



Legislation Details (With Text)

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**File created:** 10/29/2021      **In control:** Town Council

**On agenda:** 11/9/2021      **Final action:** 11/9/2021

**Title:** PUBLIC HEARING: An Ordinance of the Board of Trustees of the Town of Erie Approving the Westerly Planned Unit Development

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 35-2021, 2. Proposed PUD Overlay, 3. Staff Report, 4. Existing PUD Overlay, 5. Application and Narrative, 6. Other Applicant Materials, 7. Referral Comments, 8. Neighborhood Meeting Summary, 9. Notifications, 10. Staff Presentation, 11. Applicant Presentation, 12. PC Resolution P21-18, 13. Public Comment

Date	Ver.	Action By	Action	Result
11/9/2021	1	Town Council	approve	Pass

**SUBJECT: General Business**

PUBLIC HEARING: An Ordinance of the Board of Trustees of the Town of Erie Approving the Westerly Planned Unit Development

**DEPARTMENT:** Planning & Development Department

**PRESENTER:** Shannon Moeller, AICP, Senior Planner

**TIME ESTIMATE:** 15 minutes

**STAFF RECOMMENDATION:**

Approve PUD Overlay Ordinance 35-2021.

**SUMMARY AND BACKGROUND OF SUBJECT MATTER:**

The Westerly property is located South of Erie Parkway and east of Weld County Road 5. The Dearmin Property was annexed into the Town of Erie as the Horst Property in 1990. At that time the owner anticipated the property to be used as a landfill site. The pre-annexation and annexation agreements that outlined the landfill requirements for the property were terminated in 2017 when the Town rezoned the property from Rural Preservation 3 to LR-Low Density Residential, NMU-Neighborhood Mixed Use and AG/OS-Agriculture/Open Space.

A Sketch Plan was originally reviewed for this property in 2017 and then an updated Sketch Plan was

reviewed in February 2019. The Board approved a rezoning, PUD Overlay and Preliminary Plat in 2020 for the Westerly property. The rezoning adjusted to boundaries of the NMU zoning area at the north end of the property.

The Swink Property was annexed into the Town of Erie in January 2020. The Board approved an Annexation Agreement that covered both the Swink and Dearmin portions of the property and included a Conceptual Plan for the overall Westerly development, which is intended to be developed as one master-planned mixed-use development.

In July 2020, the existing Westerly PUD Overlay was established. The residential portions of the PUD anticipated a mix of housing types including single-family detached front-loaded and alley-loaded homes, alley-loaded duplexes, and alley-loaded townhomes. Specific dimensional and architectural standards were established for the various product types.

A PUD Overlay is a mapped area with restrictions in addition to, or less than, those in the underlying traditional zone. Rather than attempt to create a new zoning category, an overlay zone is superimposed over the traditional zone and establishes additional regulations, or reduces or extends the existing uses. The overlay zone may provide design restrictions, additional setbacks, or other exceptions to the base district regulations.

The applicant has applied to amend the existing Westerly PUD Overlay, including:

- Extend the overlay across the LR- and MR-zoned portions of the Swink property to the east, adding approximately 63 acres to the overall PUD Overlay.
- The southern boundary of the existing Overlay is proposed to be adjusted for consistency with the southern boundary of the concurrently-proposed Rezoning to adjust the AG/OS - LR boundary.
- Minor updates to the dimensional and garage standards for single-family front loaded homes on 60-foot wide lots clarify setbacks and incorporate additional standards for side-loading garages, located on sheet 5 of the PUD.

**Board Priority(s) Addressed:**

- ✓ Attractive Community Amenities
- ✓ Engaged and Diverse Community
- ✓ Small Town Feel
- ✓ Safe and Healthy Community
- ✓ Environmentally Sustainable

**ATTACHMENTS:**

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