

RESOLUTION NO. P18-07

A RESOLUTION REGARDING THE DEARMIN MINOR SUBDIVISION PLAT, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE MINOR SUBDIVISION PLAT.

WHEREAS, the Planning Commission of the Town of Erie, Colorado, considered the Dearmin Minor Subdivision plat, at a public hearing, on Wednesday, April 18, 2018, on the application of Erie Land Company LLC, 1550 W. McEwan Drive Suite 200, Franklin, TN, 37067 representing the owner of the following real property; to wit:

See Exhibit A.

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 Minor Subdivision Plat has met Erie Municipal Code, Title 10, Section 7.7.F.10 Approval Criteria:

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

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;

The Rural Preservation 3 (RP3) zoning district was a district carried forward from previous zoning regulations and 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;

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;

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;

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;

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;

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;

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;

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.

This subdivision is not related to a proposed development plan.

- 3. The Minor Subdivision Plat as proposed, subject to the following conditions, will preserve the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado.

- a. Prior to recordation of the Minor Subdivision plat, technical corrections to the plat shall be made to the Town's satisfaction.

Section 2. Conclusions and Order Recommending Approval of the Dearmin Minor Subdivision Plat.

- 1. The applicant's application and supporting documents are in substantial compliance with the Town of Erie Municipal Code, Title 10.
- 2. The Minor Subdivision Plat as proposed, subject to the conditions listed above, will preserve the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado.

INTRODUCED, READ, SIGNED AND APPROVED this 18th day of April, 2018.

TOWN OF ERIE, PLANNING COMMISSION

J. Eric Bottenhorn, Chair

ATTEST:

Melinda Helmer, Secretary

Exhibit A

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 1NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 21, AND CONSIDERING THE NORTHERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21 TO BEAR NORTH 89°38'17" EAST WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO;

THENCE SOUTH 00°16'01" EAST ALONG THE EASTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 21 A DISTANCE OF 2,649.90 FEET TO THE CENTER CORNER OF SAID SECTION 21;

THENCE SOUTH 00°16'04" EAST ALONG THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21 A DISTANCE OF 1,281.03 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE COMMUNITY DITCH AS DESCRIBED IN BOOK 63, PAGE 464, RECEPTION NO. 23030 OF THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER AND THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EASTERLY LINE OF THE SOUTHWEST QUARTER OF SECTION 21 SOUTH 00°16'04" EAST A DISTANCE OF 1,339.39 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WELD COUNTY ROAD 6 AS DESCRIBED IN COMMISSIONERS BOOK 86, PAGE 273 OF THE RECORDS OF THE WELD COUNTY COMMISSIONERS;

THENCE SOUTH 89°25'57" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 551.20 TO A POINT ON THE EASTERLY BOUNDARY OF SAID COMMUNITY DITCH;

THENCE ALONG SAID EASTERLY BOUNDARY OF THE COMMUNITY DITCH THE FOLLOWING TWENTY-ONE (21) COURSES:

1) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 10°05'03", A RADIUS OF 525.00 FEET, AN ARC LENGTH OF 92.40 FEET AND A CHORD THAT BEARS NORTH 55°05'16" WEST A DISTANCE OF 92.28 FEET;

2) NORTH 60°07'47" WEST A DISTANCE OF 347.74 FEET TO A POINT OF CURVATURE;

3) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF 22°03'40", A RADIUS OF 625.00 FEET, AN ARC LENGTH OF 240.65 FEET AND A CHORD THAT BEARS NORTH 71°09'37" WEST A DISTANCE OF 239.17 FEET;

4) NORTH 82°11'27" WEST A DISTANCE OF 100.58 FEET TO A POINT OF CURVATURE;

5) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF 24°57'41", A RADIUS OF 375.00 FEET, AN ARC LENGTH OF 163.37 FEET AND A CHORD THAT BEARS NORTH 69°42'37" WEST A DISTANCE OF 162.08 FEET;

6) NORTH 57°13'46" WEST A DISTANCE OF 50.68 FEET TO A POINT OF CURVATURE;

- 7) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF $39^{\circ}02'42''$, A RADIUS OF 125.00 FEET, AN ARC LENGTH OF 85.18 FEET AND A CHORD THAT BEARS NORTH $37^{\circ}42'25''$ WEST A DISTANCE OF 83.54 FEET;
- 8) NORTH $18^{\circ}11'03''$ WEST A DISTANCE OF 8.91 FEET TO A POINT OF CURVATURE;
- 9) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF $62^{\circ}08'24''$, A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 189.80 FEET AND A CHORD THAT BEARS NORTH $12^{\circ}53'09''$ EAST A DISTANCE OF 180.63 FEET;
- 10) NORTH $43^{\circ}57'21''$ EAST A DISTANCE OF 170.26 FEET;
- 11) NORTH $41^{\circ}54'01''$ EAST A DISTANCE OF 127.12 FEET;
- 12) NORTH $43^{\circ}18'24''$ EAST A DISTANCE OF 275.73 FEET;
- 13) NORTH $40^{\circ}03'31''$ EAST A DISTANCE OF 201.21 FEET TO A POINT OF CURVATURE;
- 14) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF $13^{\circ}09'14''$, A RADIUS OF 375.00 FEET, AN ARC LENGTH OF 86.09 FEET AND A CHORD THAT BEARS NORTH $46^{\circ}38'08''$ EAST A DISTANCE OF 85.90 FEET;
- 15) NORTH $53^{\circ}12'44''$ EAST A DISTANCE OF 80.82 FEET TO A POINT OF CURVATURE;
- 16) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF $34^{\circ}36'07''$, A RADIUS OF 275.00 FEET, AN ARC LENGTH OF 166.08 FEET AND A CHORD THAT BEARS NORTH $70^{\circ}30'47''$ EAST A DISTANCE OF 163.57 FEET;
- 17) NORTH $87^{\circ}48'52''$ EAST A DISTANCE OF 145.31 FEET TO A POINT OF CURVATURE;
- 18) ALONG A CURVE TO THE RIGHT HAVING A CENTRAL ANGLE OF $15^{\circ}24'26''$, A RADIUS OF 375.00 FEET, AN ARC LENGTH OF 100.84 FEET AND A CHORD THAT BEARS NORTH $84^{\circ}28'55''$ EAST A DISTANCE OF 100.54 FEET;
- 19) SOUTH $76^{\circ}46'42''$ EAST A DISTANCE OF 223.90 FEET TO A POINT OF CURVATURE;
- 20) ALONG A CURVE TO THE LEFT HAVING A CENTRAL ANGLE OF $26^{\circ}32'10''$, A RADIUS OF 275.00 FEET, AN ARC LENGTH OF 127.36 FEET AND A CHORD THAT BEARS NORTH $89^{\circ}57'13''$ EAST A DISTANCE OF 126.23 FEET;
- 21) NORTH $76^{\circ}41'08''$ EAST A DISTANCE OF 65.60 FEET TO THE POINT OF BEGINNING.