

**TOWN OF ERIE
RESOLUTION 19-__**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF ERIE
APPROVING WITH CONDITIONS ERIE HIGHLANDS PRELIMINARY PLAT No.
3.**

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, has received and considered Erie Highlands Preliminary Plat No. 3, on the application of Clayton Properties Group II, Inc., 4908 Tower Road, Denver CO 80249 for the following real property; to wit:

Tract K and Tract L Erie Highlands Filing No. 11 A Portion of Section 20, Township 1 North, Range 68 West of the 6th Principle Meridian, Town of Erie, County of Weld, State of Colorado,

WHEREAS, the Planning Commission of the Town of Erie, Colorado, conducted a public hearing for Erie Highlands Preliminary Plat No. 3 on December 5, 2018, and recommended the Board of Trustees approve Erie Highlands Preliminary Plat No. 3 with conditions; and,

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, conducted a public hearing for Erie Highlands Preliminary Plat No. 3 on January 8, 2019; and,

WHEREAS, the Preliminary Plat is detailed on the attached "Exhibit A" Erie Highlands Preliminary Plat No. 3; and,

WHEREAS, said Erie Highlands Preliminary Plat No. 3 is incorporated herein and made part hereof by this reference.

NOW BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF ERIE, COLORADO, THAT:

Section 1. Findings of Fact.

1. The applicant's application and supporting documents are in substantial compliance with the Erie Municipal Code, Title 10.
2. The Preliminary Plat has met Erie Municipal Code Title 10, Section 10.7.7 C.10.
Approval Criteria:
 - a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.
 - b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.
 - c. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas, protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of this UDC.
 - d. The 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 or this UDC. 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.

- e. The 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.
 - f. The 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.
 - g. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.
 - h. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated.
 - 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.
 - j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.
3. The Erie Highlands PUD shall be followed in the development of the property.
 4. A detailed Development Agreement (DA) will be required at such time as the property is approved for the final plat.
 5. The Preliminary Plat as proposed, will preserve the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado.

Section 2. Decision.

1. Based on the foregoing findings of fact, Erie Highlands Preliminary Plat No. 3 is hereby approved with the following conditions:
 - a. The Erie Highlands Planned Unit Development shall be followed in the development of the Property;
 - b. At the time of final plat, Applicant shall executed a detailed Development Agreement, in the form provided by the Town;
 - c. Applicant shall remove the gas line located perpendicular to Erie Parkway (Reception No. 4351303) and vacate the associated easements, and Applicant shall submit appropriate documentation to the Town with the final plat application;
 - d. With the final plat application, Applicant shall submit the additional geotechnical studies proposed in the response to the CGS comments related to expansive soils and bedrock;
 - e. Applicant shall remove the existing oil and gas access road (for Encana and Kerr-McGee), relocate it from WCR 5 to Glacier Drive, and remove the existing access road, and Applicant shall submit appropriate documentation to the Town, including final construction documents, with the final plat application;

- f. In the final plat application, Applicant shall clarify the width and location of the existing gas line located along CR 5, as set forth in Reception No. 2331355 and the associated surface use agreement recorded at Reception No. 3952706; and
- g. Applicant shall make technical corrections to the Erie Highlands Preliminary Plat No. 3, as directed by Town staff.

ADOPTED this 8th day of December, 2019.

Jennifer Carroll, Mayor

ATTEST:

Jessica Koenig, Town Clerk

ERIE HIGHLANDS PRELIMINARY PLAT NO. 3

A REPLAT OF TRACTS K AND L, ERIE HIGHLANDS FILING NO. 11
 LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
 TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO.
 86.879 ACRES - 103 LOTS, 6 TRACTS
 PP-000924-2017

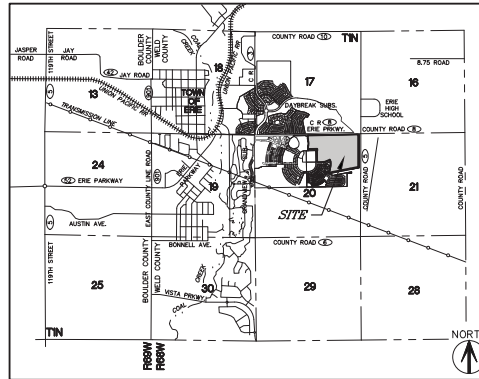
LEGAL DESCRIPTION

TRACTS K AND L, ERIE HIGHLANDS FILING NO. 11, AS RECORDED UNDER RECEPTION NO. 4291875 OF THE RECORDS OF THE WELD COUNTY CLERK AND RECORDER'S OFFICE, LOCATED IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO.

