

**TOWN OF ERIE
BOARD OF TRUSTEES MEETING
October 13, 2020**

SUBJECT: PUBLIC HEARING

Planned Development (PD) Amendment

An Ordinance of the Board of Trustees of the Town of Erie approving the Erie Village Planned Development, Amendment No. 6

PURPOSE:

Consideration of a Planned Development Amendment to remove the senior assisted living use from Erie Village Filing No. 5, and to replace it with a mixed-use plan consisting of single-family homes, townhomes, and commercial uses. Amendments to the PD include:

1. A maximum of 76 residential units not to exceed a gross density of 5.5 du/ac. The residential units are limited to single-family homes (3.939 acres) and townhomes (2.481 acres) limited to specific areas within Filing No. 5.
2. Creation of 2.113 acres of commercial area.
3. Creation of dimensional standards for the single-family and townhome units.

CODE REVIEW: Erie Municipal Code, Title 10

DEPARTMENT: Planning and Development

PRESENTER: Christopher LaRue, Senior Planner

STAFF RECOMMENDATION:

Staff finds the Erie Village Planned Development Overlay Map Amendment No. 6 in compliance with the Planned Development Approval Criteria and recommends the Board of Trustees adopt the Ordinance approving the amendment.

PLANNING COMMISSION RECOMMENDATION:

On September 16, 2020 the Planning Commission unanimously recommended the Board of Trustees approve the Erie Village PD Amendment No. 6. The PC had discussions about the density of the project as compared to the original continuum of care proposal. Other discussions included parking, traffic, and overall design. Overall, the PC was of the opinion the project would be appropriate for the area. During the meeting two people spoke in opposition and two people spoke in support.

SUMMARY AND BACKGROUND OF SUBJECT MATTER

Applicant: Porchfront Homes (Mary Coonce) Bestall Collaborative Limited (Jack Bestall)
102 2nd Avenue PO Box 2223
Niwot, CO 80503 Evergreen, CO 80437

Existing Conditions:

Zoning: Erie Village PD – Planned Development
Project Size: 14.823 acres - (Project proposes: 6.42 acres of residential, 2.113 acres of commercial, 4.683 acres of tracts, & 1.606 acres of right-of-way)
Existing Use: One Commercial Building and Vacant Land

Location:

Erie Village Subdivision Filing No. 5 is a half-circle shaped property located just north of Old Town Erie, west of East County Line Road, and is surrounded by C.W. Bixler Boulevard.

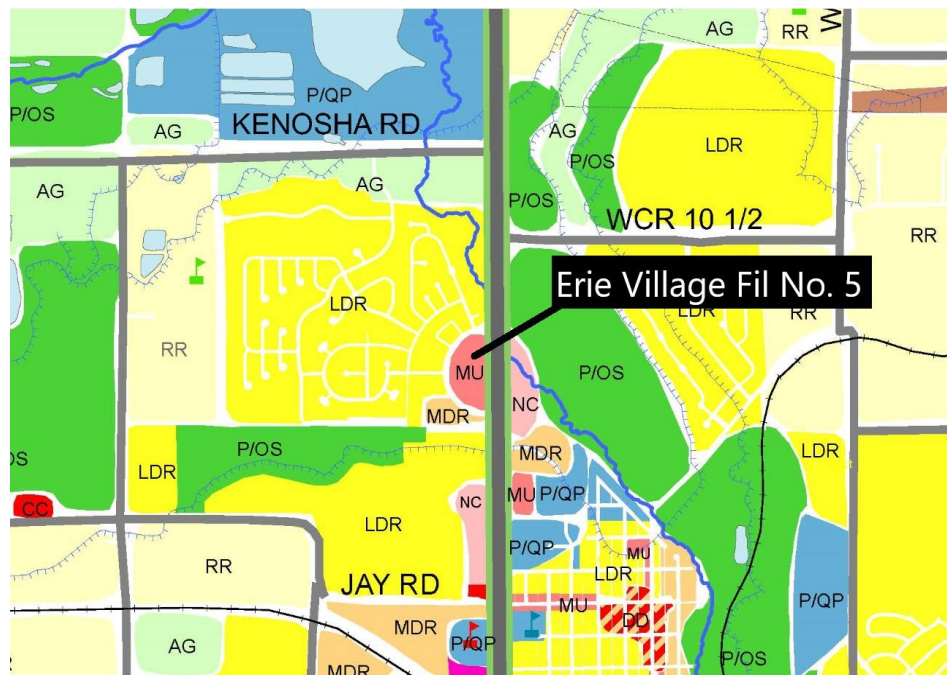


Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	PD – Planned Development	Erie Village Filing 1 –Vacant & Single-Family
SOUTH	PD – Planned Development	Erie Village Filing 5 – Electrical Power Line Erie Village Filing 1 Replat C - Duplexes
EAST	B – Business	Single-Family home
WEST	PD – Planned Development	Erie Village Filing 1 – Single Family Residential

