

**TOWN OF ERIE**

Planning & Development – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Website: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed. Application fees must accompany application.

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: Erie Parkway Shops**PROJECT ADDRESS:** Erie Parkway and Meller Street, Erie CO 80030**PROJECT DESCRIPTION:** Planned Development Amendment application to change the permitted uses on a parcel of land from Medium Density Residential and Day Care uses to Retail, Office, & Auxillary uses.**LEGAL DESCRIPTION** (attach legal description if Metes & Bounds)

Subdivision Name: Canyon Creek

Filing #: No. 5, 1st Amendment Lot #: Lots 1-12 Block #: Tracts B-1, H and I

Section: Township: 1 North Range: 69 West of the 6th P.M.
Southeast Quarter of Section 24**OWNER** (attach separate sheets if multiple)

Name/Company: Heshmat Properties LLC

Contact Person:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

AUTHORIZED REPRESENTATIVE

Company/Firm: Emerald Development

Contact Person: Ryan Garney

Address: 4949 N. Broadway St. Suite 105

City/State/Zip: Boulder, CO 80304

Phone: 303-444-4552

Fax:

E-mail: ryan@emeraldconnects.com

☐ Check here if Owner is responsible for Application Billing☒ Check here if Authorized Representative is responsible for Application Billing**MINERAL RIGHTS OWNER** (attach separate sheets if multiple)

Name/Company:

Address:

City/State/Zip:

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company:

Address:

City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: Planned Development - Medium Density Residential and Day Care

Proposed Zoning: Planned Development - Retail

Gross Acreage: 1.84 acres

Gross Site Density (du/ac): n/a

Lots/Units Proposed: n/a

Gross Floor Area: 17,000 s.f.

SERVICE PROVIDERS

Electric:

Metro District:

Water (if other than Town):

Gas:

Fire District:

Sewer (if other than Town):

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES

ANNEXATION/DE-ANNEXATION		SUBDIVISION	
<input type="checkbox"/> Major (40+ acres)	\$ 2000.00	<input type="checkbox"/> Sketch Plan	\$ 500.00 + 5.00 per lot
<input type="checkbox"/> Minor (20 acres to 40 acres)	\$ 1000.00	<input type="checkbox"/> Preliminary Plat	\$ 1000.00 + 20.00 per lot
<input type="checkbox"/> Minor (up to 20 acres)	\$500.00	<input type="checkbox"/> Final Plat	\$ 1000.00 + 10.00 per lot
COMPREHENSIVE PLAN AMENDMENT		<input type="checkbox"/> Minor Subdivision Plat	\$1000.00
<input type="checkbox"/> Major (40+ acres)	\$ 1000.00	<input type="checkbox"/> Annexation Plat	\$ 200.00
<input type="checkbox"/> Minor (Less than 40 acres)	\$ 200.00	<input type="checkbox"/> Minor Amendment	\$200.00
ZONING/REZONING		<input type="checkbox"/> Vacation ROW or Easement	\$200.00
<input type="checkbox"/> Planned Development (PD)	\$ 5000.00 + 10.00 per acre	VARIANCE	\$300.00
<input checked="" type="checkbox"/> Planned Dev (PD/PUD Amdt)	\$ 1500.00 + 10.00 per acre		
<input type="checkbox"/> All Other Zoning/Rezoning	\$ 500.00 + 10.00 per acre	METRO DIST SERVICE PLAN	Cost to Town - \$10000.00 Deposit
<input type="checkbox"/>		SITE PLAN	
SPECIAL REVIEW USE		<input type="checkbox"/> Residential	\$ 200.00 + 10.00 per unit
<input type="checkbox"/> Oil & Gas	\$1200.00	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 1000.00
<input type="checkbox"/> All Other Types	\$500.00	<input type="checkbox"/> Non-Resi. (<10,000 sq.ft.)	\$500.00
MISCELLANEOUS		<input type="checkbox"/> Residential Amdt	\$ 200.00 + 10.00 per unit
<input type="checkbox"/> Temporary Use Permit	\$50.00	<input type="checkbox"/> Non Res Amdt (major)	\$500.00
<input type="checkbox"/> Architectural Review w/o Subd or Site Plan	\$300/model	<input type="checkbox"/> Non Res Amdt (minor)	\$100.00
OTHER FEES		WIRELESS COMMUNICATION	
<input type="checkbox"/> 3rd Party Review of Any App (incl. Legal Review)	Cost to Town (Chargeback)	<input type="checkbox"/> Wireless Facility - Admin	\$250.00
<input type="checkbox"/>		<input type="checkbox"/> Wireless Facility - Planning Commission	\$500.00

All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff.

