



The Town of Erie
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Planning & Development Planning

Memo

To: Jack Bestall

From: Chris LaRue, Senior Planner

Date: March 20, 2019

Re: SK-000997-2018: Erie Village Filing 5 Sketch Plan II

cc: Don Johnson, Tim Coonce, Deborah Bachelder, Darren Champion, Chad Schroeder

Comments:

Town staff has reviewed the Erie Village Filing 5 Sketch Plan for conformance with Municipal Code, Title 10 and the Erie Village Planned Development at the February , 2019 Development Review Team meeting. 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.

Tentative Hearing Schedule:

Staff finds the Erie Village Filing 5 Sketch Plan is ready to schedule tentative hearing dates. The items listed below need to be addressed by the dates indicated to stay on the tentative schedule. Applicant requirements have been highlighted in yellow; the other items will be addressed by the Town.

3/22/19	Staff memo due - PC
3/29/18	PC agenda and packets should be posted on Town website for viewing.
4/1/19	Applicant presentation due - PC
4/3/19	Planning Commission meeting 6:30 pm Town Hall: Sketch Plan - review
4/12/19	Staff memo due BOT
4/19/19	BOT agenda and packets should be posted on Town website for viewing.
4/22/19	Applicant presentation due - BOT
4/23/19	Board of Trustees meeting 6:30 pm Town Hall

Planning Comments for the Erie Village Filing No. 5 Sketch Plan:

General Comments

1. *Request would be to amend the plat and PD from an age restricted continuum of care retirement community to a residential and commercial mixed use village. The following land use applications will be required:*
 - a. *Erie Village PD Amendment*
 - b. *Preliminary Plat*
 - c. *Comprehensive Plan Amendment*
 - d. *Site Plan*
 - e. *Final Plat*
 - f. *Removal of the restrictive covenant*
2. *The site is designated Mixed Use (MU) per the Town of Erie Comprehensive Plan. Mixed Use is defined under the UDC per section 10.11.3 as the following:*

The development of a lot, tract or parcel of land, building or structure with 2 or more different uses including, but not limited to, residential, office, retail, public uses, personal service or entertainment uses, designed, planned and constructed as a unit.

 - a. *The submitted application meets the definition of MU per the above definition, as it contains both residential and commercial land uses.*
3. *Site is zoned Planned Development (PD) and is within the Erie Village Planned Development, Fifth Amendment which was intended to allow mixed use office, commercial, and residential uses associated with a retirement community. The PD restricts the occupancy of residential uses within Filing 5 to 2 people, one of which must be at least 62 years old. Types of allowed residential uses within the PD include single-family homes, duplexes, and multi-family buildings. Types of allowed uses associated the retirement facility include assisted living and adult day care. Types of allowed commercial uses within the PD include dental or medical offices, bars/taverns and restaurants, business or professional offices, and general retail and personal service stores.*
4. *In addition to the PD restrictions, there is a covenant recorded against the property with the existing plat which imposes the following restrictions (among others) on the property:*
 - a. *The maximum number of people occupying a dwelling unit shall be 2 people.*
 - b. *At least one person occupying a dwelling unit shall be 62 years of age or older (considered a "Qualified Occupant").*
 - c. *The restrictive covenant shall not terminate nor shall it be amended without the prior written approval of the Town of Erie Board of Trustees.*
5. *No detention or drainage areas were designated. A preliminary drainage study was not included with the documentation. A drainage analysis will be required with the preliminary plat.*
6. *A traffic study will be required with the future submittals to determine the classification of the streets. The current plan depicts no access to C.W. Bixler Boulevard.*

