

**TOWN OF ERIE
PLANNING COMMISSION MEETING
Wednesday, August 15, 2018**

SUBJECT:

PUBLIC HEARING:

Resolution P18-09: A Resolution Regarding The Erie Commons PD Amendment No. 8, Adopting Certain Findings Of Fact And Conclusions Favorable To The PD Amendment.

PURPOSE:

Consideration of a PD Amendment in the Erie Commons Subdivision to amend:

1. Building orientations
2. Lot dimensional standards (lot size and setbacks)
3. Encroachments into setbacks

CODE REVIEW:

Erie Municipal Code, Title 10

DEPARTMENT:

Planning and Development

PRESENTER:

Audem Gonzales, Planner

STAFF RECOMMENDATION:

Staff finds the Erie Commons PD Amendment No. 8 land use application in compliance with the PD-Planned Development Approval Criteria and recommends the Planning Commission adopt draft Resolution No. P18-09 recommending approval to the Board of Trustees with the following conditions of approval:

- a. The Erie Commons PD Amendment No. 8 approval requires the Erie Commons Filing No. 4, 3rd Amendment Final Plat be approved and recorded before the PD Amendment is signed and put into effect.
 - b. Staff may direct the consultants to make technical corrections to the documents.
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SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Applicant: Century Communities
8390 E. Crescent Parkway, Suite 650
Greenwood Village, CO 80111

Owners: Community Development Group of Erie
2500 Arapahoe Avenue, Suite 220
Boulder, CO 80302

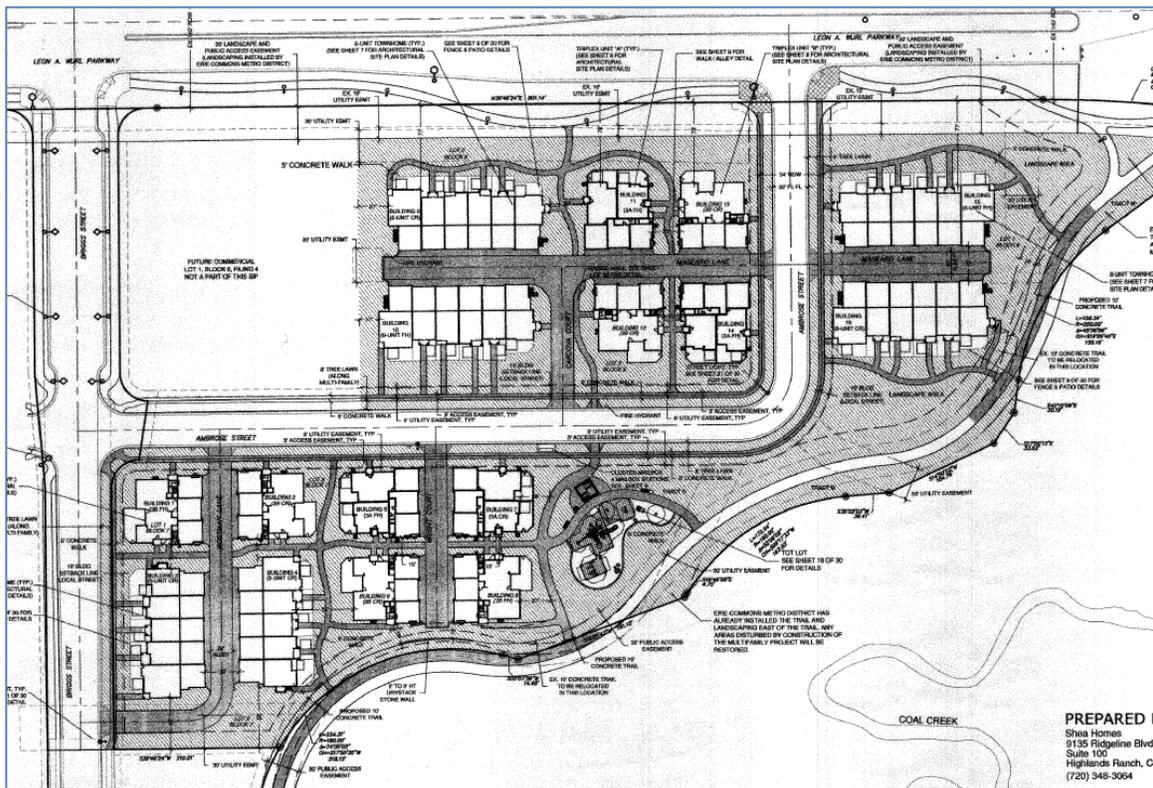
Existing Conditions:

Zoning: Erie Commons PD – Planned Development
Project Size: 6.742 Acres
Existing Use: Vacant Lot

Project History:

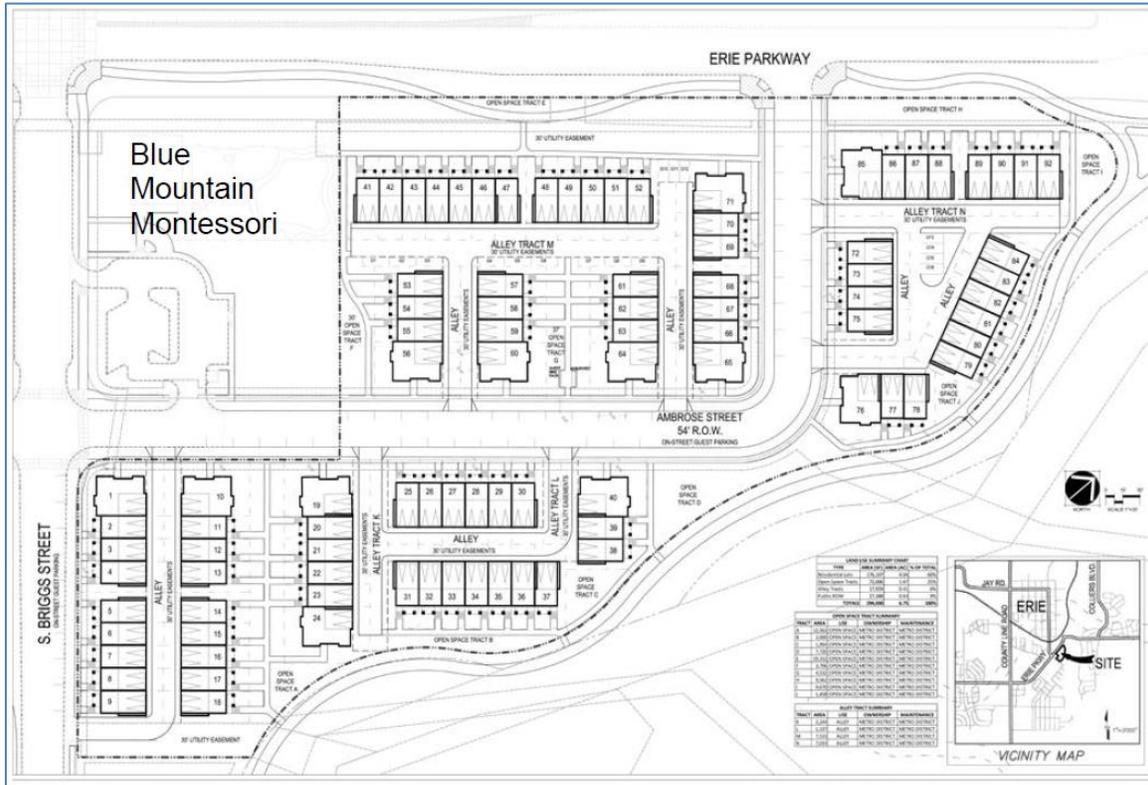
The Erie Commons Filing No. 4 Final Plat was approved in 2006 and included 33 lots, including the subject property. Ambrose Street was platted with a 54 foot right-of-way width and is partially built out today up to the entrance of the Blue Mountain Montessori School parking lot located on Lot 1, Block 6. Aside from the school and partially constructed street, the subject area remains vacant and undeveloped. The 54 foot right-of-way is not standard but the paved surface meets the Town's Standards and Specifications. The applicant proposes to keep the existing platted right-of-way for Ambrose Street. The other lots and tracts available for development within this portion of the Final Plat will need to be re-platted to accommodate the development proposal.

A Site Plan was approved for this project area in 2006 which included 64 tri-plex and townhome units and a pocket park. All units fronted onto a public street or common garden court. The development was never built out leaving the site vacant. The approved site plan has since lapsed and expired. Below is an illustration of the expired plan, provided to show how the dwelling units were oriented on the site.



