

**TOWN OF ERIE  
PLANNING COMMISSION MEETING  
August 4, 2021**

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**SUBJECT: PUBLIC HEARING**

**Rezoning**

Resolution P21-10: A Resolution Of the Planning Commission of the Town of Erie Recommending That The Board of Trustees Approve an Ordinance Rezoning Portions of the Property at Colliers Hill from Suburban Residential (SR) to Low Density Residential (LDR) as shown on the Bridgewater Zoning Map – Amendment No. 2

**Planned Unit Development (PUD) Amendment**

Resolution P21-11: A Resolution Of the Planning Commission of the Town of Erie Recommending That The Board of Trustees Approve the Bridgewater PUD Overlay Map, Amendment No. 6.

**PURPOSE: Rezoning**

Consideration of a rezoning of a portion of Village 1 from Suburban Residential (SR) to Low Density Residential (LR).

**Planned Unit Development (PUD) Amendment**

Consideration of a Planned Unit Development Amendment with the following changes:

- A note was added to page 2 of the PUD stating the following:
  1. Oil and gas setbacks shall reflect standards outlined in the Town of Erie unified development code (December 2020). A minimum of 350 feet distance shall be maintained from active oil and gas wells and 25 feet from capped and abandoned oil and gas wells. Setbacks are measured from the well head to the nearest residential lot.
- Removed standards for ER-Estate Residential and SR-Suburban Residential since development would not occur in these zone districts.
- Village 1:
  1. Allow an increase in the number of dwelling units from 300 up to 500 total dwelling units.
  2. Elimination of old Village 1, which allowed only single-family detached units on lots sizes ranging from 8,500 square feet to 10,000 square feet and replacing it with Village 1A and Village 1B. Village 1A would allow up to 350 single-family detached homes on lot sizes ranging from 5,200 to 10,000 square feet. Village 1B would allow

up to 150 alley loaded duplexes on lot sizes of 2,250 square or above.

- Village 14:
  1. Restricting development within the village to townhome only. The current PUD allows duplex, townhomes, condos, and apartments.
  2. Consideration of the creation of dimensional and architectural standards for a single-family attached development (townhomes).

**CODE REVIEW:** Erie Municipal Code, Title 10

**DEPARTMENT:** Planning and Development

**PRESENTER:** Chris LaRue, Senior Planner

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**STAFF RECOMMENDATION:**

Rezoning:

Staff finds the rezoning (Bridgewater Zoning Map – Amendment No. 2) in compliance with the Rezoning Approval Criteria and recommends the Planning Commission adopt Resolution No. P21-10 recommending approval to the Board of Trustees.

PUD Amendment:

Staff finds the Bridgewater (aka Colliers Hill) Planned Unit Development Overlay Map Amendment No. 6 in compliance with the Planned Unit Development Approval Criteria and recommends the Planning Commission adopt Resolution No. P21-11 recommending approval to the Board of Trustees.

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**SUMMARY AND BACKGROUND OF SUBJECT MATTER**

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Applicant: Daybreak Recovery Acquisition LLC  
7200 South Alton Way, Suite C-400  
Centennial, CO 80112

Location:

All of Colliers Hill is bounded by Erie Parkway on the south, WCR 5 on the east, and the RTD right-of-way on the north and west. The part of the property where the amendments are proposed is Tract 18 of the Bridgewater Master Subdivision and Tract A of Colliers Hill Filing No. 4G. The PUD designates them as Village 1 and 14. The amendment boundaries are in red shading below:



Existing Conditions:

Zoning: Village 1: ER – Estate Residential and SR – Suburban Residential / Bridgewater PUD Overlay  
 Village 14: LR – Low Density Residential / Bridgewater PUD Overlay

Project Size: Village 1: 151.72 acres and  
 Village 14: 14.68 acres

Existing Use: Vacant Property with oil and gas wells in Village 1

Adjacent Land-Use/Zoning:

Village 1

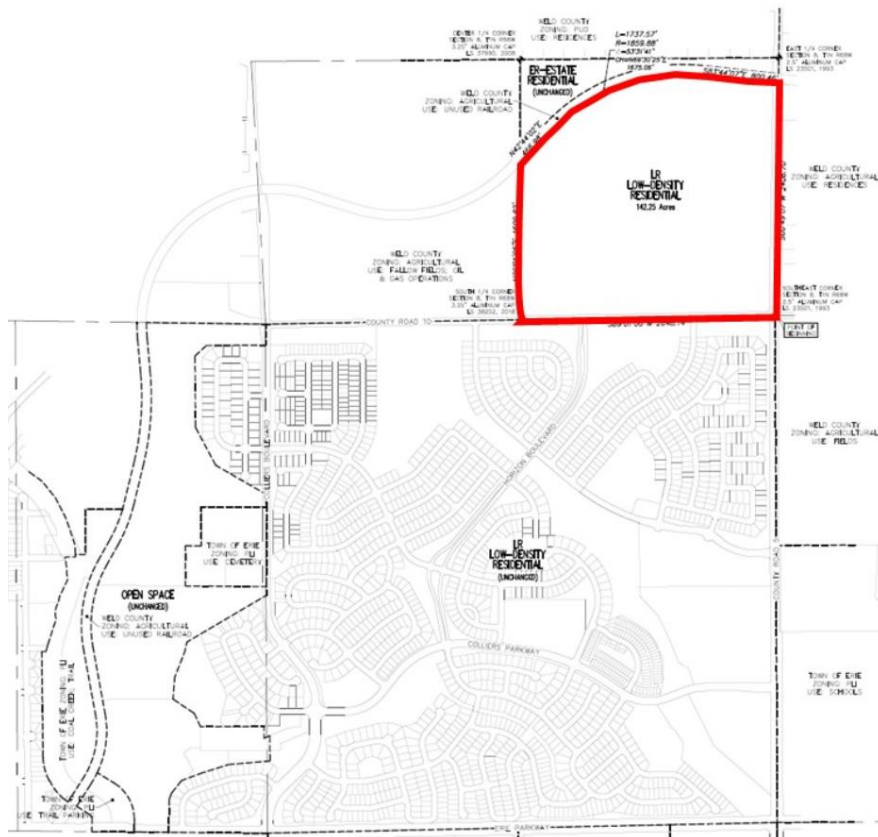
	ZONING	LAND USE
<b>NORTH</b>	Unincorporated Weld County A-Agriculture & PUD	Rural residential/private airport
<b>WEST</b>	Unincorporated Weld County A-Agriculture	Oil and Gas
<b>SOUTH</b>	LR-Low Density Residential / Colliers PUD	Single-Family detached
<b>EAST</b>	Unincorporated Weld County A-Agriculture	Rural Residential

Village 14

	ZONING	LAND USE
NORTH	LR-Low Density Residential / Colliers PUD	Single-family detached lots
WEST	LR-Low Density Residential / Colliers PUD	Open Space and Single-family detached
SOUTH	LR-Low Density Residential / Colliers PUD	Future community park
EAST	PLI-Public Land & Institutions/ Unincorporated Weld County A- Agriculture	School/Agricultural land

**Proposed Zoning Map:**

The rezoning application proposes changing the current SR-Suburban Residential zone district boundaries in Village 1 to LR-Low Density Residential. The ER-Estate Residential zoned area will remain unchanged, and will be maintained as private open space per the PUD. The applicant wishes to rezone to allow more density within the area to accommodate single-family detached dwelling units on smaller lots than currently allowed, and duplex residential uses similar to what has already been developed to the south in Colliers Hill. Overall the rezone request would impact 142.25 acres. Below is proposed Zoning Map Amendment No. 2 with the area to be rezoned to LR highlighted in red:



### **PUD Amendment:**

The PUD Overlay District is generally used when there is special public interest that doesn't coincide with the traditional zoning in a geographic area. The PUD Overlay District may only be used when an application is not able to meet the requirements of a standard zone classification. The PUD 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 underlying zoning identifies permitted land uses, the overlay zone may provide design restrictions, additional setbacks, or other exceptions to the base district regulations.

General purposes of a PUD are as follows:

- a. Establish a procedure for the development of larger parcels of land in order to reduce or eliminate the rigidity, delays, and inequities that otherwise would result from application of zoning standards and procedures designed primarily for small parcels.
- b. Ensure orderly and thorough planning and review procedures that will result in high-quality urban design.
- c. Encourage variety and avoid monotony in large developments by allowing greater freedom in selecting the means to provide access, light, open space, and amenity.
- d. Provide a mechanism for considering mixes of uses that can be made compatible by application of careful and imaginative treatment of interrelationships of activity.
- e. Encourage allocation and improvement of common open space in residential areas, and provide for maintenance of the open space at the expense of those who will directly benefit from it.
- f. To convert land so poorly developed as to be a public liability.
- g. Encourage the preservation of serviceable existing structures of historic value or artistic merit by providing the opportunity to use them imaginatively for purposes other than that for which they were originally intended.
- h. Encourage the assembly of properties that might otherwise be developed in unrelated increments to the detriment of surrounding neighborhoods.
- i. To simplify processing of development proposals for developers and the Planning Commission by providing for concurrent review of land use, subdivision, public improvements and siting considerations.

