



Legislation Details (With Text)

File #: 21-211 **Version:** 1 **Name:**
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On agenda: 5/25/2021 **Final action:**
Title: A Resolution of the Board of Trustees of the Town of Erie Approving the First Amendment to the Intergovernmental Agreement with the Erie Commons Metropolitan District No. 3
Sponsors:
Indexes:
Code sections:
Attachments: 1. Resolution 21-075, 2. First Amendment to the Intergovernmental Agreement

| Date | Ver. | Action By | Action | Result |
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SUBJECT: Consent Agenda

A Resolution of the Board of Trustees of the Town of Erie Approving the First Amendment to the Intergovernmental Agreement with the Erie Commons Metropolitan District No. 3

DEPARTMENT: Planning and Development

PRESENTER: Chris LaRue, Senior Planner

TIME ESTIMATE:

FISCAL SUMMARY:

Cost as Recommended:

Balance Available:

Budget Line Item Number:

New Appropriation Required:

STAFF RECOMMENDATION:

Approve the First Amendment to the Intergovernmental Agreement with the Erie Commons Metropolitan District No. 3

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The Erie Commons Filing No. 4, 4th and 5th Amendments Final Plat area contains 21.10 acres, and is bounded by Erie Parkway to the northwest, South Briggs Street to the northeast, Espinoza Street to the southeast, and Powers Street to the southwest. The site is contained within the Erie Town

Center Planned Development (PD) and is the large vacant rectangle parcel in the Erie Commons development visible along Erie Parkway. The 4th Amendment Plat proposes five commercial lots (one of which is under site plan review for a Circle K gas station and convenience store), one residential lot which will be further subdivided (Erie Commons Filing No. 4, 5th Amendment), and three tracts. The 5th Amendment Plat (aka "Wee Cottages" plat) proposes 151 residential lots (12.96 du/ac) and 16 tracts.

The plats include previous common areas and proposed common areas which will be owned and maintained by the Metro District. This amendment to the IGA was prepared to include maintenance of those commons areas and to make clear the Metro District No. 3's obligation to maintain specified common areas. In addition, the existing IGA restricts the maximum mill levy (as defined in the Service Plan) depending upon the number of residential dwellings allowed on the Erie Commons Filing No. 4, 5th Amendment site. If the 5th Amendment includes between 125 and 149 residential units, the Maximum Mill Levy (as defined in the Service Plan) shall be reduced by the District from 50 to 47 mills. If the 5th Amendment final plat includes 150 or more dwelling units, the Maximum Mill Levy shall be reduced by the District from 50 mills to 37 mills. The proposed plat for the 5th Amendment under consideration by the BOT on May 25, 2021 includes a total of 151 lots.

History:

The subject area was annexed in 2001 into the Town of Erie under the name of Erie Commons Annexation. At the same time, the property was initially zoned as Planned Development (PD) for Commercial uses. In 2019, the Erie Commons PD Amendment No. 9 designated half of the property for commercial development and the other half for multifamily development.

In March of 2020, the subject property, along with other areas within Town, was rezoned to Urban Center 4 (UC4) and Urban Edge 4 (UE4) as part of an overall new PD overlay for Erie Town Center. The Erie Town Center PD designates half of the property for commercial development and the other half for small lot single-family residential (aka the "wee cottages" development).

Action Items:

The First Amendment to the Intergovernmental Agreement with the Erie Commons Metropolitan District No. 3 has been drafted to be considered along with the Erie Commons Filing No. 4, 4th and 5th Amendment Final Plats. The Board of Trustees is the approval body for the Intergovernmental Agreement.

Board Priority(s) Addressed:

- ✓ Attractive Community Amenities
- ✓ Prosperous Economy
- ✓ Well-Maintained Transportation Infrastructure
- ✓ Safe and Healthy Community
- ✓ Fiscally Responsible

ATTACHMENTS:

1. Resolution No. 21-075
2. First Amendment to the Intergovernmental Agreement