

RESOLUTION NO. 17-____

A RESOLUTION MAKING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE SPECIAL REVIEW USE FOR A VERIZON WIRELESS, TELECOMMUNICATION FACILITY, CONCEALED ANTENNA AND TOWER, AT 2700 VISTA PARKWAY, TRACT 15, VISTA RIDGE MASTER FINAL PLAT, TOWN OF ERIE, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Board of Trustees of the Town of Erie, Colorado, conducted a public hearing, Tuesday, April 25, 2017, pursuant to the published notice, on the Special Review Use application for a Verizon Wireless, Telecommunication Facility, Concealed Antenna And Tower, at 2700 Vista Parkway Erie, Colorado, on the application of Retherford Enterprises/Verizon Wireless, 7093 Silverthorn Drive, Evergreen, Colorado, 80439 for the following real property; to wit:

Tract 15, Vista Ridge Master Final Plat, Town of Erie, County of Weld, State of Colorado; and

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

Section 1. Findings of Fact.

1. The application and supporting documents are in substantial compliance with the Town of Erie Municipal Code, Title 10.
2. The Special Review Use has met Town of Erie Municipal Code, Title 10 Section 7.13.C.9 Approval Criteria:

- a. The proposed use is generally consistent with the Town's Comprehensive Master Plan and all applicable provisions of this UDC and applicable State and Federal regulations;

Per the UDC, this proposal also requires a Site Plan approval, therefore the Special Review Use is conditioned on the approval and execution of the Site Plan for 2700 Vista Parkway.

Since issue related to the impact on the Erie Airport and FAA compliance remains unresolved at this time, as a condition of approval, staff recommends that prior to issuance of a building permit for this facility, the applicant shall demonstrate to staff's satisfaction that the issues and concerns raised by the airport manager have been fully addressed.

- b. The proposed use is generally consistent with the purpose and intent of the zoning district in which it is located;
- c. The proposed use is generally consistent with any applicable use-specific standards set forth in Section 3.2;

This criterion can be met with the condition that the applicant shall provide details of the windows at the time of building permit for review and approval by staff prior to issuance of the building permit.

- d. The proposed 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 use will be mitigated or offset to the maximum extent reasonably practicable;
 - f. Facilities and services (including sewage and waste disposal, water, gas, election, police and fire protection, and streets and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;
 - g. Adequate assurances of continuing maintenance have been provided; and
 - h. Any significant adverse impacts on the natural environment will be mitigated to the maximum extent reasonably practicable.
3. The Special Review Use as proposed preserves the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado.

Section 2. Conclusions and Order Recommending Approval with Conditions to the Board of Trustees of the Special Review Use for a Verizon Wireless, Telecommunication Facility, Concealed Antenna And Tower, at 2700 Vista Parkway, Erie, Colorado.

- 1. The application and supporting documents are in substantial compliance with the Town of Erie Municipal Code, Title 10.
- 2. The Special Review Use has met Title 10, Section 7.13.C.9 Approval Criteria.
- 3. The Special Review Use as proposed, with the following conditions, preserves the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado:
 - a. Approval of the Special Review Use is conditioned on the approval and execution of the Site Plan for 2700 Vista Parkway.
 - b. Prior to issuance of a building permit for this facility, the applicant shall demonstrate to staff's satisfaction that the issues and concerns raised by the airport manager have been fully addressed.
 - c. The applicant shall provide details of the windows at the time of building permit for review and approval by staff prior to issuance of the building permit.

INTRODUCED, READ, SIGNED AND APPROVED this 25th day of APRIL 2017.

TOWN OF ERIE, COLORADO,
a Colorado municipal corporation

Tina Harris, Mayor

ATTEST:

Nancy Parker, Town Clerk