

**TOWN OF ERIE
RESOLUTION 19-__**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE APPROVING WITH CONDITIONS THE MINOR SUBDIVISION
FOR VISTA RIDGE FILING NO. 14, 5TH AMENDMENT AND THE
ASSOCIATED DEVELOPMENT AGREEMENT**

WHEREAS, SH7 Marketplace, LLC, ("Applicant") owns the real property more particularly described as Lot 10 of Vista Ridge Filing No. 14, 2nd Amendment, located in the Southeast Quarter of Section 33, Township 1 North, Range 68 West of the 6th Principal Meridian, Town of Erie, County of Weld, State of Colorado (the "Property");

WHEREAS, on July 16, 2018, Applicant filed an application (the "Application") for approval of a minor subdivision of the Property, known as Vista Ridge Filing No. 14, 5th Amendment (the "Minor Subdivision");

WHEREAS, on August 7, 2019, the Planning Commission conducted a properly-noticed public hearing on the Minor Subdivision and recommended the Board of Trustees approve the Minor Subdivision with conditions;

WHEREAS, on August 13, 2019, the Board of Trustees conducted a properly-noticed public hearing on the Minor Subdivision; and

WHEREAS, the Board of Trustees desires to approve the Minor Subdivision and the associated Development Agreement.

**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 Minor Subdivision 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 Minor Subdivision is consistent with and implements the intent of the zone district in which it is located;
- c. 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 that have not otherwise been modified or waived;
- e. The Minor Subdivision complies with all applicable law, including without limitation 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 will 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;
- i. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the Minor Subdivision, while maintaining sufficient levels of service to existing development; and
- j. The proposed phasing plan for the Minor Subdivision is rational in terms of available infrastructure capacity.

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

- a. Applicant shall execute the Development Agreement approved in Section 3 hereof; and
- b. Applicant shall make technical corrections to the Application and related documents as directed by Town staff.

Section 3. Development Agreement. The Board of Trustees hereby approves the Development Agreement for the Vista Ridge Filing 14, 5th Amendment Subdivision, in substantially the form attached hereto, subject to final approval by the Town Attorney. Upon such approval, the Mayor is authorized to execute the Development Agreement on behalf of the Town.

ADOPTED this 13th day of August 2019.

Jennifer Carroll, Mayor

ATTEST:

Jessica Koenig, Town Clerk