



Planning Commission Agenda

Thursday, March 17, 2022

Regular Meeting – 6:00 P.M.

Frederick Town Hall

401 Locust St.

Built On What Matters

In order to promote social distancing and to protect the health and safety of our Commission members, staff, and community this meeting will be hybrid and conducted via Zoom and in person.

Interested parties are encouraged to access the meeting via Zoom or in person at Town Hall.

The meeting information is as follows:

Join Zoom Meeting

<https://zoom.us/j/94063773463?pwd=aXg1M1d3V0VTKytRWnpPWHc3S2VDZz09>

Meeting ID: 940 6377 3463

Passcode: 24689

One tap mobile

+16699006833,,94063773463# US (San Jose)

+12532158782,,94063773463# US (Tacoma)

Dial by your location

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

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+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

Meeting ID: 940 6377 3463

Find your local number: <https://zoom.us/j/94063773463>

Please contact Town Clerk Meghan Martinez for questions regarding the meeting. 720-382-5500 or

mmartinez@frederickco.gov

Call to Order – Roll Call

Additions to the Agenda

Special Presentation

A. Strategic Plan Update– Assistant Town Manager- Ryan Johnson

Action Agenda

B. Approval of minutes from the February 17, 2022 meeting

Public Hearing

- C. Consideration of 25/52 East Subarea Plan – Assistant Town Manager- Ryan Johnson

Public Meeting

- D. Consideration of Land Use Code Amendments to Articles 1 & 3 in reference to Cemeteries – Planning Manager Ali van Deutekom

Other Business

Upcoming Meeting – April 7, 2022



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MINUTES
TOWN OF FREDERICK
PLANNING COMMISSION
MEETING CONDUCTED IN PERSON AND VIA ZOOM
FEBRUARY 17, 2022
6:00 PM

CALL TO ORDER: At 6:03 p.m. Vice Chair TeVelde called the meeting to order and requested roll call.

ROLL CALL:

- Present: Vice Chair TeVelde, Commissioner Conroy, Commissioner Stark, and Commissioner Scott.
 - Chairperson Moe was not present.
- Staff: Planner Ali van Deutekom, Deputy Town Clerk Taylor Kittilson, and Land Use Attorney Christine Francescani.

APPROVAL OF AGENDA: There were no changes to the agenda as presented.

APPROVAL OF FEBRUARY 3, 2022 MINUTES: Motion by Commissioner Stark and seconded by Commissioner Conroy to approve the February 3, 2022 Minutes. Upon roll call vote, motion passed unanimously.

CONSIDERATION OF AMENDMENTS TO ARTICLES 1 AND 3 OF THE FREDERICK LAND USE CODE:

Planner Ali van Deutekom presented the proposed amendments.

Planning commission recommended that the definition of cemetery be reworked and the item be brought back to the Planning Commission for consideration.

Motioned by Commissioner Conroy and seconded by Commissioner Scott to approve PCR-2022-06-B, A Resolution of the Planning Commission Recommending Denial of Amendments to the Town of Frederick Land Use Code Articles 1 and 3. Upon roll call vote, motion passed unanimously.

OTHER BUSINESS:

There being no further business of the Planning Commission, Vice Chair TeVelde adjourned the meeting at 6:24 PM.

Built on What Matters.

Approved by the Planning Commission:

Tracy Moe, Chairperson

ATTEST:



Taylor Kittilson, Deputy Town Clerk



TOWN OF FREDERICK PLANNING COMMISSION

Tracy Moe, Chairman

Alan Blair, Alternate Commissioner
William Mahoney, Alternate Commissioner
Dennis Stark, Commissioner

Kristin Conroy, Commissioner
Nathan Scott, Commissioner
Chad teVelde, Vice Chairman

CONSIDERATION OF THE 25/52 EAST SUBAREA PLAN

Agenda Date: March 17, 2022

Attachments: A. 25/52 East Subarea Plan
B. PCR-22-07A-C

Submitted by: Ryan Johnson
Assistant Town Manager

Summary Statement:

This is a request to adopt the 25/52 East Subarea Plan.

Detail of Issue/Request:

The Board of Trustees directed staff to begin work on a subarea plan in January of 2021 for the property bounded by Highway 52 on the south, the East I-25 Frontage Road on the west, Godding Hollow on the east, and the half section line (one-half mile north of Tipple Parkway) between Tipple Parkway and Godding Hollow Parkway on the north. To date, the Planning Commission has met four times with the Board of Trustees to discuss preferences and receive information from the consultant, Houseal Lavigne. The last meeting being, June 17, 2021 where a preliminary land use concept was presented for the commission to provide feedback.

Staff has gathered feedback from the property owners and included these edits within the final draft of the plan. The Town's retail strategist, KP Consulting and Associates, has reviewed the document to ensure the subarea plan and retail strategy are in alignment.

Because this subarea plan would be a supplement to the Comprehensive Plan, the Planning Commission must adopt the plan before presenting it to the Board of Trustees for ratification on March 22, 2022.

Comprehensive Plan Amendment Review Criteria:

(1) The amendment improves the implementation of one or more of the goals, policies, and strategies of The Town of Frederick Comprehensive Plan, 2006.

(2) The amendment will not pose a detrimental impact on existing or planned Town facilities, services or transportation facilities.

(3) The amendment will not interfere with the existing or emerging land use patterns and densities/intensities of the surrounding neighborhoods as depicted on the Land Use Plan and contained within the Town of Frederick Comprehensive Plan, 2006.

(4) The amendment will not interfere with, or prevent, the provision of any of the area's (neighborhood's) existing, planned, or previously committed services.

Staff Comment: Staff believes this plan meets the review criteria.

Public Notice: This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code. No public input has been received.

Legal/Political Considerations: The Town's Land Use Attorney has been involved in the creation of the plan, provided feedback along the process and reviewed the final draft.

Alternatives/Options: Planning Commission may approve the request or deny the request or approve the request with conditions.

Staff Recommendation: Staff requests that the Planning Commission consider approving PCR-2022-07A which approves this request without conditions.

Frederick, Colorado

25/52 EAST SUBAREA

Draft March 11, 2022

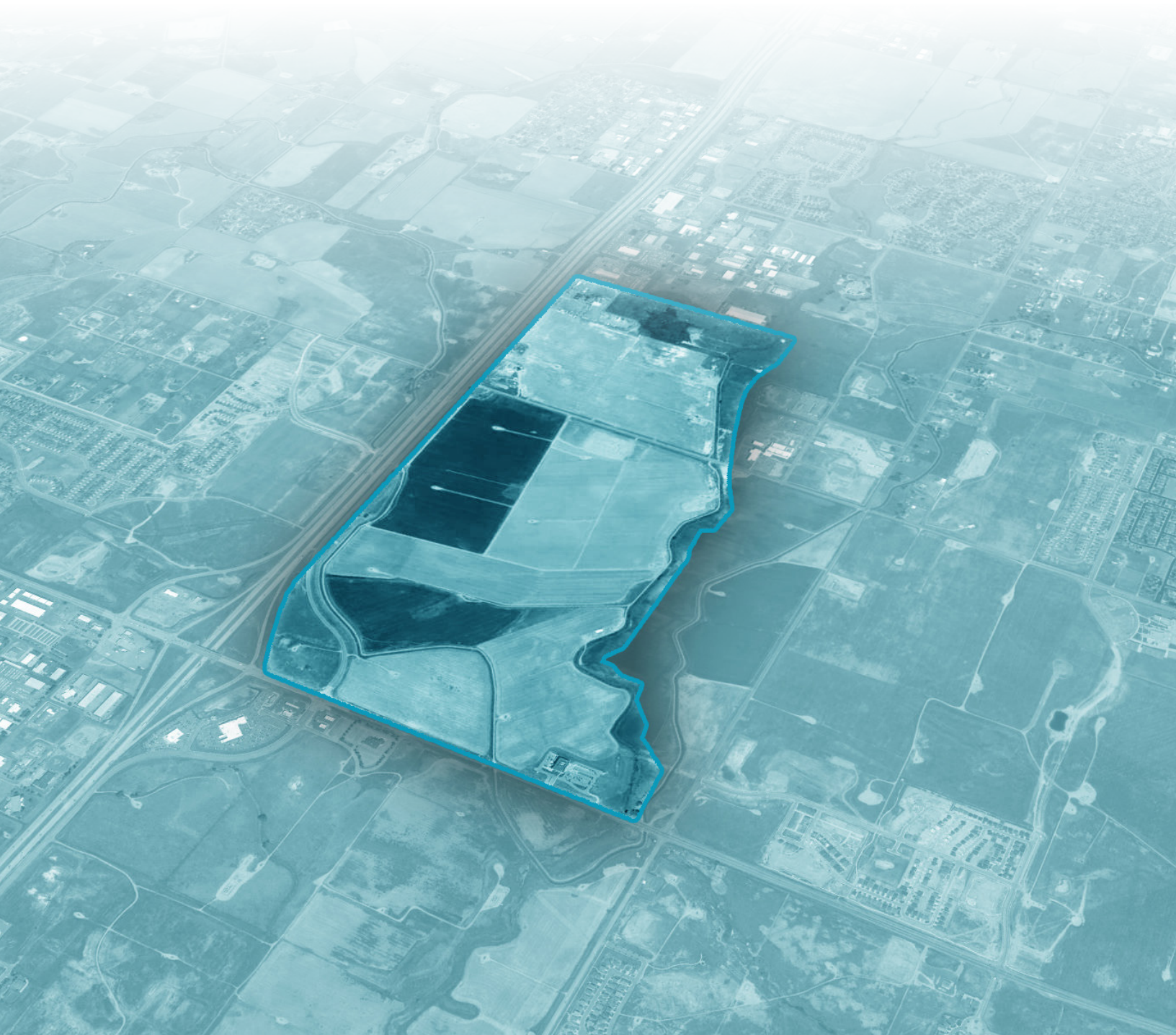


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SECTION 1: INTRODUCTION

The 25/52 East Subarea Plan is an important guiding document for the Town of Frederick. The plan, together with the Town's other codes, ordinances, and procedures, will help the Frederick community navigate development of this important area in a manner that reflects the community's aspirations and long-range objectives.

This introductory section highlights the purpose of the plan and highlights background information and conditions having an influence on the plan's development, including issues related to regional setting, land use, environmental constraints, market conditions, and development suitability of the area.

PURPOSE OF THE PLAN

The purpose of the 25/52 East Subarea Plan is to provide guidance for land use and development of the 600+ acre area that serves as a gateway into the Frederick community at the I-25 and State Highway 52 interchange. This area represents a unique, highly visible, and easily accessible development opportunity that can benefit the Town economically and further establish and enhance the Town's overall character, image, and identity within the Front Range.

While not intended to pre-determine a particular site plan or specific development program, the 25/52 East Subarea Plan should serve to clearly articulate a vision for the study area that reflects the Town's land use and development aspirations relative to a variety of uses including but not limited to retail, restaurants, and entertainment, office and business park, civic and open space, and a range of residential housing types. As opposed to rigidly zoning the study area, the approach of this Plan is to "set the table" for development success by articulating a meaningful vision for further implementation through updated zoning regulations and, for development that may occur prior to adoption of those updates, planned unit development applications.

By this Plan Frederick intends establish its vision for the area so that it may work collaboratively with landowners and developers to realize the vision over time. The 25/52 East Subarea Plan will serve as a guide for decision-making and will effectively serve Town officials, developers, property owners, and community stakeholders as they navigate development of the area in the years to come.

GUIDING PRINCIPLES

The 25/52 East Subarea Plan is guided by principles aimed to optimize the site’s potential. Collectively, these principles reflect the realities influencing the area and respond to the community’s aspirations and vision regarding development of the area. These principles include:

PROMOTE AN INVITING AND VIBRANT RETAIL/MIXED-USE DESTINATION

The 25/52 East Subarea Plan aims to promote a retail and entertainment destination that draws in both local and regional visitors. Creating a strong sense of place is a core objective of the plan, and includes establishing an attractive, pedestrian-friendly, amenity-rich environment that combines an exciting mix of uses. The “place” that results from implementation of this 25/52 East Subarea Plan must be “uniquely Frederick,” and differentiated enough in the marketplace to create an incentive for visitors to drive past other potentially competing retail, restaurant, entertainment, and recreation products in order to reach 25/52 East as their destination.

RESPOND TO THE MARKET WITH A UNIQUELY “FREDERICK” PLACE

The 25/52 East Subarea Plan is grounded in market realities for potential development as the planning team understands them based on the best data available to it. However the, commercial/retail/restaurant/entertainment market is dynamic and responding to changing conditions. The Planning Area represents a unique opportunity for a vibrant mix of retail, restaurant, entertainment, lodging, residential, recreation, employment, conference, educational, and other uses, drawing from a rapidly growing Front Range.

LEVERAGE HIGH VISIBILITY

The 25/52 East Subarea Plan leverage the highly visible location at the I-25 and State Highway 52 interchange. In addition to serving as a key gateway into the Frederick community, the subarea’s location is ideally suited to take advantage of the more than 125,000 vehicles that pass the area daily along I-25 and State Highway 52.

RESPOND TO ENVIRONMENTAL CONSTRAINTS

The 25/52 East Subarea Plan respond to existing environmental and mining related constraints on potential development. While the plan identifies preferred land uses and development types, the existing environmental and mining related constraints must be thorough investigated as individual developments are proposed and considered. It is likely that the development potential of some areas will be limited due to these constraints.