7. *A parking analysis will be required with the future submittals. This will be important to determine the number of parking spaces for the condos and commercial area. Parking requirements are listed in Table 6.6.1 of the UDC. Off street parking shall be provided in addition to parking requirement for residential use. Provide more details regarding parking concerning the townhomes and condos.*
 - a. *Provide more details about the underground parking concept. How many spaces are anticipated to be located underground?*
 - b. *The resubmittal of the sketch plan eliminated all underground parking. Also, condos were eliminated from the plan.*
8. *Please review the Town's Standards and Specifications regarding road right-of-ways. The Erie Village PD 5th amendment created a new private street standard specifically for the proposed age restricted facility that consisted of 42 feet of right-of-way which includes 32 feet of paving and 5 foot attached sidewalks. The attached sidewalks were allowed given the unique nature of the age restricted community. The sidewalks along CW Bixler Boulevard were required to be detached 5 foot walks with a 5.5 foot tree lawn consistent with the overall Erie Village PD. The UDC normally would require all sidewalks to be detached and be separated by a tree lawn a minimum of 8 feet in depth. The existing commercial building within Filling 5 has detached walks contiguous to it. The new design for this filing should incorporate detached sidewalks and tree lawns consistent with current Town standards.*
 - a. *Please amend the sketch plan with respect to this comment. Roads should utilize Town standards.*
 - i. *This comment was acknowledged that roads will comply with Town standards.*
 - b. *Areas that are designated as public right-of-way should not be within tracts.*
 - i. *This comment was acknowledged.*
 - c. *Please review the Town's Standards and Specifications regarding road right-of-ways. The new design for this filing should incorporate detached sidewalks and tree lawns consistent with current Town standards and specifications.*
 - i. *This comment was acknowledged.*
 - d. *Staff has several concerns regarding access as follows:*
 - i. *The design of the access to the commercial properties needs to be redesigned. Currently, the design allows access to the commercial pads through the local streets that are primarily used for residential. A better access would be from C.W. Bixler Blvd in front of the roundabout.*
 1. *This commented was addressed on the sketch plan and will need to be refined on future submittals.*
 - ii. *A connectively analysis/plan should be completed. There should be more understanding of how this site will flow.*
 1. *All of the internal circular streets dead end at the sidewalk along County Line Road which is not acceptable.*
 2. *This comment was acknowledged and a connectivity analysis was provided. Further refinement will be required with the future land use applications.*

9. *Utilities were not addressed in the submittal. This will need to be addressed in future submittals. Please note, there is an existing 24 inch storm main that runs through the middle of the property that would require relocation.*
 - a. *This comments was acknowledged.*
10. *Greater detail shall be provided regarding the condo and townhome areas and designs. Please review Section 10.6.7.F of the UDC. Please provide an overall concept for both the townhome and condo products. Requirements to keep in mind include:*
 - a. *The maximum length of any multi-family building shall be 156 feet. The condo massing is difficult to determine and appears to be one building.*
 - b. *The primary entrance and facade of individual buildings within a multi-family development shall be oriented towards: (1) Primary internal or perimeter streets, or (2) 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.*
 - c. *Primary entrances and facades shall not be oriented towards alleys, parking lots, garages, or carports. Many of the townhomes near the commercial development face a parking area.*
 - d. *Comment # 10 was acknowledged. Condos were eliminated from the overall design. Design examples were provided. Plans were amended to incorporate the comments. Future land use applications will need to demonstrate compliance with all requirements.*
11. *Dimensions, lot sizes or compliance/ability to meet building setback requirements are not discussed within the sketch plan application. The PD amendment will need to address this concern.*
12. *Building heights are not addressed within the sketch plan. This will also need to be addressed in the future land use applications. Maximum building heights are currently limited to 35 feet.*
 - a. *The update application states the townhomes would be up to 43 feet 6 inches in height. Staff is concerned this change in the normal height is too great. This would especially be true where they are contiguous to compliant single-family homes.*
 - b. *Per the UDC, the PD zone district is not a general waiver of the UDC regulations. PD zone district modifications to the UDC regulations are to be 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.*
 - c. *Staff would likely be unsupportive of the height change.*
13. *Please provide more information about the proposed commercial buildings.*
 - a. *There are concerns with the parking area and possible conflicts with the townhomes.*
 - b. *Please describe how the commercial plaza is envisioned. It appears to just be a parking lot for the commercial area on the sketch plan.*
 - c. *The resubmittal acknowledges these comments.*
14. *What are the preliminary plans for waste collection?*