Compliance with Town of Erie Comprehensive Plan:

The application is in general compliance with the land use designations on the Comprehensive Plan, Land Use Plan Map. The Filing No. 5 property allows for MU – Mixed Use land uses. The PD amendment proposes development consisting of commercial, single-family homes, and townhomes.

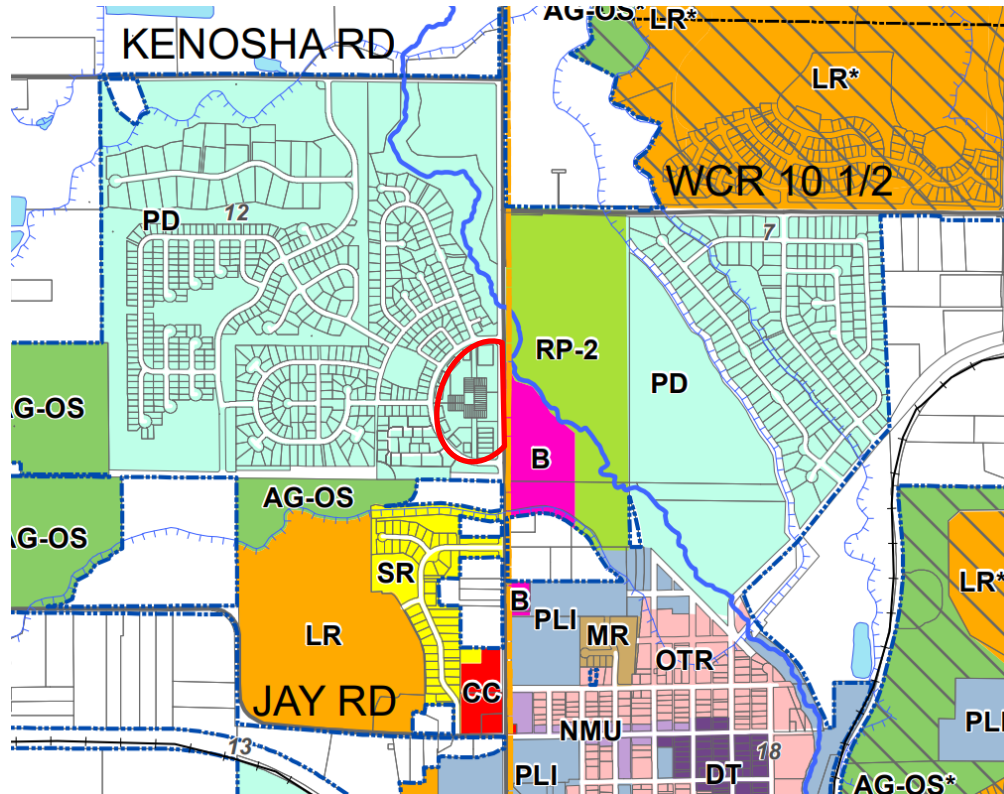


Compliance with the existing PD:

Overall, the proposal is not consistent with the current PD thereby causing the applicant to request the proposed amendment. Property is zoned PD-Planned Development and is within the Erie Village Plan Development. The Filing No. 5 area was intended to allow mixed use office, commercial, and residential uses associated with a continuum of care retirement community. The existing PD, along with a covenant recorded against the property, restricts the occupancy of residential uses within Filing 5 to two people, one of which must be at least sixty-two years old (the covenant requirement will be removed as part of the BOT ordinance). Types of allowed residential uses within the PD include single-family homes, duplexes, and multi-family buildings. A total of 183 dwelling units were

proposed. Types of allowed uses associated the retirement facility include independent living along with 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.