REGIONAL SETTING

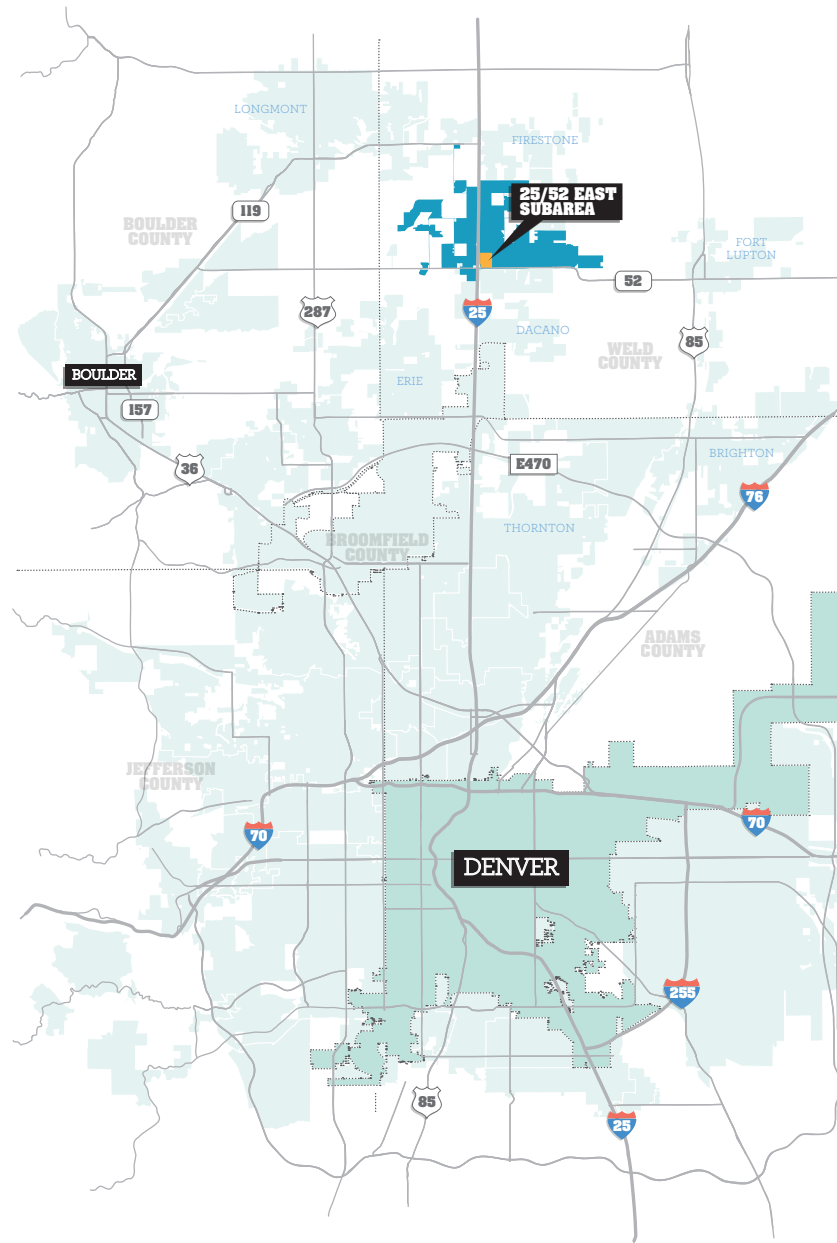
The Town of Frederick, located in Weld County, sits along the Front Range of the Rocky Mountains, with its western edge outlined by Boulder Creek. Located just 20 miles north of Denver and 20 miles east of Boulder, the Town of Frederick encompasses more than 14 square miles. Traversed by I-25, Frederick is south of State Highway 119 and stretches for nearly six miles along State Highway 52. The geographic location of the 25/52 East Subarea Plan makes it an attractive location for future development, the subarea's position along major regional transportation routes is one of its key strengths.

EXISTING LAND USE

The nearly 650-acre study area is primarily used for agricultural purposes. There are several existing businesses within the project area, including a medical use along Highway 52 just west of Silver Birch Boulevard and light industrial uses along E I-25 Frontage Road (Weld County Road 9), just north of Tipple Parkway.

ENVIRONMENTAL CONSTRAINTS

The 25/52 East Subarea is impacted by several environmental constraints, including mines, mine air shafts, oil and gas wells, and potential wetlands. Approximately 38 percent of the land area within the study area contains mines with depths from 50 feet to 200 feet, while approximately 13 percent consists of likely wetlands. These manmade and natural environmental features, along with the 66 oil and gas wells and one mine/air shaft, constrain the development potential of some parts of the study area. As further detailed in the **Phase 1 Environmental Site Assessment**, the northern part of the study area is within an area that has experienced land subsidence in the recent past. These, as well as additional environmental conditions outlined in the Phase-1 ESA, are key factors and drivers that will inform the sites, scale, and types of uses that can ultimately be developed.



MARKET

Development of the 25/52 East Subarea Plan included a socioeconomic analysis that identified key factors in relation to local real estate markets for residential, retail, office, and industrial uses. The following are the key takeaways for each market.

RETAIL

Per the sales leakage report prepared for the Town in February 2021, food services and drinking establishments leaked \$10.1 million in 2019, or about 50 percent of total taxable sales to outside communities. The other leakage drivers were general merchandise (\$11.5 million, 100% of sales) and clothing (\$6.6 million, 100% of sales), indicating Frederick has no establishments in these categories. The only sales leak categories that were unique to Frederick and not nearby towns in the Carbon Valley market were building materials, garden equipment and supply stores, food and beverage stores, and gas stations. Motor vehicle (\$13.8 million) and e-commerce sales (\$12.0 million) were the leaders in net sales imports.

Retail markets are complicated, but the sales leakage study suggests market potential for retail uses within the study area. In addition, Frederick's strategic positioning along the I-25 corridor should help to expand market penetration in its very large (and growing) secondary trade area. While much remains unclear in the near-term, it is anticipated that demographic forces will continue to drive the local retail market.

OFFICE

Vacancy rates in the office market increased from 2.3 percent at the end of 2019 to 9.2 percent at the end of 2020. The first quarter of 2021 posted a vacancy rate 7.6 percent, a promising sign for the near future. Sales between 2014 and 2018 were consistent and hovered in the \$8 million per year range, while 2019 easily set a new record at \$36 million. Cap rates had been declining steadily since 2009 from a high of 10.7 percent but had stabilized by 2014, and are now fluctuating in the 8.5 percent region.

Regrettably, the near-term market for office space is reasonably pessimistic—current net absorption is negative, and no new deliveries are currently projected to come online over the next five years. As such, new office development is unlikely to be speculative, and will likely require buildings to suit or committed tenancies by identified companies, educational institutions, or governments that seek to be a part of the 25/52 East Subarea because of its character, amenities, and accessibility.

INDUSTRIAL

The industrial market for Frederick saw vacancy rates climb to 6.5 percent after the pandemic from a previous average in the past seven years of around 2.5 percent. The pandemic slowed absorption of new units in this construction-active market in 2020, but sales remained strong at \$47 million. This represents a record year for sales, which have been consistent since 2012. Sale price per square foot remained largely unaffected by the pandemic, continuing its upward trend since 2009. In the industrial category, there is demand for high-bay buildings and sites that allow outdoor storage. With appropriate buffering, design parameters, and operational controls, the study area could accommodate such uses in a manner that is compatible with its other functions and planning objectives.

RESIDENTIAL

Population growth fueled by positive net migration into Frederick increased demand for both multi-family rental and for-sale residential. The supply of multi-family units and smaller single-family units will likely not keep pace, and resulting in increased pressures around affordability.

While future development in most of the study area will be principally focused on commercial, industrial, and institutional uses, there may be market potential for residential products in mixed-use environments. Units in these developments could be in the form of multi-family apartments, townhomes, or rowhomes, which would add considerably to product selection in the local market.

SITE SUITABILITY

SITE SUITABILITY ANALYSIS

Potential design constraints include existing land uses, environmental features, and undermining and land subsidence. Details are set out in the map on the following page. The Land use Plan was developed with these potential design constraints in mind.

Note: This analysis was a Phase I level inquiry, not a site-specific environmental or geotechnical analysis. As such, it is not intended to limit development, but instead to point out locations where additional study is advised prior to development.

Already Developed

Land that is already developed is expected to continue with its present use, but may also, at the owner's option, be further developed or redeveloped in accordance with this Plan and the Town's Land Use Code.

No Development Anticipated

These areas represent the Eagle Business Park Greenway, within which new development is not anticipated.

Significant Environmental Feature

Based on available data, it is likely that these areas contain wetlands that should be preserved or enhanced.

Potential for Shallow Undermining

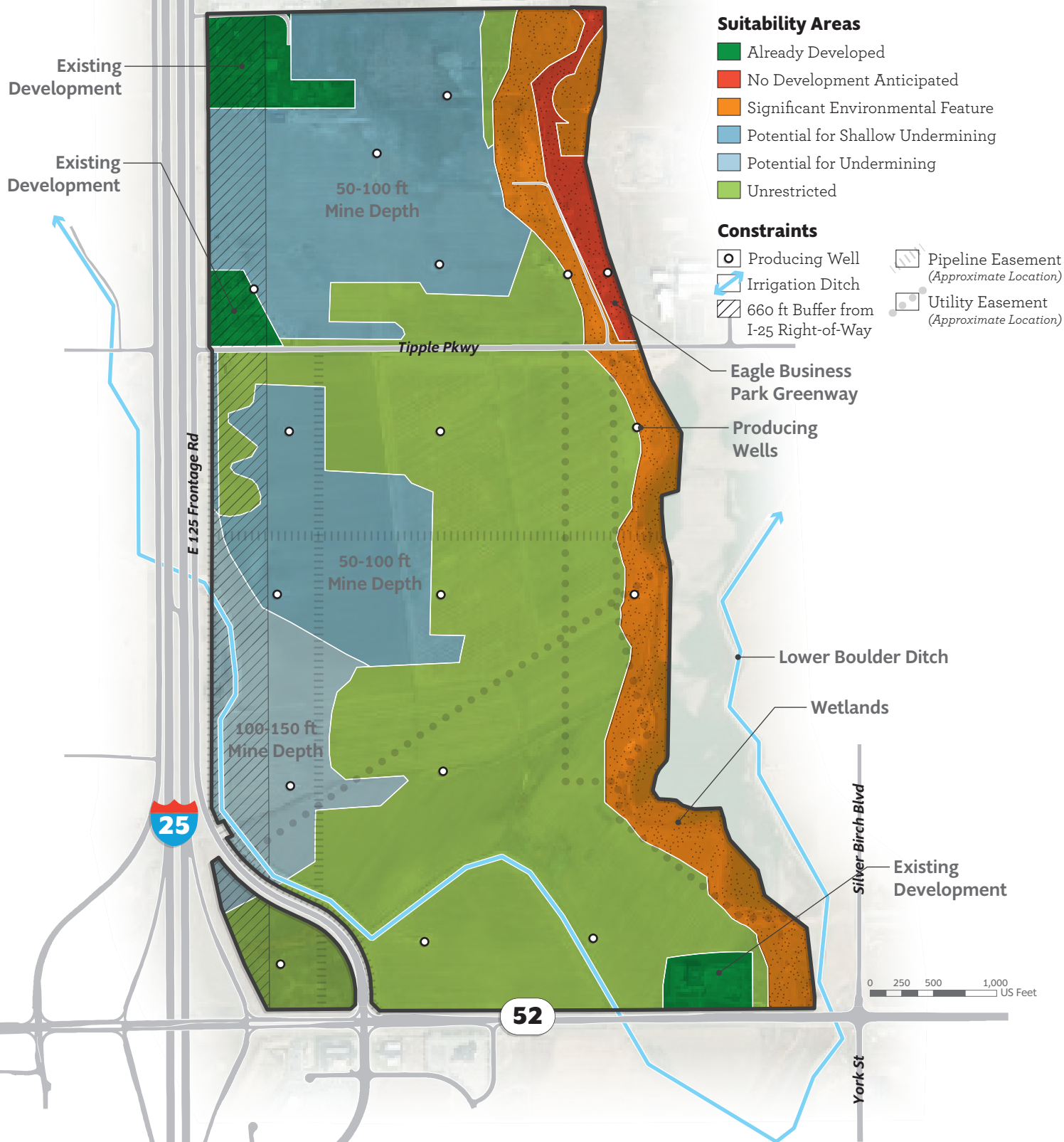
These areas align with areas that have been identified as having the presence of historic mining activity from 50 to 100 feet below the surface. Construction in these areas may require mitigation measures prior to development.

Potential for Undermining

These areas align with areas that have been identified as having the presence of historic mining activity from 100 to 150 feet below the surface. These areas may also require mitigation measures prior to development.

Unrestricted

These areas appear to be free from constraints caused by environmental features or undermining.



SITE INFLUENCES

25-52 Interchange

The study area is connected to the region by Interstate 25 and State Highway 52. According to the Frederick Transportation Master Plan, State Highway 52 sees an average of close to 23,000 trips per day while Interstate 25 has an average of about 105,000 trips per day. In addition, the Colorado Department of Transportation plans to widen State Highway 52 to four lanes, increasing its vehicle trip capacity. This positioning at the 25-52 interchange should greatly expand market penetration in very large secondary trade areas.

Gap in Retail Centers

Per the sales leakage report prepared for the Town in February 2021, food services and drinking establishments leaked \$10.1 million in 2019, or about 50 percent of total taxable sales to outside communities. The other leakage drivers were general merchandise (\$11.5 million, 100% of sales) and clothing (\$6.6 million, 100% of sales), indicating Frederick has insufficient options in these categories to meet local demand.

There are two retail centers that offer these types of goods and services within 10 miles of the 25/52 East Subarea. The Lakeridge Shopping Center is located 7.5 miles south in Thornton at the Interstate 25 and State Highway 7 interchange. The Orchard Town Center 10 miles south in Westminster at the Interstate 25 and East 144th Avenue interchange. Moving north along Interstate 25, the next shopping center is the Promenade Shops at Centerra. These shopping centers are located at the Interstate 25 and Route 34 interchange in Loveland and Johnstown, respectively, approximately 22 miles away from the 25/52 East Subarea.

Existing Industrial

There are several existing industrial uses that are located within or adjacent to the 25/52 East Subarea. McDonald Farms Enterprises and JLM Shipper Supply are both located with the study area along East I-25 Frontage Road, north of Tipple Parkway.

In addition, there two industrial areas adjacent to the study area. Just north of the study area is an active industrial center that includes trucking and trailer sales, light manufacturing, and building and construction businesses. The second industrial area is located at the southwest corner of the Interstate 25 and State Highway 52 interchange. This area includes uses such as storage, automotive repair, and light manufacturing.

Planned Residential

Frederick is expected to continue growing at annual rate of two to four percent. This growth will unavoidably lead to greater demand for housing units in Frederick and the need for a wider range of available housing types. Given Frederick's high residential occupancy rates, new residential construction will be needed to meet projected demand.

It is also important to note that as the population grows, it will also likely increase in diversity, relative to the age and socioeconomic status of residents. Given this, along with Frederick's desire to be a full-service community, the range of housing types and opportunities will also need to increase and diversify to meet the needs of current and future residents, at all stages of life and different socioeconomic levels. The ranges of housing types and opportunities will also need to diversify, relative to current residential offering in the community, to meet the needs of current and future residents.

The parcels just to the east of the 25/52 East Subarea, at the southwest corner of Silver Birch Boulevard and Tipple Parkway, is currently planned for residential development. The approximately 250-acre site is planned for a mix of single-family detached, single-family attached, and multifamily homes.