- a. *With the proposed density you might consider central dumpster locations, rather than individual roll off trash cans.*
- b. *The resubmittal indicates dumpsters for the commercial area and individual waste collection bins for each home.*

Parks and Open Space

- 15. *A conceptual open space and conceptual developed park plan was not submitted with the submittal. More details about the common open space should be provided. Specifically, a pocket park would likely be required with this development in order to meet the needs of the development without overloading existing infrastructure.*
 - a. *The resubmittal acknowledges the location of an existing pocket park and neighborhood park both located within a ¼ mile of the site.*
- 16. *Appropriate neighborhood park and community park fees in-lieu shall be required per Section 10.6.3 of the UDC.*
 - a. *Fees in the amount of \$236,564 per acre are charged of required dedication for Neighborhood Parks.*
 - b. *Fees in the amount of \$3,889 are charged per building permit for Community Parks.*
 - c. *Comments were acknowledged.*
- 17. *The Town will likely require an HOA to take on the maintenance responsibility for the landscape buffer and drainage areas.*
 - a. *The resubmittal acknowledges this comment.*
- 18. *Based on calculations with the previous developments the open space requirements have been met.*
- 19. *Future plan submittals should illustrate how parks and trails connections are being made to the existing infrastructure.*
- 20. *A spine trail connection shall be established from County Line Road to the existing spine trail to the west. The trail should go through Outlot X and Town open space.*
 - a. *The sketch plan recognizes this opportunity but does not detail the connection.*

County Line Road (All comments were acknowledged in the resubmittal comments):

- 21. *County Line Road is considered a community gateway per section 10.6.2.D of the UDC. As part of a community gateway the following additional standards shall apply to protect this distinct entryway into the community:*
 - a. *A minimum 30-foot landscaped buffer shall be maintained on either side of the street. This buffer should utilize a variety of live plant material and berming to provide year-round visual interest. A minimum 8 foot wide sidewalk shall be incorporated as an integral component of the landscape buffer and landscape area within the right-of-way.*
 - b. *All fencing facing the street shall be a maximum of 4 feet in height and should have an open character, such as split rail or picket. Opaque fencing is prohibited.*
 - c. *Parking shall be screened to the greatest extent reasonably practicable from the street using a combination of berming, walls, or fencing and landscaping with a minimum height of 3 feet and maximum height of 4 feet. Parking, internal drives or streets may not extend into the landscape buffer.*

- d. *Permanent signage along County Line Road shall be limited to wall signs and monument signs constructed from similar materials as the primary buildings on the site. Ground signs shall be prohibited.*
 - e. *Garages may not be used as a barrier between the street and a development site.*
22. *According to engineering, County Line Road is a minor arterial street. Improvements to the right-of-way and landscape buffer will be required to be shown within the Preliminary Plat application materials.*
23. *The above ground power lines along County Line Road will be required to be placed below ground as part of the proposed development.*



Internal Memo

To: Chris LaRue, Planning & Development - Senior Planner

From: Darren Champion, Parks and Open Space Project Coordinator

Date: March 4, 2019

Subject: Erie Village Filing No. 5 – Sketch Plan

Cc: Farrell Buller, Community Services Director

Mike McGill, Interim Parks and Open Space Division Manager

Parks & Open Space Division staff have reviewed the subject plans and offer the following comments:

- Staff have concerns with the maintenance responsibility as shown on the tract summary chart for Tract 6 and Tract 7. Right-of-way landscaping is typically maintained by the HOA as the adjacent property owner.
- *Previous comment not addressed:* Page C2.01 - Staff request upgrading the 8ft sidewalk located in Tract 6 to a 10ft concrete spine trail if adjacent to irrigated sod. If located next to unirrigated native grasses, the spine trail should consist of 8ft concrete and 4ft crusher fines. Additional considerations will need to be made at the north end to allow for a future crossing at Bixler Boulevard. This spine trail would be maintained by the Town of Erie.
- The Town desires a spine trail (8ft concrete and 4ft crusher fines) to be installed in Outlot J & Outlot X as part of this development.



