprehensive Plan and elements thereof. The consistency of this proposal with the goals and policies of the Comprehensive Plan is considered in criterion 2 above.



MEMORANDUM

TO: Chris LaRue

FROM: Charles M. Buck, P.E., PTOE

DATE: June 27, 2019

SUBJECT: Review of Erie Commons Filing No. 4
CPA-000925-2017, AA000926-20187, PDA-000927-2017, FP-001088-2019
FHU # 95-190

I have reviewed the submittal materials provided for Erie Commons Filing 4. This site is located along the southeast site of Erie Parkway, between Powers Street and Briggs Street. A flash drive, containing numerous documents and drawings was provided. I have examined these materials relative to traffic engineering and transportation planning but not general civil or utility engineering. I have the following comments:

Annexation Amendment - Cover Letter

The cover letter (community Development Group, May 2019) describes the change from 770 to 930 residential units (overall Erie Commons). The zoning change for the subject site is from Community Commercial to Community Commercial and Medium Density Residential, splitting the site between these uses. Convenience commercial is mentioned as an intended use along the Erie Parkway frontage. Note that convenience commercial trip generation rates are significantly higher than typical shopping center rates.

Comprehensive Plan Amendment - Narrative

Page 2 of the narrative (Community Development Group, May 2019) states that “no major negative impacts on transportation” would result from the proposed action. No traffic engineering analyses are provided to support this statement.

Final Plat – Traffic Impact Analysis

The submitted traffic impact analysis (LSC Transportation Consultants, August 24, 2017) is for the residential site along the northeast side of Briggs Street. A supplemental memorandum was included in the submittal (LSC Transportation Consultants, November 11, 2016), which discusses roadway striping and turn-lane dimensions for Powers Street. Neither document has any direct bearing on the proposed action.

At a minimum, a Traffic Compliance Letter with a trip generation analysis and comparison of the current proposed land uses to what was analyzed in the original study is required. Depending on the results of the trip generation comparison, an updated Traffic Impact Study may be appropriate.

Please call if you have any questions or need additional information.

COLORADO GEOLOGICAL SURVEY

1801 Moly Road
Golden, Colorado 80401



Karen Berry
State Geologist

July 8, 2019

Audem Gonzales
Planning & Development
Town of Erie
P.O. Box 750
Erie, CO 80516

Location:
Section 19,
T1N, R68W, 6th P.M.
40.0389, -105.0472

Subject: Erie Commons Filing No. 4
Comp Plan Amendment CPA-000925-2017
Annexation Amendment No. 4 AA-000926-2017
PD Amendment PDA-000927-2017
Erie Commons Filing No. 4, 4th Amendment Final Plat FP-001088-2019
Town of Erie, Weld County, CO; CGS Unique No. WE-19-0060

Dear Mr. Gonzales:

Colorado Geological Survey has reviewed the Erie Commons Filing No. 4 referral. I understand the applicant proposes: an amendment to the annexation agreement and PD for Erie Commons, to increase the overall density from 770 dwelling units to 930 dwelling units, an 11.2-acre Convenience Commercial parcel PA B-4A, and a 14-acre Medium Density Residential Parcel PA B-7. No geotechnical information was included with the current referral documents.

Not undermined. Proposed parcels PA B-4A and PA B-7 are not known to be undermined. CGS therefore has no objection to the proposed commercial and multi-family uses and increase in density.

Potential development constraints identified in previous Erie Commons reviews by CGS include shallow groundwater, soft, low density, low strength, compressible soils, and expansive soils and bedrock. Lot-specific geotechnical investigations consisting of drilling, sampling, lab testing and analysis are recommended for parcels PA B-4A and PA B-7, if this has not been completed already, to: determine the thickness and extent to which the soils beneath proposed structures are subject to compression or collapse under loading and/or wetting; characterize soil and bedrock engineering properties such as density, strength, water content, swell/consolidation potential and bearing capacity; determine depths to groundwater, bedrock, and any impermeable layers that might lead to development of a perched water condition; verify the feasibility of below-grade (basement) construction, if planned; and provide earthwork, foundation, floor system, subsurface drainage, and pavement recommendations for design purposes. It is imperative that grading, surface drainage, and subsurface drainage are correctly designed, constructed and maintained to prevent wetting of potentially expansive and collapsible soils in the immediate vicinity of foundation elements.

Thank you for the opportunity to review and comment on this project. If you have questions or require further review, please call me at 303-384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

A handwritten signature in black ink, appearing to read 'Jill Carlson', is written over the typed name and title.

Chris LaRue

From: Gina Lujan <glujan@unitedpower.com>
Sent: Friday, June 28, 2019 1:30 PM
To: Development Referral
Subject: Erie Commons Filing 4

Good afternoon,

Thank you for inviting us to review and comment on Erie Commons Filing NO.4, 4th Amendment. We appreciate the planned utility easements. And we look forward to providing service to Erie Commons.

Sincerely,
Gina

Gina Lujan
Right of Way Specialist
Office: 303-637-1268
Hours: M – F 7:00-3:30

UNITEDPOWER
500 Cooperative Way
Brighton CO 80603
Fax: 303-637-1344

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Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

June 14, 2019

Town of Erie Community Development Services
645 Holbrook / PO Box 750
Erie, CO 80516

Attn: Chris LaRue

**Re: Erie Commons Filing No. 4, Amendment No. 4, Case #s CPA-000925-2017 /
AA-000926-2017 / PDA-000927-2017 / FP-001088-2019**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Erie Commons F4 A4** and requests 6-foot utility easements abutting the perimeter of all lot lines that do not already accommodate natural gas facilities within existing utility easements.

Public Service Company has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

PSCo is requesting that the Town of Erie send us notification after approval of the proposed annexation has been finalized. This notification should be sent to Jacob Van Laere (303-571-3818) at jacob.van.laere@xcelenergy.com or: Xcel Energy, 1123 West 3rd Avenue, Denver, Colorado 80223. This will allow our mapping department to make the necessary updates to our mapping system.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. The Builder's Call Line is 1-800-628-2121. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 to have all utilities located prior to any construction.

Donna George - Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com