### **Colliers PUD Amendment:**

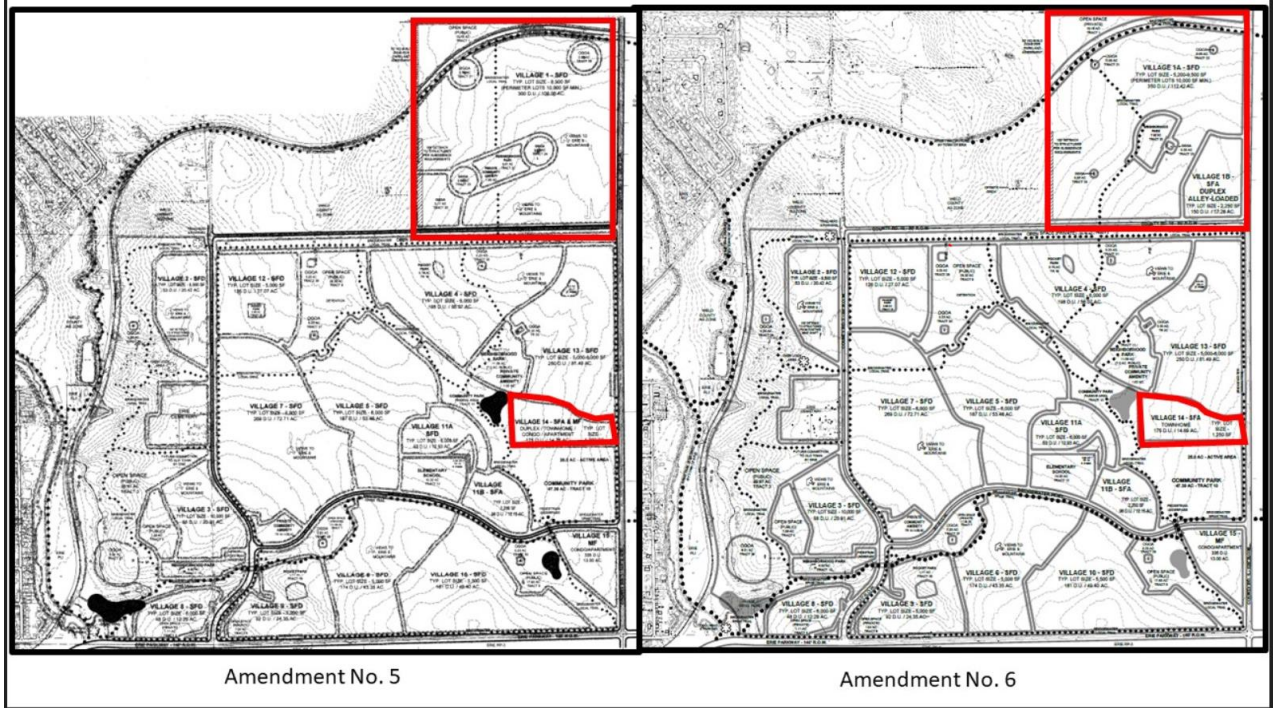
The Colliers Hill property was annexed into the Town of Erie in October 2007 as Bridgewater. The property was granted initial zoning concurrent with the annexation. Included in the initial zoning was the approval of a PUD Overlay Map that modified certain development standards. The PUD identified Villages (planning areas) and established the dwelling unit maximum number at 2,880 units. The following amendments to the Colliers Hill PUD have been approved:

- The 1<sup>st</sup> Amendment to the PUD was approved in 2011, and divided the planning areas into different Villages, established park and school areas, designated housing types, added street design criteria, and clarified dimensional standards.
- The 2<sup>nd</sup> Amendment was approved in 2013, and added architectural standards for single-family detached dwelling units.
- The 3<sup>rd</sup> Amendment was approved in 2015 to shift the location of the school site, and readjusted the villages accordingly.
- The 4<sup>th</sup> Amendment was approved in 2019, and created a new village, adjusted the dimensional standards, and created architectural standards to facilitate a duplex development.
- The 5<sup>th</sup> Amendment was approved in November 2020, and shifted Village boundaries, increased dwelling units in Village 15, created architectural and dimensional standards for multi-family (apartments) for Village 15, and updated all boundaries within the PUD to accurately reflect all plat revisions.

The proposed PUD Amendment No. 6 proposes the following changes:

- A note was added to page 2 of the PUD stating the following:
  1. Oil and gas setbacks shall reflect standards outlined in the Town of Erie unified development code (December 2020). A minimum of 350 feet distance shall be maintained from active oil and gas wells and 25 feet from capped and abandoned oil and gas wells. Setbacks are measured from the well head to the nearest residential lot.
- Removed standards for ER-Estate Residential and SR-Suburban Residential since development would not occur in these zone districts.
- Village 1:
  1. Allow an increase in the number of dwelling units from 300 up to 500 total dwelling units.
  2. Elimination of old Village 1, which allowed only single-family detached units on lots sizes ranging from 8,500 square feet to 10,000 square feet and replacing it with Village 1A and Village 1B. Village 1A would allow up to 350 single-family detached homes on lot sizes ranging from 5,200 to 10,000 square feet. Village 1B would allow up to 150 alley loaded duplexes on lot sizes of 2,250 square or above. (Villages 1A and 1B would follow the existing PUD standards for setbacks and architecture per the LR-Low Density Residential Single-Family Detached and LR-Low Density Residential Single-Family Attached – Alley Loaded).
- Village 14:
  1. Restricting development within the village to townhome only. The current PUD allows duplex, townhomes, condos, and apartments.
  2. Consideration of the creation of dimensional and architectural standards for a single-family detached development (townhomes).

Below are the proposed changes to the PUD map with affected areas in red. The existing PUD Amendment No. 5 is on the left and the proposed PUD Amendment No. 6 amendment is on the right.