SITE CONSTRAINTS

The study area has several key constraints that must be taken into consideration when planning for development. The observable constraints include several production wells and a ditch at the south end of the project area. In addition to the observable constraints there are also several constraints that are not observable that will impact development, including pipeline and utility easements that cross the entirety of property, as well as areas of historical mining that have had experienced subsidence in the recent past. The following are summaries on these constraints.

Historical Coal Mines

Within the study area there are large areas where underground coal mines are known to exist. While mining activity has been discontinued for nearly half a century, many of the mine traces were left abandoned and remain as unfortified excavations. The mining activity followed coal traces resulting in excavation tunnels at varying depths. Many of these mine tunnels were not fortified once the mine was abandoned, resulting in the potential for land subsidence above the tunnels. While the areas of mining activity are identified, the delineation of these areas is approximate, and further investigation will be required to determine exact location and depth of abandoned mines on any particular development site. Through identification and investigation of the existing tunnels through geophysical investigation and geotechnical drilling, mitigation measures can be developed, and action can be taken to facilitate development. These mitigation measures can include excavation and backfilling of the mine traces as well as development using engineered foundation systems. Due to the cost of these remedial measures, in general, mined areas are best suited for dispersed development that minimizes the scale and intensity of development.

Active Producing Wells

There are operating and producing oil and gas wells in the study area. Land Use and Zoning regulations require development to be setback from these well and that access pathways be provided for maintenance. Development around wells is common in the area, but the wells will influence the development pattern in their vicinity. As a whole, the wells will likely have less impact on development than the other identified constraints.

Easements

Existing and proposed infrastructure and utilities have the potential to influence the identification and evaluation of development options and are therefore important potential constraints. Additional investigation will be required to determine exact locations and conditions of these easements prior to submittal of any formal plans. As the subarea is programmed with land uses, these easements must be taken into consideration when siting buildings and routing infrastructure and utilities.

Ditch Infrastructure

The Sullivan Ditch runs through the southwest section of the study area. The ditch is an open air, gravity driven facility that bisects the southwest corner of the project site. Due to the topology in the area, diversion of the ditch will require substantial land-form modifications to maintain its current operation. While this ditch is a constraint on development, there is potential (with the ditch company's consent) to incorporate the feature in the landscape and site design of the study area.

SECTION 2:

DEVELOPMENT FRAMEWORK

This section of the 25/52 East Subarea Plan establishes the overall framework for land use and development. Building upon the factors and influences highlighted in the first section, the Land Use & Development Framework describes the different areas of the subarea and the preferred mix of uses, development types, and characteristics that are intended to work together to set the table to create a thriving and inviting place. From retail to business park and civic, the plan delineates a palette that will respond to a diverse and sometimes rapidly changing market.

LAND USE PLAN

The Land Use Plan is a tool to guide future growth and development within the 25/52 East Subarea. The land uses have been selected as appropriate in the 25/52 East Subarea based on an analysis of existing conditions and market potential. The Land Use Plan shows a potential scenario defining where specific land use should be located.

For the development of the 25/52 Subarea to be successful, attention must be given to the built form and design of future development and its relationship to other structures and spaces. Transportation and mobility are also important factors to consider for the development of the 25/52 East Subarea Plan. This includes site access and movement through the site for both vehicles and pedestrians. These topics will be covered in *Section 3: Design Considerations*.

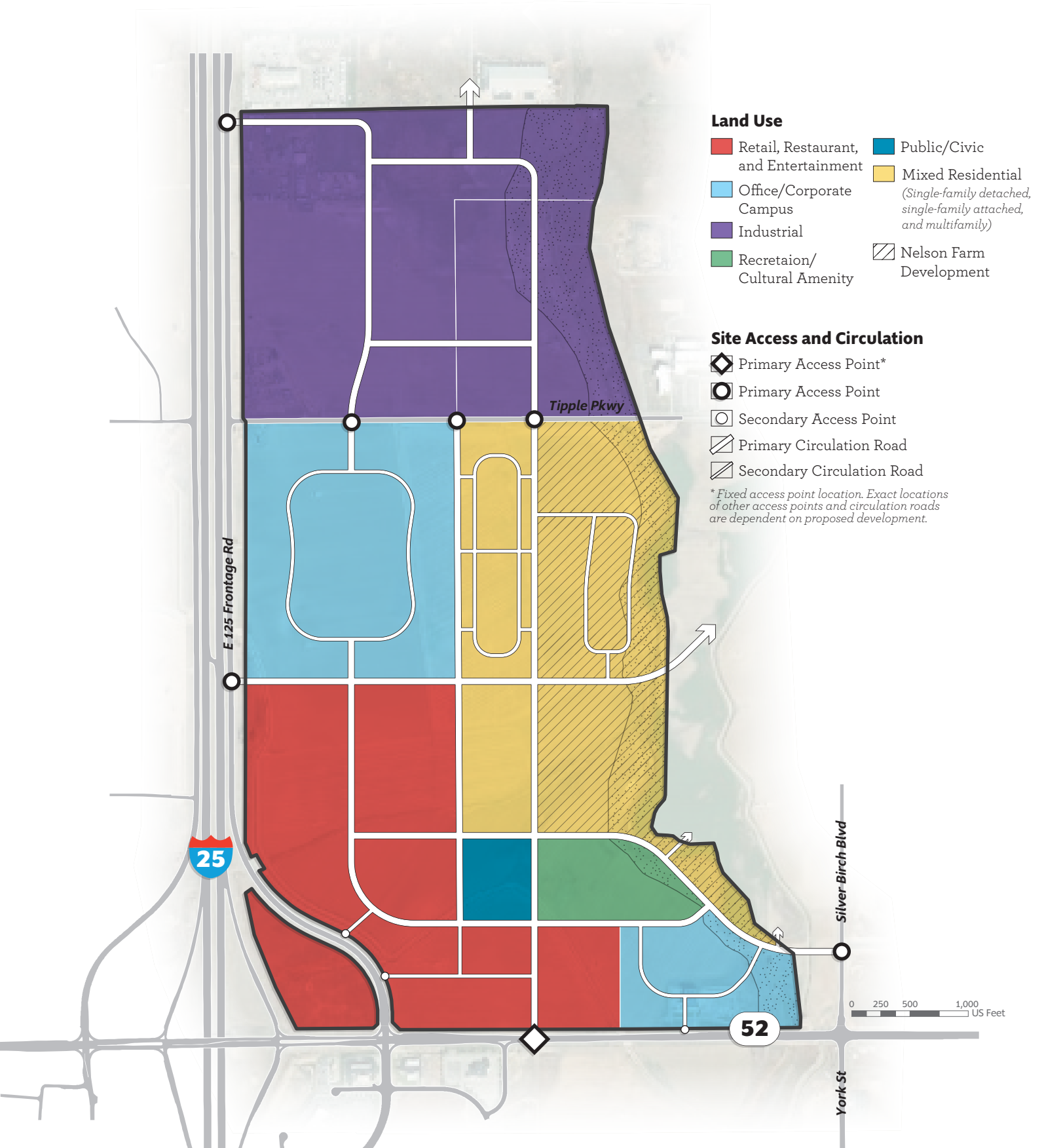
The Land Use Plan is not a proposed site plan. While the development of the study area will likely need to respond to market conditions and various constraints, the Land Use Plan, and the entire study, should serve as a guide for proposed development and for the Town’s review and approval process (until such time as specific implementing regulations are adopted, at which time the implementing regulations will control). The plan should be used to evaluate development proposals for plan consistency. The Land Use Plan identifies and designates areas for six (6) different land use typologies.

The designated land uses identified in the Land Use Plan are further delineated on the following pages of this section, Land Use Typologies, which articulate the desired character and development intensity of the anticipated land uses.

LAND USE TYPOLOGIES

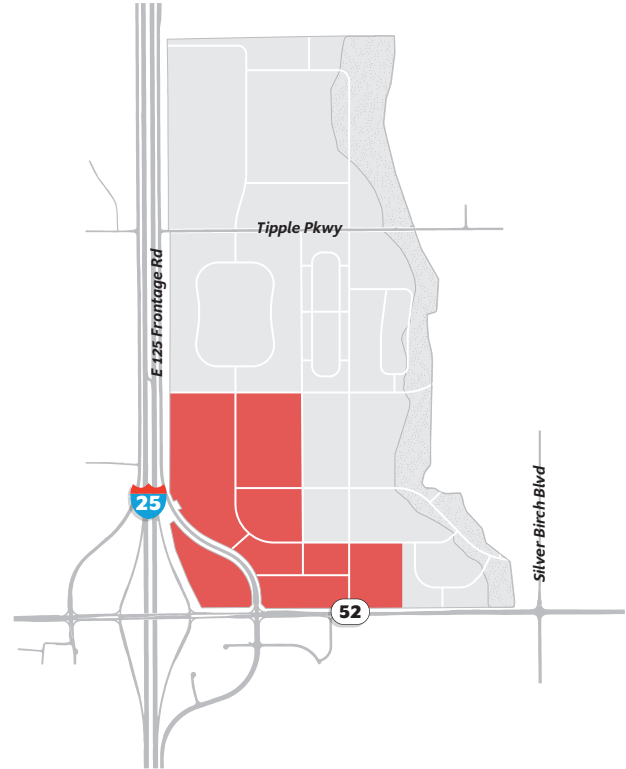
The land use typologies found in this section represent uses that should serve as components of the overall site development. Detailed descriptions and example images of each land use are provided on the following pages.

Land Use Typologies	Acres
Retail/Entertainment	140
Corporate Campus/Office	126
Mixed Residential*	150
Public/Civic	12
Recreation	23
Industrial	192
* Includes Single-Family Detached, Single-Family, and Multifamily	



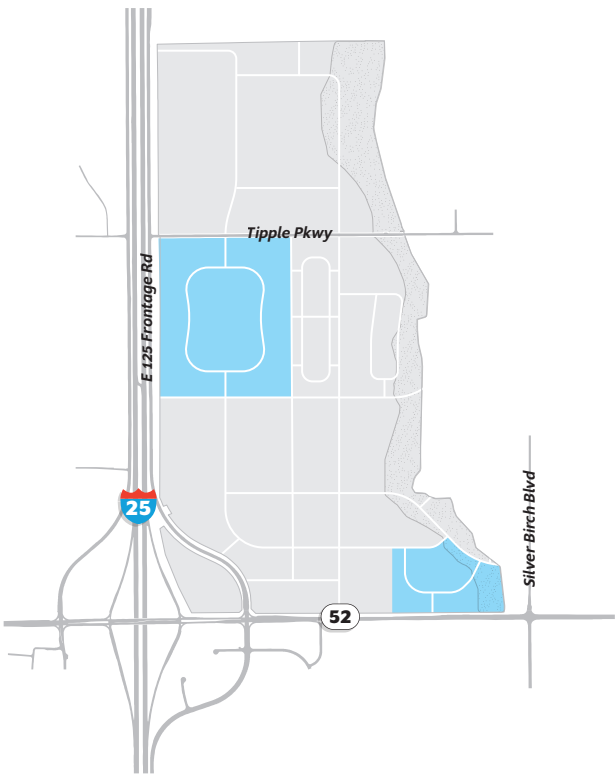
RETAIL, RESTAURANT, AND ENTERTAINMENT

Retail, restaurant, and entertainment uses include outdoor shopping centers that host a mix of retail, restaurant, public-facing office, hospitality, overnight accommodations, and entertainment uses at ground level. Although not required, this area may include residential, office, and higher education uses on upper floors as the market permits. These facilities are typically master planned and include internal circulation and access patterns that support a pedestrian friendly environment (particularly along a central “spine” street with amenities) while providing vehicular parking principally at the periphery of the site. Retail, restaurant, and entertainment uses should also provide opportunities for outdoor gathering spaces that provide “third places” for community interaction, leisure, and respite with benches and furniture in the public realm. Experience shows that such features not only add to the experience of the place, but also contribute to community resilience.



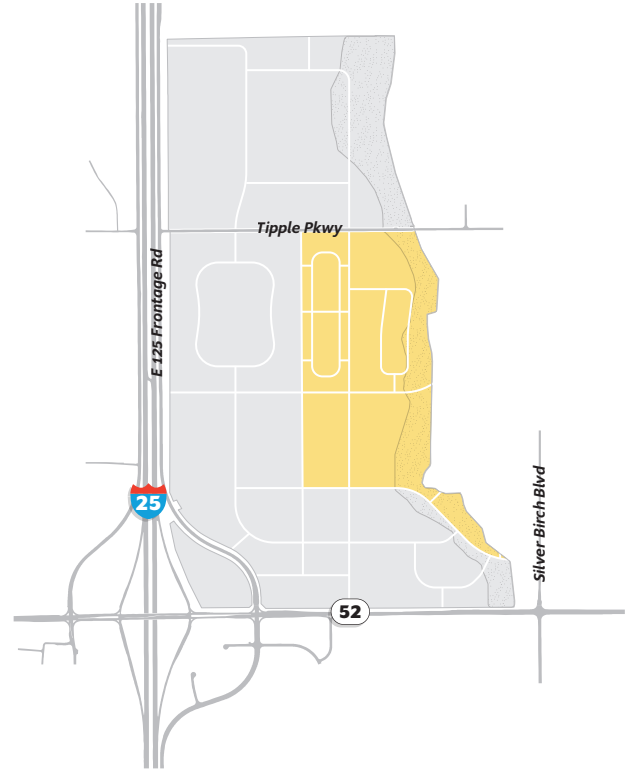
CORPORATE CAMPUS/OFFICE

Corporate Campus/Office uses include corporate campus style developments that are typically master planned, as well as individual office uses that may be stand alone. Clean light industry and flex space are also appropriate uses. Development includes internal circulation for vehicles and pedestrians within the site, supporting walkability and safety, and connectivity to adjacent residential and mixed-use areas. The corporate campus/office uses are typically clustered together and provide attractive and functional open space, amenity clustering, and often utilize conservation design practices to incorporate native and water-wise vegetation into the site landscaping, and to respond to geotechnical constraints.



MIXED RESIDENTIAL

The “Mixed Residential” designation is comprised of a range of residential dwelling types including multifamily, single family attached, and single-family residential. The intent is to provide a mix of residential product to effectively serve the market and respond to the needs of current and future Frederick populations, meeting the housing needs for individuals at all stages of life. While multi-family and single-family attached can combine to create a more urban neighborhood character, single-family detached residential is minimal and limited to only a small portion of the subarea.