Expired Site Plan

In 2016, a Sketch Plan was submitted for the subject property which included 92 townhome lots and it did not include a pocket park. Several of the units fronted onto Coal Creek spine trail and open space.



Sketch Plan reviewed by Planning Commission and Town Board in 2016.

Below is a summary of general staff concerns presented, the applicant responses and Town Board of Trustees comments from the 2016 review of the Sketch Plan:

1. Pocket Park:
 - a. A pocket park was not proposed in the development. The closest park within Erie Commons is beyond ¼ mile walking distance to each townhome unit. Staff recommended that the applicant provide a pocket park in this development.
 - i. The applicant stated that a pocket park is located within ¼ mile radius of the development but does not meet the ¼ mile walking distance. It was also stated that play equipment is needed in the development but a pocket park is not needed. The applicant stated that they already met the pocket park standard by incorporating play equipment.
 1. Town Board comments included the desire and need for a pocket park in this development. Several board members suggested removing units to incorporate a pocket park on the site. One board member wanted to see how a pocket park would lay out on the site or equivalent pocket park space made up of smaller parks throughout the site.
 - a. The applicant stated that pocket park elements could be incorporated into multiple pocket park areas. Several board member stated they would consider that approach.

2. Building Orientation:
 - a. Staff was concerned over the volume of traffic on Erie Parkway as related to the building entrances and porches oriented towards the street. Staff recommended that the majority of units be side loaded to Erie Parkway to be more like the townhomes constructed by Boulder Creek to the west.
 - i. The applicant stated the original Site Plan approved in 2006 had townhomes facing Erie Parkway.
 1. Town Board suggested enhancing the building articulation facing Erie Parkway and throughout the development. One board member stated that having 7 units in one building facing Erie Parkway is too many. Some board members stated facing Erie Parkway was good and they encouraged multiple orientations. Different roof lines and heights were also encouraged.
3. Townhomes Adjacent to Coal Creek Spine Trail:
 - a. The sketch plan showed several townhome units fronting onto the Coal Creek Spine Trail. This trail is a regional spine trail boasting some of the highest traffic volumes and speeds in the trail corridor. Staff recommended that access onto the trail be limited to specific access points in the development. Staff recommended that the majority of units be side-loaded to the spine trail which would allow for views into the open space while funneling all users to the trail on one common walk system. The Open Space and Trails Advisory Board was also concerned with building location and orientation to the spine trail.
 - i. The applicant stated Coal Creek Open Space is part of the community and townhomes should be able to front onto open space. The applicant stated a fence and landscaping could be incorporated along the east portion of the site.
 1. Town Board commented on the short distance between townhome units and the Spine Trail and how a buffer should be incorporated. Several board members stated the units should be backed away from the Open Space and trail system. Several board members were okay with the idea of townhome units fronting onto the open space with adequate setbacks in place.
4. Alleys and Garages:
 - a. Staff was concerned with the alley in Tract N being so close to the spine trail at the northeast portion of the site. This did not leave much room for landscape screening of the rear garages for dwelling units 89-92. Also, staff was concerned with winter snow plowing at this location and how snow would be pushed from the alley onto the sidewalk system.
 - i. The applicant stated this would be addressed with the actual Site Plan and one alternative would be potentially losing a unit at this location.
 1. Several Town Board members recommended eliminating units from this area to solve snow storage concerns and the lack of pocket park space.

Current PD Amendment Application:

Location:

The property is generally located near the east corner of South Briggs Street and Erie Parkway.



Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Erie Commons PD – Planned Development	Commercial/Retail
EAST	Erie Commons PD – Planned Development	Open Space
SOUTH	Erie Commons PD – Planned Development	Single Family Residential Vacant Commercial Property
WEST	Erie Commons PD – Planned Development	Commercial/Retail Private School

Compliance with Town of Erie Comprehensive Plan:

The application is in general compliance with the Land Use designation on the Comprehensive Plan, Land Use Plan Map. The Comprehensive Plan shows the Medium Density Residential (MDR) designation for this property. Medium Density Residential requires a density of 6-12 dwelling units per acre. This project proposes a density of 11.4 dwellings per acre.

