

**TOWN OF ERIE
PLANNING COMMISSION AGENDA ITEM
FEBRUARY 18, 2026**

SUBJECT: **PUBLIC HEARING:**
Planned Development (PD) Amendment
A Resolution of the Planning Commission of the Town of Erie
Recommending Approval of the Canyon Creek Planned
Development Amendment No. 11

CODE REVIEW: Erie Municipal Code, Title 10

PURPOSE: Consideration of a Planned Development Amendment to allow
commercial development.

DEPARTMENT: Planning and Development

PRESENTER: Harry Brennan, Senior Planner

STAFF RECOMMENDATION:

Staff find the Canyon Creek Planned Development (PD) Amendment No. 11 complies with the Planned Development Approval Criteria and recommend Planning Commission approve the resolution recommending approval to Town Council, with the following condition:

1. Applicant shall make all necessary technical corrections prior to hearing at Town Council, as directed by staff.

UPDATE SINCE JANUARY 7 HEARING:

Planning Commission held a public hearing on this application on January 7 and decided to continue the hearing to February 18. Key concerns from residents and discussed by Planning Commission included:

1. Parking as it relates to creating a walkable development.
 - a. Planning Commission directed the applicant to eliminate the minimum parking requirement, which would allow parking to be dictated by future parking studies specific to a proposed use.
2. Design of the setback between development and the existing residential neighborhood.
 - a. Planning Commission directed the applicant to add language to the PD Amendment specifying that the landscape setback could not include development, drive aisles, or parking areas, and must be adequately landscaped to provide a visual buffer.
3. Uncertainty around future uses and how that could impact neighborhood compatibility.
 - a. Planning Commission directed the applicant to include a full list of land uses from the UDC to clearly demonstrate which would be allowed and which would be prohibited.
4. Building height.
 - a. Planning Commission directed the applicant to lower the maximum permitted building height from 35' to 25'.
5. Requiring future public hearings for site plan applications. The Planning Commission proposed a condition of approval that future site plans within the Planned Development return to Planning Commission for Public Hearing.
 - a. The applicant has not added this as a requirement. Town legal counsel indicated to staff that this could not be required as a condition of approval.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

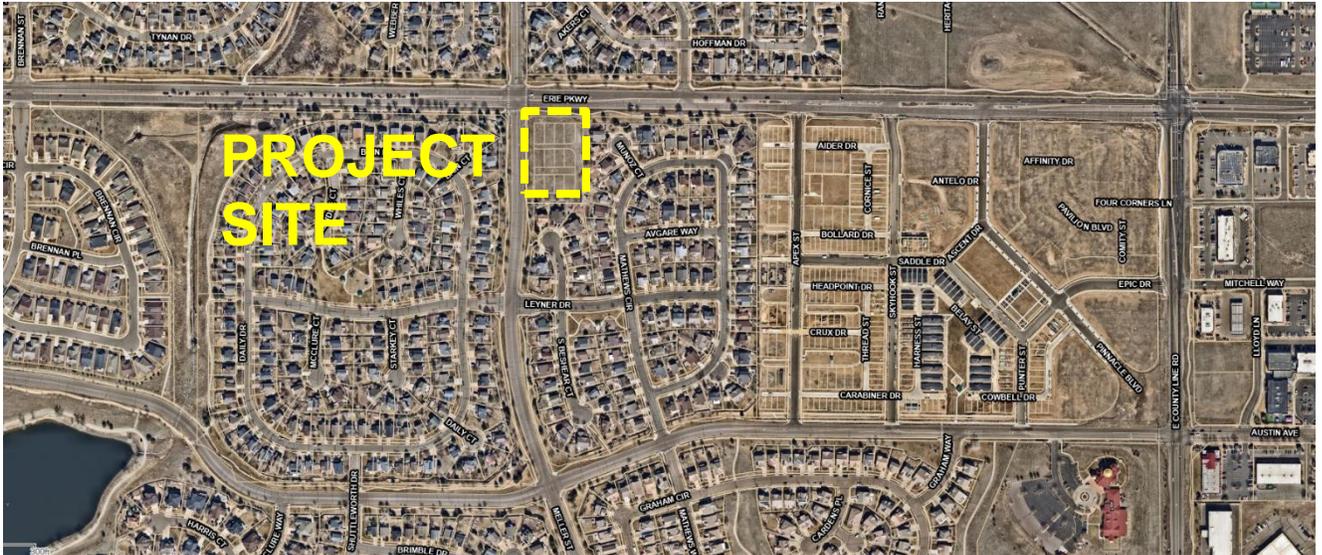
Applicant: Emerald Development
4949 N. Broadway #105
Boulder, CO 80304