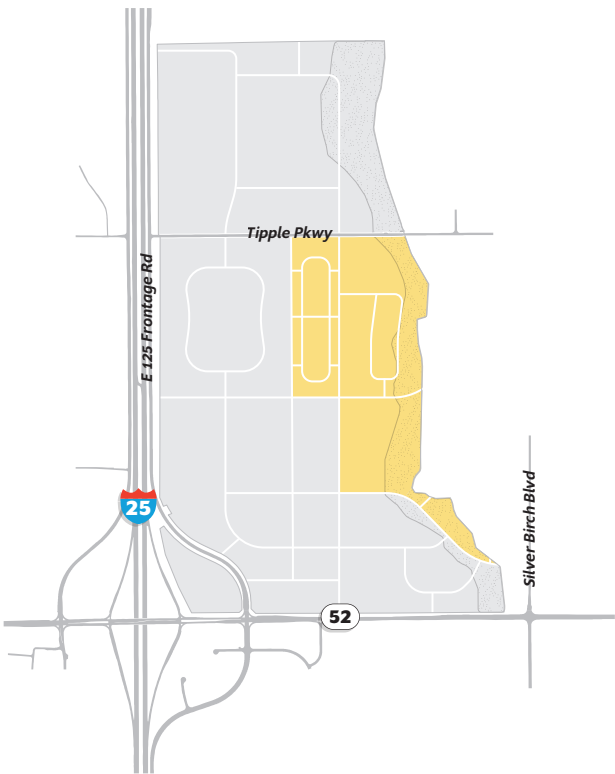
Multifamily

Multifamily uses include residential buildings that contain multiple dwelling units stacked vertically with shared entrances, stairways, hallways, and amenities. This land use includes apartments, condominiums, and assisted living facilities. Multifamily buildings can range in size and scale from low intensity two to three story buildings to high intensity, six or more story, mid to high-rise buildings.



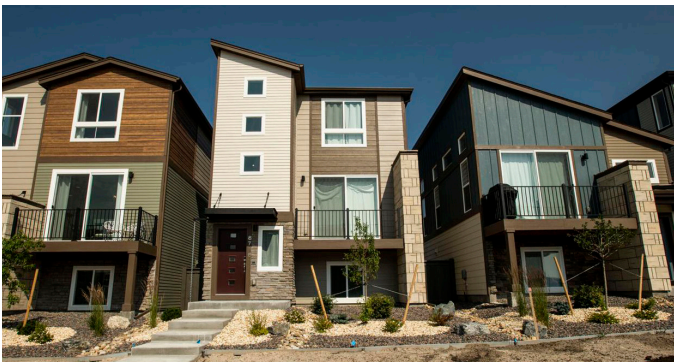
Single-Family Attached

Single-family attached uses include buildings in which dwelling units share an exterior wall with at least one adjacent unit while still maintaining a separate dedicated entrance for each unit. These are commonly known as townhomes, duplexes, and triplexes, but can also include 3-5 unit “mansion homes”, which maintain a relatively single-family detached appearance while providing multiple units in a single structure. Mansion homes may either provide a single, shared entrance or provide separate dedicated entrances for each unit.



Small Lot Single-Family Detached

Small Lot Single-family Detached uses consist of single-family homes occupying narrow individual lots and typically occupied by a single household. Small lots are typically 25 to 35 feet wide, and homes have a minimal side yard setback, resulting in relatively little distance separating adjacent homes. To maintain continuity of the sidewalk along the street and to avoid the appearance of a wall of garage doors along the street, small lot single-family detached homes are accessed via alleys. Sometimes referred to as “detached townhomes”, “pull-apart townhomes”, or “zero lot line”, the overall character of development is detached homes in very close proximity to adjacent homes.



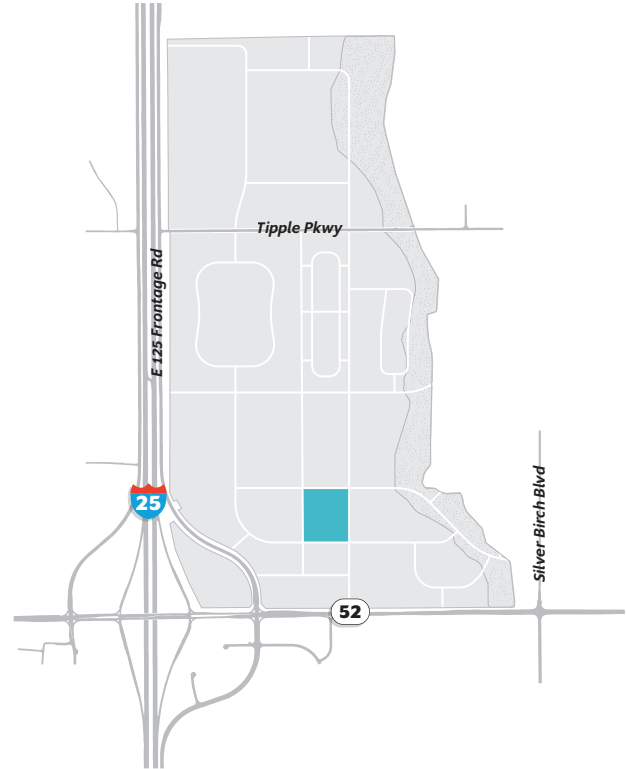
Single-Family Detached

Single-family detached uses consist of single-family homes occupying individual lots and typically occupied by a single household. These uses are commonly concentrated in planned subdivisions. Traditional single-family detached dwellings should only occupy a very small portion of the sub-area, exist only within the northeast portion of the subarea, be well integrated into a larger mixed residential component, and be limited in number to no more than 50 such single-family lots.



PUBLIC/CIVIC

Public/civic uses include local government uses, municipal facilities, community service providers/utilities, libraries, cultural facilities, administrative campus, or other public/municipal uses. Such public uses may cohabitate a single building with compatible private office. All uses within this designation should be “public facing”, with all fleet, storage, and industrial type affiliated public uses being located within the light industrial/business park areas of the subarea.



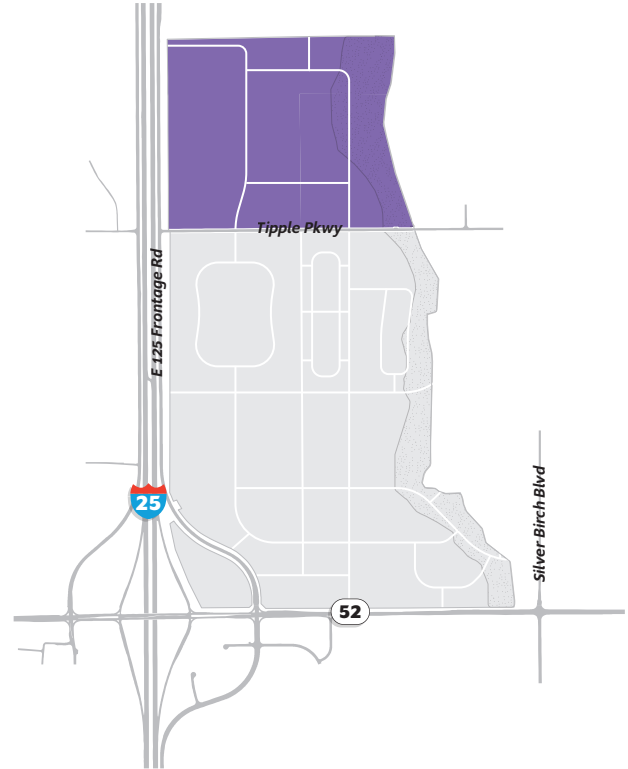
RECREATION

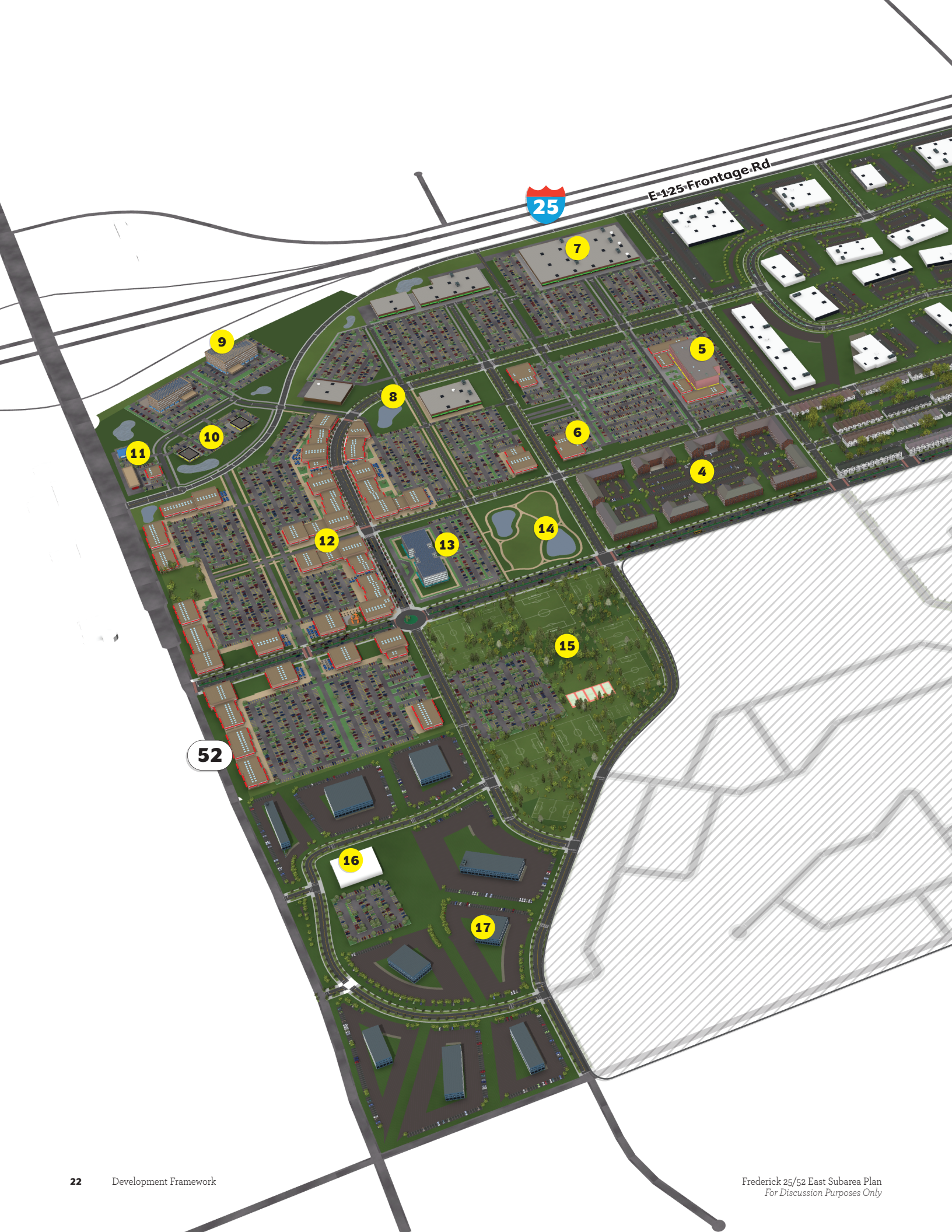
Recreation uses can include large scale public facilities for outdoor or indoor recreation, amphitheater, performance centers, or other community/civic gathering and recreation spaces. These uses may be publicly owned or privately owned, or a combination of the two. However, the facilities should be open for public use, and therefore the category does not include recreation clubs that are open only to members. This includes competitive sports fields and complexes suitable for regional scale tournaments such as outdoor track and field facilities, baseball diamond clovers, skate parks, or BMX courses. Indoor complexes with capacity for large scale events such as aquatic complexes, skating facilities, multi-use sports facilities are also included.



INDUSTRIAL

Industrial uses can include both larger and smaller scale uses operating at varying degrees of intensity with regard to activity and traffic generation, including a wide range of uses related to manufacturing, processing, storage, and distribution of goods and materials. Industrial uses are generally clustered together in proximity to similar uses and benefit from direct access to major highway corridors. Building footprints for larger industrial uses can exceed 200,000, while other operations may have relatively small buildings but rely heavily on outdoor storage of equipment, materials, or vehicles. Uses deemed more compatible with residential or commercial development should be located along the perimeter area (outside edge of loop road), and more intense and less compatible uses should be located within the interior portions of the industrial area (inside of the loop road). Screening and buffering treatments for industrial uses will likely be an important consideration.







Massing and Site Layout Concept

Disclaimer

Development of the subarea can manifest in a multitude of ways and combinations of uses in response to market conditions, while still meeting the overall development character and objectives identified in the 25/52 East Subarea Plan. Given this, it is important to note that this conceptual development visualization is not a specifically recommended site plan but is instead a visualization that is intended to communicate scale, massing, context, and development at full build-out, at a conceptual level.

- | | | |
|--------------------------|-----------------------|--------------------------------|
| 1 Industrial | 7 Large Format Retail | 13 Civic |
| 2 Corporate Campus | 8 Retention Pond | 14 Public Open Space |
| 3 Single-Family Attached | 9 Hotel/Lodging | 15 Recreation/Civic Gathering |
| 4 Multifamily | 10 Restaurant | 16 Indian Peaks Medical Center |
| 5 Entertainment | 11 Commercial/Retail | 17 Office |
| 6 Commercial/Retail | 12 Commercial/Retail | |

SECTION 3:

DESIGN CONSIDERATIONS

PURPOSE

This section establishes key design considerations for the development of the study area. The considerations within this section aim to create a unique, vibrant, and inviting atmosphere for residents, employees, and visitors. These design considerations are intended to be used in conjunction with (and as guidance for potential amendments to) Town of Frederick Land Use Code, Section 2, Community Design Principles and Development Standards, to further promote the desired character of new development.

These design considerations are intended to assist in the creation of attractive residential, commercial, office, and industrial developments in the study area. All new development in the study area should be held to high quality standards in terms of design, materials, construction, site amenities, and overall appearance.

The design considerations in this section provide guidance related to aesthetic and functional design components for development within the study area. The design considerations focus on promoting high quality development that will complement and enhance the overall character of the study area and Town. They do not attempt to dictate architectural styles and are not intended to restrict creativity or limit design solutions, but to improve and enhance the overall scale, quality, and character of development within the study area.

The design considerations within this section are for overall guidance only. Each individual development project should be reviewed and considered by the Town on a case-by-case basis. The design considerations should be used to inform decisions related to development approval and long-term planning.