Below is the zoning map for the area with the property outlined in a red line:



Proposed PD Amendment No. 6:

All of the Erie Village area was annexed into the Town of Erie in March 1994, and was zoned Planned Development (PD) concurrent with the annexation. The original PD was approved in 1999 and included single-family development and a mixed use residential/commercial area in the Filing No. 5 area. A second amendment was filed and was never completed. The third amendment was approved in 2001 to amend the Filing No. 5 area for commercial uses, live/work, and a ceramics center. The fourth amendment was approved in 2005, and created setbacks and standards for the duplex area. The fifth amendment was approved in 2008 and created the retirement village, as discussed above, within Filing No. 5.

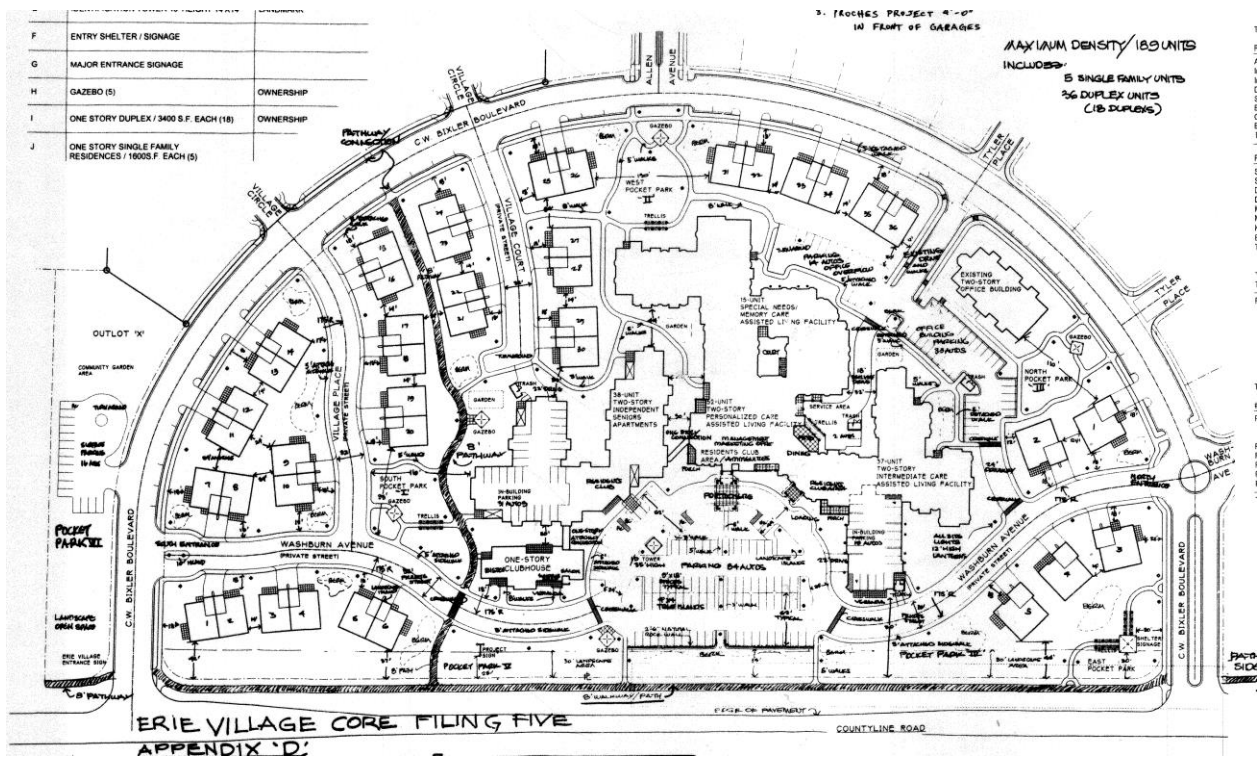
The proposed PUD 5th amendment proposes the following changes to the Filing No. 5 (Mixed Use Core Area):

- Removing the retirement Village area and replacing it with a mixed use residential and commercial development. Specifically, the PD proposes a maximum residential density of 5.5 dwelling units per acre up to a maximum of 76 units. Single-family detached and townhome dwellings are proposed. The single-family homes would

