

RESOLUTION NO. P18-15

A RESOLUTION REGARDING THE CANYON CREEK SUBDIVISION FILING NO. 10 MINOR SUBDIVISION PLAT, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE MINOR SUBDIVISION PLAT.

WHEREAS, the Planning Commission of the Town of Erie, Colorado, has received and considered the Canyon Creek Filing No. 10 Minor Subdivision Plat, at a public hearing, on Wednesday, September 5, 2018, on the application of Erie Four Corners, LLC, 1002 Griffith Street, Louisville, CO 80027 for the following real property; to wit:

See Exhibit A

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ERIE, COLORADO, as follows:

Section 1. Findings of Fact.

1. The applicant's application and supporting documents are in substantial compliance with the Town of Erie Municipal Code, Title 10.
2. The Minor Subdivision plat has met Municipal Code Title 10, Section 10.7.7 C.10. Approval Criteria:
 - a. The Minor Subdivision is generally consistent with the Town's Comprehensive Master Plan;
 - b. The Minor Subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located;
 - c. As applicable, the Minor Subdivision is generally consistent with the terms and conditions of any previously approved development Plan;
 - d. The Minor 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. 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 Minor 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 Minor 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 Minor Subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features;
 - h. The Minor 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 Minor Subdivision Plat as proposed, subject to the following conditions, will preserve the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado.
- a. All mineshafts shall be capped and monumented in accordance with Town and State requirements, and accepted by the State before recording the Final Plat. The surveyed monument locations and setbacks shall be shown on the Final Plat.
 - b. Easements and the associated reception numbers shall be shown on the Final Plat for all oil and gas well pipelines per Municipal Code, Section 10.6.14.B.3.
 - c. The Town and Owner shall enter into a Development Agreement, prior to recordation of the Canyon Creek Subdivision Filing No. 10 Final Plat.
 - d. Staff may direct the consultants to make technical corrections to the documents.

Section 2. Conclusions and Order Recommending Approval of the Minor Subdivision Plat of Canyon Creek Subdivision Filing No. 10.

- 1. The applicant's application and supporting documents are in substantial compliance with the Town of Erie Municipal Code, Title 10.
- 2. The Minor Subdivision Plat as proposed, subject to the conditions listed above, will preserve the health, safety, welfare and interest of the citizens of the Town of Erie, Colorado.

INTRODUCED, READ, SIGNED AND APPROVED this 5th day of September, 2018.

TOWN OF ERIE, PLANNING COMMISSION

J. Eric Bottenhorn, Chair

ATTEST:

Melinda Helmer, Secretary

Exhibit A

A PARCEL OF LAND IN THE NORTH $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 24, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST $\frac{1}{4}$ CORNER OF SECTION 24, WHICH IS ALSO THE TRUE POINT OF BEGINNING; THENCE SOUTH $0^{\circ}59'04''$ EAST 1326.54 FEET; THENCE NORTH $89^{\circ}52'59''$ WEST 1699.28 FEET; THENCE NORTH $0^{\circ}54'34''$ WEST 1327.96 FEET; THENCE SOUTH $89^{\circ}50'03''$ EAST 1697.57 FEET TO THE TRUE POINT OF BEGINNING;

EXCEPT THE NORTH 70 FEET CONVEYED TO THE TOWN OF ERIE IN DEED RECORDED JANUARY 29, 2002 AT RECEPTION NO. 2247996, COUNTY OF BOULDER, STATE OF COLORADO.

EXCEPT THE EAST 30 FEET IN ROAD BOOK B, PAGE 285, AND THE SOUTH 40 FEET AS CONVEYED TO THE TOWN OF ERIE BY SPECIAL WARRANTY DEED RECORDED MARCH 28, 2001 AT RECEPTION NO. 2132136, COUNTY OF BOULDER, STATE OF COLORADO.

CONTAINING 2,030,441 SQUARE FEET OR 46,613 ACRES MORE OR LESS