

**TOWN OF ERIE
PLANNING COMMISSION MEETING
May 20, 2020**

SUBJECT: Consideration Of A Resolution Regarding The Westerly Zoning Map, Rezoning, Adopting Certain Findings Of Fact And Conclusions Favorable To The Rezoning.

CODE: Municipal Code, Title 10

PURPOSE: The applicant proposes to adjust the boundary of the area zoned Neighborhood Mixed Use (NMU) within the Westerly property increasing the area zoned NMU by 3.72 Acres.

DEPARTMENT: Planning & Development Department

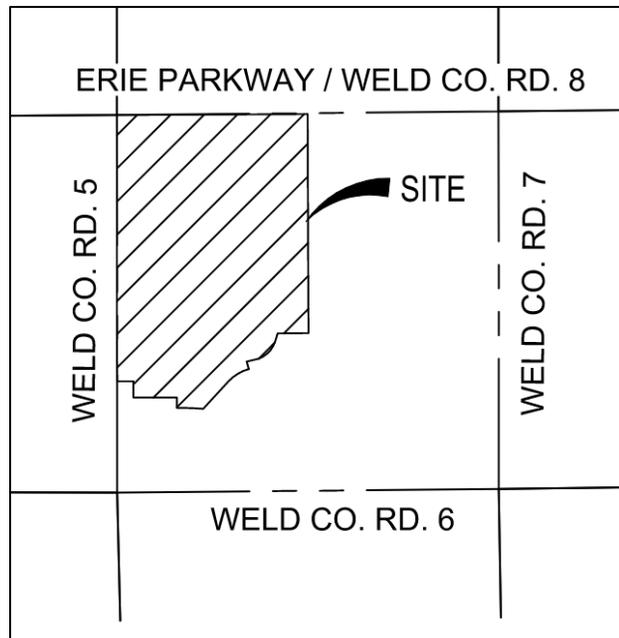
PRESENTER: Hannah Hippely AICP, Senior Planner

STAFF RECOMMENDATION: Approval with conditions

SUMMARY AND BACKGROUND OF SUBJECT MATTER

**Owners/
Applicant:** Heid Majeric
Erie Land Company, LLC
1225 17th Street, Suite 2420,
Denver, CO 80202

Location: The Westerly property is located south of Erie Parkway and east of County Road 5.



Existing Conditions:

Zoning: Neighborhood Mixed Use (NMU) and Low Density Residential (LR).

Project Size: 225.64 Acres

Existing Use: Vacant

Adjacent Land-Use/Zoning:

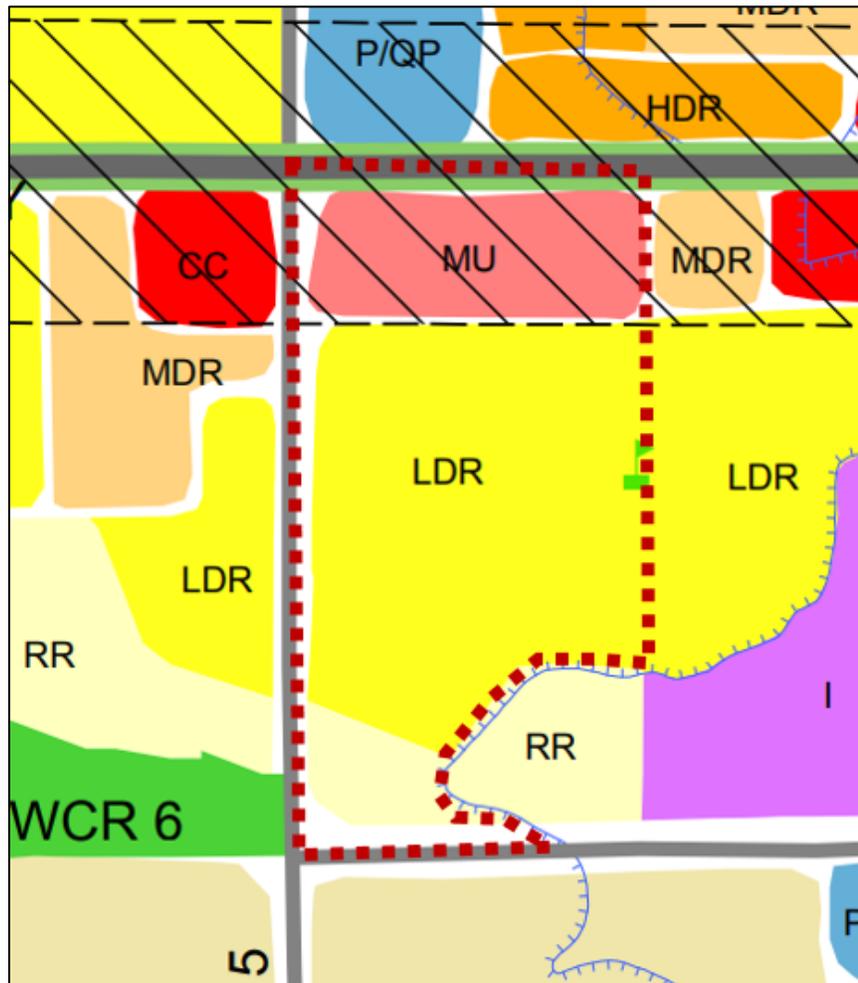
	ZONING	LAND USE
NORTH	PLI – Public Land and Institutions Weld County - Agricultural	School Agriculture
SOUTH	PD- Planned Development	Landfill
EAST	Weld County - Agricultural	Agriculture
WEST	CC – Community Commercial Weld County – Agricultural LDR – Low Density Residential	Erie Highlands – Vacant Commercial Salvage yard Vacant / Town Open Space