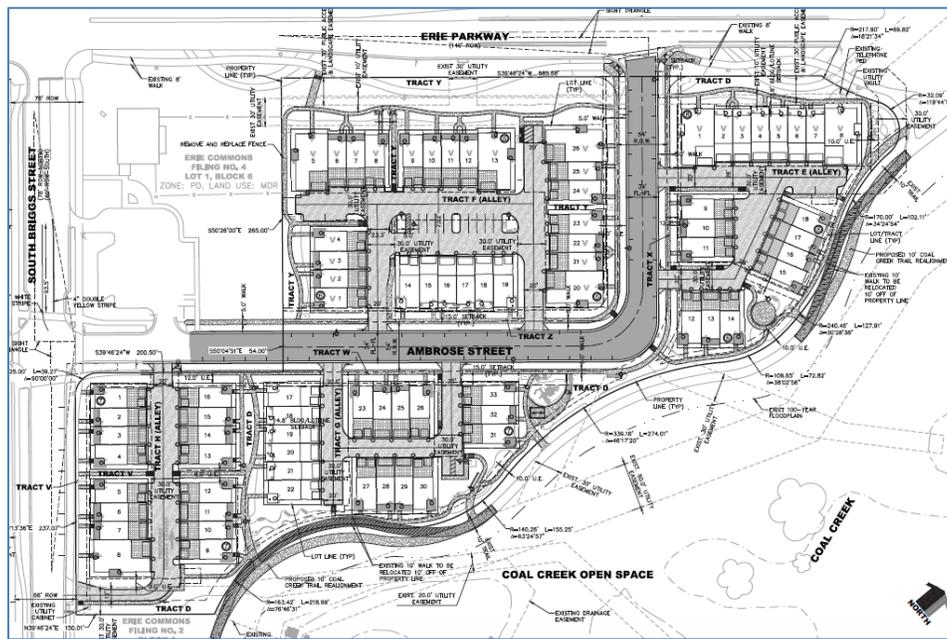
LAND USE MATRIX / SITE TABULATION

Parcel	Land Use	Planning Area (District)	Acres	Density Range	Target Units	Non-Res. Areas
A-1	Residential	Village Residential	13.1	3 - 8	69	-
A-2	Residential	Village Residential	13.5	3 - 8	68	-
A-3	Commercial	Old Town Commercial	9.3	0.15 - 0.35 FAR	-	70,000
			7.7			75,000
A-4	Commercial	Old Town Commercial	6.8	0.15 - 0.35 FAR	-	46,000
A-5	Commercial	Convenience Commercial	2.8	0.15 - 0.35 FAR	-	42,000
A-6	Community Facilities, Institutions & Open Space	Park / Community Center	85.3	-	-	-
A-7	Commercial	Old Town Commercial	1.6	0.15 - 0.35 FAR	-	15,000
						158,000
		Subtotal:	130.8	-	137	178,000
B-1	Residential	Village Residential	32.5	3 - 8	100	-
B-2	Residential	Commons Residential	53.8	3 - 5	215	-
B-3	Residential	Commons Residential	43.5	3 - 5	148	-
B-4A	Commercial	Old Town Commercial	25.2	0.15 - 0.35 FAR	-	305,000
B-4B	Residential	Village Residential	16.0	3 - 8	75 *	-
B-5A	Residential	Mixed Use Residential	8.0	7.5 - 13	95	-
B-5B	Commercial	Old Town Commercial	2.1	0.15 - 0.35 FAR	-	12,000
B-6	Community Facilities, Institutions & Open Space	Coal Creek Open Space / Park	74.2	-	-	-
		Subtotal:	255.3		633	317,000
		TOTAL:	386.2		770	495,000

* Minimum of 28 multi-family, duplex, and/or single family attached units

Erie Commons PD Amendment No. 8 – Proposed Development Guide Changes:

The applicant is requesting to change the following elements of the Erie Commons PD Development Guide that are the written portions of the “PD” zoning. The changes are based on the proposed Site Plan below:



Proposed Site Plan

Architectural Standards:

In the Architectural Standards portion of the Erie Commons PD Development Guide, the application proposes to make changes to the Single-Family Attached and Multi Family building location and orientation standards. The wording in the existing Erie Commons PD Amendment 7 Development Guide has the same requirement that is found in Municipal Code 10.6.7.F.1.c.ii.(A):

1. The primary entrance and façade of individual buildings within a multi-family development shall be oriented towards:
 - a. Primary internal or perimeter streets, or
 - b. Common open space, such as interior courtyards, parks, or on-site natural areas, or features with a clearly defined and easily accessible pedestrian circulation system.

