

## **RESOLUTION NO. P17-11**

### **A RESOLUTION REGARDING THE NINE MILE CORNER PLANNED DEVELOPMENT REZONING, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE PLANNED DEVELOPMENT REZONING.**

**WHEREAS**, the Planning Commission of the Town of Erie, Colorado, considered the Nine Mile Corner Planned Development Rezoning on Wednesday, June 21, 2017, on the application of Evergreen DevCo, Inc., 1873 South Bellaire Street, Suite 1106, Denver, Colorado, for the following real property; to wit:

A Portion of the North ½ of Section 34, Township 1 North, Range 69 West of the 6<sup>TH</sup> Principal Meridian, Town of Erie, County of Boulder, State of Colorado,

and has held at a public hearing on the proposed Planned Development Rezoning on Wednesday, June 21, 2017.

### **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. Following a duly noticed and conducted public hearing, the Planning Commission determined that the application meets the approval criteria in Municipal Code Title 10, Section 10.7.23.C.9. Approval Criteria:
  - a. The PD district zoning is generally consistent with the purpose of the PD zone district as set forth in UDC Sections 2.5 and 7.6.
  - b. The modification to the UDC regulations is based on creative and innovative design and amenities incorporated in the PD zone district that could not otherwise be achieved through other standard zoning districts or through another modification processes such as Alternative Equivalent Compliance in UDC Subsection 6.1.C or the PUD Overlay District in UDC Subsection 2.7.D.
  - c. The PD zoning district will promote the public health, safety, and general welfare.
  - d. The PD zoning district is generally consistent with the Town of Erie Comprehensive Master Plan; Transportation Master Plan; Parks, Recreation, Open Space, and Trails Master Plan, and other pertinent Town plan and policy documents.

- e. Adequate and sufficient public safety, utility facilities and services, recreation facilities, parks, open space, and schools are available to serve the property, while maintaining sufficient levels of service to existing development.
  - f. The PD zone district provides adequate vehicular circulation and parking facilities in terms of traffic volumes, convenience, safety, access, screening and noise.
  - g. A pedestrian and bicycle circulation system that provides connections to adjacent properties, existing and future trails, parks, open space, recreational facilities, schools, and other places of public gathering.
  - h. The PD zone district is not likely to result in significant adverse impacts to the natural environment, and significant scenic and historic features.
  - i. The PD zone district will not result in significant adverse impacts on properties in the vicinity of the PD zone district, or such impacts will be substantially mitigated.
  - j. Proposed uses will be compatible in scale with uses on properties in the vicinity of the PD zone district.
  - k. The residential areas of a PD zone district allocate a variety of housing types and densities appropriate to the size of the residential development area.
  - l. Visual relief is provided through building placement, shortened or interrupted street vistas, visual access to open space, parks, and other design methods.
  - m. The modifications permitted in the PD zone district have been made in exchange for greater public benefits that would not have otherwise be achieved through development under another zone district.
3. That the proposed Nine Mile Corner Planned Development Rezoning, subject to the following condition, will preserve the health, safety, welfare, and interest of the citizens of Erie, Colorado:
- a. Technical corrections to the Nine Mile Corner Planned Development – Development Plan shall be made to the Town’s satisfaction.

**Section 2. Conclusions and Order Recommending Approval to the Board of Trustees for the Nine Mile Corner Planned Development Rezoning.**

- 1. The applicant’s application and supporting documents are in substantial compliance with Municipal Code, Title 10.
- 2. Based on the above Findings of Fact, the Planning Commission hereby forwards the Nine Mile Corner Planned Development Rezoning application to the Board of Trustees with the Planning Commission’s recommendation for

approval with the condition listed above.  
**INTRODUCED, READ, SIGNED AND APPROVED** this 21<sup>st</sup> day of June 2017.

TOWN OF ERIE, PLANNING COMMISSION

By: \_\_\_\_\_  
J. Eric Bottenhorn, Chair

ATTEST:

By: \_\_\_\_\_  
Melinda Helmer, Secretary