Westerly Rezoning Proposal:

The applicant is requesting to increase the area zoned NMU by 3.72 acres and adjust the areas zoned LR and NMU within the Westerly property to:

ZONE DISTRICT	CURRENT AREA (ACRES)	PROPOSED AREA (ACRES)
LOW DENSITY RESIDENTIAL	217.65	213.93
NEIGHBORHOOD MIXED USE	7.99	11.71

Compliance with Town of Erie Comprehensive Plan:



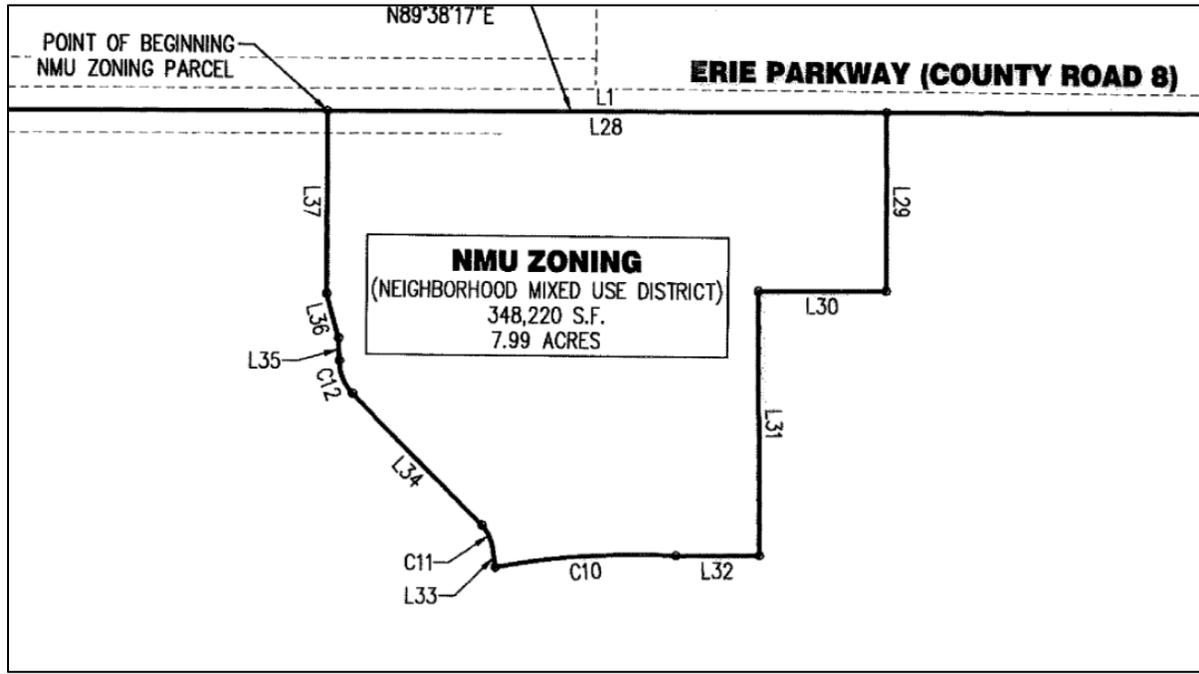
The Land Use designations on the Comprehensive Plan, Land Use Plan Map are:

- LDR – Low Density Residential (Gross Density of 2-6 Dwelling Units/Acre)
- MU – Mixed-Use development provides a mix of residential, commercial, retail, and office uses in a compact, pedestrian-oriented environment.

