

**Town of Erie  
Planning Commission  
Resolution No. P21-18**

**A Resolution of the Planning Commission of the Town of Erie  
Recommending that the Board of Trustees Approve the Westerly  
PUD Overlay District**

**Whereas**, Erie Land Company, LLC, 1225 17th Street, Suite 2420, Denver, CO 80202 (the "Applicant") owns the real property more particularly described as a portion of Section 21, Township 1 North, Range 68 West, 6<sup>th</sup> P.M., Town of Erie, County of Weld, State of Colorado (the "Property");

**Whereas**, on September 29, 2020, Applicant filed an application (the "Application") for a Planned Unit Development ("PUD") zoning map amendment, known as the Westerly PUD Overlay District for the Property; and

**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 meets the criteria set forth in Section 7-6 of Title 10 of the Erie Municipal Code (the "UDC"), specifically:
  - i. The PUD Rezoning is generally consistent with the purpose of the PUD overlay district in Subsection 2-7.D.1 of Title 10 of the UDC;
  - ii. The PUD Rezoning will promote the public health, safety, and general welfare;
  - iii. The PUD Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;
  - iv. The PUD Rezoning is generally consistent with the PUD standards in Subsection 2-7.D.2 of Title 10 of the UDC;
  - v. 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;

- vi. The PUD 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;
- vii. The PUD Rezoning is not likely to result in significant adverse impacts to significant scenic and historic features as identified in plans adopted by the Town;
- viii. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;
- ix. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;
- x. The proposed phasing of the development is appropriate and the development can be substantially completed within the time period specified in the schedule of development or Development Agreement submitted by the applicant; and
- xi. The PUD Plan provides public benefit(s).

Section 2. Decision. The Planning Commission hereby recommends that the Board of Trustees adopt the ordinance approving the Westerly PUD Overlay District, 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 6<sup>th</sup> day of October 2021.**

  
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Kelly Zuniga, Chair

**Attest:**

  
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Melinda Helmer, Secretary