Below is a comparison of the changes between PUD Amendment No. 5 and PUD Amendment No. 6

## Existing PUD Requirements - Amendment No. 5

### DIMENSIONAL STANDARDS

DISTRICT	MINIMUM LOT STANDARDS		MINIMUM LOT SETBACKS (FT.) <sup>(2,3,7)</sup>				MAX. HT.
	WIDTH (FT.)	AREA (S.F.)	FRONT <sup>(6)</sup>	SIDE <sup>(1,4)</sup> (TO ABUTTING STREET)	SIDE <sup>(1,4)</sup> (TO INTERIOR LOT)	REAR <sup>(4,5)</sup>	
ER	100'	40,000	PRIN. - 30' ACC. - 40'	30'	10'	PRIN. - 30' ACC. - 10'	PRIN. - 35'
SR	75'	SFD 8,500 MF 5,000/D.U.	PRIN. - 25' ACC. - 35'	20'	PRIN. - 10' ACC. - 5'	PRIN. - 25' ACC. - 5'	PRIN. - 35' ACC. - 30'
LR (WITH SFD)	40' 60' CORNER LOTS	3,500	PRIN. - 20' ACC. - 30'	10'	6'	PRIN. - 20' ACC. - 5'	PRIN. - 35' ACC. - 25'
LR (VILLAGE 15 APARTMENTS)	NONE	1,500	PRIN. - 20' ACC. - 30'	10'	NONE	PRIN. - 20' ACC. - 5'	PRIN. - 35' <sup>(9)</sup> ACC. - 25'
LR (DUPLEX ALLEY LOADED)	30'	2,250	PRIN. (OS) - 6' PRIN. (ROW) - 12'	10'	6'	PRIN. - 0' <sup>(8)</sup> ACC. - N/A	PRIN. - 35' ACC. - 25'

(1) ZERO LOT LINE SETBACKS SHALL BE PERMITTED FOR ATTACHED BUILDINGS PROVIDED THAT THE BUILDING MEETS THE ZONE DISTRICT INTERIOR LOT LINE SETBACK ON THE SIDE OF THE BUILDING THAT IS NOT ATTACHED

(2) MULTIPLE PRINCIPAL BUILDINGS ON A SINGLE LOT SHALL BE SEPARATED BY A DISTANCE EQUAL TO THE DISTANCE THAT WOULD BE REQUIRED IF THEY WERE SEPARATED BY A SIDE TO INTERIOR LOT LINE.

(3) FRONT, SIDE, AND REAR SETBACKS SHALL ALLOW FOR ENCROACHMENTS UP TO 2 FEET BEYOND THE BUILDING FOUNDATION FOR ABOVE-GRADE FEATURES INCLUDING EAVES, COUNTERFORTS, FIREPLACE BOX-OUT, STOOPS, BAY WINDOWS, ROOM CANTILEVERS, AND OVERHANGS PROVIDED THAT THE LIVING SPACE OF THE PROJECTION DOES NOT EXCEED 20 SQUARE FEET IN EACH INSTANCE AND EXTEND MORE THAN 2 FEET. THERE SHALL BE NO MORE THAN TWO (2) ABOVE-GRADE LIVING SPACE ENCROACHMENTS PER ELEVATION ARTICULATION (AS DEFINED IN 10.6.7.F.1.d.ii.(C)). REAR ENCROACHMENTS ARE NOT PERMITTED WITH ALLEY LOADED LOTS.

(4) SIDE AND REAR SETBACKS FOR FRONT LOADED LOTS SHALL ALLOW FOR ENCROACHMENTS UP TO 3 FEET BEYOND THE BUILDING FOUNDATION FOR BELOW-GRADE WINDOW WELLS.

(5) REAR SETBACKS FOR FRONT LOADED LOTS SHALL ALLOW FOR AN ENCROACHMENT OF UP TO 6' FOR A COVERED PATIO (NOT ENCLOSED).

(6) REDUCTION OF FRONT SETBACK TO 15' IS ALLOWED WHEN A GARAGE SIDES TO THE R.O.W.

(7) PROPERTY LINES ABUTTING THE EXTERIOR BOUNDARY OF THIS PUD SHALL ADHERE TO ALL REQUIRED SETBACKS OF THE UNDERLYING ZONE DISTRICT UNLESS OTHERWISE NOTED IN THE PUD.

(8) NO ENCROACHMENTS ARE PERMITTED OVER THE 0' REAR SETBACKS, THIS INCLUDES ALL ARCHITECTURAL FEATURES SUCH AS EAVES, OVERHANGS, AND OTHER.

(9) MUTLI-FAMILY BUILDING HEIGHT MEASURED PER UDC SECTIONS 10.11.3 AND PER 10.4.2.B.2 AND PER 10.6.4.G.6.

In the above table, the ER and SR zones are highlighted in red as those districts are proposed to be removed in Amendment No. 6. Also in the table, the LR (with SFD) and LR (Duplex alley loaded) are highlighted in green as those standards are proposed to apply in Village 1 for those land uses.



