

RESOLUTION NO. 2018-12

A RESOLUTION APPROVING A FINAL PLAT FOR THE ERGER MINOR SUBDIVISION.

WHEREAS, there has been submitted to the Board of Trustees of the Town of Keenesburg a request for approval of a final plat for the Erger Minor Subdivision; and

WHEREAS, all materials related to the proposed final plat have been reviewed by Town Staff and found with conditions to be in compliance with Town of Keenesburg subdivision ordinances and related Town ordinances, regulations, and policies; and

WHEREAS, the Keenesburg Planning Commission has held a properly noticed public hearing on the application, and has forwarded to the Board of Trustees a recommendation of approval with conditions; and

WHEREAS, after a duly-noticed public hearing, at which evidence and testimony were entered into the record, the Board of Trustees finds the final plat should be approved, subject to certain conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF KEENESBURG, COLORADO:

Section 1. The Board of Trustees of the Town of Keenesburg hereby approves the final plat for the Erger Minor Subdivision, subject to the conditions set forth on Exhibit A attached hereto and incorporated herein by reference.

Section 2. This resolution shall become effective upon the annexation of the property that is the subject of this application, as set forth in Ordinance Nos. 2018-04, 2018-05, and 2018-06, and the applicant meeting those conditions set forth in Exhibit A relating to the annexation map so that the annexation documents may be recorded.

INTRODUCED, READ, and ADOPTED this 19th day of March, 2018.

TOWN OF KEENESBURG, COLORADO

Ken Gfeller, Mayor

ATTEST:

Toni Pearl, Town Clerk

EXHIBIT A
Conditions of Approval
Erger Minor Subdivision

1. Prior to recording the annexation map and ordinances, zoning ordinances, and minor subdivision plat, the applicant shall coordinate with Town staff to submit a final version of the drawings with appropriate signature blocks for review, signature and recording.
2. Prior to recording the annexation map the following items must be addressed per the referral comments from the Town Engineer dated February 2, 2018 and March 2, 2018:
 - a. Annexation #3: There appears to be a difference between a distance listed in the annexation description and the corresponding line length provided on the map. We note that the second of the distances listed in the annexation description is 690.55 feet, and we note that the mapped dimension for the line is $588.71 + 30.00$ feet=618.71 feet.
 - b. The description for Annexation #3 on the left side of the map is truncated; it does not include the last paragraphs of the description as listed in Exhibit A of the petition.
 - c. The annexation petition includes a legal description with a note stating: "*this description was prepared without the benefit of a title commitment...*" The legal description in the petition and on the annexation map must be updated with the benefit of a title commitment.
3. Prior to issuance of building permits, the applicant shall submit written evidence that the Fire Protection District requirements have been adequately addressed.
4. Prior to placement of fuel tanks on the property, the applicant shall submit written evidence of state and Fire Protection District approval.
5. Prior to issuance of any permits, the applicant shall submit an appropriate screening/buffering plan from adjacent properties on CR 18 and CR 57 for review and approval by Town Staff. The plan shall include any proposed fencing and landscaping to accomplish the required screening and buffering of the existing and proposed industrial use of the property.
6. Prior to issuance of any permits, the applicant shall execute a road maintenance agreement for dust abatement on CR 57 and any required maintenance of CR 18, and to ensure adequate on-site dust abatement. The applicant shall confirm the proposed truck traffic to be generated on the site and propose a designated haul route as part of the road maintenance agreement.

7. Prior to issuance of any permits, the applicant shall submit written evidence that the comments of the Colorado Division of Water Resources concerning the existing water well have been adequately addressed.
8. Prior to approval of the site plan by Town staff, the following items must be addressed per staff referral comments dated February 28, 2018 and Engineer's comments dated March 2, 2018:
 - a. The Town must approve the drainage design, and specifically the proposed nature of stormwater retention or detention. If the applicant proposes retention ponds, the design will require modification and must address the potential need for a water right to augment stored water volume lost through evaporation.
 - b. The Town must approve the Site Plan relative to potential noise impacts of proposed uses close to the north property line.
9. The Town must approve the Site Plan and access design relative to recommendations provided in the Traffic Study.