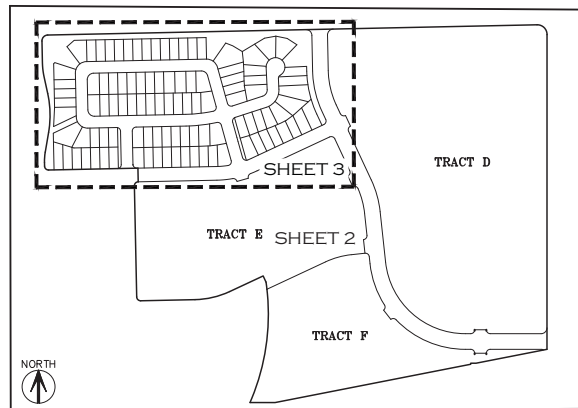
CONTAINING AN AREA OF 86.879 ACRES, (3,784,477 SQUARE FEET), MORE OR LESS.

GENERAL NOTES

- THE FIELD WORK FOR THIS PLAT WAS PERFORMED BY AN AZTEC CONSULTANTS, INC. SURVEYOR AND COMPLETED ON JUNE 9, 2017.
- PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET, ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
- ADJACENT CITY ZONING BASED ON TOWN OF ERIE ZONING MAP WITH A REVISION DATE OF 10/16/2017. COUNTY ZONING INFORMATION FROM COUNTY WEBSITE ZONING MAP APPLICATION ACCESSED 08/15/2017.
- NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.
- NOTICE: PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 6.2.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF.
- THE PROPERTY DESCRIBED HEREON IS THE SAME AS THE PROPERTY DESCRIBED IN STEWART TITLE GUARANTY COMPANY COMMITMENT FILE NO. 17000310774-AMENDMENT NO. 1, WITH AN EFFECTIVE DATE OF SEPTEMBER 18, 2017 AT 5:30 P.M. AND THAT ALL EASEMENTS, COVENANTS AND RESTRICTIONS REFERENCED IN SAID TITLE COMMITMENT OR APPARENT FROM A PHYSICAL INSPECTION OF THE SITE OR OTHERWISE KNOWN TO ME HAVE BEEN PLOTTED HEREON OR OTHERWISE NOTED AS TO THEIR EFFECT ON THE SUBJECT PROPERTY.
- PLEASE REFER TO THE ENCANIA SURFACE USE AGREEMENT RECORDED UNDER RECEPTION NO. 3982954 FOR ALL SETBACK AND USE RESTRICTIONS.
- PLEASE REFER TO THE KERR-MCGEE SURFACE USE AGREEMENT RECORDED UNDER RECEPTION NO. 3952706 FOR ALL SETBACK AND USE RESTRICTIONS.
- PROPOSED TEMPORARY CONSTRUCTION AND PIPE LINE EASEMENTS ARE SHOWN HEREON BASED ON GRAPHICAL REPRESENTATION OF EXHIBIT D WITHIN THE SURFACE USE AGREEMENT RECORDED UNDER RECEPTION NO. 3952706.
- THE PROPERTY WITHIN THE ERIE HIGHLANDS PRELIMINARY PLAT NO. 3 IS SUBJECT TO A PERMANENT AVIGATION EASEMENT AS DESCRIBED WITHIN THE AGREEMENT RECORDED UNDER RECEPTION NO. 3984166.
- TRACTS A, B AND C ARE PUBLIC ACCESS EASEMENTS IN THEIR ENTIRETY.
- BASIS OF BEARINGS: THE BEARINGS SHOWN HEREON ARE BASED UPON THE NORTH LINE OF THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF WELD, STATE OF COLORADO, ASSUMED TO BEAR NORTH 88°48'06" EAST, A DISTANCE OF 2648.24 FEET; MONUMENTED AT THE NORTH QUARTER CORNER OF SECTION 20 BY A NO. 6 REBAR WITH 2-1/2" ALUMINUM CAP STAMPED "LS 28258" IN A MONUMENT BOX, AND MONUMENTED AT THE NORTHEAST CORNER OF SECTION 20 BY A NO. 6 REBAR WITH 2-1/2" ALUMINUM CAP STAMPED "PLS 23501" IN A MONUMENT BOX.
- FLOODPLAIN: BASED ON A GRAPHICAL REPRESENTATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP NO. 8801300442G, PANEL 442 OF 615 (FIRM INDEX MAP NO. 080300028 DATED DECEMBER 18, 2012 PANEL 442 WAS NOT PRINTED) THE SUBJECT PROPERTY LIES WITHIN "ZONE X", BEING DEFINED AS "OTHER AREAS ... DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN".