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. **The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Title 10, Section 7.2.B.5 of the Town of Erie Municipal Code, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of the Town, necessary for project review. In addition, the undersigned is aware that the applicant is responsible for all recording and publication costs associated with this application. By this acknowledgement, the undersigned hereby certify that the above information is true and correct. An application is not deemed accepted by the Town until the Town acknowledges in writing that the application materials and fees submitted are complete.**

Owner: R. Nader Ghadimi Power of Attorney For
Reza Haghighat

Date: 1/3/25

Owner: _____

Date: _____

Applicant: R. Nader Ghadimi Power of

Date: 1/3/25

STATE OF COLORADO)
 County of Boulder) ss.

The foregoing instrument was acknowledged before
 me this 2nd day of January, 2025,

by R. Nader Ghadimi.

My commission expires: July 5, 2026.

Witness my hand and official seal.

LAND USE APPLICATION FORM – JANUARY 2022

ERIN OBRAY
 Notary Public
 State of Colorado
 Notary ID # 20224026094
 My Commission Expires 07-05-2026

Notary Public

Date 8/11/25

Town of Erie

645 Holbrook St.

PO Box 750

Erie, CO 80516

Re: Canyon Creek Planned Development Amendment No. 11

Please accept this letter of authorization from Heshmat, LLC, for Emerald Development, to process the PD Amendment and any subsequent necessary land use applications for associate the property owned by Heshmat, LLC at the southwest corner of Erie Parkway and Meller Street

Owner Signature

8/11/25

Date

State of Colorado

County of Boulder

The foregoing instrument was acknowledged before me this 11th day of August, 2025 by

Erin Obray

Witness my hand and official seal:

Notary Public:

My commission expires: 8/11/2025

ERIN OBRAY
Notary Public
State of Colorado
Notary ID # 20224026094
My Commission Expires 07-05-2026

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Canyon Creek PD Amendment No. 11
Written Narrative
February 7, 2025

a. General project concept and purpose of the request.

This proposal is for a small scale shopping center at the corner of Erie Parkway and Meller Street. The project will serve residents in the surrounding neighborhoods by providing needed local retail. Anticipated tenants are a local market and other storefront retail. Spaces will be small and local businesses will be prioritized when leasing. The buildings and parking will be screened by landscaping on all sides. Screening will be particularly important along the sites south and east property lines, where it will separate the project from adjacent residential lots. Buildings will be single story and adequate parking will be provided. The proposed uses differ from those permitted by the PD, which currently allows Medium Density Residential (MDR) and Daycare Center (DC).

b. List the approval criteria (see Section 10.7.20.C.2) and how the proposal complies with each.

a. The PD district zoning is generally consistent with the purpose of the PD zone district as set forth in UDC sections 10-2-5 and 10-7-6.

The proposed PD amendment is a minor change to an existing PD district, proposing new approved uses on a particular site within the existing PD district. The proposed uses, which include Commercial, Business, and Retail, are already permitted uses on several other sites within the PD district and therefore are generally consistent with the intent of the existing PD zone district.

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 zone districts or through another modification processes such as alternative equivalent compliance in UDC subsection 10-6-1 C.

The alternative equivalent compliance items listed in UDC subsection 10-6-1 C are not applicable for the proposed PD amendment. It is our understanding that the appropriate process to modify the permitted uses on a site within an existing PD is through a PD amendment.

c. The PD zone district will promote the public health, safety, and general welfare.

The proposed PD amendment will provide Commercial, Business, Retail, and/or Food and Beverage uses that will be within walking distance of numerous residential uses and communities. This will promote the idea of a "pedestrian-oriented community", which can improve the physical and social health of the community at-large.

d. The PD zone district is generally consistent with the town's comprehensive plan; transportation master plan; parks, recreation, open space, and trails master plan, and other pertinent town plan and policy documents.

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The Town of Erie Comprehensive Plan lists three core values that are the root beliefs that guide Erie when making decisions: sustainability, livability, and connectivity. The proposed PD amendment considers and satisfies all three core values. By providing a neighborhood hub of Commercial, Business, Retail, and/or Food and Beverage to an existing residential community, the project will promote the idea of a “pedestrian-oriented community”. These types of communities decrease reliance on vehicular transportation (sustainability), provide a positive lived experience through local community services (livability), and promote social support networks that contribute to the wellbeing of the community (connectivity).

