

**TOWN OF ERIE**

Planning & Development – Planning Division  
645 Holbrook Street – PO Box 750 – Erie, CO 80516  
Tel: 303.926.2770 – Website: [www.erieco.gov](http://www.erieco.gov)

**LAND USE APPLICATION**

*Please fill in this form completely. Incomplete applications will not be processed. Application fees must accompany application.*

**STAFF USE ONLY**

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

**PROJECT/BUSINESS NAME:** Westerly - Southern Land Company**PROJECT ADDRESS:** TBD - generally east of County Road 5, west of County Road 7, and south of Erie Parkway

**PROJECT DESCRIPTION:** The Westerly property is proposed to be a high quality Mixed Use addition to the Town of Erie,  
the proposal is for some minor adjustments to the existing zoning boundary on the south to align with the Sketch Plan  
that is a part of the Annexation Agreement and has been presented to the BOT and PC.

**LEGAL DESCRIPTION** (attach legal description if Metes & Bounds)

Subdivision Name:

Filing #: Lot #: Block #: Section: 21 Township: 1 North Range: 68 West

**OWNER** (attach separate sheets if multiple)

Name/Company: Erie Land Company, LLC

Contact Person: Heidi Majerik

Address: 1225 17th Street, Suite 2420

City/State/Zip: Denver, CO - 80202

Phone: 303-888-3866

Fax:

E-mail: heidi.majerik@southernland.com

☒ Check here if Owner is responsible for Application Billing**AUTHORIZED REPRESENTATIVE**

Company/Firm:

Contact Person:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

☐ Check here if Authorized Representative is responsible for Application Billing**MINERAL RIGHTS OWNER** (attach separate sheets if multiple)

Name/Company: Anadarko Petroleum Corp.

Address: 1099 18th Street, Suite 1800

City/State/Zip: Denver, CO - 80202

**MINERAL LEASE HOLDER** (attach separate sheets if multiple)

Name/Company: Anadarko Petroleum Corp.

Address: 1099 18th Street, Suite 1800

City/State/Zip: Denver, CO - 80202

**LAND-USE & SUMMARY INFORMATION**

Present Zoning: NMU - LR - MR - PLI - AG/OS

Proposed Zoning: LR - AG/OS

Gross Acreage: Full property is approx. 427 acres, 1.75 acres  
are being added to the current LR area.

Gross Site Density (du/ac): 2.8 du/ac.

# Lots/Units Proposed: 1,204

Gross Floor Area: approx. 35,000 in the NMU area.

**SERVICE PROVIDERS**

Electric: Public Service

Metro District: Westerly Metropolitan Districts

Water (if other than Town):

Gas: Public Service

Fire District: Mountain View Fire

Sewer (if other than Town):

**PAGE TWO MUST BE SIGNED AND NOTARIZED**

DEVELOPMENT REVIEW FEES			
<b>ANNEXATION</b>		<b>SUBDIVISION</b>	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<b>COMPREHENSIVE PLAN AMENDMENT</b>		<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Minor Plat Amendment	\$400.00
<b>ZONING/REZONING</b>		<input type="checkbox"/> Road Vacation (constructed)	\$1000.00
<input type="checkbox"/> Initial Zoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Road Vacation (paper)	\$100.00
<input checked="" type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre		
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<b>SITE PLAN</b>	
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2,200.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
<b>SPECIAL REVIEW USE</b>		<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (major)	\$1100.00
<input type="checkbox"/> Minor	\$ 400.00	<input type="checkbox"/> Amendment (minor)	\$350.00
<input type="checkbox"/> Oil & Gas	\$ 1200.00	<b>VARIANCE</b>	
<b>MISCELLANEOUS</b>		<b>METRO DIST SERVICE PLAN</b>	
<input type="checkbox"/> Outdoor Café Permit/R.O.W. Encroachment	\$50.00	\$10,000.00	
<input type="checkbox"/>			

All fees **include** both Town of Erie Planning & Engineering review. These fees **do not include** referral agency review fees, outside consultant review fees, or review fees incurred by consultants acting on behalf of staff. See Town of Erie Municipal Code, Title 2-10-5 for all COMMUNITY DEVELOPMENT FEES.

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. **The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Title 10, Section 7.2.B.5 of the Town of Erie Municipal Code, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.**

Owner: Erie Land Company LLC Date: 9/29/20

Owner: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant: [Signature] Date: \_\_\_\_\_

STATE OF COLORADO )  
 ) ss.  
County of DENVER )

The foregoing instrument was acknowledged before me this 29 day of September, 2020, by Kindi Majourk.

My commission expires: 6-21-2022.

Witness my hand and official seal.

[Signature]

Notary Public

Erie Land Company, LLC  
1225 17<sup>TH</sup> Street  
Suite 2420  
Denver, CO 80202  
Phone: 303-888-3866

October, 2020

Town of Erie  
Community Development Department  
645 Holbrook Street  
Erie, CO 80516

RE: ReZone, Westerly

To Whom It May Concern:

Erie Land Company, LLC ("Applicant") is pleased to submit the enclosed Re-zone application for the property located at the southeast corner of Erie Parkway and Weld County Road 5. This project consists of a parcel with an area of approximately 276 acres that is located in the Town of Erie and is currently zoned NMU, LR and AG/OS, which is consistent with the Town Comprehensive Plan as well as this proposed PUD. The Re-Zone request is limited to adjusting the boundary between the existing LR Zone District and the AG/OS Zone District. This adjustment is for approximately 2.1 acres and will make the Zoning conform to the Concept Plan as documented in the approved *Swink Annexation and Dearmin East Annexation Agreement*.