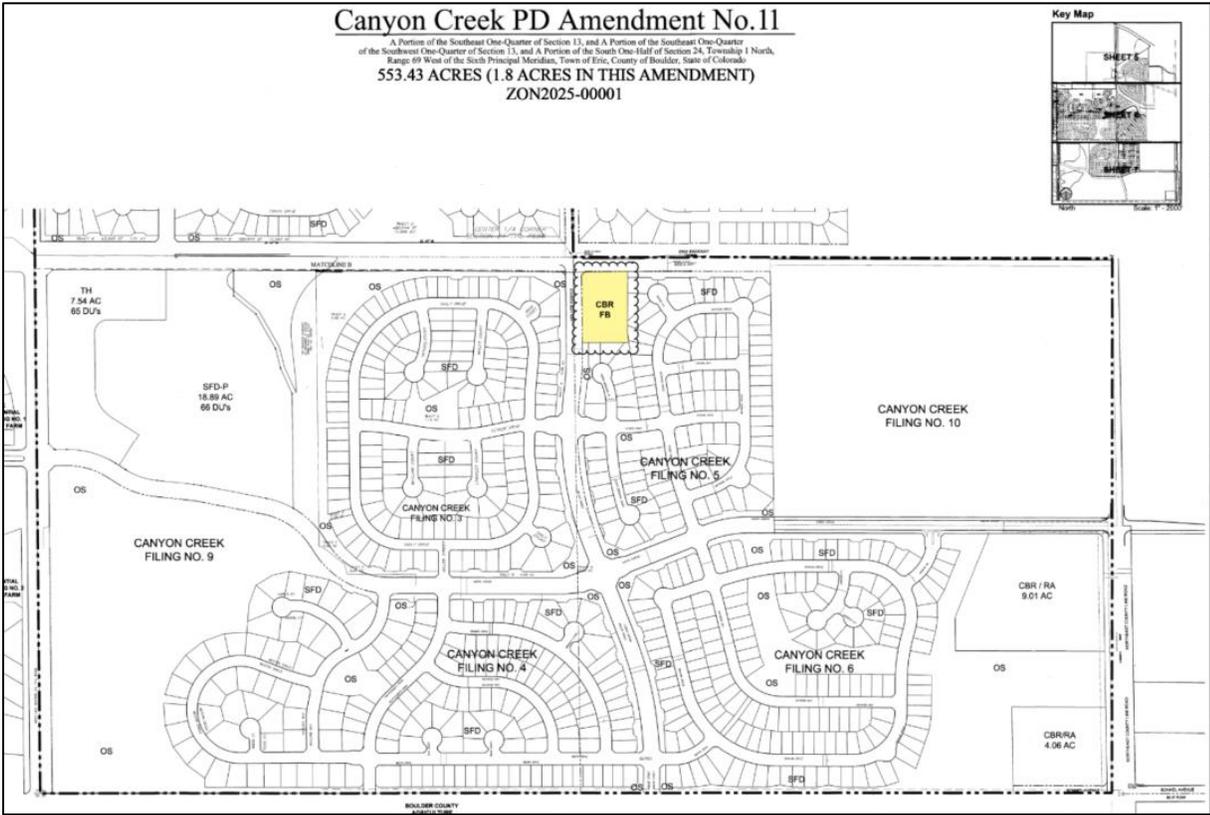
Existing Conditions:

Zoning: PD-Planned Development
Project Size: 1.8 Acres (Amendment Area)
Existing Use: Undeveloped
Future Land Use: Residential Medium

Location:

Below is a map that depicts the site and surrounding area.





Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Low Density Residential (LR)	Residential (Sunwest)
SOUTH	PD – Canyon Creek	Residential (Canyon Creek)
EAST	PD – Canyon Creek	Residential (Canyon Creek)
WEST	PD – Canyon Creek	Residential (Canyon Creek)

Site History and Specific Development Information:

The subject site is a component of the larger Canyon Creek Planned Development (PD). The Town approved the original Canyon Creek PD zoning in 2000, along with 10 additional amendments and numerous additional plats to lay out individual filings within the neighborhood. The subject site was added to the PD in 2001 as a daycare center site. The daycare center never developed, and in 2016 a new property owner amended the PD to change the land use designation for the site to add residential. The owner subdivided the property with the intent to develop townhomes. Still, no development occurred.

The property exists today, platted with the same lot configuration from 2016, and the current applicant proposes this PD Amendment with the intent of consolidating the property into one or more commercial lots.

PD Amendment Overview:

This PD Amendment would replace the existing allowed residential and daycare uses with a new list of permitted commercial uses. The applicant’s stated intent is to provide neighborhood-scale commercial development on this 1.8-acre site. The table below summarizes key changes in the proposed uses:

Allowed Uses for the Site Under the <u>EXISTING</u> PD	Allowed Uses for the Site Under the <u>PROPOSED</u> PD
Daycare	Uses allowed by right include the following:
Medium Density Residential	Daycare or school, retail, bank, office, restaurant, pharmacy, commercial amusement-indoor (gym, etc.), urgent care, medical office, personal services, vet office
All others prohibited	Prohibited Uses in this Area include the following: <i>Auto repair heavy or light, bingo parlor, carwash, cemetery, crematorium, funeral home, RV storage, light industrial, pawn broker, mortuary, gas station, restaurant with drive-through, bank with drive-through, pharmacy with drive-through, stadium, nightclub, sexually oriented business, marijuana business, residential uses</i>

The proposed PD Amendment utilizes previously established development standards for nonresidential development in the Canyon Creek PD and adds new standards to help tailor future development to the context of the site. The proposed development standards for this area are:

Development Standards in <u>PROPOSED</u> PD						
Front Yard		Side Yard		Rear Yard	Side or Rear When Abutting a Residential Zone District	Building Height
To Garage	To Bldg.	Interior Lot	Along Street			
N/A	0’ min	0’min	0’ min	20’ min	20’ min	25’ max

The PD Amendment proposes a specific buffer when abutting residential, and specifies that this buffer may not contain buildings, parking, or drive aisles, and must contain landscaping. Minimum parking requirements are also eliminated to promote walkability and better site design.

Finally, the PD Amendment adds language to specify that development in this area will be required to meet the design standards for commercial development in the UDC.

These standards include a variety of site and building design elements such as:

- Variations in height, texture, color and façade depth
- All building facades have similar levels of architectural detailing
- Wall articulation requirements
- Pedestrian entrance design requirements
- Human-scale design elements along entrances and street facing facades
- No more than 25% of each façade can be finished with metal

Residential - Medium

Dwelling Units per Acre: 8-18
Minimum FAR: 0.30

Residential-Medium contains attached and detached housing types of 8 to 18 dwelling units per acre. Access to transit and/or proximity to the Employment designation can lead to an increase in densities. Parks and open spaces provide integral gathering spaces within the Residential – Medium category.

PRIMARY USE

- ▶ Residential-Medium accommodates a mix of housing types, from small-lot single family developments and duplexes to townhouses and garden apartments.

LOCATION

- ▶ Residential-Medium can be a transition between lower-density and higher-density residential types and non-residential uses.
- ▶ Access to Residential-Medium developments can occur off many street types, depending on the scale of the project, capacity, and design of the road.
- ▶ Housing in Residential-Medium can be clustered to provide open space and preserve natural features, while maintaining the overall gross density of the designation.

SECONDARY USES

- ▶ Incorporate Parks, Open Space, and Protected Lands within the residential neighborhood in alignment with code requirements.
- ▶ Allow limited Neighborhood Commercial uses in Residential-Medium to integrate services and amenities into existing neighborhoods.

Staff find this application is also consistent with the following specific policies in the Comprehensive Plan:

C.1.4 ACTIVITY CENTERS: ENSURE EACH NEIGHBORHOOD INCLUDES AN ACTIVITY CENTER FOR ITS RESIDENTS.