Town of Erie Open Space and Trails Advisory Board

From: Town of Erie Open Space and Trails Advisory Board (OSTAB)

To: Chris LaRue, Senior Planner, Community Development

Date: September 12, 2018

Subject: Erie Village Filing 5, Sketch Plan

Documents Date: August 6, 2018

Location: Between County Line Rd & C W Bixler Blvd

OSTAB has reviewed the package materials, compared them to Town planning documents, and submits the following comments, questions, and recommendations for the Town's evaluation process.

Open Space and the Natural Areas Inventory (NAI):

Discussion: There are no sites in the Erie Natural Areas Inventory (NAI) within this filing area. There are 3.11 acres of open space, none of which meets the requirements in the Unified Development Code (UDC) for dedicated open space. Staff should research whether this subdivision met the requirement for dedicated open space in earlier filings.

Tract 1 (aka Outlot X), 0.99 acres, is identified as open space. The eastern portion of that Tract has native grasses and invasive weeds. The western portion is primarily bare soil, with some invasive weeds. That Tract should be restored to native grasses.

Recommendations:

1. Determine whether Erie Village met the requirement for dedicated open space in earlier filings;
2. Restore open space Tract 1 to native grasses, and eliminate noxious weeds.

Trails:

Discussion: There are no proposed Spine Trails in the Parks, Recreation, Open Space, and Trails (PROST) Master Plan within this filing area. However, there is an existing Spine Trail approximately 1,500' west of the intersection of County Line Rd. and the southern portion of C W Bixler Blvd. It is an important and highly used connection from Erie Village/Kenosha Farms to the Erie Elementary and Middle Schools, and to Old Town further east. It is also especially important because there are no sidewalks on the western side of County Line Rd between C W Bixler Blvd and Jay Rd/Cheesman St, and sidewalks on only one third of that distance on the east side of County Line Rd.

The eastern third of the area between County Line Rd and that existing Spine Trail is Tract 1 (aka Outlot X). The sketch plan defines the area adjacent and west of Outlot X as "Outlot J". There is a note within that Outlot "future trail connection to spine trail". We do not know if Erie Village were previously obligated to build that connection. Staff should research this matter.

We strongly believe that all Erie residents should have safe and convenient access to the Town's Spine Trail network, and other neighborhood trails. Thus an 8' connecting trail should be built in Outlot X (Tract 1) and Outlot J to the Spine Trail. The eastern terminus of that connector should be the crosswalk on C W Bixler Boulevard at the intersection with County Line Rd.

Recommendations:

1. Determine who, if anyone, is obligated to build a trail in Outlot J that would connect this application to the nearby Spine Trail;
2. Coordinate with the Town to locate and build a Spine Trail from County Line Rd. to the existing Spine Trail that is south of Allen Ave. The trail should go through Outlot X, Outlot J, and Town open space.

Other:

Discussion: The Sketch Plan drawing does not indicate parking in the condominium area for either occupants or guests. A sentence in the narrative appears to imply that parking will be underneath the condominium buildings. However, with 14 condominium units (4-17) in what appears to be a single building, and with vehicular access limited to the western side, it is impossible to visualize where the parking spaces required by the Unified Development Code (UDC) would be located. Similarly, it is impossible to visualize where guests in the townhome area would park.

Recommendation: Ensure that all parking requirements in the Unified Development Code (UDC) would be met in both the condominium and townhome areas.

Please pass this referral letter to the Applicant, and appropriate town departments, boards, and commissions. Thank you for your attention to these matters. OSTAB is available to discuss any of the above in more detail as needed.

Sincerely,

Open Space and Trails Advisory Board

Bob Braudes
Phil Brink
Christine Felz
Dawn Fraser
Nicole Littmann
Ken Martin (Chair)
Joe Swanson