

**TOWN OF ERIE
PLANNING COMMISSION MEETING
December 15, 2021**

SUBJECT: **PUBLIC HEARING:**

Resolution P21-27: A Resolution of the Planning Commission of the Town of Erie Approving a Site Plan for Nine Mile Corner Lot 10A.

PURPOSE: Consideration of a Site Plan for a 103,000 square-foot King Soopers grocery store on Lot 10A of Nine Mile Corner, Amendment No. 2.

PROJECT NO.: SP-001292-2021

CODE: Erie Municipal Code, Title 10

DEPARTMENT: Planning & Development Department

PRESENTER: Shannon Moeller, Senior Planner

STAFF RECOMMENDATION:

Staff finds the Site Plan in compliance with the Site Plan Approval Criteria and recommends the Planning Commission adopt draft Resolution No. P21-27 approving the Site Plan with the following conditions:

- a. The approval of the Site Plan shall not be effective until the Final Plat for Nine Mile Corner, Amendment No. 2 is approved and recorded.

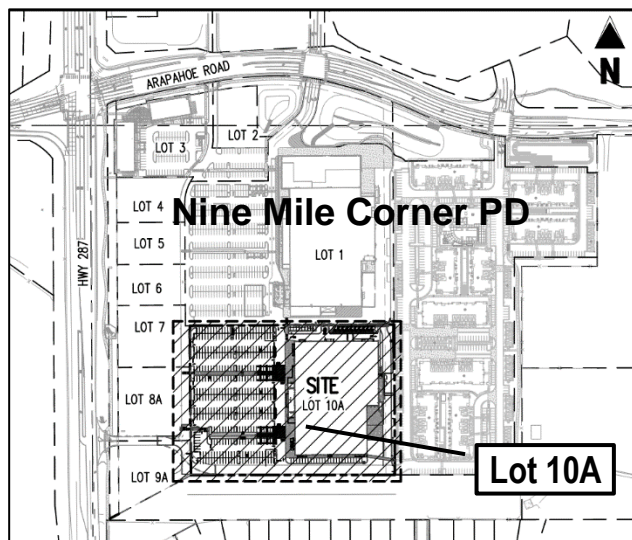
SUMMARY AND BACKGROUND OF SUBJECT MATTER

Location: Southeast of Hwy 287 and Arapahoe Road

Applicant: Dillon Companies, LLC
d/b/a King Soopers

Site Specific Conditions:

- Comprehensive Plan Designation: Regional Commercial (RC)
- Zoning: Nine Mile Corner Planned Development (PD)
- Property Size: 7.85 acres
- Existing Use: Vacant Property

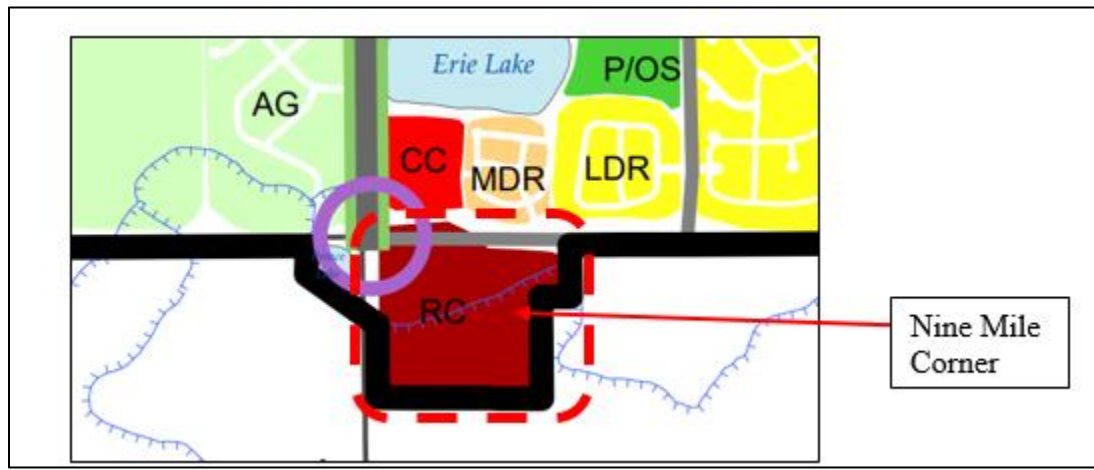


Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Nine Mile Corner PD – Planned Development	Commercial; Future Lowe’s
EAST	Nine Mile Corner PD – Planned Development	Residential; Future Apartments
SOUTH	Nine Mile Corner PD – Planned Development	Landscaping/Buffer Tract
WEST	Nine Mile Corner PD – Planned Development	Commercial; Future pad sites