- Design activity centers to include a mix of commercial development, parks, open space, and other community facilities, where appropriate, to serve the needs of neighborhood residents. Larger, commercially-oriented activity centers may serve more than one neighborhood.
- Evaluate integrating small-scale retail uses into existing single use neighborhoods to help reinforce availability of services and amenities.

Staff find that this PD Amendment proposes uses that would add a small activity center for the Canyon Creek Neighborhood and would integrate small-scale retail into this existing single-use neighborhood. Future development would help bring new services to the neighborhood.

E.1.2. ENCOURAGE INFILL DEVELOPMENT AND ADAPTIVE REUSE OF EXISTING STRUCTURES AND PROPERTIES.

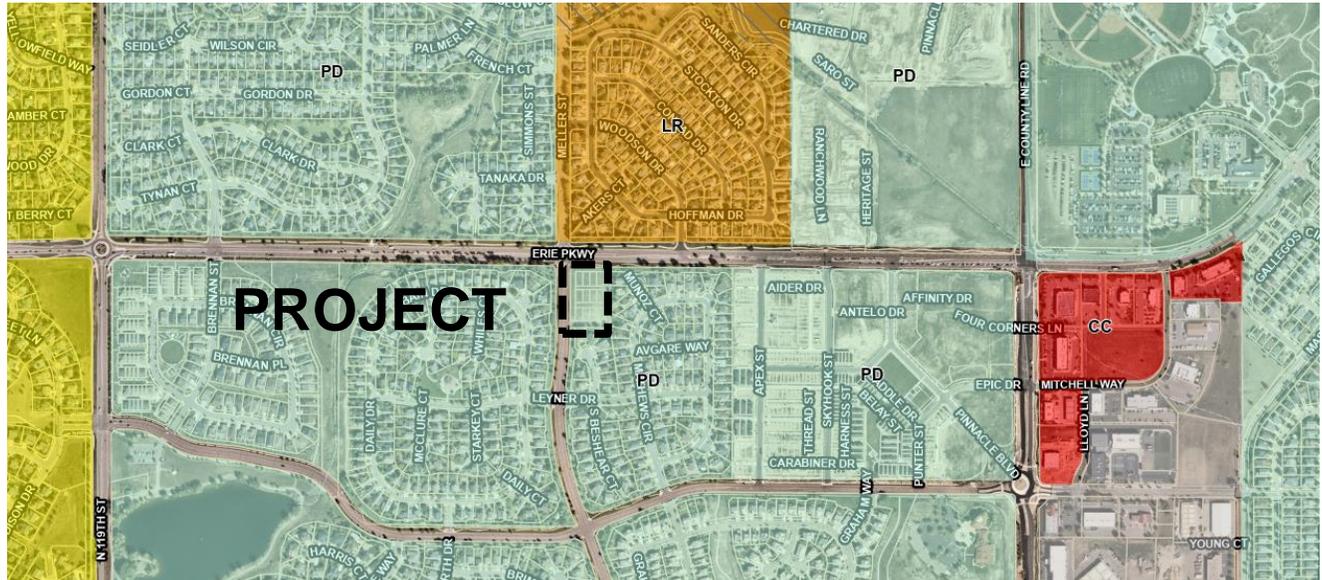
This Canyon Creek site has remained undeveloped for many years. Infill development on the site will have the advantage of easy access to utilities and existing roadway infrastructure.

E.3.3 CULTIVATE A MIX OF LOCAL, UNIQUE, AND CREATIVE BUSINESSES

The Town of Erie has a strong community of small, local businesses that look for appropriately zoned properties. The Town has multiple opportunities for auto-oriented commercial property, but fewer areas that are specifically geared towards pedestrian-oriented development.

Compliance with Town of Erie Zoning Map:

The existing Canyon Creek PD allows daycare and residential uses. The property is outlined in black on the zoning map below. Staff find that this application is generally consistent with the scale of development in the area, and that the proposal promotes compatibility with nearby residential uses by limiting auto-oriented and other commercial uses, including buffers, limiting building height, and meeting commercial design standards.



