

**TOWN OF ERIE
BOARD OF TRUSTEES AGENDA ITEM
May 8, 2018**

SUBJECT: **Agenda #18-156:**
PUBLIC HEARING: A Resolution Regarding The Dearmin
Minor Subdivision Plat, Adopting Certain Findings Of Fact
And Conclusions Favorable To The Minor Subdivision Plat.

CODE REVIEW: Erie Municipal Code, Title 10

PURPOSE: Public hearing for consideration of a Minor Subdivision
application to subdivide one parcel into one tract and right of
way.

DEPARTMENT: Planning and Development

PRESENTER: Hannah Hippely, AICP, Senior Planner

STAFF RECOMMENDATION: Approval with Conditions
PLANNING COMMISSION RECOMMENDATION: Approval with Conditions

SUMMARY AND BACKGROUND OF SUBJECT MATTER

Owner: Erie Land Company LLC
1550 W. McEwan Drive Suite 200
Franklin, TN 37067

Location: North of CR 6 between CR 5 and CR 7.



Project Process and Summary:

Nonresidential Minor Subdivision plats require public hearings before the Planning Commission and Board of Trustees. Town staff has reviewed the Dearmin Minor Subdivision Plat and have found it to be in compliance with the Town Municipal Code. No public improvements are necessary or proposed at this time, since no lots are being created (the subdivision is creating a tract and right of way).

Project Description:

The Dearmin Minor Subdivision plat is platting one existing unsubdivided parcel into one tract and right of way.

Site Specific Information:

- Existing Use: Vacant Lot
- Property Size: 35.54 acres
- Zoning: Rural Preservation 3
- Subdivision Proposed: 1 Tract and Right of Way

Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	Agriculture/Open Space	Vacant Land
SOUTH	PD – Planned Development	Land Fill
EAST	Agricultural (Weld County)	Crestone Hub
WEST	Agriculture/Open Space	Vacant Land

Minor Subdivision Analysis

Staff finds the application is consistent with the Minor Subdivision Plat – Non-Residential Parcels approval criteria in Municipal Code, Section 10.7.7.F.10, as outlined below:

- a. The Minor Subdivision is generally consistent with the Town's Comprehensive Master Plan;

Staff: The application is in Compliance with the Land Use designation in the Comprehensive Plan, Land Use Plan Map which identify this area as Rural Residential. This subdivision does not change the development potential of the parcel as it is creating a tract and right of way.

- b. The Minor Subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located;

Staff: The Rural Preservation 3 (RP3) zoning district was a district carried forward from previous zoning regulations and it is an inactive zoning district. The purpose of the RP3 district according to the UDC is “to provide for areas to be free from the urban development for agricultural uses, preservation of wildlife habitat, view corridors, natural resources and open space, outdoor recreation and solid waste disposal and reclamation, and single-family dwellings at a gross density not to exceed 1 dwelling unit per 5 acres if not precluded by federal, state or other local ordinances”. This subdivision does not change the development potential of the parcel and thus remains consistent with the intent of the zoning district.

- c. As applicable, the Minor Subdivision is generally consistent with the terms and conditions of any previously approved development Plan;

Staff: As property which has never been subdivided there is not a previously approved development plan relevant for consideration.

- d. The Minor Subdivision complies with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of this UDC that have not otherwise been modified or waived pursuant to this Chapter. Applicants shall refer to the Development Standards in Chapter 5 of this UDC and shall consider them in the layout of the subdivision in order to avoid creating lots or patterns of lots in the subdivision that will make compliance with such development and design standards difficult or infeasible;

Staff: The design of the Minor Subdivision plat takes into account applicable use, Development and Design Standards of Chapters 3, 5, and 6 of Municipal Code Title 10.

- e. The Minor Subdivision complies with all applicable regulations, standards, requirements, or plans of the Federal or State governments and other relevant jurisdictions, including but not limited to wetlands, water quality, erosion control, and wastewater regulations;

Staff: The Minor Subdivision plat complies with applicable regulations, standards and requirements of Federal, State and local governments and agencies.

- f. The Minor Subdivision will not result in significant adverse impacts on the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

Staff: Significant impacts for the natural environment are not anticipated to result from this subdivision.

- g. The Minor Subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features;

Staff: The Minor Subdivision plat provides connection to the adjacent roadway along the CR 6 frontage.

- h. The Minor Subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated;

Staff: The Minor Subdivision plat will not have significant adverse impacts on adjacent properties.

- i. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the subject property, while maintaining sufficient levels of service to existing development;

Staff: This subdivision does not generate needs for services and facilities.

- j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

Staff: This subdivision is not related to a proposed development plan.

Neighborhood Meeting:

As allowed by the Municipal Code the Neighborhood Meeting requirement was waived by the Community Development Director as the subdivision does not result in development and thus there are no impacts to traffic, natural resources, or public services, and no development or operational compatibility concerns.

Public Notice:

The required notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	April 18, 2018
Property Posted:	April 17, 2018
Letters to Adjacent Property Owners within 300':	April 17, 2018