

**TOWN OF ERIE  
RESOLUTION NO. 20-\_\_**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF  
ERIE APPROVING ERIE HIGHLANDS PRELIMINARY PLAT NO. 4**

**WHEREAS**, Clayton Properties Group II, Inc., J Dearmin, LLC, J Gaz, LLC, the Jack & Sonya Shell Family Trusts, and WY&K Holdings, LLC (collectively "Applicant") own the real property more particularly described as Tract K and Tract L Erie Highlands Filing No. 11 A Portion of Section 20, Township 1 North, Range 68 West of the 6th Principal Meridian, Town of Erie, County of Weld, State of Colorado (the "Property");

**WHEREAS**, November 30, 2017 Applicant filed an application for approval of a Preliminary Plat for the Property (the "Application");

**WHEREAS**, on December 18, 2019, the Planning Commission conducted a properly-noticed public hearing on the Application and recommended the Board of Trustees approve the Preliminary Plat with conditions; and

**WHEREAS**, on January 14, 2020, the Board of Trustees conducted a properly-noticed public hearing on the Application.

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

Section 1.     Findings of Fact.     The Board of Trustees, upon reviewing the recommendation of the Planning Commission, hearing the statements of staff and the public, and giving due consideration to the matter, finds and determines as follows:

- a.     The Preliminary Plat complies with Title 10 of the Erie Municipal Code (the "UDC") and other applicable law and is consistent with the Town's Comprehensive Plan;
- b.     The Preliminary Plat is consistent with and implements the intent of the zone district in which it is located;
- c.     The Preliminary Plat 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;
- d.     The Preliminary Plat will not result in significant adverse impacts on adjacent properties; and
- e.     Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the Property, while maintaining sufficient levels of service to existing development.

Section 2.     Decision. Based on the foregoing findings of fact, the Preliminary Plat is hereby approved with the following conditions:

- a.     The associated Erie Highlands Planned Unit Development Amendment No. 2 must be approved and shall be followed in the development of the Property;
- b.     Prior to Final Plat approval, Applicant shall execute a Development Agreement in a form approved by the Town;
- c.     Prior to filing an application for Final Plat approval, Applicant shall revise the final landscape and irrigation plans to the Town's satisfaction;
- d.     Prior to filing an application for Final Plat approval, Applicant shall revise the final construction documents to the Town's satisfaction.
- e.     Easements and any associated agreements related to the shared use of and access to private property shall be shown the Final Plat.

**ADOPTED this 14<sup>th</sup> day of January, 2020.**

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Jennifer Carroll, Mayor

**ATTEST:**

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Joanne Salser, Deputy Town Clerk