



The Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2778
agonzales@erieco.gov

Planning & Development Planning

Memo

To: Robert Elrod
From: Audem Gonzales, Senior Planner
Date: August 22, 2019
Re: Minor Plat Amendment MPA-001089-2019
cc: Fred Starr, Joe Smith, David Pasic

Comments:

Town staff has reviewed the Minor Plat Amendment MPA-001089-2019 application for conformance with Municipal Code, Title 10 at the August 15, 2019 Development Review Team meeting. Referral comments received by the Town after the date of this memo shall be forwarded on to the applicant.

The next step for the Minor Plat Amendment MPA-001089-2019 application is revision and resubmittal for another review. Please make the appropriate revisions to the application materials.

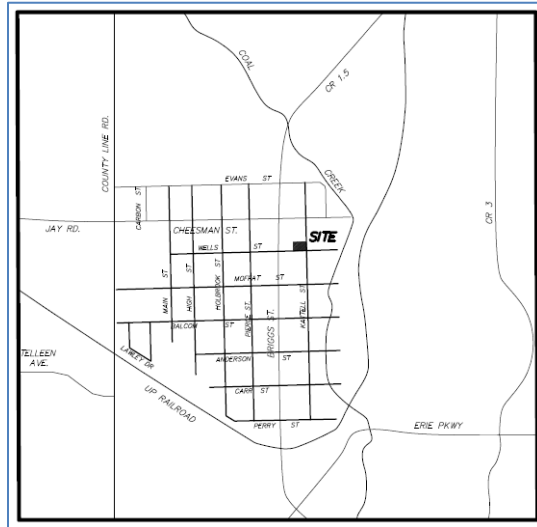
Paper Copies:

- 2 Copies: Updated 11x17 plat plans tri-folded and 3-hole punched for notebooks. For distribution to: Planning and Public.
- 1 Copy: Updated 24x36 plan sets, rolled. For distribution to: Planning
- Please bind and label materials for each entity listed above for ease of distribution to each referral.
- Provide 2 flash drives. For distribution to Planning and Engineering.

Planning Comments

MINOR PLAT AMENDMENT

1. Re-label the plat document as "East Addition, Elrod Amendment"
2. Vicinity map - use a polygon to show the subject property vs. a star symbol. See the example below.



3. Update the subdivision name in the Dedication Statement to reflect comment 1, "East Addition, Elrod Amendment"
4. The dedication statement shall include language on dedicating the levee access easement to the Town. See Engineering comments for specific language.
5. Add the Board of Trustees approval certificate. This plat will go to the BOT for acceptance of the levee easement. Please insert the correct subdivision name in the BOT approval language.
6. Re-label the lot as "Lot 1"
7. Identify the land use and zone district information on all adjacent property. For example:

"Single-family residential home
OTR – Old Town Residential"
8. Remove the zoning "OTR" from the lot all together. Also, remove the ownership information label from the lot all together. Ownership is already listed at the bottom of the sheet.
9. The legal description on the plat does not match the title work legal description. Why? Also, The legal description on the plat does not match the measured boundaries on the plat.
10. Per the user guide, an updated title insurance policy or title commitment shall be issued no more than thirty days prior to the date of application. The title work referenced is from 2017 and does not meet our requirement. Please provide current title work for the updated plat.
11. Add a note to the plat that there is an off-site private sewer line easement across the adjacent plat that benefits this property. Please list the recording number as well.

The review process is a cumulative process and dependent on various criteria. We reserve the right to t provide further comment(s) and request additional information. Please contact me at 303-926-2778 for further clarification or to schedule a meeting to discuss the comments.

