

**TOWN OF ERIE
PLANNING COMMISSION
RESOLUTION NO. P19-07**

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF ERIE RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE A SPECIAL REVIEW USE FOR AN ACCESSORY DWELLING UNIT, AT BLOCK 5, LOT 1, MAIN STREET SUBDIVISION.

WHEREAS, Old Town Living, LLC, 1036 Walnut Street, Louisville CO 80027 ("Applicant") owns certain real property legally described as Block 5, Lot 1, Main Street Subdivision (the "Property");

WHEREAS, on February 17, 2017, Applicant filed an application for approval of a special review use on the Property (the "Application");

WHEREAS, on April 3, 2019, the Planning Commission held a properly-noticed public hearing on the Application and recommended that the Board of Trustees approve the Application with conditions; and

WHEREAS, the Planning Commission, upon hearing the statements of staff and the public, and giving due consideration to the matter, finds and determines as provided below.

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

Section 1. Findings. Subject to the conditions imposed below, the Planning Commission hereby finds that the Application meets the criteria set forth in Section 7.7.C.9 of Title 10 of the Code, as follows:

- a. The special review use is consistent with the Comprehensive Plan and all applicable provisions of the Code and applicable law.
- b. The special review use is consistent with the purpose and intent of the zone district in which it is located;
- c. The special review use is consistent with any applicable use-specific standards set forth in Section 3.2 of the Code.
- d. The special review use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).
- e. Any significant adverse impacts anticipated to result from the special review use will be mitigated or offset to the maximum extent practicable.

f. Facilities and services (including sewage and waste disposal, water, gas, election, police and fire protection, and roads and transportation, as applicable) will be available to serve the Property while maintaining adequate levels of service for existing development.

g. Adequate assurances of continuing maintenance have been provided.

h. Any significant adverse impacts of the special review use on the natural environment will be mitigated to the maximum extent practicable.

Section 2. Decision. Based on the foregoing findings, the Planning Commission hereby recommends that the Board of Trustees approve the special review use as described in the Application, subject to the following conditions:

a. The Final Plat shall be approved and recorded before the Special Review Use approval comes into effect.

b. The Site Plan shall be approved before the Special Review Use approval comes into effect.

c. Within 60 days of the date of this Resolution, Applicant shall make technical corrections to the Application and supporting documentation as required by the Town.

ADOPTED this ____ day of _____, 2019.

J. Eric Bottenhorn, Chair

ATTEST:

Melinda Helmer, Secretary