

RESOLUTION NO. P17-___

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE SITE PLAN FOR 101 ERIE PARKWAY, ERIE COMMONS FILING NO. 3, 3RD AMENDMENT, LOT 1A1, BLOCK 1, TOWN OF ERIE, COLORADO.

WHEREAS, the Planning Commission of the Town of Erie, Colorado, has received and considered the Site Plan for 101 Erie Parkway, Erie Commons Filing No. 3, 3rd Amendment, Lot 1A1, Block 1, Town Of Erie, Colorado, at a public hearing, on Wednesday, November 1, 2017, on the application of Boulder Community Health, 4141 Arapahoe Road, Suite 206, Boulder, Colorado, 80303 for the following real property; to wit:

Erie Commons Filing No. 3, 3rd Amendment, Lot 1A1 and Lot 2, Block 1, Town of Erie, County of Weld, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ERIE, COLORADO, as follows:

Section 1. Findings of Fact.

1. The applicant's application and supporting documents are in substantial compliance with the Town of Erie Municipal Code, Title 10.
2. The Site Plan has met Erie Municipal Code, Title 10, Section 7.12.F.9 Approval Criteria:
 - a. The Site Plan is generally consistent with the Town's Comprehensive Master Plan;
The site plan is generally consistent with the Comprehensive Master Plan.
 - b. The Site Plan is generally consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable;
The site plan is consistent with the plat.
 - c. The Site Plan complies with all applicable development and design standards set forth in this Code, including but not limited to the provisions in Chapter 2, Chapter 3, Chapter 4, and Chapter 6;
The site plan generally with the development and design standards of the Code with the exception of those specific requests for alternative equivalent compliance.
 - d. Any significant adverse impacts reasonably anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and

The applicant has provided design solutions to minimum any impacts on the adjacent residential neighborhood by providing screening for the parking area and proposing down lighting on the building and in the parking lot.

- e. The development proposed on the Site Plan and its general location is or will be compatible with the character of surrounding land uses.

The development is generally compatible with the surrounding land uses.

- 3. The Site Plan as proposed, with the following conditions, preserves the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado:
 - a. The Erie Commons Filing No. 3, 3rd Amendment, Lot 1A1 and Lot 2, Block 1, Minor Subdivision Plat and Development Agreement shall be recorded prior to execution of the Site Plan Approval Certificate on the Site Plan.
 - b. Prior to execution of the Site Plan Approval Certificate on the Site Plan, technical corrections shall be made to the Site Plan document to Town staffs satisfaction.
- 4. Municipal Code 10.6.1.C “Alternative Equivalent Compliance”, permits a site-specific plan that is equal to or better than the strict application of a design standard contained in the Municipal Code. The following alternative equivalent compliance requests are listed below after the Code citations that are being altered. The alternative equivalent compliance requests are found to be equal to or better than the strict application of the design standards:

1. Screening Enclosure:

- a. Municipal Code 10.6.4. G.3.b.

All outdoor refuse/recycling collection receptacles, other than those used by a single-family dwelling units, shall be screened from view on all sides by a durable sight-obscuring enclosure consisting of a solid fence or wall 6 feet in height that matches the building materials of the principal building that it serves. The access shall be screened with an opaque gate 6 feet in height. Donation bins are not required to provide screening for the public access areas of the facility. The enclosure shall be maintained in working order, and remain closed except during deposits and pick-ups.

- b. Applicant Request for Alternative Equivalent Compliance:

The applicant has requested that the height of the screening wall and gate be allowed to exceed 6 feet. The height of the screening wall is 7’ 8” tall which better fits the scale of the facility as attached to the building. Additionally, the applicant has provided a berm and landscaping between Erie Parkway and the enclosure to help visually screen the facility from the street.

2. Rooftop Mechanical Equipment:

- a. Municipal Code 10.6.4. G.6.

Rooftop mechanical equipment, including HVAC equipment and utility equipment that serves the structure, shall be screened. Screening shall be

accomplished through the use of parapet walls or a sight obscuring enclosure around the equipment constructed of 1 of the primary materials used on the primary facades of the structure, and that is an integral part of the building's architectural design. The parapet or screen shall completely surround the rooftop mechanical equipment to an elevation equal to or greater than the highest portion of the rooftop mechanical equipment, then the rooftop equipment shall be enclosed by a screen constructed of 1 of the primary materials used on the primary façade of the building so as to achieve complete screening.

b. Applicant Request for Alternative Equivalent Compliance:

The applicant has requested an alternative building material for the screen as the primary building materials are brick and stone. The applicant has requested that the mechanical screen be screened by light tan colored acrylic screen that matches the color of the light brick. The applicant has centralized the rooftop mechanical equipment so that the majority of the equipment screen wall will be screened by the parapet walls of the building.