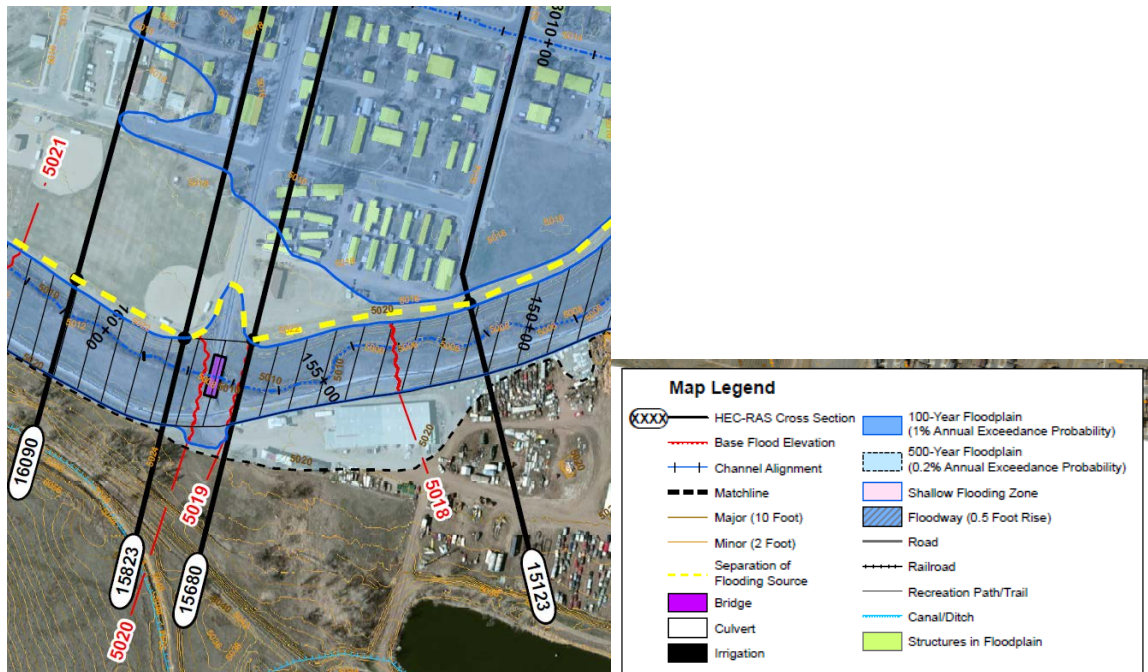


Memo

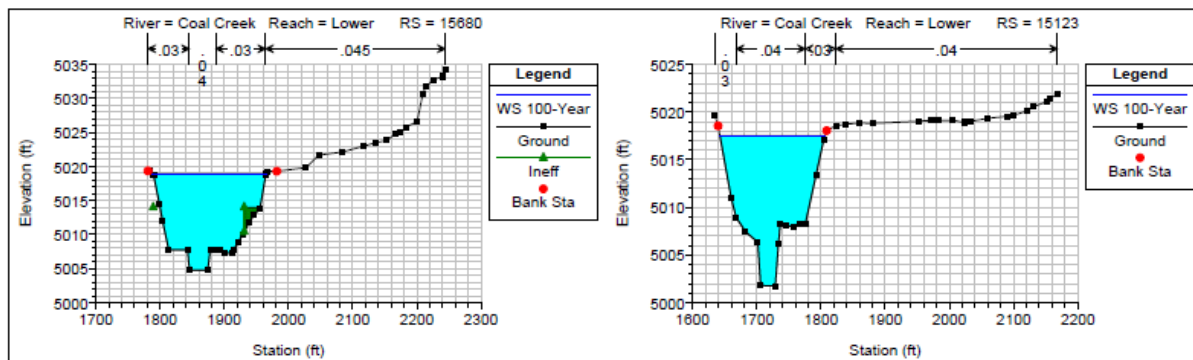
To: Audem Gonzales
From: David Pasic, P.E., Civil Engineer
Date: August 19, 2019
Subject: **105 Cheesman Minor Plat Amendment**
CC: Joe Smith, Wendi Palmer, Chad Schroeder, Tyler Burhenn

General Comments

1. Show levee access easement on Plat.
 - a. The following shall be added to the dedication statement:
"The undersigned grants the Town of Erie an Easement to Access the Town's Levee on adjacent property as shown hereon. No structures, woody vegetation, fences, or other obstructions shall be located within such access easement. The access easement grants the Town of Erie and its authorized agents a perpetual right of ingress and egress for the purpose of inspection, maintenance, operation and reconstruction of the levee."
2. The following notes shall be added to the Plat:
 - a. For the purposed of future building construction on the Platted Lot the Town has required that the lowest floor elevation (including crawl spaces) shall be 1 foot above the base flood elevation as identified in the Coal Creek and Rock Creek Flood Hazard Area Delineation (FHAD) Study.
 - b. Note from the Colorado Water Conservation Board, Department of Natural Resources: Lot Pins at Property Corners Abutting the Levee shall be marked with 4 inch diameter steel pipe extending 4 feet above grade. Said markers shall remain in place at all times.
3. A note shall be added to the Plat addressing the sanitary sewer service to the property. The note shall include language indicating that prior to any future sale of the property or any proposed sanitary sewer increase from the property an analysis shall be performed by a licensed engineer to verify adequate sanitary service to the property.
4. To avoid the need for the aforementioned note on the Plat, it is recommended that the Property Owner install a new sanitary sewer service from the property along Cheesman Street and connect at the main in Kattell Street.
5. Floodplain limits shall be show in accordance with the FHAD project (2014) findings. See excerpts below.



