

**TOWN OF ERIE
PLANNING COMMISSION
RESOLUTION NO. P22-06**

**A Resolution of the Planning Commission of the Town of Erie
Recommending the Board of Trustees Approve the Erie Highlands
Preliminary Plat No. 5 with Conditions**

WHEREAS, Clayton Properties Group II, Inc., 4908 Tower Rd, Denver, CO 80249 ("Applicant") filed an application (the "Application") for approval of a preliminary plat (the "Erie Highlands Preliminary Plat No. 5") for the real property located the northeast quarter of Section 20, Township 1 North, Range 68 West of the 6th P.M., Town of Erie, County of Weld, State of Colorado (the "Property");

WHEREAS, on August 3, 2022, 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 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 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(D)(2) 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 Preliminary Plat will preserve the public health, safety and welfare.

Section 2. Decision. Based on the foregoing Findings of Fact, the Planning Commission recommends approval to the Board of Trustees for the Preliminary Plat, subject to the following conditions:

- a. At the time of Final Plat, Applicant shall execute a Development Agreement in a form approved by the Town;
- b. Applicant shall perform the actions described in the letter from Oakwood Homes to the Town of Erie dated June 28, 2022, including re-plugging the William H Peltier #1 well per COGCC standards prior to approval of the Final Plat; and

- c. Applicant shall make technical corrections to the Preliminary Plat and related documents as directed by Town staff.

ADOPTED this 3rd day of August, 2022.

Kelly Zuniga, Chair

ATTEST:

Melinda Helmer, Secretary