VICINITY MAP
SCALE: 1"=3000'



KEY MAP
1"=300'

SHEET INDEX

- SHEET 1 - COVER, LEGAL DESCRIPTION, NOTES, VICINITY MAP
 SHEET 2 - OVERALL BOUNDARY, LARGE TRACT DETAIL
 SHEET 3 - LOT DETAIL

LAND SUMMARY TABLE				
TRACT	AREA (SQ.FT)	AREA (AC. ±)	USE	OWNED BY / MAINTAINED BY
TRACT A	133,512	3.065	PUBLIC ACCESS, LANDSCAPE, UTILITIES	METRO DIST./METRO. DIST.
TRACT B	3,256	0.075	PUBLIC ACCESS, LANDSCAPE, UTILITIES	METRO DIST./METRO. DIST.
TRACT C	2,980	0.068	PUBLIC ACCESS, LANDSCAPE, UTILITIES	METRO DIST./METRO. DIST.
TRACT D	1,444,422	33.159	FUTURE DEVELOPMENT	OWNER
TRACT E	678,023	15.588	FUTURE DEVELOPMENT	OWNER
TRACT F	479,509	11.008	FUTURE DEVELOPMENT	OWNER
TOTAL	2,740,566	62.914		

TRACT SUMMARY CHART			
TYPE	AREA (S.F.)	AREA (AC.)	% OF TOTAL AREA
LOTS	605,662	13.904	16.00%
TRACTS	2,740,566	62.914	72.42%
PUBLIC ROW	438,249	10.061	11.58%
TOTAL	3,784,477	86.879	100%

LINE TABLE			CURVE TABLE			CURVE TABLE				
LINE	BEARING	LENGTH	CURVE	DELTA	RADIUS	LENGTH	CURVE	DELTA	RADIUS	LENGTH
L1	N24°54'46"W	34.89'	C1	91°2'20"	50.00'	79.59'	C26	26°43'01"	30.00'	13.99'
L2	S84°58'03"W	189.11'	C2	151°37'	1135.00'	36.85'	C27	90°00'00"	20.00'	31.42'
L4	N01°11'21"W	19.26'	C3	235°0'36"	440.00'	183.10'	C28	185°15'00"	415.00'	136.63'
L5	N09°40'12"E	102.30'	C4	90°00'00"	20.00'	31.42'	C29	92°32'33"	510.00'	80.49'
L6	N12°19'51"W	86.09'	C5	90°00'00"	20.00'	31.42'	C30	84°30'12"	20.00'	29.53'
L7	N01°11'21"W	111.26'	C6	90°00'00"	20.00'	31.42'	C31	84°30'12"	20.00'	29.53'
L8	S89°59'35"E	60.00'	C7	105°13'15"	277.00'	52.50'	C32	375°28'28"	510.00'	25.38'
L9	N89°59'35"W	27.85'	C8	22°00'02"	523.00'	200.82'	C33	90°00'00"	20.00'	31.42'
			C9	11°08'30"	377.00'	73.31'	C34	90°00'00"	58.00'	91.11'
			C10	89°59'27"	30.00'	47.12'	C35	96°50'14"	20.00'	33.80'
			C11	89°59'27"	30.00'	47.12'	C36	079°20'20"	803.00'	21.78'
			C12	235°0'36"	435.00'	181.89'	C37	86°37'40"	20.00'	30.24'
			C13	185°15'00"	315.00'	169.56'	C38	90°00'00"	20.00'	31.42'
			C14	75°31'21"	20.00'	26.36'	C39	90°00'00"	33.00'	51.84'
			C15	92°26'48"	20.00'	32.27'	C40	90°00'00"	33.00'	51.84'
			C16	74°45'04"	33.00'	43.05'	C41	75°41'59"	33.00'	43.60'
			C17	61°55'39"	20.00'	21.62'	C42	87°49'21"	20.00'	32.75'
			C18	87°33'16"	20.00'	30.56'	C43	75°41'59"	58.00'	76.63'
			C19	070°20'20"	7970.00'	21.62'	C44	241°56'39"	48.00'	202.68'
			C20	96°50'14"	20.00'	33.80'	C45	90°00'00"	20.00'	31.42'
			C21	233°02'	440.00'	19.59'	C46	90°00'00"	20.00'	31.42'
			C22	90°00'00"	20.00'	31.42'	C47	90°00'00"	20.00'	31.42'
			C23	90°00'48"	30.00'	47.13'	C48	90°00'00"	20.00'	31.42'
			C24	89°59'12"	30.00'	47.12'	C49	90°00'00"	20.00'	31.42'
			C25	90°00'00"	30.00'	47.12'	C50	90°00'00"	20.00'	31.42'