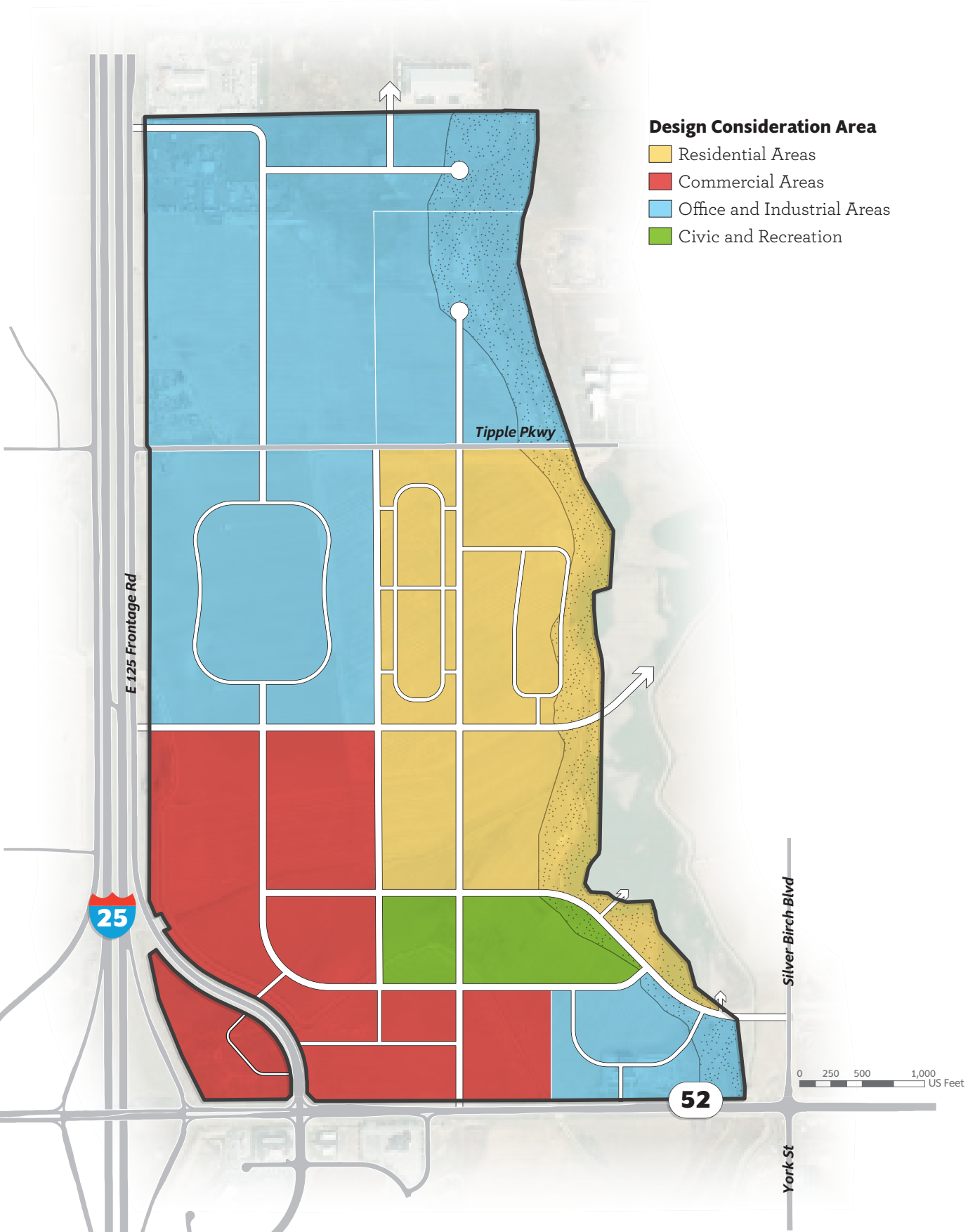
OBJECTIVES

These considerations address both the public and the private improvements within the study area and are intended to support and strengthen land use and development recommendations found within the Development Framework section of this document. In general, the design considerations strive to:

- Establish the study area as a destination “place” that is differentiated from potentially competing real estate products in the region, and that offers high quality employment opportunities, and retail, restaurant, entertainment, recreation, and housing options.
- Promote development that will help create and reinforce the desired character and identity for the Town of Frederick.
- Ensure high-quality and compatible building and site design throughout the study area.
- Foster development that respects pedestrian and bicycle activity, while providing for safe and efficient vehicular traffic flow.

ORGANIZATION

The Development Framework recommends a mix of different land uses within the study area. This section is broken into subsections to address and provide greater detail for each land use category. These broader land use categories include commercial, office and industrial, civic and recreation, and residential uses. The final subsection, general design considerations, provides guidance for design and character for the overall study area.



COMMERCIAL DESIGN CONSIDERATIONS

The study area presents new opportunities to strengthen the Town's economic position and provide attractive and desirable commercial development offering a variety of shopping, dining, entertainment, service, and employment. New commercial development is expected to meet high standards for quality and character and provide gathering places and amenities to the community that serve as an attraction to, and market differentiator for, the area.

REGIONAL DESTINATION

Attracting visitors to the 25/52 East Subarea as a regional destination can provide the Town of Frederick with additional resources it needs to support its community. The Town should take every opportunity to draw outside visitors to the area. Restaurants and retail that offer new and unique experiences could draw visitors from surrounding communities. A wide variety of shops in commercial development can serve as an attraction to the area while also providing amenities to Frederick's residents and employees of businesses that are located in Frederick.





ARCHITECTURAL STYLE AND CHARACTER

High quality architecture should be encouraged and promoted within the study area. In general, architecture should establish common themes for each site that also enriches the overall character of the community.

Buildings should be designed with attractive “four-sided” architecture consisting of high-quality materials. Uninterrupted, blank facades should generally not be permitted. Variation in building heights, rooflines, articulation, windows, awnings, trim, and other architectural features should be employed to create more interesting building facades throughout the commercial areas.



BUILDING PLACEMENT

Buildings should have a strong visual and physical relationship with I-25, Highway 52, and other major roadways to enhance the identity of the commercial areas and suggest their pedestrian orientation. Buildings should be attractive at both a pedestrian and vehicular scale.

The location of front entrances should be appropriate for the type of use. Entrances for stand-alone or single building retail use and restaurants should orient their main entrances to face the primary frontage street. Large format commercial and strip commercial centers should orient their main entrance in a manner that provides the safest and most attractive linkage from parking areas.



Building entrances should be designed to contribute to the character of the building and to easily convey access points to visitors and customers. Arcades in large development should be encouraged to provide pedestrian connections through buildings and to provide visual interest.

MOBILITY AND ACCESS

A good vehicular and pedestrian circulation system provides safe and efficient access and movement throughout the property. It limits conflict points and provides a good sense of orientation of various site features. Enhanced pedestrian and bicycle access, mobility, and connectivity is a priority for all commercial areas.

Where possible, access points into a development should create views and direct visitors towards a main building entrance. Vehicular traffic generated from commercial developments should be directed away from residential areas.

Cross access between properties should be created and implemented to reduce the dependence on primary roadways for trips between adjacent sites. Shared driveways and parking areas should be encouraged. Cross access should accommodate both pedestrians and vehicles whenever possible.

LANDSCAPING AND BUFFERING

To minimize the visual impacts to residential areas and travelers along I-25, non-residential developments should include appropriate screening and buffering of service areas, loading areas, and trash receptacles. Screening could include a combination of landscaping, berms, low-scale screening walls, trees, and hedge plantings. With the retail, restaurant, and entertainment and office/corporate campus land use areas, special care should be taken to create an attractive view from I-25 to communicate 25/52 East Subarea's high-quality design to travelers.





LOADING AND SERVICE AREAS

The separation of customer parking from loading and service areas is encouraged. Loading and service areas should also be positioned away from residential areas. When appropriate, loading and service areas should be located together even in larger developments with multiple tenants and accessed from side streets.

LIGHTING

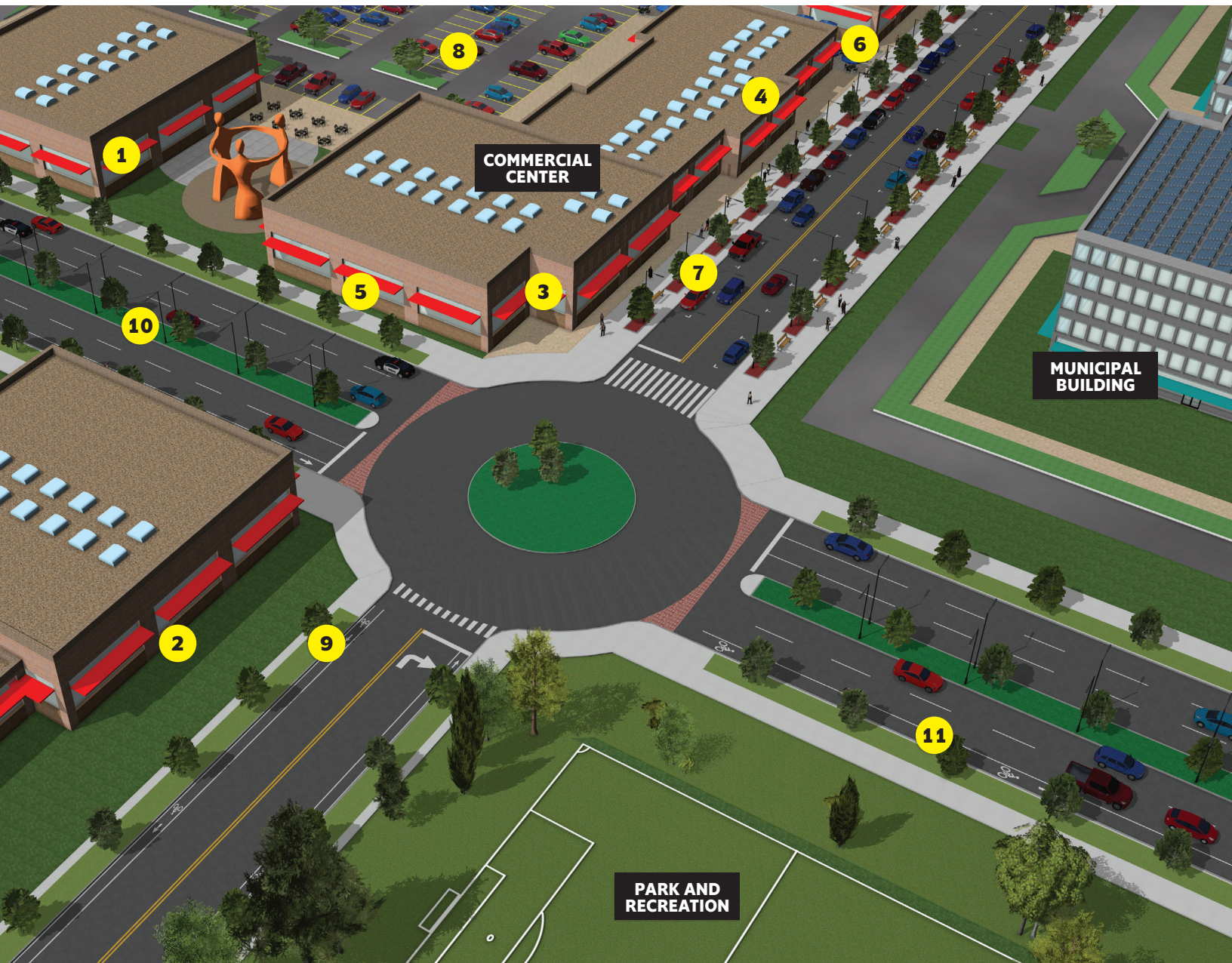
Whenever possible, external lighting should consist of concealed source light fixtures which are designed to shield the light sources while preventing glare. Light trespass, uplight, and glare should all be considered when preparing and evaluating an outdoor light fixture or photometric plan.



Architectural/exterior building lighting can be an important and desirable design component of development and should therefore be considered on a case by case basis. Any such architectural/building lighting must be sensitive to adjacent/nearby residential areas and be designed to minimize glare, spillover, or other impact on existing residential areas. Main entrances should be illuminated with additional lighting to easily convey its location.

Pedestrian-scale lighting can play an important role in creating an inviting and attractive atmosphere and sense of place. Bollard lighting and pedestrian-scaled lighting within the right-of-way, public plazas, and outdoor gathering and walking areas should be encouraged.





Commercial Design Consideration

- 1 Common Architectural Theme
- 2 "Four-sided" Architecture
- 3 Building Articulation
- 4 Decorative Awnings
- 5 Building Entrance on Road Frontage
- 6 Arcade to Provide Pedestrian Connections
- 7 Wide Sidewalks
- 8 Shared Parking
- 9 Pedestrian Connections
- 10 Landscaped Median
- 11 On-Street Bike Lane



Commercial Design Consideration

- | | |
|-----------------------------------|-----------------------------|
| 1 Loading and Service in the Rear | 5 Retention Pond |
| 2 Parking Lot Landscaping | 6 "Four-sided" Architecture |
| 3 Pedestrian Connectivity | 7 Decorative Awnings |
| 4 Visibility from Major Roadways | 8 Shared Parking |

OFFICE AND INDUSTRIAL DESIGN CONSIDERATIONS

The study area provides a desirable location to attract new businesses and employees and that development should be in line with the character of the community. Uses such as light manufacturing, offices, and flex space should be developed in a high tech, attractive environment that is physically and functionally buffered from nearby residential neighborhoods.

ARCHITECTURAL STYLE AND CHARACTER

In general, office buildings within a campus like setting should present as a collection with similar architectural styles, colors, details, walkways, and complementary roof forms and materials. Buildings within a campus should also relate visually and not obstruct desirable views.

Building footprints and facades should express articulation and avoid being simple rectangular extrusions. Large blank walls should be avoided. Building design should create visual interest from both the vehicular and pedestrian view.

BUILDING PLACEMENT

Office and industrial uses should orient their main entrances in a manner that provides the safest and most attractive linkage from parking areas. Placement of buildings at irregular angles and orientations should be avoided. Building should have similar setbacks and present as a collective area.





MOBILITY AND ACCESS

Traffic generated from industrial uses should be directed away from residential and commercial areas.

In general, parking areas should not dominate the building frontage and should be screened by plantings. Where possible, parking lot should be shared between multiple buildings to minimize the development impact of the site.

LANDSCAPING AND BUFFERING

Landscaped buffers should be constructed between different land uses typologies to minimize both noise and the visual impact of higher intensity uses such as industrial from lower intensity uses such as residential and screened from transportation corridors from which they would be highly visible. Evergreens, berming, and other vertical landscaping elements should be used to screen these uses.