Proposed PUD Requirements - Amendment No. 6

DIMENSIONAL STANDARDS

DISTRICT	MINIMUM LOT STANDARDS		MINIMUM LOT SETBACKS (FT.) (2,7)				MAX. HT.
	WIDTH (FT.)	AREA (S.F.)	FRONT	SIDE (TO ABUTTING STREET)	SIDE (TO ADJACENT LOT)	REAR	
LR (WITH SFD)	40'	3,500 (10)	PRIN. - 20' (3,8)	10' (3,4)	8' (3,4)	PRIN. - 20' (3,4,8)	PRIN. - 35'
	60' CORNER LOTS		ACC. - 30' (3,8)			ACC. - 5' (3,4,8)	ACC. - 25'
LR (VILLAGE 15 APARTMENTS)	NONE	1,500	PRIN. - 20' (3)	10' (3)	NONE (1,3)	PRIN. - 20' (3)	PRIN. - 35' (3)
			ACC. - 30' (3)			ACC. - 5' (3)	ACC. - 25'
LR (SFA - DUPLEX-ALLEY LOADED)	30'	2,250	PRIN. (OS) - 8' (3)	10' (3)	8' (1,3)	PRIN. - 0' (3)	PRIN. - 35'
		PRIN. (ROW) - 12' (3)	ACC. - 0' (3)			ACC. - 25'	
LR (SFA - TOWNHOME-ALLEY LOADED)	20'	1,250	PRIN. - 16' (11)	10' (13)	8' (1,13)	PRIN. - 0' (3)	PRIN. - 35'
			PRIN. (ROW) - 10' (10)			ACC. - 0' (3)	ACC. - 25'
(1) ZERO LOT LINE SETBACKS SHALL BE PERMITTED FOR ATTACHED BUILDINGS PROVIDED THAT THE BUILDING MEETS THE ZONE DISTRICT INTERIOR LOT LINE SETBACK ON THE SIDE OF THE BUILDING THAT IS NOT ATTACHED							
(2) MULTIPLE PRINCIPAL BUILDINGS ON A SINGLE LOT SHALL BE SEPARATED BY A DISTANCE EQUAL TO THE DISTANCE THAT WOULD BE REQUIRED IF THEY WERE SEPARATED BY A SIDE TO INTERIOR LOT LINE.							
(3) FRONT, SIDE, AND REAR SETBACKS SHALL ALLOW FOR ENCROACHMENTS UP TO 2 FEET BEYOND THE BUILDING FOUNDATION FOR ABOVE-GRADE FEATURES INCLUDING EAVES, COUNTERFORTS, FIREPLACE BOX-OUT, STOOPS, BAY WINDOWS, ROOM CANTILEVERS, AND OVERHANGS PROVIDED THAT THE LIVING SPACE OF THE PROJECTION DOES NOT EXCEED 20 SQUARE FEET IN EACH INSTANCE AND EXTEND MORE THAN 2 FEET. THERE SHALL BE NO MORE THAN TWO (2) ABOVE-GRADE LIVING SPACE ENCROACHMENTS PER ELEVATION ARTICULATION (AS DEFINED IN 10.6.7.F.1.d.I.(C)). REAR ENCROACHMENTS ARE NOT PERMITTED WITH ALLEY LOADED LOTS.							
(4) SIDE AND REAR SETBACKS FOR FRONT LOADED LOTS SHALL ALLOW FOR ENCROACHMENTS UP TO 3 FEET BEYOND THE BUILDING FOUNDATION FOR BELOW-GRADE WINDOW WELLS.							
(5) REAR SETBACKS FOR FRONT LOADED LOTS SHALL ALLOW FOR AN ENCROACHMENT OF UP TO 5 FEET FOR A COVERED PATIO (NOT ENCLOSED).							
(6) REDUCTION OF FRONT SETBACK TO 15 FEET IS ALLOWED WHEN A GARAGE SIDES TO THE R.O.W.							
(7) PROPERTY LINES ABUTTING THE EXTERIOR BOUNDARY OF THIS PUD SHALL ADHERE TO ALL REQUIRED SETBACKS OF THE UNDERLYING ZONE DISTRICT UNLESS OTHERWISE NOTED IN THE PUD.							
(8) NO ENCROACHMENTS ARE PERMITTED OVER THE 0 FOOT REAR SETBACKS, THIS INCLUDES ALL ARCHITECTURAL FEATURES SUCH AS EAVES, OVERHANGS, AND OTHER.							
(9) MUTU-FAMILY BUILDING HEIGHT MEASURED PER UDC SECTIONS 10.11.3 AND PER 10.4.2.B.2 AND PER 10.6.4.G.5.							
(10) SINGLE-FAMILY LOTS ALONG THE NORTHERN AND WESTERN PERIMETER OF VILLAGE 1 SHALL BE A MINIMUM OF 10,000 SF OR GREATER.							
(11) FRONT SETBACK FACING OPEN SPACE OR COMMON LANDSCAPE AREAS SHALL ALLOW FOR ENCROACHMENTS UP TO 6 FEET FOR COVERED PORCHES (INCLUSIVE OF ROOF OVERHANGS), 5 FEET FOR STOOPS OR UNCOVERED PATIOS, 3 FEET FOR SECOND-STORY ARCHITECTURAL CANTILEVERS (INCLUSIVE OF ROOF OVERHANGS), 3 FEET FOR BAY WINDOWS (INCLUSIVE OF ROOF OVERHANGS), AND 2 FEET FOR OTHER ABOVE-GRADE FEATURES SUCH AS ROOF OVERHANGS, EAVES, COUNTERFORTS, AND FIREPLACE BOX-OUTS.							
(12) FRONT SETBACKS FACING RIGHT OF WAY SHALL ALLOW FOR ENCROACHMENTS UP TO 3 FEET FOR COVERED PORCHES (INCLUSIVE OF ROOF OVERHANGS), STOOPS OR UNCOVERED PATIOS, AND 2 FEET FOR OTHER ABOVE-GRADE FEATURES SUCH AS ROOF OVERHANGS AND EAVES.							
(13) SIDE SETBACKS SHALL ALLOW FOR ENCROACHMENTS UP TO 2 FEET FOR COVERED PORCHES (INCLUSIVE OF ROOF OVERHANGS, STOOPS OR UNCOVERED PATIOS).							

