

**RESOLUTION NO. 18-\_\_\_\_\_**

**A RESOLUTION REGARDING THE MINOR SUBDIVISION PLAT OF COAL CREEK CENTER 3<sup>RD</sup> AMENDMENT, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE MINOR SUBDIVISION PLAT.**

**WHEREAS**, the Board of Trustees of the Town of Erie, Colorado, considered the Minor Subdivision Plat of Coal Creek Center 3<sup>rd</sup> Amendment, at a public hearing, on Tuesday, May 8, 2018, on the application of Erie Commercial LLC, 720 Austin Ave. #200, Erie, CO 80516 representing the owner of the following real property; to wit:

Coal Creek Center Lot 1, Town of Erie, County of Weld, State of Colorado.

**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 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 Erie Municipal Code, Title 10, Section 7.7.F.10 Approval Criteria:

- a. The Minor Subdivision is generally consistent with the Town's Comprehensive Master Plan;

The application is in Compliance with the Land Use designations of the 2005 Comprehensive Plan, Land Use Plan Map. The layout and size of lots, access, circulation, and utilities is consistent with commercial developments as identified in the CC – Community Commercial land use designation of the Comprehensive Plan.

- b. The Minor Subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located;

The commercial lots meet the requirements for the Community Commercial zone district.

- c. As applicable, the Minor Subdivision is generally consistent with the terms and conditions of any previously approved development Plan;

The commercial lots are consistent with the development plan for Coal Creek Center in that the lot split is not anticipated to increase the overall development of Coal Creek Center. Two smaller developments could now occur rather than one large development.

- 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;

The design of the Minor Subdivision plat takes into account applicable use, Development and Design Standards of Chapters 3, 5, and 6 of Municipal Code Title 10.

- 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;

The Minor Subdivision plat complies with applicable regulations, standards and requirements of Federal, State and local governments and agencies.

- 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;

Significant impacts are not anticipated for the natural environment.

- g. The Minor Subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features;

The Minor Subdivision plat provides vehicular and pedestrian connections to adjacent roadways. The application proposes a shared access to Lot 1B. As a condition of approval the shared access agreement shall be finalized and recorded and this recordation information shall be shown on the plat.

- h. The Minor Subdivision will not result in significant adverse impacts on adjacent properties, or such impacts will be substantially mitigated;

The Minor Subdivision plat will not have 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 subject property, while maintaining sufficient levels of service to existing development;

Adequate services and facilities currently exist.

- j. As applicable, the proposed phasing plan for development of the subdivision is rational in terms of available infrastructure capacity.

Adequate infrastructure capacity is available for the development.

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. The Coal Creek Center 3<sup>rd</sup> Amendment plat shall not be recorded until after the shared access agreement is finalized and recorded and this recordation information is shown on the plat.
  - b. Prior to recordation of the Minor Subdivision plat, technical corrections to the plat shall be made to the Town's satisfaction.

**Section 2. Conclusions and Order Accepting the Minor Subdivision Plat of Coal Creek Center 3<sup>rd</sup> Amendment.**

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.
3. Based on the above Findings of Fact, the Board of Trustees hereby approves the Minor Subdivision Plat of Coal Creek Center 3<sup>rd</sup> Amendment, and authorizes the appropriate Town Official to sign, with the conditions of approval listed above.

**INTRODUCED, READ, SIGNED AND APPROVED this 8<sup>th</sup> day of May, 2018.**

**TOWN OF ERIE,**  
a Colorado municipal corporation

By: \_\_\_\_\_  
Jennifer Carroll, Mayor

ATTEST:

By: \_\_\_\_\_  
Town Clerk