Hydraulic Analysis - HEC-RAS Output Cross Sections



EAST ADDITION, ELROD AMENDMENT

AN AMENDMENT OF LOTS 1-8, BLOCK 43, EAST ADDITION TO TOWN OF ERIE
SITUATED IN THE NORTHEAST QUARTER OF SECTION 18
TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN
TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO

0.522 ACRE - 1 LOT
MPA-001089-2019

TITLE VERIFICATION CERTIFICATE:

WE, FIDELITY NATIONAL TITLE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR'S FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

FIDELITY NATIONAL TITLE COMPANY

BY: _____
AUTHORIZED OFFICIAL

TITLE: _____

NOTARY:

STATE OF COLORADO }
COUNTY OF _____ }ss

KNOW ALL MEN BY THESE PRESENTS THAT THE FOREGOING DEDICATION WAS ACKNOWLEDGED
BEFORE ME THIS _____ DAY OF THE MONTH OF _____, A.D., 20____.
MY COMMISSION EXPIRES _____, WITNESS MY HAND AND SEAL

NOTARY PUBLIC

PLANNING & DEVELOPMENT APPROVAL CERTIFICATE:

THIS PLAT IS HEREBY APPROVED BY THE TOWN OF ERIE PLANNING & DEVELOPMENT DIRECTOR
ON THIS _____ DAY OF _____, 20____.

PLANNING & DEVELOPMENT DIRECTOR

BOARD OF TRUSTEES APPROVAL CERTIFICATE:

THIS PLAT TO BE KNOWN AS EAST ADDITION, ELROD AMENDMENT, IS APPROVED AND
ACCEPTED BY RESOLUTION NO. _____, PASSED AND ADOPTED AT THE REGULAR
MEETING OF THE BOARD OF TRUSTEES OF ERIE, COLORADO, HELD ON THE _____ DAY OF
_____ A.D. 20____.