Compliance with Town of Erie Comprehensive Plan:

The property is shown as RC – Regional Commercial in the 2015 Comprehensive Plan, Land Use Plan Map. The Comprehensive Plan describes 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.” The proposed retail use is consistent with this Comprehensive Plan designation.



Compliance with Zoning - Nine Mile Corner PD Amendment No. 1:

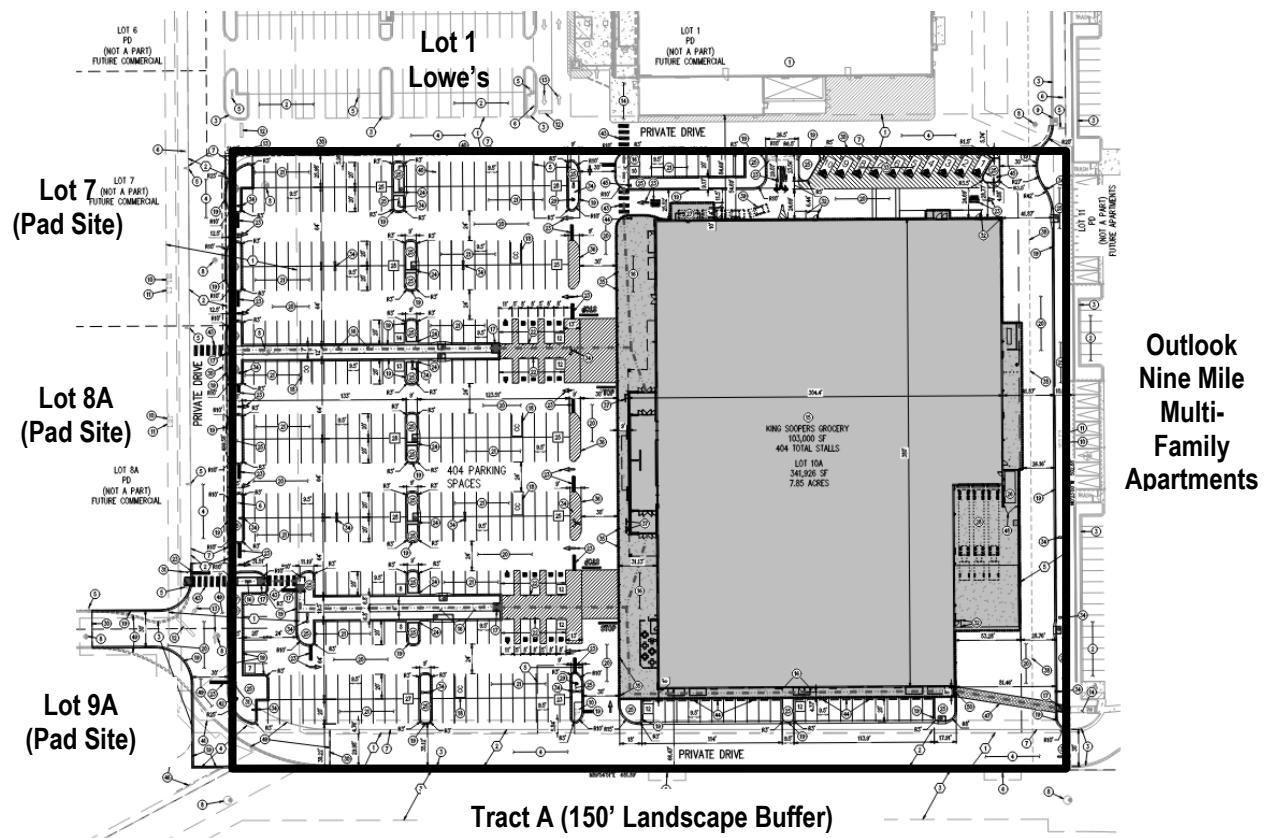
The property is zoned PD, Planned Development, and is part of the Nine Mile Corner Planned Development, Amendment No. 1, which establishes specific standards for the site. The subject property is located in Planning Area 1 (PA-1) of the PD which allows for a variety of commercial uses, including the proposed general retail (grocery store) and for a pharmacy with drive-through service.

