

RESOLUTION NO. P20__

A RESOLUTION REGARDING THE WESTERLY ZONING MAP, REZONING, ADOPTING CERTAIN FINDINGS OF FACT AND CONCLUSIONS FAVORABLE TO THE REZONING.

WHEREAS, the Planning Commission of the Town of Erie Colorado has received and considered the Westerly Zoning Map, Rezoning on May 20, 2020 on the application of Erie Land Company, LLC, 1225 17th Street, Suite 2420, Denver CO, for Rezoning of the following described real property:

See Exhibit "A," attached hereto and incorporated herein, and

WHEREAS, on June 21, 2019, Applicant filed an application (the "Application") for approval of a Rezoning for the Property; and

WHEREAS, the application for Rezoning is detailed on the zoning map titled Westerly Zoning Map, attached hereto and

WHEREAS, said Westerly Zoning Map is incorporated herein and made a part hereof by this reference.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE TOWN OF ERIE, COLORADO, as follows:

Section 1. Findings of Fact

1. The application for rezoning and supporting documents were submitted in accordance with Municipal Code, Title 10, Section 7.5.
2. Following a duly noticed and conducted public hearing, the Planning Commission determined that the application meets the approval criteria as specified in Title 10, Section 7.5 B.9 of the Town of Erie Municipal Code. Specifically that,
 - a. The Rezoning will promote the public health, safety, and general welfare;
 - b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
 - c. Adequate facilities and services (including streets and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
 - d. The Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
 - e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
 - f. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property; and

- g. The Zoning is generally consistent with the Towns' economic development goals and objectives in bring positive growth and sustainable revenues to the Town.

Section 2. Conclusion and Order

Based on the above Findings of Fact, the Planning Commission hereby forwards the Westerly Zoning Map and rezoning application to the Board of Trustees with the Planning Commission's recommendation for approval, with the following conditions:

- 1. Technical corrections to the Westerly Zoning Map shall be made to the Town's satisfaction.

INTRODUCED, READ, SIGNED AND APPROVED this 20th day of May 2020.

TOWN OF ERIE, PLANNING COMMISSION

By: _____
Chair

ATTEST:

By: _____
Secretary

EXHIBIT A

(Legal Description)

A PARCEL OF LAND LOCATED IN THE WEST ONE-HALF OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGIN AT THE NORTHWEST CORNER OF SAID SECTION 21; THENCE NORTH 89°38'17" EAST, COINCIDENT WITH THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 21, A DISTANCE OF 2,663.55 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 21; THENCE SOUTH 00°16'01" EAST, COINCIDENT WITH THE EASTERLY LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 21, A DISTANCE OF 2,649.90 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST ONE-QUARTER SECTION 21; THENCE SOUTH 00°16'04" EAST, COINCIDENT WITH THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21, A DISTANCE OF 414.50 FEET; THENCE SOUTH 89°43'56" WEST, A DISTANCE OF 430.01 FEET; THENCE SOUTH 17°55'57" WEST, A DISTANCE OF 121.26 FEET TO A 380.00 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS NORTH 71°49'29" WEST; THENCE SOUTHWESTERLY, COINCIDENT WITH SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 63°32'08", AN ARC DISTANCE OF 421.38 FEET TO A 720.00 FOOT RADIUS REVERSE CURVE; THENCE SOUTHWESTERLY, COINCIDENT WITH SAID REVERSE CURVE, THROUGH A CENTRAL ANGLE OF 7°33'56", AN ARC DISTANCE OF 95.07 FEET; THENCE SOUTH 15°51'17" EAST, A DISTANCE OF 110.00 FEET TO A 610.03 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 15°51'20" EAST; THENCE SOUTHWESTERLY, COINCIDENT WITH SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 31°16'36", AN ARC DISTANCE OF 333.00 FEET; THENCE SOUTH 42°52'05" WEST, A DISTANCE OF 524.23 FEET TO A 2,251.04 FOOT RADIUS NON-TANGENT CURVE, WHOSE CENTER BEARS SOUTH 06°20'32" WEST; THENCE WESTERLY, COINCIDENT WITH SAID NON-TANGENT CURVE, THROUGH A CENTRAL ANGLE OF 06°26'49", AN ARC DISTANCE OF 253.29 FEET; THENCE NORTH 89°53'43" WEST, A DISTANCE OF 111.61 FEET TO THE EXTERIOR BOUNDARY OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN THE OFFICE OF THE CLERK AND RECORDER OF WELD COUNTY UNDER AT RECEPTION NO. 2978817. THENCE NORTHERLY AND WESTERLY, COINCIDENT WITH SAID EXTERIOR BOUNDARY, THE FOLLOWING FOUR (4) COURSES:

1. THENCE NORTH 00°06'17" WEST, A DISTANCE OF 143.39 FEET;
2. THENCE SOUTH 89°53'43" WEST A DISTANCE OF 608.07 FEET;
3. THENCE NORTH 00°06'17" WEST A DISTANCE OF 230.00 FEET;
4. THENCE SOUTH 89°53'43" WEST, COINCIDENT WITH THE NORTHERLY LINE OF SAID EXTERIOR BOUNDARY AND ITS WESTERLY EXTENSION, A DISTANCE OF 229.57 FEET TO THE WEST LINE OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 21; THENCE NORTH 00°06'17" WEST, COINCIDENT WITH SAID WEST LINE, A DISTANCE OF 1,064.00 FEET TO THE NORTHWEST CORNER OF THE SAID SOUTHWEST ONE-QUARTER OF SAID SECTION 21; THENCE NORTH 00°00'31" EAST, COINCIDENT WITH THE WEST LINE OF THE NORTHWEST ONE-QUARTER OF SAID SECTION 21, A DISTANCE OF 2,654.72 FEET TO THE POINT OF BEGINNING; THE ABOVE DESCRIPTION CONTAINS A CALCULATED AREA OF 9,828,961 SQUARE FEET (225.64189 ACRES), MORE OR LESS.