3. Building Orientation:

a. Municipal Code 10.6.8. C.3

- a. All primary buildings shall be oriented towards a public street. If any such building is on a lot or tract with frontage on a public park or open space, it shall have equally detailed façade, constructed of equally high quality materials, facing such park or open space.
- b. If the proposed development consists of only 1 building, such building shall be oriented toward the primary abutting street.

b. Applicant Request for Alternative Equivalent Compliance:

The applicant is requesting alternative building treatments in lieu of facing the main entry toward a street. The main entry to the building is oriented to the parking lot. The western door is an urgent care exit only; and, the door facing S. Briggs Street is labeled as an exit door. To enhance the appearance of an entry on the street, the applicant has provided a formal stepped plaza and pergola on the S. Briggs Street side of the building. The plaza area between the sidewalk and the building includes street furnishings such as benches, trash receptacle and planter pots. Additionally, the applicant has provided 4 sided architecture where the detailing is consistent from the front of the building to the sides facing the streets.

4. Loading Bay:

a. Municipal Code 10.6.8. C.3

- b. Building functions that do not directly serve the public, such as loading bays, and blank walls, should not be placed directly along the street.

Garages that face streets shall be recessed behind the façade of primary buildings.

b. Applicant Request for Alternative Equivalent Compliance:

The applicant requests that the loading bay be located adjacent to Erie Parkway. The loading bay is located just outside the screening enclosure, in the parking lot, adjacent to Erie Parkway. The alternative design for this area includes screening of the loading bay from the street with a berm and plant materials.

5. Wall Articulation:

a. Municipal Code 10.6.8. C.4.b.

Primary structures having single walls exceeding 40 feet in length shall incorporate 3 or more of the following features at least every 40 feet in length:

- i. Changes in color, graphical patterning, changes in texture, or changes in material;
- ii. Projections, recesses, and reveals, expressing structural bays or other aspects of the architecture with a minimum change of plane of 12 inches;
- iii. Windows and fenestrations;
- iv. Awnings; or
- v. Gable projections or other projecting architectural features.

b. Applicant Request for Alternative Equivalent Compliance:

The applicant requests that the Town extend the 40 foot length by less than 10% to accommodate the building patterning of windows and material changes. The alternative lengths proposed are 42'2" on the north and south elevations; and 43'6" on the east elevation on the second floor only.

6. Roofs:

a. Municipal Code 10.6.8. C.6.b.

Where flat roofs are used, a parapet wall at least 18 inches in height shall be used on all sides of the structure. The design or height of the parapet shall include at least 1 change in setback or height of at least 3 feet along each 60 linear feet of façade.

b. Applicant Request for Alternative Equivalent Compliance:

The applicant is requesting an alternative to the requirement for a change in height in the parapet from 3' to 2'6". The lowest point of the parapets meets the minimum 18" requirement; however, the change in height proposed is 2'6" instead of the 3' required by Code. The applicant is

asking for 2'6" so that they can keep the building within the 35 foot building height limit.

5. The design standards requested for "Alternative Equivalent Compliance", listed above, have met Erie Municipal Code, Title 10, Section 6.1. C.5. Approval Criteria for "Alternative Equivalent Compliance":
 - a. The proposed alternative achieves the intent of the subject design standard to the same or better degree than the subject standard;
 1. Screening Enclosure: The applicant has integrated the trash/recycling enclosure into the medical office building at a scale that matches the building. Additionally, the additional 1'8" of height to the screening enclosure has been minimized by providing a berm and landscaping between the enclosure and Erie Parkway.
 2. Rooftop Mechanical Equipment: The applicant has provided an alternative, lighter weight alternative in the same color as one of the primary brick colors. This alternative is the same or better than the standard.
 3. Building Orientation: The applicant has provided a main entry door and primary façade that orients to the parking lot for the ease of customer use. To address both street frontages, the applicant has provided building architectural details that are on all sides of the building. The S. Briggs Street frontage is the more pedestrian oriented street and the applicant has provided a tiered plaza space with a pergola, seating, and other pedestrian amenities. The building orientation with the other street frontage improvements are the same or better than the standard.
 4. Loading Bay: The loading bay has been located adjacent to Erie Parkway and the trash enclosure. The service oriented area has been adequately screened with a berm and landscaping. The screening approach provides the same or better design solution as the standard.
 5. Wall Articulation: The wall articulation requirement has only been extended by a distance less than 10 percent of the 40 feet. The overall architectural character of the building is maintained by extending the length of the wall articulation; providing the same or better design solution as the standard.
 6. Roofs: The applicant has provided a change in parapet height that is 2'6" which still meets the intent of the standard while ensuring that our maximum building height of 35 feet has been met. The 2'6" parapet height change has provided the same or better design solution as the standard.
 - b. The proposed alternative achieves the goals and policies of the Town's Comprehensive Master Plan to the same or better degree than the subject standard;
 1. Screening Enclosure: The screening enclosure has been designed as an integral part of the medical building providing a higher level of architectural character along our community gateway corridor of Erie Parkway.