LOADING AND SERVICE AREAS

The separation of employee parking from loading and service areas is encouraged. Loading and service areas should be positioned away from commercial and residential areas. When appropriate, loading and service areas should be located together even in larger developments with multiple tenants.

LIGHTING

Whenever possible, external lighting should consist of concealed source light fixtures which area design to shield the light sources while preventing glare. Light trespass, uplight, and glare should all be considered when preparing and evaluating an outdoor light fixture or photometric plan.



RESIDENTIAL DESIGN CONSIDERATIONS

Housing options should provide a quality housing product with respect to architectural details, building materials, and the incorporation of amenities, like active and passive open space, trails, and connection to nearby commercial services.

ARCHITECTURAL STYLE AND CHARACTER

Residential developments within the study area should be of a more urban style. Developments should consist of higher density housing types such as multifamily and single-family attached. Single-family detached may be appropriate in higher density formats such as small lot single-family. In residential areas near Tipple Parkway, more traditional forms of front-loaded single-family detached may be allowed.

Monotonous residential developments should be avoided. A variety of architectural styles and floor plans should be promoted throughout the study area. For single-family products, minor changes such as changing colors and building materials, and mirroring elevations should not be considered acceptable practices for satisfying anti-monotony objectives.

ADJACENCY TO COMMERCIAL AREAS

Residential developments should be enhanced with sidewalks or multi-use trails that provide access to adjacent and nearby commercial areas. Pedestrian connections should enable residents to easily go shopping, get a meal, or run an errand without using a car. Residential properties near commercial uses should be of a higher density to provide transitional land use between commercial properties and lower density residential neighborhoods.





BUILDING PLACEMENT

The placement and orientation of homes can encourage a sense of community. Orientation of buildings can also increase sun/shade and climate effects on homes as well as provide scenic views of the surroundings.

Single-family housing types should be oriented with the main entrance facing the street. This encourages interaction with neighbors and fosters a greater sense of place. Multifamily housing types should have dedicated main entrances or gateways that are oriented facing the street.

All housing in a neighborhood should follow a similar setback from the street for the entire block, with some allowance for articulation between buildings. The use of a uniform, relatively shallow setback creates a sense of enclosure for the street, making it more inviting to pedestrians. It also protects both sight lines for driveways and intersections providing better visibility for vehicles and pedestrians along the street and sidewalk.

LIGHTING

Lighting should be attractive yet minimal, highlighting development design, providing safety and security while at the same time preserving the night skies from unnecessary illumination and spillover. Decorative streetlights within residential areas should provide adequate light for public safety and only use downward directional illumination to minimize light pollution.

MOBILITY AND ACCESS

Residential development should allow for high mobility and circulation by providing internal trail systems and numerous access points to and from roadways. Residents should be able to easily access commercial centers, community designations, and green spaces by foot or bicycle.

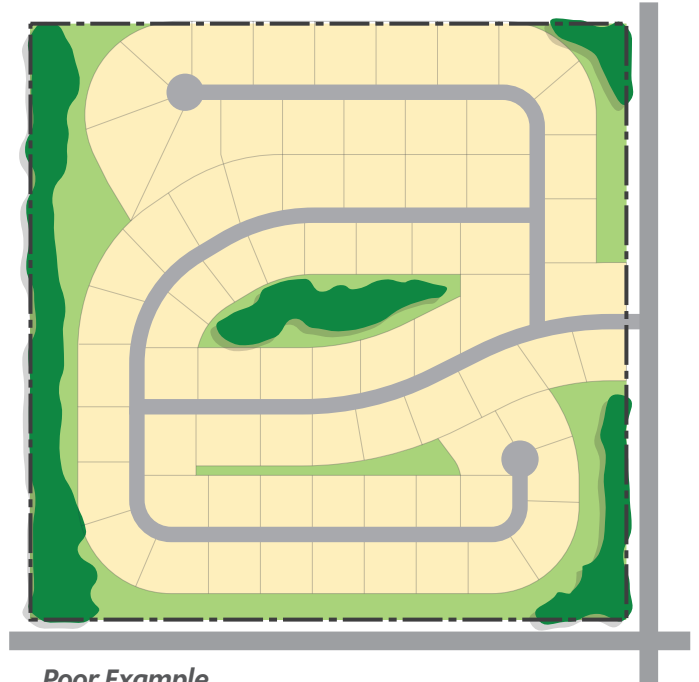
BLOCK CONFIGURATION AND CIRCULATION

Transportation considerations are extremely important in the design of new developments and residential neighborhoods. A clear hierarchy of roadways is necessary to provide the appropriate circulation service to an area and should be visible in the site development design.

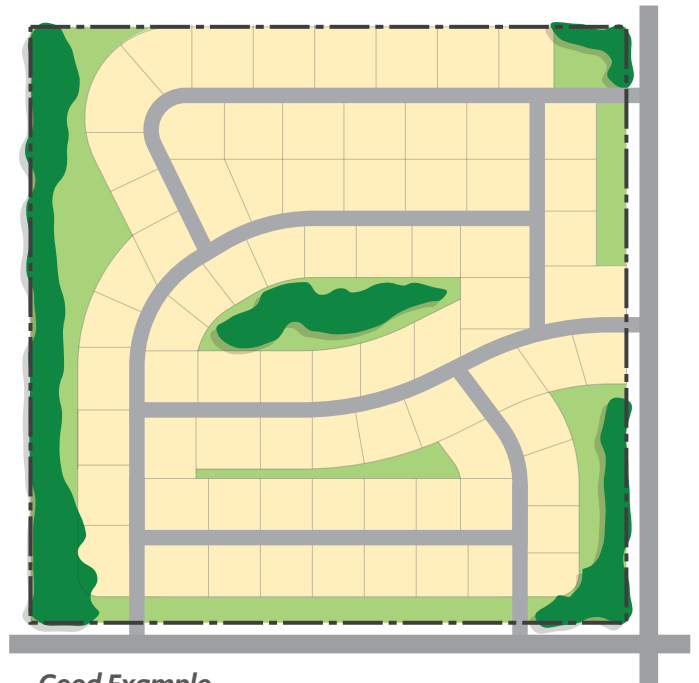
New residential subdivisions should incorporate circulation and lot patterns that reflect the street system of existing developments and established neighborhoods. Preferably the street configuration should follow a blocked, or curved grid structure with a clear hierarchy of access and circulation throughout the site.

Site design should be specific to the area and determine a street configuration that works with the existing topography, environmental constraints, and drainage of the site. All fire and emergency service access requirements should be met by the given design.

Subdivisions should be connected via a network of roadways that feed into primary or collector roads and avoid the use of cul-de-sacs and other road configurations that dead-end. Cul-de-sacs in neighborhood design should be used only when necessary, and when used, pedestrian trail or sidewalk connections should be provided to prevent the “dead end” for those walking and biking.



Poor Example



Good Example

CIVIC AND RECREATION DESIGN CONSIDERATIONS

Public uses, facilities and gathering and activity spaces are an important component of the overall 25/52 East Subarea Plan. Public buildings and open space should be designed to be inviting and welcoming and uniquely identifiable as the Town of Frederick, fully leveraging the opportunity to create and further establish the community's image and identity. While following the applicable and relevant design considerations from the Commercial, Residential, and General Design Considerations provided elsewhere in this section related to landscaping, lighting, mobility, and architectural quality, the Civic and Recreation areas should also be guided by the following three key considerations.



"TOWN OF FREDERICK" PLACE MAKING

Aside from the identity and place making that is encouraged for the commercial, residential, and office/industrial components of the subarea, the Civic and Recreation areas should strive to create an identity that is uniquely Frederick. Distinct architecture, signage, public area, landmarks, and landscaping should be used to distinguish public and recreation areas from other use areas within the subarea.

PEDESTRIAN SCALE ENVIRONMENTS AND COMMUNITY GATHERING

Civic and recreation areas should prioritize a pedestrian scaled environment. Pedestrian movement and interaction should be a key design principle for public buildings and outdoor spaces with an emphasis on safe, convenient, attractive, and accessible spaces. Pedestrian amenities, high quality material and "fit and finish", and pedestrian engagement and visual interest should drive a highly tactile and rich pedestrian experience in all civic and recreation areas. These places must prioritize community gathering spaces and create opportunities for engagement and interaction.

INTEGRATION WITH SURROUNDING USES

Although uniquely identifiable, Civic and Recreation areas must be fully integrated into the fabric of the overall area, rather than being perceived as separate uses that happen to be located nearby. Residents and visitors to area should be able to seamlessly cross from civic uses, recreational opportunities, gathering spaces, and shopping and entertainment areas, all of which should be easily accessed by foot and bike from adjacent and nearby residential and employment areas.

GENERAL DESIGN CONSIDERATIONS

The following design considerations regarding place making and transportation should be applied throughout the study area to ensure high quality design and enhance the character of the subarea as a whole.

PLACE MAKING

The success of the study area will be defined by its differentiated and high quality character. Place making is focused on creating public spaces that promote activity and identity. Place making is intended to foster a comfortable, active, and attractive character.

Public Spaces

The study area should provide spaces for people to gather, eat, chat, or people watch. Outdoor dining, pedestrian arcades, plazas, and parks should provide one or more focal points at scale and should also complement development whenever possible. Pedestrian amenities welcome visitors and provide positive visual impact for gathering spaces.

Gateway and Wayfinding

To announce arrival to the 25/52 East Subarea, gateway features should be employed in key locations. Gateway features can be achieved through signage at ground level or unique architectural elements. Attractive landscaping should work with lighting and other vertical design features to complement the gateway feature. Priority should be given to a gateway sign installation that incorporates public art that is visible from I-25 and Highway 52.

Wayfinding signage assists people in finding important community landmarks, while enhancing the streetscape. Like gateway features, wayfinding should consist of signage complemented by landscaping and lighting. Wayfinding features should be in key locations to direct people to destinations.





Streetscaping

Streetscape treatment will create a visually appealing boulevard effect that distinguishes the area from the neighboring municipalities. Streetscaping within the public right-of-way should have a relationship with the landscaping on private parcels. A common theme between public and private properties should create a greater sense that the area is visually organized.

Public Art

Public art can foster community pride, encourage healthier lifestyles, reduce vandalism and cost, expand learning and awareness, and strengthen the local art community. Public art installations should be prioritized within the 25/52 East Subarea to improve the area's appearance, vitality, and interest. Public art installations not only provide aesthetic interest, but also recognizable landmarks for wayfinding. They should be prioritized at prominent locations.

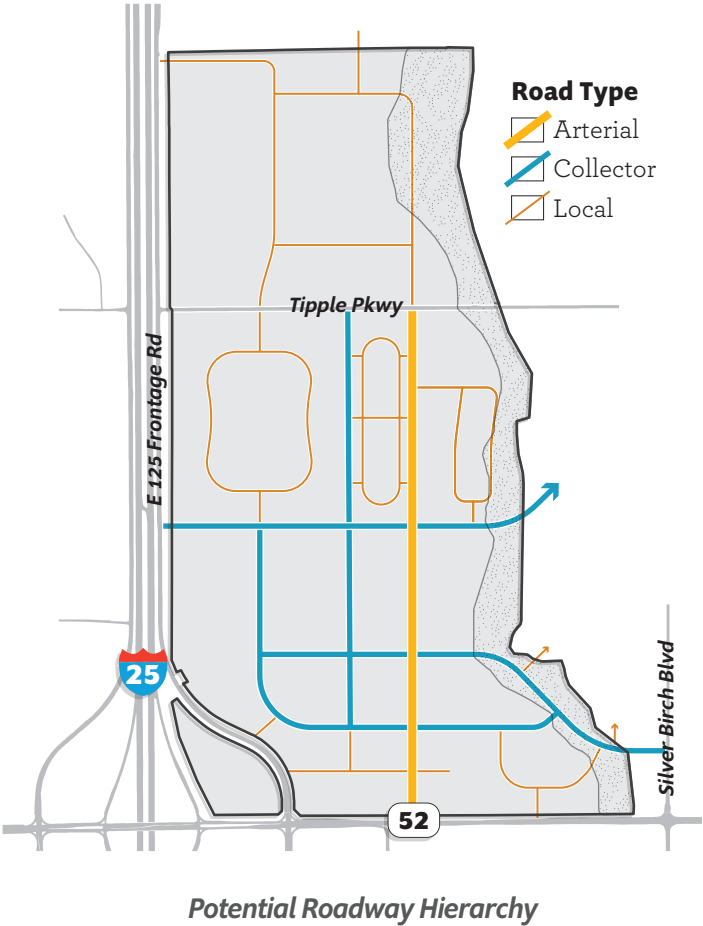


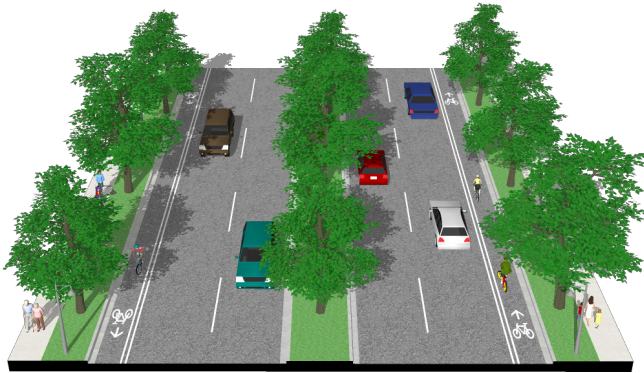
TRANSPORTATION

To support a dynamic environment, the Subarea’s transportation system must be comprehensive and multimodal. The 25/52 East Subarea should provide pedestrian oriented environments and safe and efficient motor vehicle flows.

Roadway Network

There are three types of roadways proposed within the Study Area, each with their own design and purpose.





Primary Road Cross Section Example



Second Road Cross Section Example



Local Road Cross Section Example

Arterial Roads

Arterial roads carry the major portion of trips entering the 25/52 East Subarea. The arterial roadways serves as the traffic flow spine of the study area and should be the focus of streetscape design considerations. Streetscape design elements should work together to make the Subarea attractive and welcoming.

The arterial road design should create a corridor that is highly accessible for both pedestrians and vehicles. To foster a pedestrian environment, sidewalks should be provided with wide treelined parkways. Intersections should have prominent crosswalks to increase pedestrian safety and create a traffic calming effect. The right-of-way should also provide buffered, on-street bike lanes when possible.

Collector Roads

Collector roads connect traffic to and from the neighborhoods and commercial areas to the arterial road. Collector roads should be pedestrian oriented, using sidewalks, highly visible crosswalks, and landscaped parkways with street trees to create separation between pedestrians and the roadway. The right-of-way should also accommodate dedicated on-street bike lanes when possible.

