

**TOWN OF ERIE
RESOLUTION NO.____-2018**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE APPROVING WITH CONDITIONS THE PRELIMINARY PLAT FOR
ERIE COMMONS FILING NO. 4, 3RD AMENDMENT.**

WHEREAS, the Board of Trustees has received and considered the Preliminary Plat for Erie Commons Filing No. 4, 3rd Amendment, on the application of Century Communities, 8390 E. Crescent Parkway, Suite 650 Greenwood Village, CO, 80111 for the following real property:

Erie Commons, Filing 4, Lots 2 and 3, Block 6; Lots 1 and 2, Block 7; Lot 1, Block 8; and Tracts D, E, F, G and H, Town Of Erie, County Of Weld, State Of Colorado;

WHEREAS, the Planning Commission conducted a public hearing for Erie Commons Filing No. 4, 3rd Amendment Preliminary Plat on August 15, 2018, and recommended the Board of Trustees approve the Preliminary Plat for Erie Commons Filing No. 4, 3rd Amendment with conditions;

WHEREAS, the Board of Trustees conducted a public hearing for Erie Commons Filing No. 4, 3rd Amendment Preliminary Plat on September 11, 2018;

WHEREAS, the Preliminary Plat is detailed on the attached Erie Commons Filing No. 4, 3rd Amendment Preliminary Plat; and

WHEREAS, said Erie Commons Filing No. 4, 3rd Amendment Preliminary Plat is incorporated herein and made part hereof by this reference.

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

Section 1. Findings of Fact.

1. The applicant's application and supporting documents are in substantial compliance with the Erie Municipal Code, Title 10 (the "UDC").

2. The Preliminary Plat has met Erie Municipal Code Section 10.7.7 C.10. Approval Criteria:

a. The subdivision is generally consistent with the Town's Comprehensive Master Plan.

b. The subdivision is generally consistent with and implements the intent of the specific zoning district in which it is located.

c. 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.

d. 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. Applicants shall refer to the Development Standards in Chapter 5 of the 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 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 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 subdivision shall be integrated and connected, where appropriate, with adjacent development through street connections, sidewalks, trails, and similar features.

h. The 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 Erie Commons PD Amendment No. 8 – Planned Development shall be followed in the development of the property.

4. A detailed Development Agreement (DA) will be required at such time as the property is approved for the final plat.

5. The Preliminary Plat as proposed, will preserve the health, safety, welfare and interest of the citizens of the Town.

Section 2. Decision. Based on the foregoing findings of fact, the Preliminary Plat for Erie Commons Filing No. 4, 3rd Amendment is hereby approved with the following conditions:

1. Erie Commons PD Amendment No. 8 shall be approved and recorded before the Preliminary Plat approval comes into effect;

2. The Town and Owner shall enter into a Development Agreement, prior to recordation of the Erie Commons Filing No. 4, 3rd Amendment Final Plat;

3. If construction is proposed to begin between March 15th and August 31st, a formal migratory bird survey shall be conducted before construction commences; and

4. Staff may direct the consultants to make technical corrections to the documents.

ADOPTED this 25th day of September, 2018.

Jennifer Carroll, Mayor

ATTEST:

Jessica Koenig, Deputy Town Clerk