

**TOWN OF ERIE
RESOLUTION NO. 19-____**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE APPROVING A SPECIAL REVIEW USE FOR AN ELECTRICAL
SUBSTATION FACILITY**

WHEREAS, on March 1, 2019, United Power ("Applicant") filed an application for approval of a Special Review Use (the "Application") to install an electrical substation facility on the real property legally described as a portion of the NE quarter of Section 28, Township 1 North, Range 68 West, 6th Principal Meridian, Town of Erie, County of Weld, State of Colorado (the "Property");

WHEREAS, Applicant also requested approval of a Site Plan and a Minor Subdivision for the electrical substation facility, both of which must be approved separately;

WHEREAS, on November 20, 2019, the Planning Commission held a properly-noticed public hearing on the Application and recommended that the Board of Trustees approve the Application with conditions; and

WHEREAS, on December 10, 2019, the Board of Trustees held a properly-noticed public hearing on the Application.

**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 Application meets the criteria set forth in Section 7.7.C.9 of Title 10 of the Erie Municipal Code (the "UDC");
- b. The Special Review Use is consistent with the Comprehensive Plan and all applicable provisions of the UDC and applicable law;
- c. The Special Review Use is consistent with the purpose and intent of the zone district in which it is located;
- d. The Special Review Use is consistent with any applicable use-specific standards set forth in Section 3.2 of the UDC;
- e. The Special Review Use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
- f. Any significant adverse impacts anticipated to result from the Special Review Use will be mitigated or offset to the maximum extent practicable;

g. Facilities and services (including sewage and waste disposal, water, gas, election, police and fire protection, and roads and transportation, as applicable) will be available to serve the Property while maintaining adequate levels of service for existing development; and

h. Adequate assurances of continuing maintenance have been provided.

Section 2. Decision. Based on the foregoing findings, the Board of Trustees hereby approves the Special Review Use as described in the Application, on the following conditions:

a. The approved Minor Subdivision shall be recorded before the approval of the Special Review Use takes effect.

b. The Construction Logistics Plan submitted with the Application shall control construction of the electrical substation facility, and shall be incorporated into the approval of the Special Review Use.

ADOPTED this 10th day of December, 2019.

Jennifer Carroll, Mayor

ATTEST:

Jessica Koenig, Town Clerk