Streetlights should be both pedestrian and vehicularly scaled and may include decorative banners to promote the 25/52 East Subarea. Street trees should be located within the parkway. Further, design elements from the arterial roadway treatment should be incorporated to reinforce a unified design them throughout the Subarea.

Local Roads

Local roads are quieter than collector roads and connect adjacent neighborhoods and commercial areas to and from the Subarea. Considering the typical wide lane widths, parking may occur on-street but does not require demarcation. Sidewalks should be provided along with a treelined parkway to enhance the image of local roads. Given the low volume of traffic, crosswalks do not have to be highly visible and designated bike lanes are not necessary in residential areas. Commercial and industrial streets should provide marked bike lanes and on-street parking.

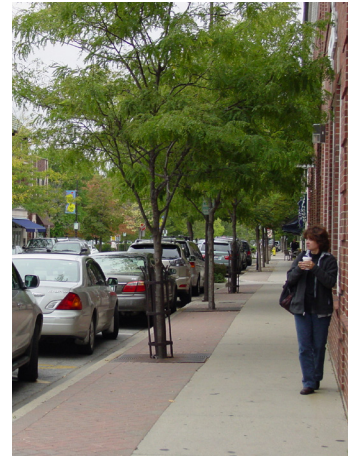
Bike Network

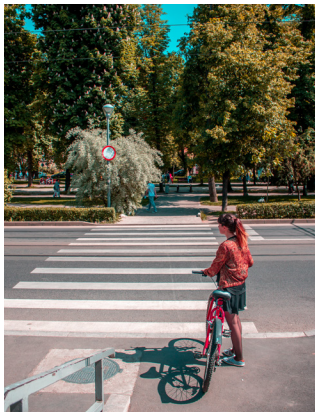
To encourage biking as a viable, safe, and enjoyable mode of transportation in the study area, a quality bike network should be developed. The network should be well connected and defined along arterial and collector roads, allowing residents from adjacent neighborhoods to feel comfortable biking throughout the residential, civic, recreation, and commercial parks of the study area in particular.

Sidewalk Network

Movement of pedestrians through the study area is critical. A safe and attractive pedestrian environment can significantly contribute to the overall comfort, character, and appeal of the study area. The width, placement, and design of sidewalks can impact pedestrian comfort level and overall use.

Sidewalk parkways should separate pedestrians from the roadway with landscaping elements such as grass, flowers, trees, and in some cases, street furniture. Parkway are the preferred treatment in residential, industrial, civic, and recreation areas to provide a landscaped buffer between pedestrians and vehicles. In addition to enhancing pedestrian safety, parkways have the potential to accommodate sustainable landscaping techniques including bioswales, rainwater inlets, and rain gardens, as well as provide opportunities to establish a tree canopy through the regular use and spacing of street trees in the areas streetscaping program.





Intersections and Crosswalks

The safe and easy crossing of roads is integral to a pedestrian-oriented environment. Common tools utilized to aid in safe crossing include signage, striping, countdown timers, and bump-outs. The type of tools used should vary based on the functional classification of the intersecting roadways, surrounding land uses, and type of pedestrian route.

Continental Crosswalk

These crosswalks are considered high-visibility, which are more easily seen by drivers. Use of continental crosswalk markings have been shown to significantly increase intersection safety. These should be implemented as a best practice for all non-signalized crossings in the Subarea.

Decorative Crosswalks

These crosswalks delineate pedestrian crossing areas using decorative elements, such as colored or textured concrete or stamped asphalt, bollard lighting, and signage. They can help create a sense of place and identity within an area; however, low contrast designs can lead to decreased visibility. Decorative components for crosswalks at key intersection in areas with heavy pedestrian traffic should be utilized.

Parking Lots

Parking lots should be designed and located so that they are safe, efficient, and appropriately screened. For large commercial properties where expansive paved parking lots are provided, interior landscaped islands should be installed. Islands should include landscaping that enhances permeability and trees that enhance the character of the property.

Where sidewalks and streets run along the perimeter of a parking lot, the parking lot's edge should be enhanced with landscaping, decorative fencing, and/or a low masonry wall to improve the appearance of the parking lot and to provide an appropriate decorative "edge" for passing pedestrians or vehicles. Generally speaking, parking lots are unattractive and while the parking should be visible, it should not dominate the visual landscape. Perimeter parking lots treatment should be sufficient to provide a safe, attractive and comfortable pedestrian environment.

IMPLEMENTATION

The 25/52 East Subarea Plan is a strategic guide for land use and development within the Study Area. Implementation of the plan will require, at a minimum, flexibility in the application of current land use regulations, and ideally an update to the Town of Frederick Land Use Code ("LUC") to create regulations that specifically implement the plan.

DEVELOP DETAILED MARKET STUDY AND MARKETING PLAN

The 25/52 East Subarea Plan relies upon readily available data with respect to sociodemographics and market potential for the Town and the region. However, those data are not without limitations, both in terms of the accuracy of the data and the projections that rely upon it. Moreover, different businesses have different preferences and selection criteria with respect to where they locate.

The study area is large, and it is expected it will take many years for the vision of the 25/52 East Subarea Plan to be fully realized. In order to energize the process, it is desirable to create a project of sufficient quality, visibility, and scale to catalyze further development. The identification (and parameters) of that project will require some additional work.

The Town of Frederick has already set up a team of consultants to specifically explore the market potential for the I-25 / Highway 52 interchange (all quarters). That team should take the concepts articulated in this plan and evaluate what a catalytic project would entail, what it could look like, who potential developers and end-users might be, and what additional resources, if any, would need to be provided by the Town or other public or quasi-public entities. This plan recommends that if the Town were to make financial investments towards carrying out the 25/52 East Subarea Plan, those investments should be applied to leverage committed private investments.

PUBLIC-PRIVATE PARTNERSHIPS AND FINANCING OF PUBLIC IMPROVEMENTS

The development of nonresidential uses in the 25-52 East Subarea has significant potential for economic development and the creation of opportunities and amenities for Town residents. Consequently, this plan suggests that public-private partnerships and financing support mechanisms are worth exploring. To that end, the 2016 Comprehensive Plan lists a number of potential funding and incentive resources, including tax increment financing and urban renewal areas. To the extent such resources (along with metropolitan districts and other supports) can be used to support the construction of public improvements and mitigate blighting influences such as the identified design constraints, they should be seriously considered.

SHORT-TERM PLANNING AND REGULATORY STRATEGY

The current zoning of most of the Study Area (C-E, commercial employment) does not provide for the type, distribution, or character of development that this plan anticipates. Therefore, implementation of the plan will require, on the short-term, the use of the PUD-O (planned unit development overlay) District (LUC § 3.3.4.d.), with appropriate underlying zoning established to allow for the types of uses that are anticipated by the Land Use Plan that is set out on page 11. The PUD-O District is a special overlay district that allows the Town to approve modifications of the requirements of an underlying zoning district in order to accommodate proposed innovative development at a large scale.

For example, the area shown as “Nelson Farm Development” on the Land Use Plan is currently zoned PUD-O with R-2 underlying zoning. Further development plans and plats should reflect the objectives and design considerations set out in this plan, as provided in the approval conditions placed upon the property’s zoning. Those objectives and design considerations include, but are not limited to, locating attached higher density residential products to the southern portion of the development.

To appropriately position the PUD-O District as an implementation tool, the Town should adopt the 25/52 East Subarea Plan as a supplement to the Town of Frederick Comprehensive Plan. As provided in state law, planned unit development approvals must be in “general conformance with the Comprehensive Plan.” As such, the 25/52 East Subarea Plan should be incorporated into the current Comprehensive Plan by reference as provided by C.R.S. § 31-23-206(2), and then incorporated into the Comprehensive Plan update that the Town has scheduled for 2022-23.

The incorporation of the 25/52 East Subarea Plan into the current Comprehensive Plan would allow the contents of this plan to supersede any conflicting provisions of the current Comprehensive Plan as to the study area for the time being (until a new Comprehensive Plan is adopted).

It would not constitute a substantial review or revision to the current Comprehensive Plan as to any properties outside of the study area.

As PUD-O is applied, the Town should be prepared to change the underlying zoning as well. Currently, the portion of the subarea south of Tipple Parkway is almost entirely zoned C-E Employment District and the portion of the subarea north of Tipple Parkway is almost entirely designated as PUD-O Planned Unit Development Overlay District, which requires that an underlying zoning district be established at the time of development. A small area in the northwest corner of the subarea along the I-25 Frontage Road is zoned Industrial.

To better align the underlying zoning districts with the 25/52 East Subarea Plan and facilitate development on the short-term, the underlying zoning for the area should be changed per the following:

Land Use and Zoning Alignment	
Subarea Land Use	Recommended Zoning District
Retail and Entertainment	C-H52: Mixed Use Commercial-Highway 52
Corporate Campus	BLI: Business/Light Industrial
Industrial	I: Industrial
Mixed Residential	R-2: Residential Medium Density and R-3: Residential High Density
Public/Civic/Recreation	P: Public District

The zoning districts listed in the table above provide land uses that, in general, support this plan. However, they do not (in most cases) provide appropriate dimensional standards. PUD-O zoning creates the flexibility for the Town Board to authorize development of the quality and character anticipated by this plan.

LONG-TERM PLANNING AND REGULATORY STRATEGY

The Town's Land Use Code is not currently well suited to the type of development that is anticipated by several of the land use categories in the 25/52 East Subarea Plan. Fortunately, the Town is currently in the process of updating the LUC. A priority of that update should be creating new zoning districts (and / or reforming current zoning districts) and design standards that support and implement the 25/52 East Subarea Plan.

The plan includes five land use categories:

- Retail, Restaurant, and Entertainment
- Corporate Campus
- Industrial
- Mixed Residential
- Public / Civic / Recreation

RETAIL, RESTAURANT, AND ENTERTAINMENT

The Town does not currently have a zoning designation that contemplates a multiple-use “lifestyle” project like that which is anticipated by the Retail, Restaurant, and Entertainment land use category. As such, the plan recommends a new, urban multiple-use zoning district that provides for:

- A mix of retail, restaurant, hospitality, entertainment, office, and residential uses that are appropriate to a walkable urban environment (e.g., cafes, bars, theaters, clothing stores, bakeries, real estate offices, apartments, and condominiums, but not car washes and gas stations).
- Sufficient building height to allow for intensification of the study area and definition of its streets and public realm, and to encourage development of desirable uses, including hotels and conference facilities.
- Pedestrian-oriented streets that include parallel parking, wide sidewalks, street furniture, street trees, plazas for gathering, pedestrian-scale lighting, and a sense of enclosure.
- Design standards for parking lots and shared parking opportunities that reduce the overall number of required parking spaces based on the anticipated peak demands of various land uses.

CORPORATE CAMPUS

The Town's Commercial-Employment (C-E) zoning district is intended to provide for the development of high-quality office parks. However, for the purposes of this plan, the C-E district is in some ways too broad, and in other ways too restrictive. As to land use, the C-E district allows residential uses that are not appropriate in the Corporate Campus areas of the study area, as well as a wide variety of other uses that are more appropriate in the Retail, Restaurant, and Entertainment areas of the study area. As to dimensional standards, the C-E district provides for a maximum front yard setback of 25 feet (minimum is zero), a maximum floor-area-ratio of two, and a maximum height of 40 feet.

The Town should consider implementing regulations for the Corporate Campus areas of the plan that:

- Narrow the list of allowed and conditional land uses to provide for better integration with the other parts of the Study Area;
- Allow for taller buildings, particularly in areas that are close to Interstate 25; and
- Remove floor-area-ratio limitations.

Industrial

The Town's current Industrial (I) zoning district provides for a wide variety of industrial uses, 50 foot building heights, and setbacks that are consistent with this plan. The Town should consider amendments to allow for:

- Increased building height to accommodate clean manufacturing facilities (with appropriate screening of roof-mounted equipment); and
- Increased flexibility with respect to outdoor storage in areas that are not highly visible outside of industrial parks.

MIXED RESIDENTIAL

Currently, the most intensive zoning district in the LUC for residential uses is R-3. It allows up to 25 dwelling units per acre, with lot sizes (for townhomes) as small as 1,800 square feet (20 ft. x 90 ft.). The R-3 zoning district has a 15 foot minimum front setback, a 20 foot minimum rear setback, eight foot minimum side setbacks (does not apply to common walls), and a 35 foot height limit.

The 25/52 East Subarea Plan suggests that a more intensive zoning district that provides for "urban" forms of housing should be created for the areas designated Mixed Residential on the land use plan. That district should allow for taller buildings, and allow for—or even require—narrower setbacks. Additionally, the district should include access, design, and streetscape standards that provide for a comfortable, walkable, and interesting pedestrian environment.

Built models to consider when developing these regulations should include:

- The mixed residential development to the South of Highlands Ranch Town Center (around Ridgeline Boulevard, southwest of Dorchester Street / Green Ash Street)
- The residential components of the Ridgeway development in Lone Tree (around Commonwealth Street and Halstead Lane, and along Ridgeway Circle)
- Stapleton, Denver, particularly in the vicinity of Syracuse Street and East 29th Avenue.

PUBLIC / CIVIC / RECREATION

The current regulations for the P (public) zoning district are likely sufficient to implement the Public / Civic / Recreation component of the plan. However, certain land uses, like cemeteries, hospitals, recycling facilities, and resource extraction, processes and sales establishments should not be developed in the Public / Civic / Recreation designated parts of the study area.



TOWN OF FREDERICK

PLANNING COMMISSION

Tracy Moe, Chairman

Alan Blair, Alternate Commissioner
William Mahoney, Alternate Commissioner
Dennis Stark, Commissioner

Kristin Conroy, Commissioner
Nathan Scott, Commissioner
Chad teVelde, Vice Chairman

CONSIDERATION OF AMENDMENTS TO ARTICLES 1 AND 3 OF THE FREDERICK LAND USE CODE

Agenda Date: March 17, 2022

Attachments: A. Proposed Ordinance
B. PCR-2022-08A-C
C. Map with .25-mile Buffer

Submitted by: Ali van Deutekom
Planning Manager

Summary Statement: This is a request to consider amendments to Articles 1 and 3 of the Frederick Land Use with regards to cemeteries.

Detail of Issue/Request:

Background Information:

In 2021, the Board of Trustees adopted a strategic plan. Within the focus area of *Community and Economic Vitality*, the Board established a goal of developing a revitalization strategy for 5th Street. As part of that effort, staff has initiated an exercise to identify land uses that, while allowed under the current zoning, may not support the shared goals of an active and vibrant downtown.