FOR REVIEW

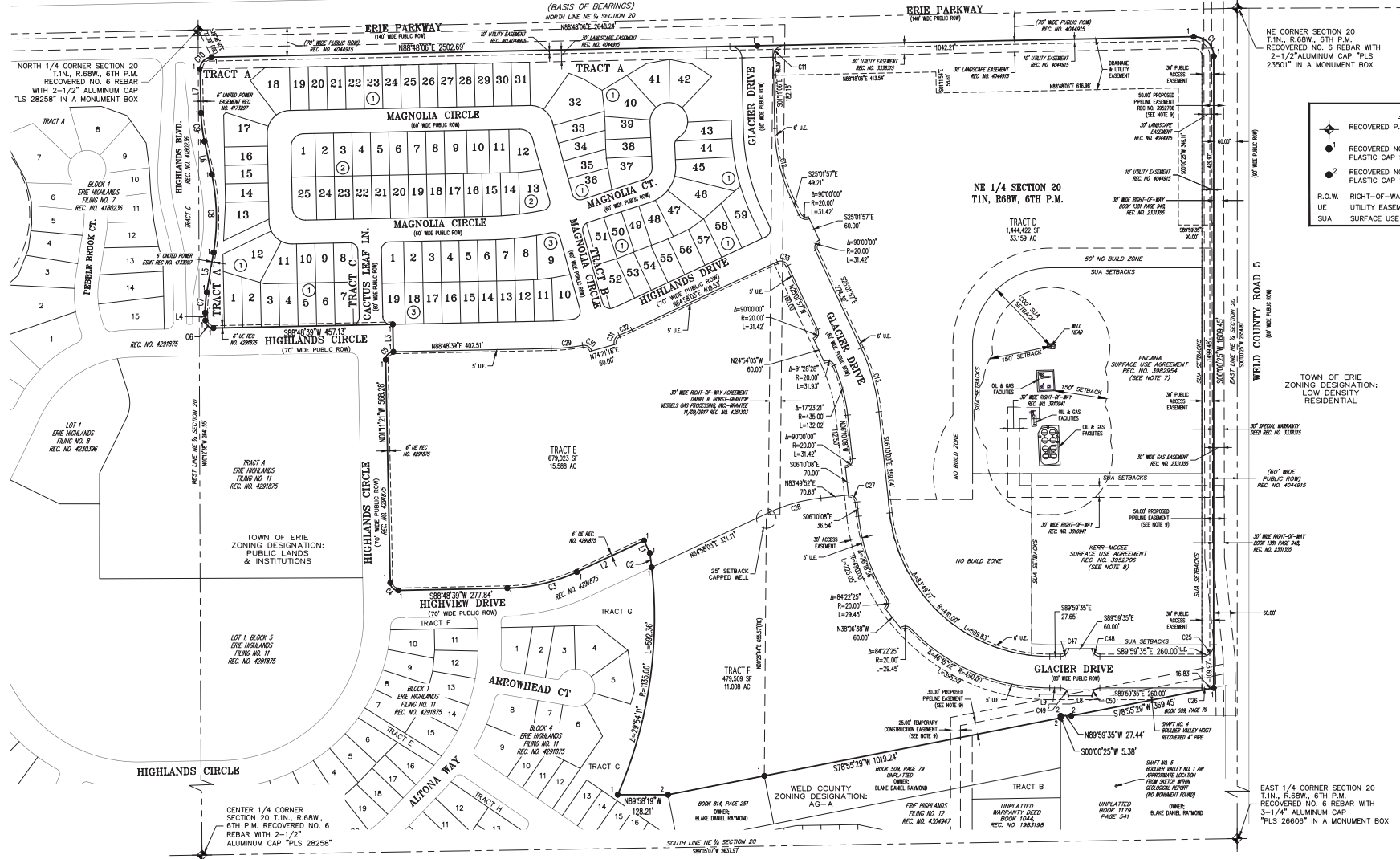
FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

