



The Town of Erie  
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## Planning & Development Planning

# Memo

**To:** Jack Bestall

**From:** Chris LaRue, Senior Planner

**Date:** December 22, 2017

**Re:** SK-000914-2017: Erie Village Filing 5 Sketch Plan

**cc:** Don Johnson, Tim Coonce, Todd Bjerkaas, Deborah Bachelder, Russell Pennington, Farrell Buller, Rob Crabb, Darren Champion

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### 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 December 14, 2017 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.

The following agencies provided written responses that do not require a second referral and response:

1. Town of Erie Planning Division
2. Town of Erie Parks Department
3. Town of Erie Open Space and Trails Advisory Board (OSTAB)

The following agencies did not provide a written response:

1. Town of Erie Engineering

### 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.

- |         |   |
|---------|---|
| 1/8/18  | Staff memo due - PC   |
| 1/12/18 | PC agenda and packets should be posted on Town website for viewing. |
| 1/16/18 | Applicant presentation due - PC                                     |

1/17/18	Planning Commission meeting 6:30 pm Town Hall: Sketch Plan - review
1/18/18	Staff memo due BOT
1/19/18	BOT agenda and packets should be posted on Town website for viewing.
1/22/18	Applicant presentation due - BOT
1/23/18	Board of Trustees meeting 6:30 pm Town Hall

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

### **General Comments**

1. 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.
2. 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.
3. 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.
4. Request is 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. Site Plan
  - d. Final Plat
  - e. Removal of the restrictive covenant

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 and whether or not direct access from lots will be allowed onto 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 live/work units. Parking requirements are listed in Table 6.6.1 of the UDC. Live/work units require off street parking provided in addition to parking requirement for residential use.
8. Please review the Town's Standards and Specifications regarding road right-of-ways. The Erie Village PD 5<sup>th</sup> 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.
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.
10. Please note Section 10.11.3 of the UDC defines Dwelling, Live/Work as: "a building or space within a building combining a residential living space with an integrated workspace used regularly by 1 or more of the residents of the dwelling unit. Examples of a livework dwelling unit include, without limitation, a limited business operating on the first floor of a primary residence, or a loft space within a building originally designed for commercial or industrial occupancy that has been remodeled to include a dwelling unit space integrated with work space".
  - a. The PD amendment shall provide information demonstrating how the Live/Work definition above is met.
11. The townhome/rowhome area will need further clarification. There are multi-family units and duplexes in this area. Please be aware there are different design standards for multi-family and duplexes that should be considered.
12. 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.
13. Lots 16, 17, and 18 of the live work units appear very narrow in depth. There are concerns with the ability to meet setbacks and to have functional lots.
14. 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.
15. There are concerns with design and symmetry of the overall road layout. Consider matching the proposed cul-de-sac with a similar design on the other side.

16. Please look at changing the orientation of the proposed commercial building. There are concerns with the parking area and possible conflicts with the live work units.

#### Parks and Open Space

17. A conceptual open space and conceptual developed park plan was not submitted with the submittal. More details about the Clock Tower Park and Cottonwood Park will be required with future submittals.
18. Appropriate neighborhood park and community park fees in-lieu shall be required per Section 10.6.3 of the UDC.
  - a. Neighborhood Parks fees are charged \$236,564 per acre of required dedication.
  - b. Community Parks fees are charged \$3,889 per building permit.
19. Based on calculations with the previous developments the pocket park and open space requirements have been met. Filing 5 is located within a ¼ mile of two existing pocket parks.
20. Future plan submittals should illustrate how parks and trails connections are being made to the existing infrastructure.
21. 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.

#### County Line Road:

22. 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.
23. 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.
24. The above ground power lines along County Line Road will be required to be placed below ground as part of the proposed development.



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To: Chris LaRue, Planning and Development, Senior Planner

From: Rob Crabb, Parks & Open Space Division Manager

Date: December 19, 2017

**Subject: ERIE VILLAGE FILING 5 – SKETCH PLAN**

Cc: Darren Champion, Parks & Open Space Project Coordinator

Farrell Buller, Assistant to Town Administrator – Community Services

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Parks and Open Space Division staff has reviewed the sketch plan for the above-referenced subject and offers comments:

- Move the proposed park off of County Line Road (the UDC addresses this restriction). Should be more centrally-located within the filing.
- Tract Summary Chart, Tract 4. The Town of Erie does not desire maintenance responsibility of this tract. Also, further discussion is requested as to whether or not the Town should own this small tract as a labeled “easement”.
- If no other connectivity options are being planned in this general area, the Town desires a spine trail, running east to west through Outlot X that shall eventually connect through TOE-owned Outlots J and K, to the existing spine trail located just south of Erie Village.
- Staff has concerns with the sketched road alignment as it relates to the two large cottonwood trees that are desired to remain. Any road alignment must stay out of the trees’ drip zone, at a minimum. However, any plan that allows for a road to be built adjacent to these trees shall most likely negatively-affect the health of these trees in the short, medium and long term.



## **Town of Erie Open Space and Trails Advisory Board**

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

To: Chris LaRue, Planner, Community Development

Date: December 12, 2017

**Subject: Erie Village Filing 5, Sketch Plan**

**Documents Date: November 2, 2017**

**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 or not this subdivision met the requirement for dedicated open space in earlier filings.

Recommendation: Determine whether or not this subdivision met the requirement for dedicated open space in earlier filings.

### **Spine Trail:**

Discussion: There are no proposed Spine Trails in the Parks, Recreation, Open Space, and Trails (PROST) Master Plan within this filing area. 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. That Spine Trail 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. That trail connection is 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 Outlot X in this application; the western two thirds is Town of Erie open space. We strongly believe that all Erie residents should have convenient accessibility to the Town's Spine Trail network, and other neighborhood trails. A Spine Trail through Outlot X and the Town's open space to the existing spine trail would accomplish that goal.

Recommendation: 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 and Town open space.

### **Neighborhood Trails and Sidewalks:**

Discussion: The Town requires an 8' concrete sidewalk in a meandering buffer on primary roads. The Sketch Plan does not show any sidewalk along County line Rd. We believe that sidewalk is required unless the applicant was previously granted an exemption.

There are no neighborhood trails within the application. There are, of course, sidewalks on both sides of all streets. We decided not to recommend additional neighborhood trails. However, it is important that residents be able to safely cross C W Bixler to access the Town's Spine Trail system, the near-by large St John Park, and the small pocket park within Village Circle. C W Bixler Blvd is heavily used, since the residents of the roughly 500 homes in Erie Village and Kenosha Farms have only 2 exits: C W Bixler to County Line on the east, and Lombardi St to Kenosha Rd to the north. Location(s) of crosswalks and/or pedestrian traffic control devices should be coordinated with Town staff.

### **Recommendation:**

1. Build an 8' concrete sidewalk in a meandering buffer on the west side of County Line Rd.;
  2. Coordinate with Town staff the location and format of cross walks to multiple recreational features that are to the west:
    - a. Spine Trail;
    - b. St John park;
    - c. Village Circle pocket park.
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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  
Dawn Fraser  
Monica Kash  
Nicole Littmann  
Ken Martin (Chair)  
Joe Martinez