Site Specific Development Information:

Lot 10A is a 7.85-acre site and is proposed to be developed for a King Soopers grocery store. It is located south of the Lowe’s site (Lot 1), west of the Nine Mile Outlook multi-family, and north of a 150’-wide landscaping/buffer tract between the Nine Mile

development and properties in Lafayette. Between the King Soopers site and Highway 287, pad sites are platted for future commercial uses.

Site Layout: The King Soopers building is generally located in the eastern portion of the lot, with the main parking area in front and the main entry facing west, consistent with the Conceptual Site Plan depicted in the PD. Behind the structure are service areas including loading bays and a trash compactor, which are screened with an enclosure wall and gate and with landscaping. On the adjacent multi-family property to the east, garages, parking, and landscaping back to the service area. On the north end of the building, a drive-thru pharmacy window is provided, along with dedicated grocery pick-up parking spaces. Below is the overall site plan:



Vehicular Access and Parking: The lot includes connections to both Arapahoe Road and Highway 287 through internal access drives as part of the overall site improvements for the Nine Mile Corner development. Vehicular access is also provided to adjacent lots to the north and east (Lowe's and the multi-family apartments, respectively).

The site layout locates the majority of the parking at the west portion of the site, in front of the King Soopers, with smaller parking areas to the north and south. The proposal includes a request to provide 384 standard and 20 accessible parking spaces, which exceeds the *maximum* parking requirement of 369 standard spaces. A request to exceed the maximum parking requirement (125% of the minimum parking requirement) can be approved as part of the site plan review. Staff is supportive of the proposal to provide parking consistent with the user's expected parking needs, as described in the parking exception letter of request (see attachments).

Parking Required	Parking Proposed
Minimum: 1 space per 350 S.F. 295 Spaces (288 Standard / 7 ADA)	
Maximum: 125% of minimum 369 Spaces	129% of minimum 384 Standard / 20 ADA / 404 Total

Bicycle parking is provided on the site at the primary building entrance. 21 bicycle parking spaces are required and 21 are provided, meeting minimum requirements.

Pedestrian Access: The proposal provides pedestrian routes within the site. Two sidewalks run east-west through the middle of the site to connect parking areas to the building entrance as well as provide pedestrian access through the site to the rest of the Nine Mile Corner development. Pedestrian access is also provided from the adjacent multi-family residential site along the southern edge of the property. The remainder of the Nine Mile Corner development including the pad sites, the Lowe's site, and the corner commercial buildings are also designed to allow pedestrian movement throughout and connect to sidewalks along Highway 287 and Arapahoe.

Landscaping: The proposal provides landscaping islands, trees, and shrubs to meet all applicable landscaping requirements. The Nine Mile Corner development satisfied the minimum 15% overall site landscaping requirements with the initial approval of the Nine Mile Corner subdivision. Among other landscaping, the subdivision provided for the installation of over 300 trees and over 2,000 shrubs in the 150'-wide landscaping tract immediately south of the subject property that buffers the overall Nine Mile Corner development from properties to the south.

Lighting: The proposal provides exterior lighting consistent with the requirements of the PD including the specific "Viper" light fixture type and provision of all downward facing and full cut-off lights. The proposed light fixtures and photometric plan comply with all UDC standards for lighting.

Building Design: The proposed King Soopers building is 103,000 square-feet and complies with all minimum setback and maximum height requirements in the PD:

PA-1	Required:	Proposed:
Minimum Building Setbacks:		
West PD Boundary:	30'	n/a
North PD Boundary:	30'	n/a
Shared PD Boundary (east):	30' Principal 10' Accessory	>30' >10'
South PD Boundary:	150'	>150'
Property Lines Within PA-1:	5'	>5'
Maximum Height:	45' (55' for Large Retail Architectural Towers/Features)	33'-8" (42'-8" to pitched architectural feature)

The PD describes the intended architectural character for non-residential buildings as "a modern interpretation of the Town of Erie's imagery from its origins as a mining and agricultural town in the old 19th-century West." The proposed building design features a

pitched roof over the main entry and uses design elements consistent with the modern agricultural theme such as vertical board & batten style siding and standing seam metal awnings paired with modern colors and materials including cultured stone and CMU block.



WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

To allow for building articulation to be focused on the most visible facades, the proposal includes Alternative Equivalent Compliance to the wall articulation design standard of the PD, which requires three or more articulation features every 60 feet in length for large retail uses. The proposal locates three to five articulation features on each length of the most visible (west and south) facades, and fewer articulation features on some lengths of the less visible facades (east and north), as described in the wall articulation letter of request (see attachments).

The request for Alternative Equivalent Compliance was reviewed for conformance with Municipal Code 10.6.1.C.5. Approval Criteria. Staff finds the requests in compliance with the Approval Criteria listed below.

- a. The proposed alternative achieves the intent of the subject design standard to the same or better degree than the subject standard;

Staff: The alternative achieves the intent of the standard. The applicant has provided additional wall articulation on prominent facades to offset the reduction in wall articulation elements on less visible facades.

- b. The proposed alternative achieves the goals and policies of the Town's Comprehensive Master Plan to the same or better degree than the subject standard;

Staff: The proposed alternative achieves the goals and policies of the Town's Comprehensive Master Plan. The Comprehensive Plan encourages regional-

scale retail development at this location, which promotes the Economic Sustainability goal in the Plan. The proposed alternative focuses design elements at appropriate locations on the large-scale retail building and allows for a functional building program and site layout.

- c. The proposed alternative results in benefits to the community that are equivalent to or better than compliance with the subject design standard;

Staff: The wall articulation request result is equivalent to the design standard found in the PD. The request is to provide more articulation elements on the more visible (west and south) facades and fewer on the less visible facades. The proposed design benefits the community by allowing the building type and environs to be considered in the creation of a high-quality design.

The building meets all other commercial design standards listed in the PD including the building orientation, building massing, entrances, parapet requirements, rooftop mechanical screening, and building materials and colors, among others.

SITE PLAN – APPROVAL CRITERIA ANALYSIS:

The Site Plan for the King Soopers within Nine Mile Corner Lot 10A was reviewed for conformance with Municipal Code, Title 10, Section 7.12.F.9 Approval Criteria. Staff finds the Site Plan in compliance with the Site Plan Approval Criteria as listed below.

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

Staff: The Site Plan is generally consistent with the Town's Comprehensive Master Plan.

- 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;

Staff: The Site Plan is consistent with the PD Development Plan. A minor plat amendment (Nine Mile Corner, Amendment No. 2) is proposed to dedicate easements on the lot to serve the site. The Site Plan is consistent with the proposed plat and will be conditioned upon the approval and recordation of the plat.

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

Staff: The Site Plan, with its proposed alternative equivalent compliance and maximum parking requests, complies with the applicable development and design standards set forth in the PD and UDC.

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

Staff: Significant adverse impacts are not anticipated. Screening and buffering of the use has been incorporated into the site plan and as part of the overall Nine Mile Corner development.

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

Staff: The development proposed is compatible with the character of the surrounding land uses. The adjacent lots and tracts are also part of the Nine Mile Corner development, which was designed to accommodate a large retail use at this location.

STAFF RECOMMENDATION:

Staff finds the Site Plan for the Nine Mile Corner Lot 10A in compliance with the Site Plan Approval Criteria and recommends the Planning Commission adopt draft Resolution No. P21-27 approving the Site Plan with the following conditions:

- a. The approval of the Site Plan shall not be effective until the Final Plat for Nine Mile Corner, Amendment No. 2 is approved and recorded.

NEIGHBORHOOD MEETING:

A neighborhood meeting was held on August 25, 2021 online. The meeting summary and notice information is included as an attachment.

PUBLIC NOTICE:

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly	November 24, 2021
Property Posted as required:	November 18, 2021
Letters to Adjacent Property Owners:	November 24, 2021

PUBLIC COMMENTS:

No written public comments have been received for the application.