

**TOWN OF ERIE
PLANNING COMMISSION
RESOLUTION NO. P20-02**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
ERIE RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE
THE SUNSET PRELIMINARY PLAT WITH CONDITIONS**

WHEREAS, FS Erie Estates, LLC ("Applicant") owns the real property more particularly described as Tract A Sunset Minor Subdivision A Portion of the SE ¼ of Section 20, Township 1 North, Range 60 West of the 6th Principle Meridian, Town of Erie, County of Weld, State of Colorado (the "Property");

WHEREAS, December 14, 2016 Applicant filed an application for approval of a Preliminary Plat for the Property (the "Application");

WHEREAS, on February 5, 2020 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 Sunset Preliminary Plat 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 Sunset Preliminary Plat 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 Sunset Preliminary Plat will preserve the public health, safety and welfare.

Section 2. Decision. Based on the foregoing Findings of Fact, the Planning Commission hereby approves the Sunset Preliminary Plat, subject to the following conditions:

- a. At the time of final plat, Applicant shall executed a detailed Development Agreement;
- b. 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. The Spine Trail construction shall be included in the first phase of development.
- c. Existing underground petroleum pipelines must be removed and the associated easements vacated prior to the approval of a final plat on the area of the pipeline.
- d. Approval of a final plat is contingent upon the Town accepting Final Construction Documents, all outstanding comments from Town Engineering and WAPA (including but not limited to entering into a license agreement) shall be addressed at the time of final plat application.
- e. The final plat application (s) shall include measures which will slow traffic and enhance the appearance of street segments over 600 feet in length
- f. A note indicating a maximum allowable foundation length of 115 ft. shall be

included on all final plats.

- g. A conservation easement over Tract G shall be granted to the Town, the final form of this agreement shall approved by the Board of Trustees. The development agreement for the first phase of development shall address when the conservation easement is to be granted.
- h. Duplexes, which are proposed to meet the Town's Housing Diversity requirements shall meet the all Town requirements for a Duplex. The duplex lots shall be clearly defined as part of the final plat submittal and development of buildings on those lots shall meet the Duplex definition.
- i. The recommendations found in the GCS referral dated May 4, 2017 shall be followed in the development of the property.
- j. Off-site easements necessary for the development of the site shall be required prior to approval of any final plat.

ADOPTED this 5th day of February, 2020.

J. Eric Bottenhorn, Chair

ATTEST:

Melinda Helmer, Secretary