

**TOWN OF ERIE
PLANNING COMMISSION
RESOLUTION NO. P21-08**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF
ERIE RECOMMENDING THAT THE BOARD OF TRUSTEES APPROVE
THE PARKDALE PRELIMINARY PLAT NO. 2 WITH CONDITIONS**

WHEREAS, OEO, LLC, 7353 South Alton Way, Centennial, CO 80112 ("Applicant") filed an application (the "Application") for approval of a preliminary plat (the "Parkdale Preliminary Plat No. 2") for the real property legally described as A Portion of Section 36, Township 1 North, Range 69 West of the 6th Principle Meridian, Town of Erie, County of Boulder, State of Colorado (the "Property");

WHEREAS, on June 2, 2021, 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 Parkdale Preliminary Plat No. 2 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 Parkdale Preliminary Plat No. 2 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 Parkdale Preliminary Plat No. 2 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 Parkdale Preliminary Plat No. 2, subject to the following conditions:

- a. A migratory bird nest survey shall be conducted prior to vegetation removal on the property between April 1st and August 31st. This provision shall be placed in the Final Plat Development Agreement.
- b. Off-site easements shown in the Construction Plans along 119th Street shall be established prior to Final Plat submittal.
- c. Lot 1, Block 10 access shall be determined before Final Plat recordation and shall be addressed in the associated Development Agreement if applicable.
- d. Lot 1, Block 10 shall go through the Special Review Use process to permit agricultural uses on the property. The SRU shall be approved prior to Final Plat recordation.
- e. Documentation shall be provided with Final Plat submittal of the removal of all flow lines associated with oil and gas well "Arapahoe #3-36".

- f. Parks and Recreation comments 2.2, 3 and 6.2 of referral comment memo dated April 27, 2021 shall be addressed with the Final Plat submittal.
- g. CTL Thompson, Inc. site development recommendations listed in the Supplemental Preliminary Geotechnical Investigation report dated 3/18/2019 shall be followed per Colorado Geologic Survey recommendation.

ADOPTED this 2nd day of June, 2021.

Kelly Zuniga, Chair

ATTEST:

Melinda Helmer, Secretary