

**Town of Erie
Planning Commission
Resolution No. P21-19**

**A Resolution of the Planning Commission of the Town of Erie
Recommending that the Board of Trustees Approve the Westerly
Filing No. 1, Amendment No. 1 Final Plat**

Whereas, Erie Land Company, LLC, 1225 17th Street, Suite 2420, Denver, CO 80202 (the "Applicant") owns the real property more particularly described as Lots 1-24, Block 11, Lots 1-7, Block 2, Together with Tracts D, E, J, L, W and Z, Westerly Filing No. 1, Located in the West Half of Section 21, Township 1 North, Range 68 West, 6th P.M., Town of Erie, County of Weld, State of Colorado (the "Property");

Whereas, on March 16, 2021, Applicant filed an application (the "Application") for a Final Plat, known as Westerly Filing No. 1, Amendment No. 1 (the "Final Plat"), for the Property; and

Whereas, pursuant to Section 10-7-7.D.8.b, the Final Plat differs from the approved Westerly Preliminary Plat and requires review and approval in the same manner as the Preliminary Plat;

Whereas, on October 6, 2021, the Planning Commission held a properly-noticed public hearing on the Application.

Now, Therefore, be it Resolved by the Planning Commission of the Town of Erie, Colorado, that:

Section 1. Findings. Upon consideration of the Application and supporting documentation, hearing the statements of Town staff and the public, and giving due consideration to the matter, the Planning Commission finds and determines as follows:

- a. The Application is in substantial compliance with Title 10 of the Erie Municipal Code (the "UDC").
- b. The Application meets the criteria set forth in Section 7-7 of Title 10 of the UDC, specifically:
 - 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 Final Plat will preserve the public health, safety and welfare.

Section 2. Decision. The Planning Commission hereby recommends that the Board of Trustees adopt the ordinance approving the Westerly Filing No. 1, Amendment No. 1 Final Plat, with the following conditions:

- a. Prior to consideration by the Board of Trustees, Applicant shall make all technical corrections to the Application as required by the Town.

Adopted this 6th day of October 2021.



Kelly Zuniga, Chair

Attest:



Melinda Helmer, Secretary