<p>Aztec Proj. No: 1827-26</p>	REVISIONS			DATE OF PREPARATION:	2017-09-18
	DATE	DESCRIPTION	BY	SCALE	NA
	09/12/17	ADDRESS TOWN COMMENTS	TP		
	07/27/17	ADDRESS TOWN COMMENTS	TP		
	06/24/17	ADDRESS TOWN COMMENTS	TP		
05/22/17	ADDRESS TOWN COMMENTS	TP			
03/21/17	ADDRESS TOWN COMMENTS	TP			

ERIE HIGHLANDS PRELIMINARY PLAT NO. 3

PP-000924-2017

TOWN OF ERIE
ZONING DESIGNATION:
LOW DENSITY RESIDENTIAL



LEGEND

- ◆ RECOVERED P.L.S.S. CORNER STAMPED AS NOTED
- ① RECOVERED NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP STAMPED "AZTEC PLS 38064"
- ② RECOVERED NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP STAMPED "PLS 28286"
- R.O.W. RIGHT-OF-WAY
- UE UTILITY EASEMENT
- SUA SURFACE USE AGREEMENT

NE CORNER SECTION 20
T.1N., R.6W., 6TH P.M.
RECOVERED NO. 6 REBAR WITH
2-1/2" ALUMINUM CAP "PLS
23501" IN A MONUMENT BOX

TOWN OF ERIE
ZONING DESIGNATION:
LOW DENSITY
RESIDENTIAL

EAST 1/4 CORNER SECTION 20
T.1N., R.6W., 6TH P.M.
RECOVERED NO. 6 REBAR WITH
3-1/4" ALUMINUM CAP
"PLS 26606" IN A MONUMENT BOX

FOR REVIEW
FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

NOTE: SEE SHEET 1 FOR LINE
AND CURVE TABLE INFORMATION

<p>AZTEC CONSULTANTS, INC.</p> <p>399 East Mansard Ave., Suite 1 Littleton, Colorado 80122 Phone: (303) 733-1887 Fax: (303) 733-1887 www.aztecinc.com</p>		DATE OF PREPARATION: 2017-09-18
		SCALE: 1"=120' SHEET 2 OF 3

