

**TOWN OF ERIE
RESOLUTION NO. 20-__**

**A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF
ERIE APPROVING 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 Principal 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 recommended approval of the Application with conditions; and

WHEREAS, on February 11, 2020, the Board of Trustees conducted 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 complies with Title 10 of the Erie Municipal Code (the "UDC") and other applicable law and is consistent with the Town's Comprehensive Plan;
- b. The Preliminary Plat is consistent with and implements the intent of the zone district in which it is located;
- c. The Preliminary Plat 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;
- d. The Preliminary Plat will not result in significant adverse impacts on adjacent properties; and
- e. Adequate and sufficient public safety, transportation, utility facilities and services, recreation facilities, parks, and schools are available to serve the Property, while maintaining sufficient levels of service to existing development.

Section 2. Decision. Based on the foregoing findings of fact, the Preliminary Plat is hereby approved with the following conditions:

- a. Prior to approval of the Final Plat, Applicant shall executed a detailed Development Agreement;
- b. Prior to approval of the Final Plat, Applicant shall submit for Town approval Final Landscape and Irrigation Plans;
- c. Prior to approval of the Final Plat, Applicant shall address all outstanding comments from Town Parks and Recreation;
- d. The Spine Trail construction shall be included in the first phase of development of the Property;
- e. Each phase of development of the Property shall include a pocket park meeting the size and design requirements for a pocket park, and the Final Plat shall demonstrate that the final layout of all pocket parks in the development will meet the ¼ mile distance requirement;
- f. Prior to approval of the Final Plat, existing underground petroleum pipelines shall be moved or removed and the associated easements vacated;
- g. Prior to approval of the Final Plat, Applicant shall submit for Town approval Final Construction Documents addressing outstanding comments from Town Engineering and WAPA;
- h. The Final Plat shall include measures which will slow traffic and enhance the appearance of street segments over 600 feet in length;
- i. The Final Plat shall include a note indicating a maximum allowable foundation length of 115 feet;
- j. Prior to approval of the Final Plat, Applicant shall grant to the Town a conservation easement over Tract G in a form approved by the Town Attorney;
- k. Applicant shall comply with the recommendations in the GCS referral dated May 4, 2017 in the development of the Property; and
- l. Prior to approval of the Final Plat, Applicant shall acquire all off-site easements necessary for the development of the Property.

ADOPTED this 11th day of February, 2020.

Jennifer Carroll, Mayor

ATTEST:

Joanne Salser, Deputy Town Clerk