In the above table all the new additions for proposed Amendment No. 6 are highlighted in green. This includes in the creation of a new district called LR (SFA-Townhome-Alley Loaded), and the addition of notes allowing encroachments to support the newly proposed townhome product. This new district and notes are discussed further in the next section discussing Village 14 Dimensional and Design/Architectural Standards.

Village 1: Dimensional and Design/Architecture Standards

Village 1 would utilize the existing dimensional and architectural standards that are already in place with the PUD for LR (with SFD) and LR (SFA-Duplex-Alley loaded). No changes to these districts are proposed with Amendment No. 6.

Village 14 Dimensional and Design/Architectural Standards

A new district is proposed to modify the UDC design standards for single-family attached (townhomes). These standards are specific and limited to Village 14. Revisions to the standards include adjustments to the dimensional standards table (as shown above), as well as including design and architectural standards specific to the townhomes. The standards would be consistent and complementary to the overall Colliers Hill development.

The single-family attached townhome modifications in PUD Amendment No. 6 include the addition of a new dimensional standards row called LR (SFA – Townhome-Alley Loaded) as shown in the table above (Proposed PUD Requirements-Amendment No.6). These standards are intended to be consistent with the UDC and the overall PUD for Colliers Hill and to allow an alley loaded townhome product.

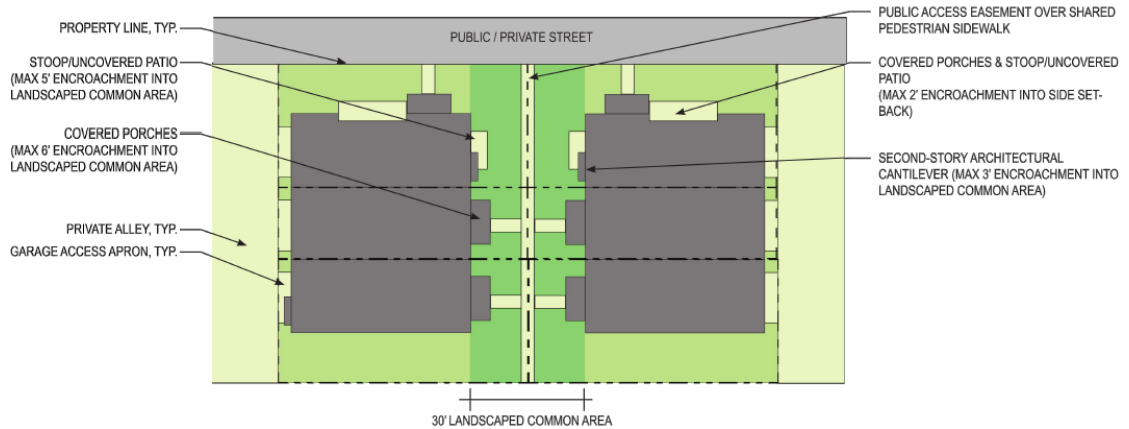
#### Summary of Design Changes for Village 14 / Changes to Section 10.6.7.F:

- Per the UDC, residential lots are required to provide lot frontage onto a street or thirty-foot-wide garden court tract. Architectural encroachments into the garden court tracts are not permitted. The PUD amendment proposes allowing the townhomes to be oriented towards:
  1. Primary internal or perimeter streets,
  2. Common open space, such as interior courtyards, landscaped common areas, parks, or open space with a clearly defined and easily accessible pedestrian circulation system. Encroachments into the landscaped common are proposed through notes 11, 12, and 13 under the dimensional standards table.

The PUD Amendment will modify the UDC by not requiring townhome lots to only be oriented to a street or a separate 30-foot garden court tract, but to permit townhome lots to orient to a 30-foot landscape common area that is located on the private lots for the townhomes. The common area is proposed to contain a public access easement over the lot along with a shared pedestrian sidewalk for access. The rear of the townhomes would have garage access to an alley. Many of the units are proposed to front onto the 30-foot landscape common areas on private lots.

In addition, the applicant wishes to allow architectural encroachments into the landscape common area and on frontages (see notes 11, 12, and 13 of the dimensional table above). The encroachments would include up to 6 feet for covered porches (inclusive of roof overhangs), 5 feet for stoops or uncovered patios, 3 feet for second-story architectural cantilevers (inclusive of roof overhangs), 3 feet for bay windows (inclusive of overhangs), and 2 feet for other above-grade features such as roof overhangs, eaves, counterforts, and fireplace box-outs. This change to the UDC standards would separate the main building facades by 30 feet from each other, but would allow architectural features (patios, porches, bay windows, overhangs, etc.) of the townhome units to be located closer to each other than what the Town's standard garden court tract would require.