One of these use types is cemetery. Cemeteries are currently permitted on several properties zoned “public” in our Downtown Development Area. The intent of the Downtown Development Area is to preserve and protect the existing, historic and unique character and provide a pedestrian-oriented shopping, dining, entertainment, and living center in the Frederick community. Typically, cemeteries are in direct conflict with these objectives. Staff is suggesting a quarter mile buffer be added, around the Downtown Development Area, where cemeteries are not permitted. Staff is also suggesting we clarify the definition of cemetery.

This item came to the Planning Commission on February 17, 2022. The Commission voted to recommend denial of the request with a vote of 4-0.

The Planning Commission stated the new definition of cemetery would add confusion surrounding mortuaries in downtown. The definition was presented to the Planning Commission as follows:

Cemetery means land used or intended to be used for the interment of the remains of human bodies or pets, whether such interment is above ground or below ground. The term “cemetery” includes graveyards, burial of the dead and dedicated for cemetery purposes, including ~~mausoleums, and mortuaries, tombs, and columbariums, when operated in conjunction with, and within the boundaries of, such cemetery.~~

The Planning Commission suggested staff adjust the presented definition, re-notice the code amendment and bring the item back to a later Planning Commission meeting date for consideration. The Planning Commission is a recommending body so the item still moved forward to the Board of Trustees with a recommendation of denial. The Board of Trustees heard the item at the February 22, 2022 meeting. The Board of Trustees agreed with the Commission and directed staff to make the change and take the item back to Planning Commission for approval.

Staff believes adjusting the definition by striking through the word “mortuaries,” as set out below, will remove any confusion. The Land Use Code defines “funeral home” to include mortuaries. Funeral homes are still permitted in the Downtown Development Area.

The adjusted proposed code amendments are as follows;

Article 1

Section 1.15, Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text and double underline is added text):

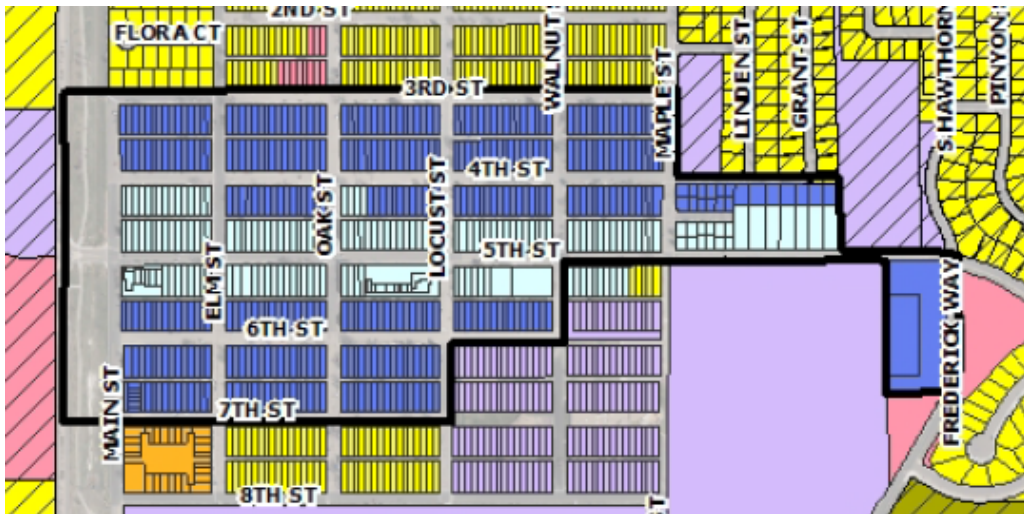
* * *

Cemetery means land used or intended to be used for the interment of the remains of human bodies or pets, whether such interment is above ground or below ground. The term “cemetery” includes graveyards, burial of the dead and dedicated for cemetery purposes, including ~~mausoleums, and mortuaries, tombs, and columbariums, when operated in conjunction with, and within the boundaries of, such cemetery.~~

* * *

Downtown means the original business district of the Town.

Downtown Development Area means the area that encompasses the Downtown and adjacent areas, which is outlined with a heavy black line in the figure below:



Article 3

Table 3-1, Table of Permitted Uses, in Section 3.4, Matrix of Permitted, Conditional, and Special Uses by Zoning District, Town of Frederick Land Use Code, is amended as follows (double underline is added text, three asterisks represent large amounts of unchanged text):

Table 3-1.B. Table of Permitted Institutional/Civic/Public Uses Any use not permitted in a zone either specifically or by interpretation by the Board of Trustees per Section 3.4(a) is hereby specifically prohibited											
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* * *

INSTITUTIONAL/CIVIC/ <u>PUBLIC USES</u>											
Cemeteries.	C	C								P	(28) (29)

* * *

Section 3. Section 3.4.2.b. is amended to add subsection (29) after subsection (28), to read as follows:

(29) Cemeteries shall not be located within the area within the Downtown Development Area, or within one-quarter mile of the boundaries of the Downtown Development Area.

Review Criteria:

Section 4.7.9.b. For the purpose of establishing and maintaining sound, stable, and desirable development within the Town, the text of this Code shall not be amended except:

- (1) To correct a manifest error in the text of this Code;
- (2) To provide for changes in administrative practices as may be necessary to accommodate changing needs of the community and the Town staff;
- (3) To accommodate innovations in land use and development practices that were not contemplated at the adoption of this Code; or

(4) To further the implementation of the goals and objectives of the Comprehensive Plan.

The proposed amendments accommodate development practices that were not contemplated at the time of the adoption of the Downtown Code. The drafted amendments provide clarifications on definitions.

Public Notice: This project was properly noticed according to the requirements of Section 4.5 of the Frederick Land Use Code.

Legal/Political Considerations: The application has been reviewed by the Town's Land Use Attorney, whose comments have been incorporated accordingly.

Alternatives/Options: Planning Commission may recommend approval of the request, denial of the request, or approval of the request with conditions.

Staff Recommendation: Staff requests that the Planning Commission consider approving PCR-2022-08A which recommends approval of this request without conditions.

TOWN OF FREDERICK, COLORADO

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF FREDERICK, COLORADO, AMENDING ARTICLE 1 AND ARTICLE 3 OF THE FREDERICK LAND USE CODE, SPECIFICALLY SECTIONS 1.15 AND 3.4, TO CLARIFY LOCATIONS WITHIN THE TOWN WHERE CEMETERIES MAY BE PERMITTED.

WHEREAS, the Board of Trustees of the Town of Frederick (“Board”) finds that the Town allows for cemeteries in certain zone districts; and

WHEREAS, the Board finds that cemeteries are not an appropriate use within the area that is subject to the Downtown Development Plan (“Downtown Development Area”) and within one quarter mile of the Downtown Development Area; and

WHEREAS, the Board finds that the definition of “cemetery” should be amended to clarify that the term “cemetery” includes columbaria; and

WHEREAS, the Board finds that the phrase “Downtown Development Area” should be defined in the Land Use Code; and

WHEREAS, the Board finds that amendment to the Town’s Land Use Code, Table 3-1.B., is necessary to ensure that cemeteries are placed within the Town appropriately, with due regard to the sensitivity of the use; and

WHEREAS, by Resolution _____, dated _____, the Planning Commission of the Town of Frederick approves the amendments set out in this Ordinance to the extent they constitute subdivision regulations, and recommends that the Board enact the amendments that are set out in this Ordinance.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF FREDERICK, WELD COUNTY, COLORADO, AS FOLLOWS:

Section 1. Section 1.15, Town of Frederick Land Use Code, is amended as follows (double strikethrough is deleted text and double underline is added text):

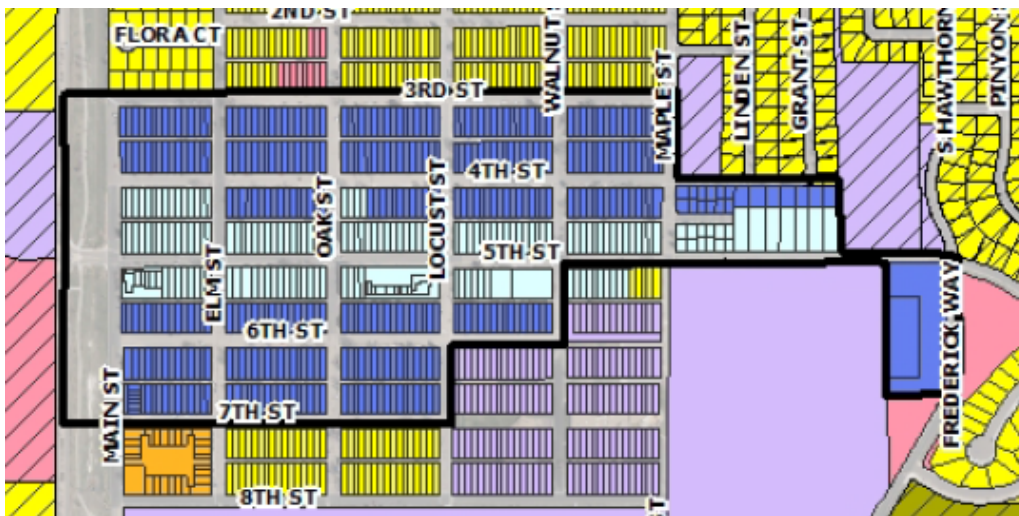
* * *

Cemetery means land used or intended to be used for the interment of the remains of human bodies or pets, whether such interment is above ground or below ground. The term “cemetery” includes graveyards, burial of the dead and dedicated for cemetery purposes, including mausoleums, and mortuaries, tombs, and columbariums, when operated in conjunction with, and within the boundaries of, such cemetery.

* * *

Downtown means the original business district of the Town.

Downtown Development Area means the area that encompasses the Downtown and adjacent areas, which is outlined with a heavy black line in the figure below:



* * *

Section 2. Table 3-1, Table of Permitted Uses, in Section 3.4, Matrix of Permitted, Conditional, and Special Uses by Zoning District, Town of Frederick Land Use Code, is amended as follows (double underline is added text, three asterisks represent large amounts of unchanged text):

Table 3-1.B. Table of Permitted Institutional/Civic/Public Uses Any use not permitted in a zone either specifically or by interpretation by the Board of Trustees per Section 3.4(a) is hereby specifically prohibited
--

* * *

INSTITUTIONAL/CIVIC/PUBLIC USES												
Cemeteries.	C	C									P	(28) (29)

* * *

Section 3. Section 3.4.2.b. is amended to add subsection (29) after subsection (28), to read as follows:

(29) Cemeteries shall not be located within the area within the Downtown Development Area, or within one-quarter mile of the boundaries of the Downtown Development Area.

Section 4. Effective Date. This Ordinance shall become effective immediately.

Section 5. Validity. If any part, section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining sections of the Ordinance. The Board of Trustees hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective

of the fact that one or more parts, sections, subsections, sentence, clauses or phrases be declared invalid.

Section 6. Necessity. The Board of Trustees of the Town of Frederick finds that this ordinance is necessary for the immediate preservation and protection of the health, safety, welfare and property of the inhabitants and owners of property in the Town of Frederick.

Section 7. Certification. The Town Clerk shall certify to the passage of this ordinance to the Weld County Clerk and Recorder's office, and make not less than one copy of the adopted Code available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 22 DAY OF MARCH, 2022.

ATTEST:

TOWN OF FREDERICK

By _____
Meghan Martinez, CMC, Town Clerk

By _____
Tracie Crites, Mayor

1 **PCR-2022-08A**

2 **A Resolution of the Planning Commission Recommending Approval of**
3 **Amendments to the Town of Frederick Land Use Code Articles 1 and 3**

4
5 Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

6
7 Section 1. The Frederick Planning Commission finds that:

8 1.1 Amendments to Land Use Code Sections 1 and 3 to clarify the cemetery
9 definition and define the Downtown Development Area and ensure
10 cemeteries are placed appropriately.

11 1.2 Said amendments generally conform with the applicable requirements of
12 Section 4.7.9.b. of the Frederick Land Use Code.

13 Section 2. This resolution constitutes the written report, findings and decision of the
14 Town of Frederick Planning Commission.

15 Section 3. On the basis of the above, the Town of Frederick Planning Commission
16 recommends approval of the application.
17

18
19 This resolution approved this 17th day of March, 2022, by a vote of __ to __.
20

21 _____
22 Tracy Moe, Chairman, Planning Commission
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**A Resolution of the Planning Commission Recommending Denial of Amendments to
the Town of Frederick Land Use Code Articles 1 and 3**

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

1.3 Amendments to Land Use Code Sections 1 and 3 to clarify the cemetery definition and define the Downtown Development Area and ensure cemeteries are placed appropriately.

1.4 Said amendments do not conform with the applicable requirements of Section 4.7.9.b. of the Frederick Land Use Code.

Section 2. This resolution constitutes the written report, findings and decision of the Town of Frederick Planning Commission.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends denial of the application.

This resolution approved this 17th day of March, 2022, by a vote of __ to __.

Tracy Moe, Chairman, Planning Commission

**A Resolution of the Planning Commission Recommending Conditional Approval of
Amendments to the Town of Frederick Land Use Code Articles 1 and 3**

Be it resolved by the Planning Commission of the Town of Frederick, Colorado:

Section 1. The Frederick Planning Commission finds that:

1.5 Amendments to Land Use Code Sections 1 and 3 to clarify the cemetery definition and define the Downtown Development Area and ensure cemeteries are placed appropriately.

1.6 Said amendments generally conform with the applicable requirements of Section 4.7.9.b. of the Frederick Land Use Code.

Section 2. This resolution constitutes the written report, findings and decision of the Town of Frederick Planning Commission.

Section 3. On the basis of the above, the Town of Frederick Planning Commission recommends approval of the application with the following conditions:

1.

2.

3.

This resolution approved this 17th day of March, 2022, by a vote of __ to __.

Tracy Moe, Chairman, Planning Commission



TOWN OF FREDERICK

Downtown Development Plan Zoning Use Analysis

January 27, 2022



1/4 Mile Buffer



Downtown Development Area

Zoning

- Estate District
- Residential Low Density District
- Residential Medium Density District
- Residential High Density District
- Manufactured Home District 1
- Business Light Industrial District
- Industrial District
- Employment District
- Mixed Use Highway 52 District
- Neighborhood Commercial District
- Community Commercial District
- Downtown A District
- Downtown B District
- Agricultural District
- Public District
- Hazard Overlay District
- Planned Unit Development Overlay District