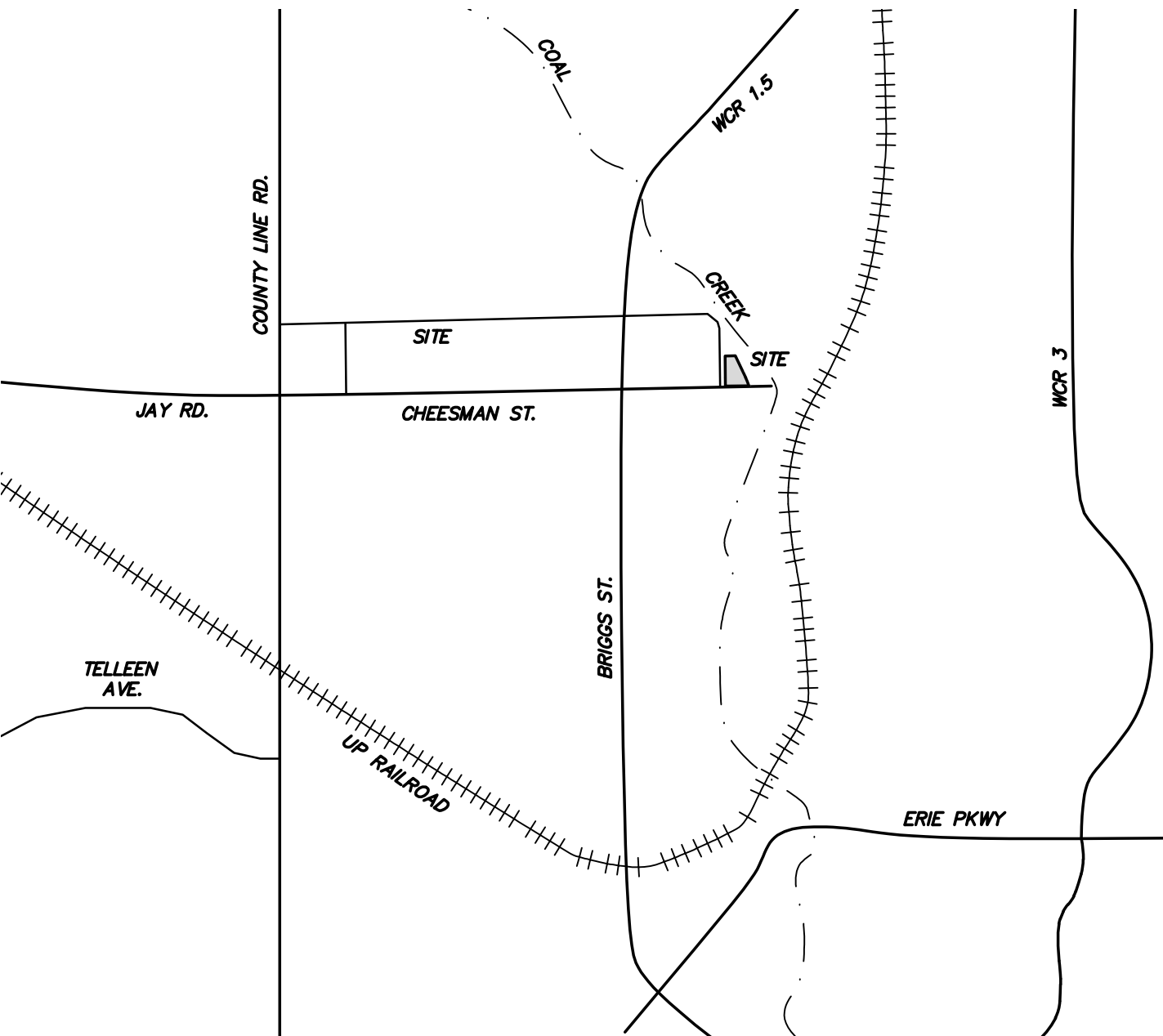
MAYOR

ATTTEST:

TOWN CLERK

GENERAL NOTES:

- FIDELITY NATIONAL TITLE COMPANY, FILE NUMBER 515-F0571749-170-BL7, AMENDMENT NO. 1, DATED JANUARY 20, 2017, WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY.
- LINEAL UNITS USED ARE U.S. SURVEY FEET
- BASIS OF BEARINGS: THE SOUTH LINE OF SUBJECT PROPERTY, BEARING S89°06'29"W (ASSUMED), A DISTANCE OF 156.22 FEET, MONUMENTED AS SHOWN HEREON.
- DEED OF SUBJECT PROPERTY RECORDED 3/28/2017 AT REC. NO. 4289094.
- LAND SURVEY PLAT OF SUBJECT PROPERTY RECORDED 2/16/2001 AT REC. NO. 2826317.
- LAND SURVEY PLAT OF TOWN OF ERIE PROPERTY TO EAST OF SUBJECT PROPERTY RECORDED 8/15/2016 AT REC. NO. 4227834.
- ALL RIGHT-OF-WAY AND LOT AND BLOCK INFORMATION WAS TAKEN FROM THE PLAT OF THE MAP OF THE TOWN OF ERIE RECORDED DECEMBER 28, 1928 AT RECEPTION NO. 552708.
- THERE IS AN OFFSITE SANITARY SEWER LINE THAT BENEFITS THE PROPERTY. BLANKET ACCESS EASEMENT FOR SANITARY MAINTENANCE AND REPLACEMENT OF A PUBLIC SEWER LINE RUNNING ACROSS NEIGHBOR TO WEST AT 735 KATTELL STREET, RECORDED NOVEMBER 15, 2012 AT RECEPTION NO. 3888791.
- PRIOR TO ANY FUTURE SALE OF THE PROPERTY OR ANY PROPOSED SANITARY SEWER INCREASE FROM THE PROPERTY, AN ANALYSIS SHALL BE PERFORMED BY A LICENSED ENGINEER TO VERIFY ADEQUATE SANITARY SERVICE TO THE PROPERTY.
- PROPERTY IS LOCATED IN FLOOD ZONE "X" (AREA PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD) AND IN FLOOD ZONE "AE" (AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD) PER FLOOD INSURANCE RATE MAP FOR BOULDER COUNTY, COLORADO AND INCORPORATED AREAS, MAP NUMBER 08013C0441J, DATED DECEMBER 18, 2012. 100-YEAR FLOODPLAIN BOUNDARIES SHOWN HEREON ARE DIGITIZED FROM MAP PROVIDED BY THE TOWN OF ERIE PUBLIC WORKS DEPARTMENT REFLECTING 2014 FHAD PROJECT. THIS MAP SHOWS THE REMAINDER OF THE PROPERTY TO BE IN THE 500-YEAR FLOODPLAIN.
- 1% ANNUAL CHANCE FLOODPLAIN LINE WAS CALCULATED FROM FLOOD INSURANCE STUDY NUMBER 08013CV004C FOR BOULDER COUNTY AND INCORPORATED AREAS, VOLUME 4 OF 7, SHEET 128P.
- NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE SURVEYOR'S STATEMENT SHOWN HEREON.
- THE LEVEE ACCESS & DRAINAGE EASEMENTS PROHIBIT STRUCTURES, WOODY VEGETATION FENCES OR OTHER OBSTRUCTIONS FROM BEING PLACED ALONG THE WEST EDGE OF THE EASEMENT TO THE TOE OF THE LEVEE. NO FENCE WILL BE ALLOWED ALONG THE PROPERTY LINE AS IT WILL OBSTRUCT ACCESS TO THE LEVEE.
- FOR THE PURPOSED OF FUTURE BUILDING CONSTRUCTION ON THE PLATTED LOT THE TOWN HAS REQUIRED THAT THE LOWEST FLOOR ELEVATION (INCLUDING CRAWL SPACES) SHALL BE 1 FOOT ABOVE THE BASE FLOOD ELEVATION AS IDENTIFIED IN THE COAL CREEK AND ROCK CREEK FLOOD HAZARD AREA DELINEATION (FHAD) STUDY.
- NOTE FROM THE COLORADO WATER CONSERVATION BOARD, DEPARTMENT OF NATURAL RESOURCES: LOT PINS AT PROPERTY CORNERS ABUTTING THE LEVEE SHALL BE MARKED WITH 4 INCH DIAMETER STEEL PIPE EXTENDING 4 FEET ABOVE GRADE. SAID MARKERS SHALL REMAIN IN PLACE AT ALL TIMES.



