

TOWN OF ERIE
BOARD OF TRUSTEE AGENDA ITEM
Board Meeting Date: October 11, 2016

SUBJECT: **LAND DEVELOPMENT RESOLUTIONS AND ORDINANCES:**
Consideration Of A Resolution Regarding The Schmidt Property Annexation;
Adopting Certain Findings Of Fact And Conclusions Favorable To The
Annexation.

CODE: Erie Municipal Code, Title 10

PURPOSE: The applicant requests annexation to the Town of Erie. The resolution adopts
Findings of Fact favorable to the Annexation.

DEPARTMENT: Community Development

PRESENTER: R. Martin Ostholthoff, Director

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|---------------------|-----------------------------|---|
| FISCAL | Cost as Recommended: | n/a |
| INFORMATION: | Balance Available: | n/a |
| | Budget Line Item Number: | 000 . 00 . 000 . 000000 . 000000 |
| | New Appropriation Required: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

STAFF
RECOMMENDATION: Approval.

PLANNING
COMMISSION
RECOMMENDATION: Not applicable

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

**Land Owner/
Applicant:** TI Residential, LLC
Attn: Bryan Horan
4 Inverness Court, Suite 300
Englewood, CO 80112
(303)468-6700

Estate of Sue Owen Schmidt
Attn: Delilah Morrison
12587 Jay Road
Erie, CO 80516

Location: The subject property is located along the north side of Jay Road, west of
County Line Road and south of the Erie Village subdivision and is generally
described as the a portion of Section 13, Township 1 North, Range 69 West of
the 6th Principle Meridian. The site is highlighted in red below.



BACKGROUND INFORMATION:

TI Residential, LLC and the Estate of Sue Owen Schmidt, the owners of certain property in Section 13, Township 1 North, Range 69 West of the 6th Principal Meridian, have submitted Petitions for Annexation for approximately 90 acres of unincorporated Boulder County property into the Town of Erie. The applications have been processed in accordance with C.R.S. 31-12-101, et seq., as amended, and Section 7.3, of the Town of Erie Unified Development Code.

On August 23, 2016 the Board of Trustees accepted the petitions for annexation, found them to be in Substantial Compliance with the applicable requirements of C.R.S. 31-12-101 *et seq.*, and established October 11, 2016 as the Public Hearing date for the Annexation for adopting Findings of Fact in favor of the proposed annexation.

Existing Zoning: A – Agricultural (Boulder County)

Comprehensive Plan: LDR – Low Density Residential
P/OS – Parks and Public Open Space

Proposed Zoning: LR – Low Density Residential, and
AG/OS – Agricultural/Open Space

Adjacent Zoning and Comprehensive Plan Land Use Designation:

| | CURRENT ZONING | COMPREHENSIVE PLAN – LAND USE MAP DESIGNATION |
|-------|--|---|
| NORTH | PD – Planned Development (Erie Village subdivision) | LDR – Low Density Residential |

| | | |
|--------------|--|---|
| SOUTH | RR – Rural Residential (Boulder County) | MDR – Medium Density Residential |
| | A - Agricultural (Boulder County) | MDR – Medium Density Residential |
| EAST | SR – Suburban Residential (Lost Creek Farm subdivision) | LDR – Low Density Residential |
| WEST | A - Agricultural (Boulder County) | LDR – Low Density Residential and P/OS – Parks/Public Open Space |

STAFF ANALYSIS AND FINDING’S

Compliance with Town Standards:

Staff finds the application in compliance with Section 7.3, Annexations, of Title 10 of the Municipal Code and with C.R.S. 31-12-108.

1. **THE ANNEXATION IS IN COMPLIANCE WITH THE MUNICIPAL ANNEXATION ACT OF 1965 (C.R.S. 31-12-101, ET SEQ., AS AMENDED).**

Staff Comment: The application has been found to be in compliance with C.R.S. 31-12-101.

Public Notice:

The Annexation is in compliance with the required noticing requirements of C.R.S. 31-12-108; with published notice in the Colorado Hometown Weekly, on August 31, 2016; September 7, 2016; September 14, 2016; and September 21, 2016.