2. Rooftop Mechanical Equipment: The rooftop mechanical equipment screen materials is equal to or better than our standard for screening of the equipment on the rooftop. The screen in conjunction with the parapet walls have provided a higher level of architectural character along the community gateway corridor of Erie Parkway.
 3. Building Orientation: The applicant has provided a main entry door and primary façade that orients to the parking lot for the ease of customer use. To address both street frontages, the applicant has provided building architectural details that are on all sides of the building. The S. Briggs Street frontage is the more pedestrian oriented street and the applicant has provided a tiered plaza space with a pergola, seating, and other pedestrian amenities. The building orientation and associated improvements have provided good pedestrian circulation into the building and has oriented the parking away from Erie Parkway so that the enhanced architecture is adjacent to the street.
 4. Loading Bay: The screening of the loading bay with a berm and landscaping has provided a better character along our community gateway corridor of Erie Parkway.
 5. Wall Articulation: The wall articulation requirement has only been extended by a distance less than 10 percent of the 40 feet. The overall architectural character of the building is maintained by extending the length of the wall articulation; provided a higher level of architectural character along the community gateway corridor of Erie Parkway.
 6. Roofs: The applicant has provided a change in parapet height that is 2'6" which still meets the intent of the standard while ensuring that our maximum building height of 35 feet has been met. The 2'6" parapet height change has provided the same or better design solution as the standard.
- c. The proposed alternative results in benefits to the community that are equivalent to or better than compliance with the subject design standard.
1. Screening Enclosure: The applicant has provided adequate screening of the facility in a design that best compliments that building scale and is equivalent or better than the standard.
 2. Rooftop Mechanical Equipment: The rooftop mechanical equipment screen materials is as good or better than our standard for screening of the equipment on the rooftop. The screen in conjunction with the parapet walls have provided a higher level of architectural character that benefits the community.
 3. Building Orientation: The orientation of the building to the parking area provides ease of access to the urgent care and medical offices; and, the exterior improvements provide an equivalent or better streetscape experience for the community.
 4. Loading Bay: The loading bay has been located adjacent to Erie Parkway and the trash enclosure. The service oriented area has been adequately

screened with a berm and landscaping. The screening approach provides the same or better design solution as the standard.

5. Wall Articulation: The wall articulation requirement has only been extended by a distance less than 10 percent of the 40 feet. The overall architectural character of the building is maintained by extending the length of the wall articulation; provided a higher level of architectural character along the community gateway corridor of Erie Parkway.
6. Roofs: The applicant has provided a change in parapet height that is 2'6" which still meets the intent of the standard while ensuring that our maximum building height of 35 feet has been met. The 2'6" parapet height change has provided the same or better design solution as the standard.

Section 2. Conclusions and Order Approving, with Conditions, the Site Plan with Alternative Equivalent Compliance for 101 Erie Parkway, Erie, Colorado.

1. The applicant's application and supporting documents are in substantial compliance with the Town of Erie Municipal Code, Title 10.
2. The Site Plan has met Town of Erie Municipal Code, Title 10, Section 7.12.F.9 Approval Criteria.
3. The Site Plan as proposed, subject to the conditions listed above, preserves the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado.
4. The design standards proposed for "Alternative Equivalent Compliance", listed above, have met Erie Municipal Code, Title 10, Section 6.1 C.5. Approval Criteria.

INTRODUCED, READ, SIGNED AND APPROVED this 1st day of November, 2017.

TOWN OF ERIE, PLANNING COMMISSION

J. Eric Bottenhorn, Chair

ATTEST:

Melinda Helmer, Secretary