VICINITY MAP
SCALE 1" = 1000'

DEDICATION STATEMENT:

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED, BEING THE OWNER, MORTGAGEE OR LIEN HOLDER OF CERTAIN LANDS IN THE TOWN OF ERIE, COUNTY OF WELD, COLORADO, DESCRIBED AS FOLLOWS:

PART OF LOTS 1 THROUGH 8, BLOCK 43 EAST ADDITION TO THE TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, BEING A PART OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID BLOCK 43; THENCE N89°06'29"E ALONG THE NORTH RIGHT-OF-WAY LINE OF CHEESMAN STREET A DISTANCE OF 177.50 FEET TO THE TRUE POINT OF BEGINNING; THENCE N00°38'57"W A DISTANCE OF 199.59 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 8; THENCE N89°34'04"E ALONG SAID NORTH LINE OF LOT 8 A DISTANCE OF 68.58 FEET TO THE WESTERLY LINE OF THE COAL CREEK PARCEL DESCRIBED IN DEED DATED 9/11/94 AT RECEPTION NO. 2397192; THENCE S25°26'41"E ALONG SAID WEST LINE A DISTANCE OF 160.97 FEET; THENCE CONTINUING ALONG SAID WESTERLY LINE AND ALONG A 550.00 FOOT RADIUS CURVE TO THE RIGHT (SAID CURVE HAVING A CENTRAL ANGLE OF 5°51'49" AND A LONG CHORD BEARING S21°36'38"E A DISTANCE OF 56.26 FEET) AN ARC LENGTH OF 56.29 FEET TO A POINT ON SAID NORTH RIGHT-OF-WAY LINE OF CHEESMAN STREET; THENCE S89°06'29"W ALONG SAID NORTH LINE A DISTANCE OF 156.22 FEET TO THE TRUE POINT OF BEGINNING;

LOT AREA CONTAINING 22,721 SQUARE FEET OR 0.522 ACRE, MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO A LOT, AS SHOWN ON THIS PLAT, UNDER THE NAME AND SUBDIVISION OF EAST ADDITION, ELROD AMENDMENT. THE LEVEE ACCESS AND DRAINAGE EASEMENT SHOWN HEREON IS DEDICATED AND CONVEYED TO THE TOWN OF ERIE, COLORADO, IN FEE SIMPLE ABSOLUTE, WITH MARKETABLE TITLE, FOR PUBLIC USE AND PURPOSES AS SHOWN HEREON.