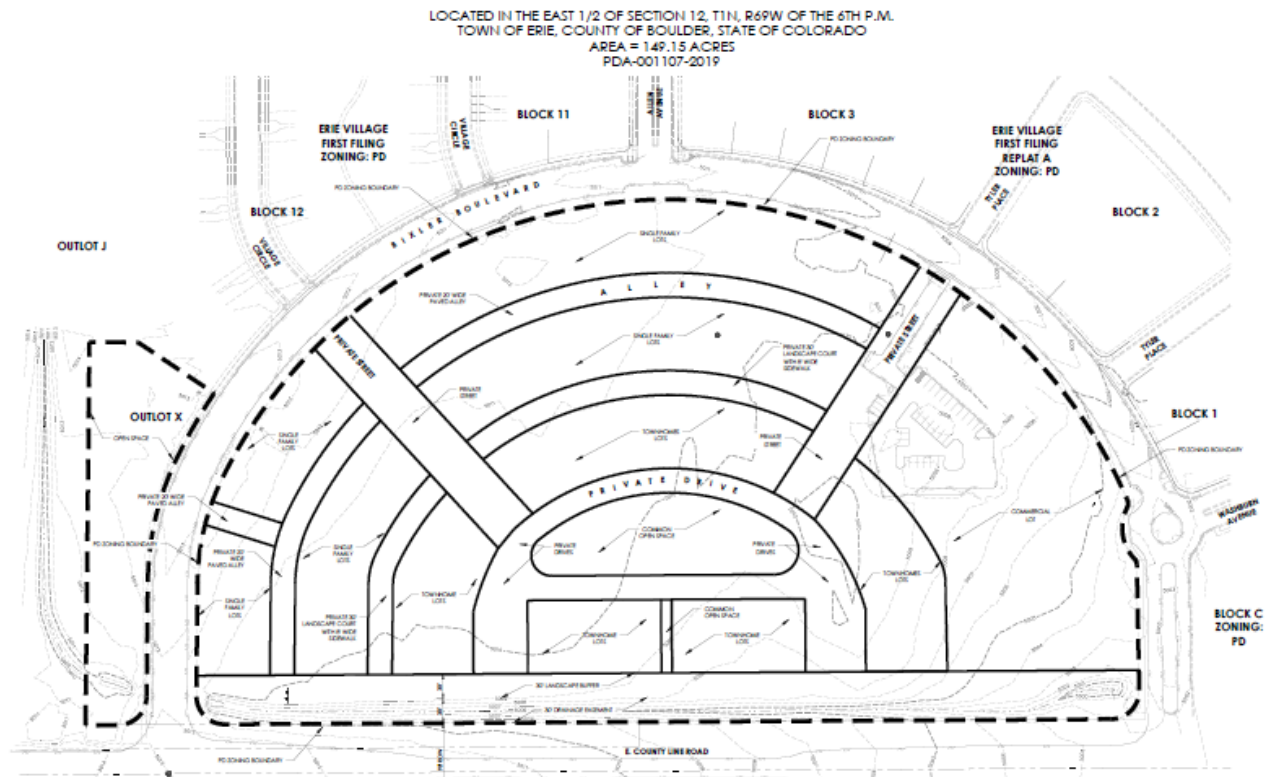
buffer the existing development within the PD by being located in the outer rings near Bixler Boulevard. The townhomes would be located centrally within the site and behind the single-family. The commercial area will continue as a natural extension of the existing commercial building.

Below is the original PD plan for the Filling No. 5 core area followed by the proposed general concept layout.

Original Filing No. 5 Concept:



Proposed Filing No. 5 Concept:



- Consideration of the creation of dimensional standards for the single-family homes and the townhomes.

Changes are proposed to modify the UDC design standards for single-family and multi-family (townhome) to include minor adjustments to the dimensional standards. These standards are specific and limited to the Filing No. 5 core area, and are generally consistent with the UDC and the overall PD for Erie Village. The modifications being requested will allow the dwelling units to be accessed from alleys, which will put the fronts of the homes along streets and landscaped garden courts. Below are the new dimensional standards proposed within the PD:

Single-Family Detached Standards:

LOT SETBACK MINIMUMS

FRONT SETBACK:	16'
SIDE SETBACK:	5'
SIDE SETBACK ADJOINING STREET	16'
REAR SETBACK:	8'
HEIGHT LIMIT:	35'

NOTES:

1. ENCROACHMENTS ARE ALLOWED IN THE FRONT, SIDE AND REAR SETBACKS OF UP TO TWO (2') FEET FOR ABOVE-GRADE FEATURES INCLUDING EAVES AND OVERHANGS.
2. ENCROACHMENTS ARE ALLOWED IN SIDE AND REAR SETBACKS OF UP TO THREE (3') FEET FOR BELOW GRADE WINDOW WELLS.
3. ENCROACHMENTS ARE ALLOWED IN FRONT SETBACKS OF UP TO SIX (6') FEET FOR COVERED FRONT PORCHES.
4. ENCROACHMENTS ARE ALLOWED IN REAR SETBACKS OF UP TO SIX (6') FEET FOR COVERED PORCHES OR DECKS.