#### **General Project Concept and Purpose of the Request**

The General project concept is for the design of a walkable village at the northeast corner with a direct connection through the open space to the Neighborhood Park at the promontory towards the south and east property line. The vehicular circulation provides direct access through the community while leading to or terminating at the Neighborhood Park. Every resident is within a 5-minute walk to the Neighborhood Park, a Pocket Park and various connections to the pedestrian trail network.

The proposed plan anticipates approximately 950 homes on the approximately 276.3 acres, equating to a density of approximately 3.4 dwelling units per acre. As can be seen in the associated Concept Plan there is a diverse mix of residential home types being proposed for this community, ranging from Live Work, Townhomes, Paired Homes, and Single-Family homes, in a variety of alley load and front-loaded garage configurations. In addition, the Plan anticipates approximately 35,000 square feet of non-residential floor area in the Mixed-Use area. The addition of the Swink property to the east brings another approximately 51 acres of Open Space to the Community, more than doubling the

Open Space already anticipated with the approved Preliminary Plat for the Dearmin portion of the property. This 51 acres of additional Open Space comes with an addition of only 258 homes, making the amount of Open Space available to the full community very substantial. The full Westerly Community is comprised of approximately 1,204 homes on 428 acres, or 2.8 dwelling units per acre, with approximately 100 acres of Open Space along the southern boundary alone and will add land for an additional school site for the Town of Erie.

The requested rezoning is related to the change in the boundaries for the LR Zone District and Ag/OS, this change is approximately 2.1 acres and will make the Zoning consistent with the Concept Plan that is part of the approved *Swink Annexation and Dearmin East Annexation Agreement*. This minor addition of LR land is more than offset by the addition of approximately 51 acres of Open Space on the Swink side of the property.

### **Development Timeline**

The project is likely to be constructed in multiple phases. The first phases will be centered around the northernmost proposed community amenity and NMU area and subsequent phases will be built to the south of that area. The timing of initial construction efforts is difficult to anticipate given the complexities of entitlements; however, if a grading permit could be issued in November, the development team is anxious to move forward with the construction of the initial phase of the community.

### **Relationship to Existing Land Uses**

The Westerly property is bounded by WCR 5 on the west side, Erie Parkway to the north, the Swink property on the east, and the FRICO ditch on the south. WCR 5 and Erie Parkway provide significant boundaries to the adjacent properties. To the north is the Erie High School, to the west is the Erie Highlands master planned community, as well as a small out parcel that has Blake's Small Car Salvage. Homes in the Westerly community along both WCR5 and Erie Parkway will meet the required 30' landscape buffer setback to ensure compatibility. The adjacent Swink property to the east is now Annexed to the Town of Erie and has been designed as an extension of the Westerly community. The southern boundary of the property includes a wide 300' minimum open space corridor to provide an appropriate buffer to the oil and gas operations to the south of the Westerly community.

## Comprehensive Plan and Approval Criteria

The Westerly plan is consistent with the Town of Erie Comprehensive Plan.

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

The Rezone proposal is a modest proposal to update the existing boundaries to coincide with the Concept Plan that is part of the *Swink Annexation and Dearmin East Annexation Agreement* exhibits for the Westerly Community. The Community design promotes public health, safety and general welfare by proposing standards that allow for the creation of a complete community that can host a mix of uses that provide residents and visitors of Westerly the opportunity to live, work, play and interact. The highly connected street network makes Westerly walkable, drivable and bike-able. The provision of many sizes and types of open space common areas creates places for residents to be able to linger, interact with each other and live a healthy lifestyle for mind and body.

2. The Rezoning is consistent with the Town's Comprehensive Plan and the purposes of the Municipal Code, Title 10, Unified Development Code;

The Rezone proposal is consistent with the Town's Comprehensive Plan and the purposes of the UDC, the modifications of the existing zoning boundaries are minor in nature.

3. Adequate facilities and services (including roads 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;

Adequate facilities and services will be available for the Westerly community.

4. 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;

The Rezone proposal will not result in adverse impacts.

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

The Rezone proposal will not result in adverse impacts.

6. Future uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject;

The Rezone proposal is compatible with the surrounding properties, again the proposal is for minor adjustments to the existing zoning boundaries.

**Mineral Rights**

A surface agreement has been executed with Occidental and has been included with this Rezone submittal. This agreement assures that there are no future drilling sites located within this community.

Thank you for your consideration of the project and we look forward to reviewing the plans with the Town of Erie.

Sincerely,

Erie Land Company, LLC

A handwritten signature in dark ink, appearing to read 'H. Majerik', with a stylized flourish at the end.

Heidi Majerik  
Vice President and General Manager