THE UNDERSIGNED GRANTS THE TOWN OF ERIE AN EASEMENT TO ACCESS THE TOWN'S LEVEE ON ADJACENT PROPERTY AS SHOWN HEREON. NO STRUCTURES, WOODY VEGETATION, FENCES, OR OTHER OBSTRUCTIONS SHALL BE LOCATED WITHIN SAID ACCESS EASEMENT. THE ACCESS EASEMENT GRANTS THE TOWN OF ERIE AND ITS AUTHORIZED AGENTS A PERPETUAL RIGHT OF INGRESS AND EGRESS FOR THE PURPOSE OF INSPECTION, MAINTENANCE, OPERATION AND RECONSTRUCTION OF THE LEVEE.

EXECUTED THIS _____ DAY OF THE MONTH OF _____ A.D. 20____.

ROBERT H ELROD, JR.

KERILYN D MARLINK

NOTARY PUBLIC:

STATE OF COLORADO }
COUNTY OF _____ }ss

KNOW ALL MEN BY THESE PRESENTS THAT THE FOREGOING DEDICATION WAS ACKNOWLEDGED

BEFORE ME THIS _____ DAY OF THE MONTH OF _____, A.D., 20____.

MY COMMISSION EXPIRES _____, WITNESS MY HAND AND SEAL

NOTARY PUBLIC

LAND SUMMARY CHART		
TYPE	AREA	% OF TOTAL AREA
RESIDENTIAL LOTS	0.522 AC.	100%
TRACTS	NA	NA
ROW	NA	NA
TOTAL	0.522 AC.	100%

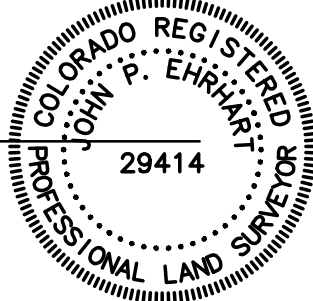
LEGEND

- FOUND #5 REBAR WITH 1.25" YELLOW PLASTIC CAP, PLS 29414
- UNLESS NOTED OTHERWISE
- ⊙ FOUND PROPERTY CORNER TAG
- NAIL & 1" BRASS WASHER, PLS 29414
- (M) MEASURED DISTANCE

SURVEYOR'S CERTIFICATE:

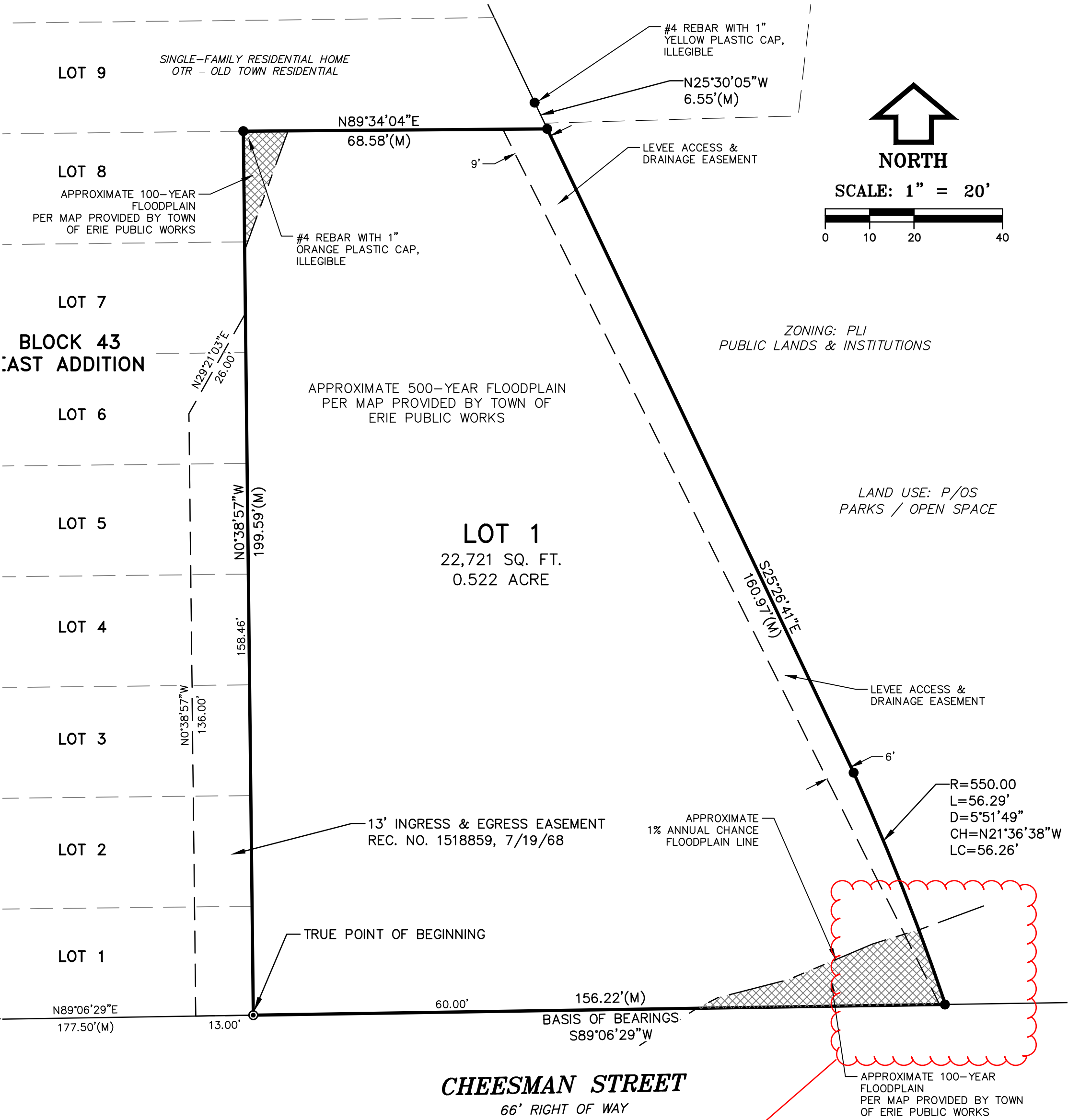
I, JOHN P. EHRHART, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE UNDER MY SUPERVISION AND THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY MADE ON NOVEMBER 8, 2018.

JOHN P. EHRHART
COLORADO P.L.S. #29414
EHRHART LAND SURVEYING, LLC
PO BOX 930, ERIE, CO 80516
PHONE: 303-828-3340



OWNER:
KERILYN D. MARLINK & ROBERT H. ELROD JR.
105 CHEESMAN STREET, ERIE, CO 80516
(303) 415-1938

Levee access easement needs to be wider hereto
allow for legal access and it shall be aligned with
the contours as sch that access makes sense.



EHRHART
LAND SURVEYING

P.O. Box 930 Erie, Colorado 80516, (303) 828-3340
www.coloradols.com

PAGE NO.

1 OF 1

DATE:

9/9/19

DRAWN BY:

MMS

PROJECT:

S185212

Audem Gonzales

From: Marcie Weatherly
Sent: Monday, July 22, 2019 12:21 PM
To: Development Referral
Subject: 105 Cheesman Street MPA-001089-2019

We have no concerns with this proposed lot combination.

Thank you,

Marcie

The Town of Erie will be adopting the 2015 codes soon! Please see the website for proposed amendments!



Marcie Weatherly | COMBINATION BUILDING INSPECTOR/PLANS EXAMINER

Town of Erie | Planning & Development
645 Holbrook St | P.O. Box 750 | Erie, CO 80516
Phone: 303-926-2786 | Fax: 303-926-2704
Main Phone: 303-926-2780
www.erieco.gov/building | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

Erie, Colorado - the BEST place to raise a family!

Audem Gonzales

From: LuAnn Penfold <lpenfold1101@gmail.com>
Sent: Tuesday, July 23, 2019 2:05 PM
To: Development Referral
Subject: MPA-001089-2019

We have no objection to the request for the MPA-001089-2019.

Thank you for including us in the planning process.

LuAnn Penfold
Mountain View Fire Rescue



Right of Way & Permits
1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

August 14, 2019

Town of Erie Community Development Services
645 Holbrook / PO Box 750
Erie, CO 80516

Attn: Audem Gonzales

Re: 105 Cheesman Street, Case # MPA-001089-2019

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **105 Cheesman Street** and has no apparent conflict with the minor subdivision plat PROVIDED THAT PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion.

Please be aware PSCo owns and operates existing natural gas and electric distribution and service facilities within the subject property. The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. The Builder's Call Line is 1-800-628-2121.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com