Below is a graphic from the PUD which shows how the Townhomes could be front along the landscaped common area with encroachments:



- Bicycle Parking shall be evenly distributed throughout the townhome area, whereas the UDC states bicycling parking has to be located within 100 linear feet from the primary building entrance. This same standard was utilized with the duplexes in 4F. Each unit will have a two car garage for storage, and bicycle parking has to be provided at a rate of two spaces per 20 off-street parking spaces.
- Other Architectural standards have been included as an amendment to subsection 10.6.7.F of the Unified Development Code. The amendments include:
  - Requiring all townhome buildings to display a similar level of quality and architectural detailing. The UDC requires all sides of a “multi-family building” to meet this requirement (Section 10.6.7.F.1.d.ii.(A)). As apartments are described as multi-family, and townhomes are described as single-family attached, the PUD makes is clear townhomes are subject to this requirement.
  - Encouraging single-family attached townhome building massing and use of exterior materials to promote a cohesive style between units within a building (while still maintaining distinction between overall buildings). The UDC (Section 10.6.7.F.1.d.ii.(B) states this does not necessarily apply to townhomes.
  - Limiting the maximum length of the buildings to 110 feet rather than the UDC (Section 10.6.7.F.1.d.ii.(C)) maximum of 156 feet.
  - Requiring all single-family attached townhome buildings to have a minimum of two architectural features from the UDC list (10.6.7.F.1.d.(D)). Again, this section states it is for multifamily, and the PUD makes is clear the townhomes are subject to this requirement.
  - Requiring, as opposed to the UDC wording of “encouraging”, the incorporation of a variety of roof forms. (Section 10.6.7.F.1.d.ii.(E).
  - Requiring that each dwelling unit has a minimum of two windows, or one window and one door, per floor. The UDC does not contain this requirement, so this provides a higher level of design.
  - Requiring column and post minimum requirements which are not found in the UDC. The UDC does not contain this requirement, so this provides a higher level of design.
  - Changing the UDC design standards (Section 10.6.7.F.1.e.ii.(B)) from individual units within a townhome cluster to applying it to overall individual building designs. This includes not repeating buildings across from each other, requiring at least 3 alternative elevations for each model plan, and not repeating similar buildings more than once

- every four building groups on the same side. This ensures all the buildings within the development have a distinct architectural character. The UDC does, not require this so a higher level of design is achieved.
- Requiring an enhanced elevation which faces a street, park, trail corridor, opens space, or landscaped common area. An enhanced elevation must provide at least three items to include: another window, wall plane change, a covered porch or deck, architectural embellishments (shutters, brackets, rafter tails, lintels, etc.), or the use of at least two exterior cladding materials. The UDC does not contain any requirements like this, so a higher level of design is achieved throughout the community.

#### Housing Diversity:

The proposed amendment does continue to support the land area dedicated to alternative housing types. While townhomes are already permitted within Village 14, this PUD amendment does provide dimensional and architecture standards for that housing type to facilitate their construction.

The Town of Erie's housing diversity requirement is based on the acres of residentially zoned property. The regulations intend to ensure that as the Town grows, a variation in housing choices are available. The Colliers Hill property has a total of 965.83 acres zoned LR - Low Density Residential and SR – Suburban Residential and ER- Estate Residential. The UDC requires a mix of housing options. Specifically, the UDC requires 6 housing types, 5 housing types and 1 variation, or 4 housing types with 2 variations.

Previous PUD Amendment No. 5 already established four housing types consisting of detached single-family homes, duplexes, apartments, and townhomes. Currently Colliers Hill has two housing types (single-family homes with two variations in lot sizes and duplex homes) approved through the subdivision process. Staff is currently reviewing a final plat and site plan for apartment uses. Proposed Amendment No. 6 continues to support the housing diversity by providing dimensional and architectural requirements for the townhomes, which will allow reviewing of a plat and site plan for that use.

#### Compliance with Town of Erie Comprehensive Plan:

The applications are in general compliance with the Land Use designation on the Comprehensive Plan, Land Use Plan Map. The Comprehensive Plan shows the LDR-Low Density Residential (2-6 du/ac) land use designation for both Villages 1 and 14 of Colliers Hill. LDR areas will primarily be suburban-style developments; however, the designation allows for a range of single-family detached and attached homes such as townhomes and multi-family. In appropriate cases LDR could include complementary neighborhood-scale supporting land uses, such as retail, commercial, and office uses in a neighborhood setting.

Overall, the Colliers Hill project proposes 2,880 dwelling units on 965.83 acres for an overall density of 2.98 dwelling units per acre.

#### Rezoning:

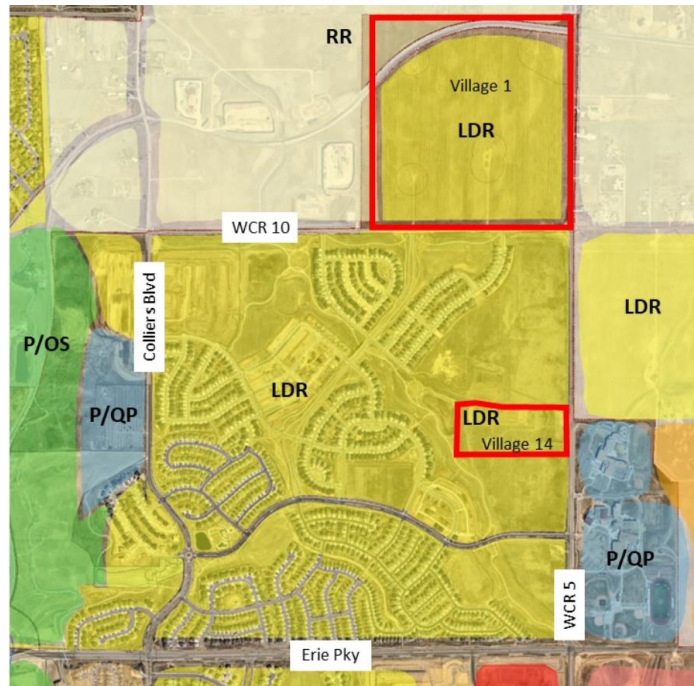
A small portion of Village 1 is currently zoned as RR-Rural Residential north of the RTD right-of-way, and this area will maintain its existing Estate Residential zoning and will be