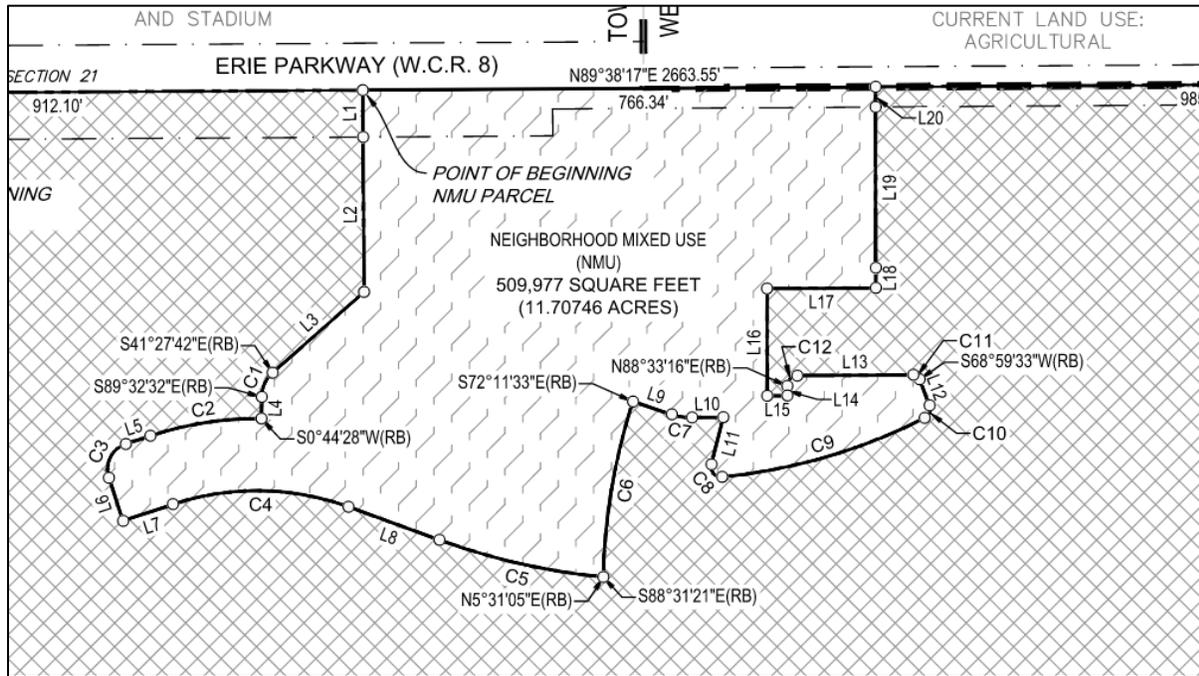
Background:

The Westerly Property was annexed into the Town of Erie as the Horst Property in 1990 and its original intended use was for a landfill. The property remains undeveloped and under agricultural use to this day. In 2017, the current owners submitted a Sketch Plan which was reviewed by Planning Commission and the Board of Trustees in August of 2017. A rezoning application, intended to implement the Sketch Plan, was reviewed and approved by the Board of Trustees in September 2017. The design for the development of the property evolved and a second Sketch Plan was reviewed by Planning Commission and the Board of Trustees in February and March 2019 respectively. The property owner is in the process of having a Preliminary Plat reviewed however, that proposal is based on the applicant being permitted to make an adjustment in the boundaries of the area zoned Neighborhood Mixed Use (NMU). This zone district adjustment is the subject of this application.

Current NMU Area



Proposed NMU Area



STAFF REVIEW AND ANALYSIS

The Westerly Zoning Map was reviewed for conformance with Municipal Code 10.7.5 B.9. Rezoning Approval Criteria. Staff finds the Westerly Zoning Map in compliance with the Rezoning Approval Criteria as listed below.

- a. The Rezoning will promote the public health, safety, and general welfare;

Staff: The Westerly Zoning Map promotes the public health, safety, and general welfare as it reflects the Town's goals in regards to development of the area.

- b. The Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;

Staff: The Erie Comprehensive Plan anticipates a combination of residential and commercial development in this area. The Westerly rezoning will support the development of this property as contemplated by the Comprehensive Plan.

- 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;

Staff: Services are available but, improvements both off site and on site are needed to ensure adequate levels of service to the development. Other agencies and entities that provide services will be included in any future subdivision review process to ensure all necessary services are provided.

- 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;

Staff: Rezoning sets the stage for the development of this site. The current condition of this site is not in a natural state as it has been used for various purposes over time. In some areas the property is bare dirt and weeds, in other areas agricultural activities are still present, in the middle of the lower portion of the site a collection of abandoned buildings remain, and the deteriorated hard surface of the drag strip runs south from Erie Parkway. Conversion of this site is unlikely to have significant adverse impacts upon the natural environment and impact mitigation, such as storm water management, will be addressed as part of the future subdivision processes.

- e. The Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

Staff: The rezoning will facilitate the development of residential and commercial uses within the area similar to what exists and is planned to the west and northwest. The proposed uses are compatible with the schools located to the north. To the south is a landfill and the Encana hub which the proposed development is unlikely to significantly impact.

- 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

Staff: Staff anticipates that future uses will be similar in scale to the residential developments to the west (Erie Highlands) and northwest (Colliers Hill).

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

Staff: The project is consistent with the Comprehensive Plan which land use designations are intended to implement the Town's economic development goals

NEIGHBORHOOD MEETING

As required by the Municipal Code a Neighborhood Meeting was held:

Neighborhood Meeting Date:

September 4, 2019

Neighborhood Meeting Location:

Erie Community Center

The required posted and mailed notice of the Neighborhood Meeting was provided as required.

PUBLIC NOTICE

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly: April 29, 2020

Property Posted: April 27, 2020

Letters to adjacent property owners within 500': May 1, 2020