Town Home Standards:

LOT SETBACK & BUILDING SEPARATION MINIMUMS:

FRONT SETBACK:	12'
SIDE BUILDING 5' REAR SETBACK:	6'
SIDE SETBACK ADJOINING STREET	10'
MINIMUM LOT AREA	1,800SF

NOTES:

1. ENCROACHMENTS ARE ALLOWED IN THE FRONT, SIDE AND REAR SETBACKS OF UP TO TWO (2') FEET FOR ABOVE-GRADE FEATURES INCLUDING EAVES AND OVERHANGS.
2. ENCROACHMENTS ARE ALLOWED IN SIDE AND REAR SETBACKS OF UP TO THREE (3') FEET FOR BELOW GRADE WINDOW WELLS.
3. ENCROACHMENTS ARE ALLOWED IN FRONT SETBACKS OF UP TO SIX (6') FEET FOR ENTRY STAIRS AND LANDING.

No changes are being proposed to the architectural elements within the PD. The architectural standards would be consistent and complementary to the overall Erie Village development, and will mirror those established for the overall development. Building designs including roof forms, windows, doors, trim, and siding materials will be rooted in the Victorian architectural style. The buildings will have four-sided architecture. Buildings will be required to meet the UDC requirements, as well as meeting those mandated within the new Erie Village HOA for Filing No. 5.

The vision for the single-family homes and townhomes and the architectural requirements would look similar to the following renderings:



Housing Diversity:

The proposed amendment would contribute to alternative housing types. The Town of Erie's housing diversity requirement is based on the acres of residentially zoned property. The regulations intend to ensure that as the Town grows, a variation in housing choices are available. The overall Erie Village property has a total of 149.15 acres zoned Planned Development. The UDC requires a mix of housing options. Specifically, the UDC requires 3 housing types or 2 housing types and 1 housing type variation. Currently the development provides single-family detached housing, with one variation, and duplexes.

PUD Amendment No. 6 proposes the addition of townhomes, which would add an additional housing type not currently provided within Erie Village.

APPROVAL CRITERIA - STAFF ANALYSIS:

Erie Village PD Amendment No. 6 was reviewed for conformance with Municipal Code, Title 10, UDC Section 10.7.23 C.9. Approval Criteria. Staff finds the Erie Village PD Amendment No. 6 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. This amendment encourages commercial and residential development which is the intent of the Comprehensive Plan at this specific location. The proposed amendment will increase the choice of living and housing choices in the Town by providing townhomes.

- 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 residential and commercial developments in the form of single-family homes and townhomes, along with commercial buildings in the Erie Village Subdivision. The modifications result in a unique design that complements the overall Erie Village community.

- 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 providing a unique design that upholds the overall Erie Village vision. The PD amendment is necessary to accommodate the land use changes as proposed.

- 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. Further review will occur in plat and site plan applications.

- 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 anticipated. The applicant's proposal will be required to undergo future plat and site plan applications to demonstrate compliance.

- 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 development is in scale with adjacent properties. The proposed PD targets 76 residential units for this site along with area for commercial development. Single-family is anticipated along Bixler, which would be consistent with adjacent development. The townhomes would be buffered by the single-family homes. The commercial area would be developed adjacent to the existing commercial building. In addition, the Erie Village Development requires minimum architectural standards be met to achieve a pleasing aesthetic design

- 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 Village. The proposed amendment allows 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. The single-family homes will buffer the views of the townhomes to the existing development within Erie Village. The commercial area will continue as a natural extension of the existing commercial building.

- 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 development to be built that will diversify the housing options within the Erie Village Subdivision. In addition, the new commercial area will provide more options to residents. In addition, the PD Amendment will allow the proposed development to be built in a manner that will be visually pleasing and allow development of the site

NEIGHBORHOOD MEETING:

As required by the Municipal Code a Neighborhood Meeting was held on December 23, 2019 (see attached summary). 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:	September 23, 2020
Property Posted as required:	September 25, 2020
Letters to Adjacent Property Owners:	September 25, 2020

PUBLIC COMMENTS:

Two written public comments were received for the Erie Village PD Amendment No. 6 application prior to Planning Commission meeting. One letter was in support of the project and the other was in opposition. Both comments are attached.