The existing Erie Commons PD Amendment 7 Development Guide does not specifically allow for residential units to be oriented toward off-site natural areas/open space. The applicant is proposing to change this requirement to allow townhome Lots 27-33, Block 7 and Lots 12-18, Block 8 to front onto Coal Creek Open Space. Below is the proposed change; the new language is underlined:

1. The primary entrance and façade of individual buildings within a multi-family development shall be oriented towards:
 - a. Primary internal or perimeter streets, or
 - b. Common open space, such as interior courtyards, parks, or on-site and adjacent natural areas, or features with a clearly defined and easily accessible pedestrian circulation system.

Staff has expressed concern with the orientation of townhomes toward the open space since Sketch Plan. The Sketch Plan appeared before Planning Commission on May 18, 2016 and before the Board of Trustees on June 14, 2016. Staff was concerned with the volume of traffic on the Coal Creek spine trail. This trail serves as a major route in the trail system, carrying the heaviest traffic load with the highest speeds. Staff stated that access onto the spine trail should be limited to specific access points and new setbacks should be in place to minimize conflicts between homeowners and trail users. Staff recommended that the majority of units be side-loaded to the spine trail/open space. This would allow for views into the open space as well as funneling all users to the spine trail on one common walk system. The Open Space and Trails Advisory Board echoed these same concerns.

The applicant and staff have worked to mitigate some of these concerns by limiting the access points to the spine trail by incorporating only five connection points, and 3 rail fencing is proposed along the east property line which will limit traffic conflicts along the Coal Creek spine trail. Also, the PD Amendment incorporates new setback language that includes 15' setbacks to the Exterior Property Boundary, Non-Road Frontage that will create a spatial buffer from the open space that is consistent throughout the development.

The applicant has not provided a majority of side-loaded units as was recommended by staff at Sketch Plan. With the 2016 Sketch Plan, Town Board commented that this layout was acceptable as long as proper distance was maintained from the trail. Staff has worked with the applicant to establish that distance and finds the current proposal acceptable.

TABLE V-2 Residential Development Standards:

On the Residential Development Standards table, in the Erie Commons PD Development Guide, the application proposes to change the Mixed Use Residential minimum lot size from 2,000 square feet to 1,200 square feet, Front setback (to living area of home) from 15 feet to 5 feet, Side setback (to street) from 10 feet to 5 feet, and Rear setback (to alleys) from 15 feet to 0 feet. The rear setback is proposed to contain the note, "Zero lot line setback permitted for rear adjacent to 30' alley tract only." These changes are similar to lot area and setback reductions previously approved within the Village Residential area of the Erie Commons PD which has existing townhomes.

Staff supports the requested lot size reduction and setback changes as they are necessary to accommodate this type of development. Staff encourages the use of different housing types throughout the community.

The applicant is also changing the Mixed Use Residential development standards by adding a 30' setback from Erie Parkway, 15' from South Briggs Street right-of-way, 15' from Ambrose Street, and 15' from Exterior Property Boundary, Non-Road Frontage.

Staff requested the setback changes as they would allow for a townhome development that incorporates more common garden courts. Also, established setbacks provide consistent buffering from open space and rights-of-way. Staff supports the proposed setback changes.

Accessory structures are proposed to be eliminated from the Mixed Use Residential area in the Erie Commons PD Development Guide by deleting the current setbacks and replacing them with N/A text. Staff required this amendment due to the small layout of townhome lots having limited space to incorporate accessory structures. All units are alley-loaded with no rear yards.

From Erie Parkway = 30'
 From South Briggs Street ROW = 15'
 From Ambrose Street = 15'
 Exterior Property Boundary - Non-Road Frontage = 15'