The Town of Erie Comprehensive Plan provides a list of current and future land use classifications, which include primary and secondary uses, that should be considered for each parcel of land. The proposed PD amendment will provide Commercial, Business, Retail, and/or Food and Beverage uses to an existing residential neighborhood. The site, which is classified as “Residential - Medium” per the Town’s Comprehensive Plan, lists “Neighborhood Commercial” as a secondary land use. “Neighborhood Commercial” uses include “a mix of retail, restaurants/cafes, small-scale professional office, childcare centers and other daily convenience shopping and services in a pedestrian-oriented environment.” Therefore, the proposed PD amendment directly conforms to the Town’s guidance for current and future land use.

The Town of Erie Comprehensive Plan recognizes Erie Parkway as one of the “Corridors and Areas of Special Consideration”. The site of the proposed PD amendment fronts Erie Parkway and final development will comply with the design guidelines, which include enhanced landscape and streetscape design, screened parking areas, and open/low fencing.

The Town of Erie Comprehensive Plan acknowledges the shift to more remote and hybrid work, and that the opportunity to access services within or close to your neighborhood is now much more important to many residents. Additionally, the Comprehensive Plan recognizes that creating adaptable and mixed-use neighborhoods can help with the expected demographic shift the Town anticipates seeing through 2050. The proposed PD amendment responds well to both of these by providing a neighborhood hub of Commercial, Business, Retail, and/or Food and Beverage to an existing residential community where local residents will be able to meet their daily needs.

The Town of Erie Comprehensive Plan indicates that building and supporting a local workforce is a key priority for residents. Additionally, expanding opportunities for employment and commercial development is vital to enhance tax revenues generated in the Town and to limit traveling to neighboring communities to work, shop, and meet other daily needs. The proposed PD amendment will help the Town’s economic development base by providing new jobs within the Town’s limits, while also providing local neighborhood services such as shopping and/or dining that will enhance the Town’s tax revenues.

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The proposed PD amendment involves a site that is currently undeveloped but is surrounded by development, including low-density residential uses and a series of roads, sidewalks, trails, and open space. While the small site will minimally impact the overall neighborhood from a transportation perspective, the development will provide walkable connections to and through the site to promote the idea of a "pedestrian-oriented community".

- 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.

The proposed PD amendment involves a particular site that is already surrounded by development, primarily low-density residences, so utilities and services are already present on or adjacent to the site. For example, the northern edge of the site includes a 30' utility easement. Numerous parks, open space, and recreational facilities are nearby, including the Thomas Reservoir, the Brennan by the Lake community garden, the Boulder Valley Velodrome, and the Erie Community Center. The proposed uses of Commercial, Business, Retail, and/or Food and Beverage will not require the use of any school services. In general, the proposed uses are not intended to increase the permanent population or population density of the immediate area, and therefore existing levels of service outlined above should be minimally impacted, if at all.

- f. The PD zone district provides adequate vehicular circulation and parking facilities in terms of traffic volumes, convenience, safety, access, screening and noise.

The site of the proposed PD amendment is at the corner of Erie Pkwy and Meller St, and vehicular access to the site will be provided as far from this intersection as possible. The development will include an adequate amount of parking for the final use, as agreed upon with the Town of Erie. The current design, subject to change, intends to screen parking from both streets with building and landscaping elements.

- 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.

The site of the proposed PD amendment has sidewalks on two sides that provide access to and from other parts of the community, including local parks such as the Thomas Reservoir and the Erie Community Center. The proposed PD amendment will provide Commercial, Business, Retail, and/or Food and Beverage uses that will be within walking distance of numerous residential uses and communities, and the existing network of sidewalks and trails will promote a "pedestrian-oriented community" bringing people to and from the site.

- h. The PD zone district is not likely to result in significant adverse impacts to the natural environment, and significant scenic and historic features.

The site of the proposed PD amendment does not contain significant natural, scenic, or historic features.