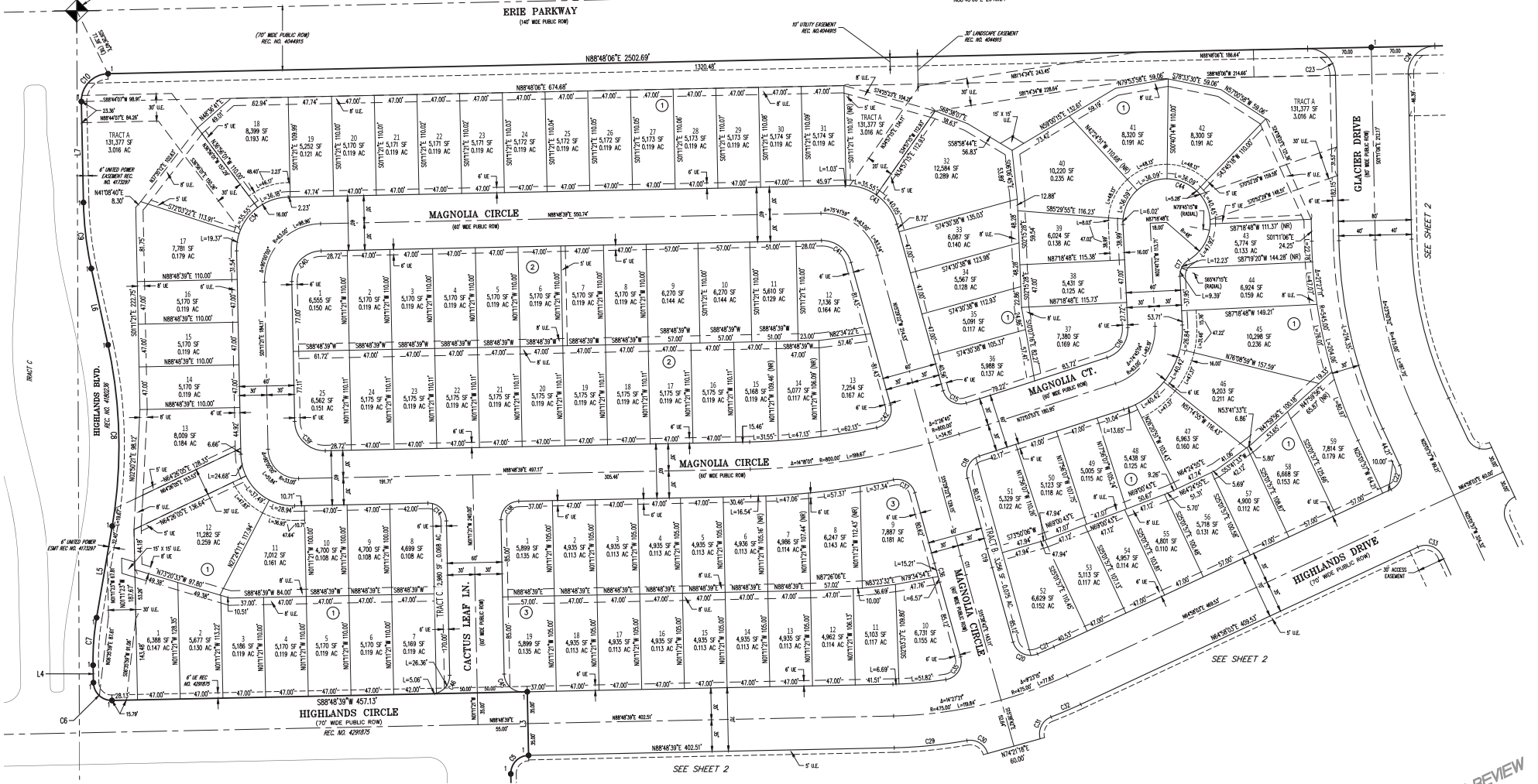
Aztec Proj. No: 1927-26

ERIE HIGHLANDS PRELIMINARY PLAT NO. 3

PP-000924-2017

NORTH 1/4 CORNER SECTION 20
T.1N., R.6W., 6TH P.M.
RECOVERED NO. 6 REBAR
WITH 2-1/2" ALUMINUM CAP
"LS 28258" IN A MONUMENT BOX

(BASIS OF BEARINGS)
NORTH LINE NE 1/4 SECTION 20
N88°48'06"E 2848.24'



LEGEND

- RECOVERED P.L.S.S. CORNER STAMPED AS NOTED
- RECOVERED NO. 5 REBAR WITH 1-1/4" ORANGE PLASTIC CAP STAMPED "AZTEC PLS 38064"
- R.O.W. RIGHT-OF-WAY
- (NR) NON RADIAL
- UE UTILITY EASEMENT

NOTE: SEE SHEET 1 FOR LINE AND CURVE TABLE INFORMATION

AZTEC
CONSULTANTS, INC.

399 East Mineral Ave., Suite 1
Littleton, Colorado 80122
Phone: (303) 733-8888
Fax: (303) 733-1897
www.aztecconsultants.com

Aztec Proj. No: 1927-26

1 inch = 50 ft.

FOR AND ON BEHALF OF
AZTEC CONSULTANTS, INC.

DATE OF PREPARATION: 2007-09-18

SCALE: 1"=50'

SHEET 3 OF 3

FOR REVIEW