TABLE V - 2
Residential Development Standards

LAND USE DISTRICTS	Commons Residential	Village Residential	Mixed Use Residential
Minimum Lot Area (square feet):			
Single Family Detached (SFD), Patio Homes.....	5,000	3,200	-
Single Family Attached (SFA), Duplex, Multi-Family, Live / Work...	-	1,430	2,000 1,200
Minimum / Maximum Density (gross dwelling units per acre):	3 - 5	3 - 8	7.5 - 13
Minimum Lot Dimensions – SFD, Patio (feet):			N/A
Width (at required front setback)	50	40	-
Corner Lot Width (at required front setback)	55	45	-
Depth	100	80	-
Frontage (at front property line)	20	20	-
Principal Structure Setbacks (feet):			
SFD, Duplex, Patio Homes**			N/A
Front -- to living area of home w/ garage on front of home.....	17.5	17.5	-
Front -- to garage on front of home.	20	20	-
Front -- to living area of home w/ alley or rear garage.....	15	15	-
Side -- to street	10	10	-
Side -- to interior lot line	5	5	-
Rear	18	18	-
SFA, Multi-Family, Live / Work**	N/A	N/A	
Front -- to living area of home		5	15 5
Front -- to garage		20	20
Side -- to street	-	5	10 5
Side -- to interior lot line	-	5	5
Rear	-	5	15 0 ***
Accessory Structure Setbacks (feet):			N/A
Front	30	30	30
Side -- to street	10	10	20
Side -- to interior lot line	5	5	5
Rear	5	5	5
Maximum Height (feet) :			
Principal Use.....	35	35	35
Accessory Use.....	25	25	25

* Zero lot line setbacks shall be permitted for attached buildings provided that the building meets the interior lot line setback on the side of the building not attached.

** Multiple principal buildings on a single lot shall be separated a distance equal to the distance that would be required if they were separated by a lot line.

*** Zero lot line setback permitted for rear adjacent to 30' alley tract only.

The proposed amendments submitted by the applicant are shown in red. Deletions are shown as a strike through.

Encroachment/Projections Into Yards:

In the Encroachments/Projections Into Yards section of the Erie Commons Development Guide, the application proposes to add the following encroachment language:

- “In Mixed-Use Residential, a front door covered entry on a single-story dwelling unit may project into the front setback a maximum of two (2) feet.”

The intent of the encroachment amendment is to enhance the architectural detailing of the proposed single-story townhomes and encourage the use of the front entrance for residents and their guests by creating a welcoming front façade.

Staff supports this amendment.

APPROVAL CRITERIA/STAFF ANALYSIS:

Erie Commons PD Amendment No. 8 was reviewed for conformance with Municipal Code, Title 10, UDC Section 10.7.23 C.9. Approval Criteria. Staff finds the Erie Commons PD Amendment No. 8 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: It is generally consistent. These amendments encourage mixed use residential development which is the intent of the PD at this specific location.

- 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 modifications allow for the integration of multifamily development in the form of townhomes in the Erie Commons Subdivision. The modifications result in more common open space and consistent buffering to open space and streets.

- 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 by limiting conflict points along Coal Creek Trail.

- 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: Adequate facilities are available to serve the property and existing development.

- 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 facilities are proposed.

- 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 facilities are proposed. The applicant's proposal entails five connections points to the trail. This helps to minimize potential homeowner and trail user conflicts.

- 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: Significant adverse impacts are not anticipated.

- 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.
- j. Proposed uses will be compatible in scale with uses on properties in the vicinity of the PD zone district.
Staff: The proposed multifamily development is in scale with adjacent properties. The existing PD targets 95 units for this site. The proposal only includes 77 townhome units. This is well below the targeted amount.
- 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 diversification of the housing within Erie Commons. These proposed amendments allow for an alley-loaded townhome product and also encourages more common garden court areas.
- l. 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 proposed. Including additional setbacks to property boundaries ensures that a spatial buffer is consistent throughout the development.
- 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 PD Amendment will allow the proposed townhomes to be built that will diversify the housing options within the Erie Commons Subdivision.

STAFF RECOMMENDATION:

Staff finds the Erie Commons PD Amendment No. 8 in compliance with the PD-Planned Development Approval Criteria and recommends the Planning Commission adopt the draft Resolution No. P18-09 recommending approval to the Board of Trustees with the following conditions of approval:

- a. The Erie Commons PD Amendment No. 8 approval requires the Erie Commons Filing No. 4, 3rd Amendment Final Plat be approved and recorded before the PD Amendment is signed and put into effect.
- b. Staff may direct the consultants to make technical corrections to the documents.

NEIGHBORHOOD MEETING:

As required by the Municipal Code a Neighborhood Meeting was held on October 18, 2017 at 6:00 p.m. in 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:	July 25, 2018
Property Posted as required:	July 27, 2018
Letters to Adjacent Property Owners:	July 27, 2018

PUBLIC COMMENTS:

Various public comments have been received for this application. Common concerns from area residents are with the project density, site layout and building height. All received written public comments are attached to this memo.