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- 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.
The final development will include some type of landscape screening between the development and the adjacent residential uses. This screening will work as both a visual and audible buffer between residential and non-residential uses
 - j. Proposed uses will be compatible in scale with uses on properties in the vicinity of the PD zone district.
The proposed development will house small local businesses. They will serve residents in the surrounding neighborhoods. They will be compatible in scale to similar retail and commercial uses approximately 1/2 to 1 mile east of the site.
 - 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.
The proposed PD amendment includes proposed uses of Commercial, Business, Retail, and/or Food and Beverage. The surrounding residential uses are part of the current PD zone district.
 - l. Visual relief is provided through building placement, shortened or interrupted street vistas, visual access to open space, parks, and other design methods.
The proposed PD amendment involves a site that is not particularly large, and therefore inherently does not require as much visual relief as an entire PD zone district. However, the proposed uses of Commercial, Business, Retail, and/or Food and Beverage will differ visually from the existing adjacent low density residential uses in several ways, such as building form, building materials, building-to-site relationship, and building orientation. All of these characteristics will help provide visual relief from adjacent properties.
 - 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.
The proposed PD amendment is working within the confines of an existing PD zone district and therefore has no other alternative zone district. It is our belief that our proposed uses of Commercial, Business, Retail, and/or Food and Beverage directly benefits the greater public, especially the local public, by providing services in and for the local community.
- c. Identification of the greater public benefit provided within the PD zone district.
The proposed development would provide the PD zone district with much needed local retail. The cornerstone will be a local market offering fresh produce, a small selection of groceries, and prepared foods. Other businesses would be selected based on neighboring residents' needs. The spaces for lease will be small and local businesses will be prioritized when leasing.
- d. A development schedule that identifies timing and phasing of the development.
Given the project's small scale there is no intention for phasing the design and construction of the development. Below is brief outline of the projected timeline to construction:
2025 February - July: PD Amendment Application

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2025 August - September: Schematic Design
2025 October - December: Minor Subdivision and Site Plan Review Applications
2026 January - March: Design Development and Construction Documentation
2026 April - June: Building Permit Application
2026 July: Construction Begins

e. How the proposal relates to the existing land-use of the subject property and the zoning and land-use of adjacent properties, including statements describing the effects on adjacent properties; areas of compatibility and conflict and the mitigation measures utilized.

The subject property of the proposed PD amendment is currently classified as "Residential - Medium" land use and is surrounded by "Residential - Low" land use classifications. The Town's Comprehensive Plan lists "Neighborhood Commercial" as a secondary land use for both of these residential land use classifications. "Neighborhood Commercial" uses include "a mix of retail, restaurants/cafes, small-scale professional office, childcare centers and other daily convenience shopping and services in a pedestrian-oriented environment." The proposed PD amendment will provide a neighborhood hub of Commercial, Business, Retail, and/or Food and Beverage uses to an existing residential community where local residents will be able to meet their daily needs. The concept of a "pedestrian-oriented community" and adaptable, mixed-use neighborhoods directly align with the Town's visions and goals as outlined in the Town's Comprehensive Plan. Additionally, so as to mitigate any negative impacts to adjacent residential properties, landscaping will be used around the perimeter of the site where possible to provide adequate visual and audible screening between residential and non-residential uses.

f. How the proposal complies with the Town's Comprehensive Plan; Transportation Master Plan; Parks Recreation, Open Space, and Trails Master Plan, and other pertinent Town plan and policy documents.

The Town of Erie Comprehensive Plan lists three core values that are the root beliefs that guide Erie when making decisions: sustainability, livability, and connectivity. The proposed PD amendment considers and satisfies all three core values. By providing a neighborhood hub of Commercial, Business, Retail, and/or Food and Beverage to an existing residential community, the project will promote the idea of a "pedestrian-oriented community". These types of communities decrease reliance on vehicular transportation (sustainability), provided a positive lived experience through local community services (livability), and promote social support networks that contribute to the wellbeing of the community (connectivity).

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environment.” Therefore, the proposed PD amendment directly conforms to the Town’s guidance for current and future land use.

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f. A brief description regarding the availability of fire protection, school services, water/sewer services, and utility providers.

The proposed PD amendment is part of a larger developed PD zone district with various services and utilities already in place. The site of the proposed PD amendment is served by Mountain View Fire Rescue and the local school district is St. Vrain Valley. According to the Town’s Services App, the site of the proposed PD amendment is serviced by the following utilities:

- Water: Town of Erie
- Power: Xcel
- Gas: Xcel
- Phone, internet, and cable: Comcast/CenturyLink/DirecTV
- Recycling: Erie Recycling Center

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g. Recovery cost statements.

This is difficult to confidently say at this time. The anticipated date of profitability depends on the timeline for Town reviews and construction. A more detailed analysis can be provided if needed.

h. A description regarding the status of mineral rights and the substance of any existing or proposed covenants, special conditions, grants of easements, or other restrictions applying to the proposed subdivision.

Please see uploaded document "5 - Affidavit and Indemnity" that was provided at the most recent closing. It mentions no known encumbrances or easements affecting the property.