

RESOLUTION NO. P18-11

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE SITE PLAN FOR ERIE COMMONS FILING NO. 4, 3RD AMENDMENT, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO.

WHEREAS, the Planning Commission of the Town of Erie, Colorado, has received and considered the Site Plan for 77 single-family attached townhome dwelling units in Erie Commons Filing No. 4, 3rd Amendment, on Wednesday, August 15, 2018, on the application of Century Communities, 8390 E. Crescent Parkway, Suite 650 Greenwood Village, CO, 80111 for the following real property; to wit:

Erie Commons, Filing 4, Lots 2 and 3, Block 6; Lots 1 and 2, Block 7; Lot 1, Block 8; and Tracts D, E, F, G and H, Town Of Erie, County Of Weld, State Of Colorado,

and has held at a public hearing on the proposed Site Plan on Wednesday, August 15th, 2018.

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 7.12.F.9 Approval Criteria:
 - a. The Site Plan is generally consistent with the Town's Comprehensive Master Plan;
 - b. The Site Plan is consistent with any previously approved subdivision plat, planned development, or any other precedent plan or land use approval as applicable;
 - 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;
 - d. Any significant adverse impacts reasonably anticipated to result from the use will be mitigated or offset to the maximum extent practicable; and
 - e. The development proposed on the Site Plan and its general location is or will be compatible with the character of 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. Erie Commons PD Amendment No. 8 shall be approved and recorded before the Site Plan approval comes into effect.
 - b. Erie Commons Filing No. 4, 3rd Amendment Final Plat shall be approved and recorded before the Site Plan approval comes into effect.
 - c. Staff may direct the consultants to make technical corrections to the documents.
 - d. The 8 unit building will have a unit removed from the middle of the building while maintaining the ranch style end units on the buildings; the eastern most building having 4 units and the western most building having 3 units.

4. Municipal Code 10.6.1.C “Alternative Equivalent Compliance”, permits a site-specific plan that that contains design standards equal to or better than the strict application of the design standards contained in the Municipal Code. The following requested change to the design standards, listed below after the Code citation being altered, is found to be equal to or better than the strict application of the design standards and are granted approval:
 - a. Municipal Code Section 10.6.7.F.e.ii.(B).(1) - “No more than 6 townhome dwelling units may be attached in any single row or building cluster.”
 - i. Alternative Equivalent Compliance: Allow the 8-plex building in Block 8 of Erie Commons Filing No. 4, 3rd Amendment to contain 8 units. The design provides single story ranch style townhomes on the end units which provide a more pedestrian friendly unit adjacent to Erie Parkway while also providing a dwelling unit that better accommodates aging seniors.
 - b. Municipal Code Section 10.6.7 F.1.d.ii.(C) “The maximum length of any multi-family building shall be 156 feet.”
 - i. Alternative Equivalent Compliance: Allow the 8-plex building in Block 8 of Erie Commons Filing No. 4, 3rd Amendment to be 190 feet in length. The design provides single story ranch style townhomes on the end units which provide a more pedestrian friendly unit adjacent to Erie Parkway while also providing a dwelling unit that better accommodates aging seniors.
 - c. Municipal Code Section 10.6.5.F.1.c.i - “All sidewalks, as required above, shall be detached from the adjacent street and separated by a tree lawn that is a minimum of 8 feet in width.”
 - i. Alternative Equivalent Compliance: Allow the tree lawn along Ambrose Street within Erie Commons Filing No. 4, 3rd Amendment to be 7.5 feet in width. The street right-of-way contains adequate room for the desired street pavement width for travel lanes and exceeds the local road standard requiring a 7 foot tree lawn.
 - d. Municipal Code Section 10.6.5.F.3.d - “The minimum width for a trail corridor shall be 30 feet.”
 - i. Alternative Equivalent Compliance: Allow the garden court in Tract Y west of Block 6 in Erie Commons Filing No. 4, 3rd Amendment to be 29.9 feet in width. The reduction is negligible from a pedestrian scale due to the additional building separation provided from the front setback of the townhome units along this garden court.
5. The design standards that have been granted approval for “Alternative Equivalent Compliance”, listed above, have met Erie Municipal Code, Title 10, Section 6.1C. Approval Criteria for “Alternative Equivalent Compliance”:
 - a. The proposed alternatives achieve the intent of the subject design standard to the same or better degree than the subject standard;
 - b. The proposed alternatives achieve the goals and policies of the Town’s Comprehensive Master Plan to the same or better degree than the subject standard;
 - c. The proposed alternatives result in benefits to the community that are equivalent to or better than compliance with the subject design standard;

Section 2. Conclusions and Order Recommending Approval of the Site Plan for 77 single-family

attached townhome dwelling units in Erie Commons Filing No. 4, 3rd Amendment.

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, with the following conditions, preserves the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado:
 - a. Erie Commons PD Amendment No. 8 shall be approved and recorded before the Site Plan approval comes into effect.
 - b. Erie Commons Filing No. 4, 3rd Amendment Final Plat shall be approved and recorded before the Site Plan approval comes into effect.
 - c. Staff may direct the consultants to make technical corrections to the documents.
 - d. The 8 unit building will have a unit removed from the middle of the building while maintaining the ranch style end units on the buildings; the eastern most building having 4 units and the western most building having 3 units.
4. Municipal Code 10.6.1.C "Alternative Equivalent Compliance", permits a site-specific plan that that contains design standards equal to or better than the strict application of the design standards contained in the Municipal Code. The requested changes to the design standards, listed above, are found to be equal to or better than the strict application of the design standards and are granted approval.
5. The design standards that have been granted approval for "Alternative Equivalent Compliance" have met Erie Municipal Code, Title 10, Section 6.1.C Approval Criteria for "Alternative Equivalent Compliance".

INTRODUCED, READ, SIGNED AND APPROVED this 15th day of August 2018.

TOWN OF ERIE, PLANNING COMMISSION

By: _____
J. Eric Bottenhorn, Chair

ATTEST:

By: _____
Melinda Helmer, Secretary