

**TOWN OF ERIE
PLANNING COMMISSION
RESOLUTION NO. P19-35**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
ERIE RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE
THE ERIE HIGHLANDS PRELIMINARY PLAT NO. 4 WITH
CONDITIONS**

WHEREAS, Clayton Properties Group II, Inc., 4908 Tower Road, Denver, CO 80249; J Dearmin, LLC, 10343 Federal Boulevard, Unit 515, Westminster, CO; J Gaz, LLC, 4955 West 65th Avenue, Arvada, CO; The Jack Shell and Sonya Shell Family Trusts, 10015 Meade Court, Westminster, CO; and WY&K Holdings, LLC, 28221 Hidden Village Drive, Evergreen, CO ("Applicant") filed an application (the "Application") for approval of a preliminary plat (the "Erie Highlands Preliminary Plat No. 4") for real property legally 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 Principle Meridian, Town of Erie, County of Weld, State of Colorado (the "Property");

WHEREAS, on December 18, 2019, the Planning Commission held a properly-noticed public hearing on the Application; and

WHEREAS, upon consideration of the Application and supporting documentation, the recommendation of Town staff and any public comment received at the public hearing, the Planning Commission wishes to recommend that the Board of Trustees approve the Erie Highlands Preliminary Plat No. 4 with conditions.

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

Section 1. Findings of Fact.

- a. The Erie Highlands Preliminary Plat No. 4 is in substantial compliance with Title 10 of the Erie Municipal Code (the "UDC").
- b. Specifically, the Application satisfies the following criteria set forth in Section 10.7.7(C)(10) of the UDC:
 - i. The subdivision is generally consistent with the Town's Comprehensive Plan;
 - ii. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located;
 - iii. The general layout of lots, streets, driveways, utilities, drainage facilities, and other services within the proposed subdivision is designed to meet the Town's standards related to health and safety and in a way that minimizes the amount of land disturbance, maximizes the amount of open space in the development, preserves existing trees/vegetation and riparian areas,

protects critical wildlife habitat, and otherwise accomplishes the purposes and intent of the UDC;

- iv. The subdivision complies with all applicable use, development, and design standards set forth in Chapters 3, 5 and 6 of the UDC that have not otherwise been modified or waived pursuant to this Chapter or the UDC;
 - v. The subdivision complies with all applicable federal and state regulations, standards, requirements and plans, including without limitation wetlands, water quality, erosion control, and wastewater regulations;
 - vi. The 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;
 - vii. The subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features;
 - viii. The subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated;
 - ix. 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; and
 - x. The proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.
- c. The Erie Highlands Preliminary Plat No. 4 will preserve the public health, safety and welfare.

Section 2. Decision. Based on the foregoing Findings of Fact, the Planning Commission hereby approves the Erie Highlands Preliminary Plat No. 4, subject to the following conditions:

- a. The proposed Erie Highlands Planned Unit Development Amendment No. 2 must be approved and shall be followed in the development of the Property;
- b. At the time of final plat, Applicant shall executed a detailed Development Agreement;
- c. Approval of a final plat is contingent upon the Town accepting Final Landscape and Irrigation Plans, all outstanding comments from Town Parks and Recreation shall be addressed at the time of final plat application.
- d. Approval of a final plat is contingent upon the Town accepting Final Construction Documents, all outstanding comments from Town Engineering shall be addressed at the time of final plat application.
- e. Easements and any associated agreement related to the shared use of and access to


private property shall be shown the final plat and finalized prior to recordation of a final plat.

ADOPTED this 18th day of December, 2019.



J. Eric Bottenhorn, Chair

ATTEST:



Melinda Helmer, Secretary