Traffic, Utilities, and Infrastructure:

The application includes a preliminary impact assessment that addresses traffic, public services and utilities, and infrastructure at a high level. This assessment provides the necessary level of information for staff review of the proposed zoning change. No additional detail on specific businesses or uses is required for this application. Future Site Plan and Plat application(s) will provide additional detail for analysis including an in-depth traffic impact analysis, utility report, drainage and grading report.

This site currently has planned access from Meller Street, and not from Erie Parkway. Staff will require this condition to continue, with no new curb cut on Erie Parkway. The existing traffic signal at Meller Street and Erie Parkway will serve the site. Staff will evaluate future applications to determine if additional traffic improvements are needed.

Both water and sanitary sewer are “stubbed out” for this site, meaning that future development can take service from existing utility lines with minimal improvements needed. An existing storm sewer line will serve this site and convey stormwater to a regional pond to the west along Erie Parkway. Staff will conduct additional analysis with the Site Plan and Plat applications to determine if any utility improvements are needed.

STAFF REVIEW AND ANALYSIS

Staff reviewed the Canyon Creek Planned Development (PD) Amendment No. 11 for conformance with the Municipal Code, Title 10, UDC Section 10-7-20 Approval Criteria. Staff find the PD Amendment is in compliance with the Approval Criteria as listed below.

- a. The PD Amendment is generally consistent with the purpose of the PD zone district as set forth in UDC sections 10-2-5 and 10-70-20.

Staff: This PD Amendment is consistent with the purpose of the PD zone district. The amendment will create access to amenities to the neighborhood by adding allowance for neighborhood-serving commercial development.

- 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.

Staff: The PD Amendment, in association with the broader Canyon Creek PD, creates a specific mix of housing types, land uses, and parks that could not be achieved through straight zoning or alternative equivalent compliance.

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

Staff: This PD Amendment promotes health, safety and welfare by requiring a level of design consistent with the UDC and ensuring the project is integrated into the surrounding neighborhood fabric through sidewalk connections, landscaping, and development.

- 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.

Staff: The Future Land Use Map in the Town's Comprehensive Plan designates the site for Residential - Medium. Neighborhood-scale commercial is anticipated as a secondary use in the Residential – Medium designation. The proposed PD Amendment also directly addresses multiple policies in the Comprehensive Plan such as encouraging infill development, creating mixes of uses, and providing neighborhood-serving retail and services within walking distance of residential.

- 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: Town staff referred this application to the relevant public agencies for review. There are no outstanding concerns related to provision of utilities, public services, or public safety. This site also benefits from access to existing infrastructure and utilities.

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

Staff: Staff find that there are no traffic, access, or safety issues presented at this time. Further analysis of these factors will occur at time of Site Plan and Plat. The PD Amendment also anticipates the need for screening by requiring a setback

from residential development.

- 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: The site will integrate with the existing sidewalk system in the neighborhood and will meet all requirements regarding pedestrian safety and bicycle infrastructure. The selection of allowed commercial uses also limits those that are specifically auto-oriented.

- 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: The PD Amendment will not result in significant adverse impacts to the natural environment or significant scenic/historic features.

- 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: The PD Amendment will not result in significant adverse impacts on properties in the vicinity of the project. The PD Amendment includes a 20-foot landscaped setback from existing residential. Staff will continue to evaluate these factors at time of Site Plan and Plat.

- j. Proposed uses will be compatible in scale with uses on properties in the vicinity of the PD zone district.

Staff: This PD Amendment limits building height to 25 feet. Setbacks from the residential area and limited uses will also help ensure compatibility.

- 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: Not Applicable – this PD Amendment proposes commercial uses.

- 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 and interest will be provided through design standards and landscaping that will be reviewed with the future Site Plan application.

- 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 create specifically tailored development standards and land use allowances that would not be possible under a straight zone district.

NEIGHBORHOOD MEETING

As required by the Municipal Code, a Neighborhood Meeting was held on December 18, 2025. The required notice for the Neighborhood Meeting was provided. The summary and notice information are attached. Additional public comments received by email are also attached to the record.

PUBLIC NOTICE

Notice of this Public Hearing has been provided as follows:

Published in the Daily Times Call:	1/28/26
Property Posted:	1/30/26
Letters to adjacent property owners within 500':	1/30/26