

**BOARD OF COUNTY COMMISSIONERS FOR  
ADAMS COUNTY, STATE OF COLORADO**

**RESOLUTION APPROVING APPLICATION IN CASE # PLT2020-00018; JRJK DREAM  
ACRES FINAL PLAT**

Resolution 2020-###

WHEREAS, this case involves a request for a Major Subdivision Final Plat to create three lots from the existing three parcels.

LOCATION: 13830 and 13850 Franklin Street

**LEGAL DESCRIPTION:**

LOTS 1 AND 2, BENINATI SUBDIVISION AND ALL OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 1 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ADAMS, STATE OF COLORADO DESCRIBED AS:

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23; THENCE SOUTH 89°42'50" EAST ALONG THE NORTH LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 1331.67 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23; THENCE SOUTH 00°29'54" EAST ALONG THE EAST LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 1324.36 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23; THENCE NORTH 89°29'47" WEST ALONG THE SOUTH LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 1329.62 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23; THENCE NORTH 00°35'27" WEST ALONG THE EAST RIGHT-OF-WAY LINE OF FRANKLIN STREET AND ALONG THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 23, A DISTANCE OF 1319.34 FEET TO THE POINT OF BEGINNING. CONTAINS 1,758,675 SQUARE FEET OR 40.374 ACRES MORE OR LESS.

WHEREAS, the Board of County Commissioners held a public hearing on the application on the 1<sup>st</sup> day of September, 2020; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing, the application in this case is hereby APPROVED based upon the following findings-of-fact and subject to the fulfillment of the following conditions by the applicant:

**RECOMMENDED FINDINGS-OF-FACT**

1. The final plat is consistent and conforms to the approved preliminary plat.

2. The final plat is in conformance with the subdivision design standards.
3. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
4. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that the system complies with state and local laws and regulations.
5. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
6. The proposed or constructed drainage improvements are adequate and comply with these standards and regulations.
7. Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or financially guaranteed through cash-in-lieu or a subdivision improvements agreement so the proposed subdivision will not negatively impact the levels of service of the County.

**Recommended Conditions:**

1. All utilities shall be located underground pursuant to the Adams County Development Standards and Regulations.
2. The property owner for the newly created parcel will be required to obtain an access permit prior to the issuance of a Certificate of Occupancy for any buildings on the site.

**Recommended Note to the Applicant:**

1. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations during the development of the subject site.
2. The Colorado Division of Parks and Wildlife has requested that a survey of the property for nesting of burrowing owls occurs if earthmoving occurs between March 15<sup>th</sup> and October 31<sup>st</sup> of any given year. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. These laws prohibit the killing of burrowing owls or disturbance of their nests. Guidelines for performing a burrowing owl survey can also be obtained from the local District Wildlife Manager.
3. Lot-specific geotechnical investigation, testing, and analysis will be needed, once building locations are identified and prior to building permit application, to determine depths to bedrock and seasonal groundwater levels, and to characterize soil and bedrock engineering properties such as expansion/consolidation potential, density, strength, water content, and allowable bearing pressures.
4. According to NRCS soil survey data, the site soils are moderately corrosive to uncoated steel. On lots where basements are planned and groundwater levels are sufficiently deep to allow below-grade construction, epoxy-coated, vinyl/composite/fiberglass, concrete, or otherwise corrosion-resistant basement window wells are recommended, rather than uncoated or galvanized steel.
5. Applicant must submit the recorded resolution of approval to the Division of Water Resources to allow for the additional well to be permitted on the newly created parcel.