designated as private open space. A majority of Village 1 is designated as LDR, which would allow a density of 2 to 6 dwelling units per acre. The current zoning of SR restricts the development up to only 3 dwelling units per acre. While 3 du/ac is consistent with the LDR designation, greater density of up to 6 du/ac can be allowed per the Comprehensive Plan. The proposed rezoning of a majority of Village 1 from SR to LR would be consistent with the Comprehensive Plan.

PUD Amendment:

Amending the PUD to allow greater density in Village 1 (from 300 to 500 dwelling units), and the creation of dimensional and architectural standards for townhomes in Village 14 will be consistent with the Comprehensive Plan. For Village 1, the current PUD contemplates an overall density of 2.67 du/ac, whereas proposed Amendment No. 6 proposes an overall density of 4.45 du/ac for Village 1. The overall density for Village 14 is set at 175 dwelling units, or 11.9 du/ac, and was previously approved through PUD Amendment No. 5. As proposed, the overall density of the PUD will reach up to a total of 2,797 dwelling units, or 2.89 dwelling units per acre over all of Colliers Hill. 2.89 du/ac meets the LDR designation of up to 6 du/ac on the Comprehensive Plan, and the PUD established number of dwelling units allowed.

Highlighted in red boxes below are Village 1 and 14 on the Comprehensive Plan Map:

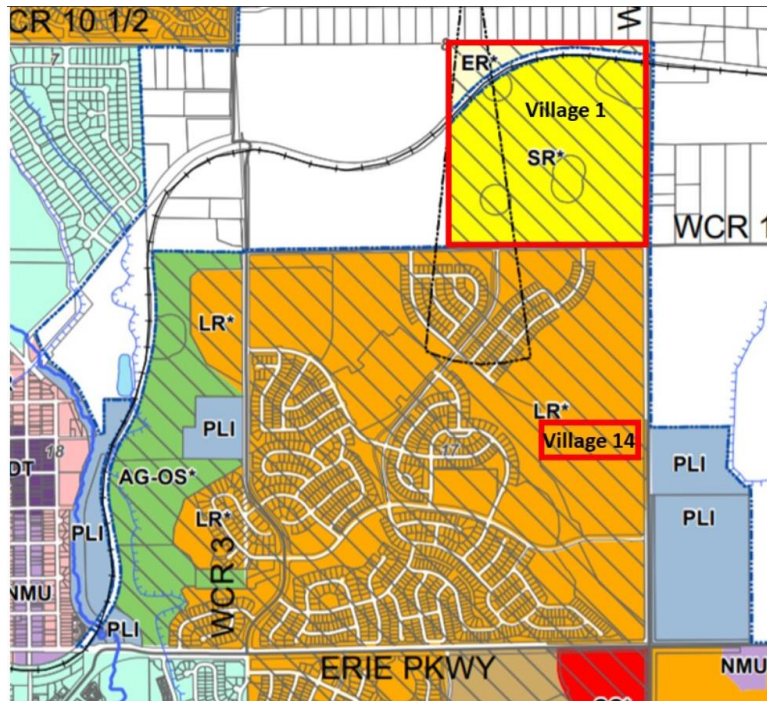


Compliance with Town of Erie Zoning Map:

Overall, most of Colliers Hill is zoned LR – Low Density Residential with a PUD – Planned Unit Development Overlay. There is an area zoned AG/OS – Agriculture/Open Space on the west side of the development. A majority of Village 1 is designated as SR – Suburban Residential with a s dwelling units per acmall area of ER- Estate Residential north of the railroad tracks. Village 14 is designated as LR – Low Density Residential.

The overall density for Colliers Hill is 2.98 dwelling units per acre, which complies with the LR zoning district maximum density of 5 units/acre, and the SR zoning district maximum density of 3 units/acre. The proposed rezoning of Village 1 from SR to LR will not impact the overall Colliers Hill PUD density cap of 2,880 du which is equivalent to 2.98 du/ac for the build out of Colliers Hill, however, it will allow more density to be specifically located within Village as proposed in the PUD amendment. The proposed PUD amendment is also not proposing changes to the overall density cap within Colliers Hill.

Below is the current zoning map, with Village 1 and 14 outlined in red boxes below:



**APPROVAL CRITERIA - STAFF ANALYSIS:**

**1. Rezoning**

The Bridgewater (Colliers Hill) Zoning Map – Amendment No. 2 was reviewed for conformance with Municipal Code 10.7.5 B.9. Rezoning Approval Criteria. Staff finds the Bridgewater (Colliers Hill) Zoning Map – Amendment No. 2 in compliance with the Rezoning Approval Criteria as listed below.

- a. The Rezoning will promote the public health, safety, and general welfare; *Staff: The rezoning allows the implementation the plan facilitating the development of the final area planned for development in Colliers Hill. The overall density mandated by the PUD will remain unchanged.*
- b. The Rezoning is generally consistent with the Town’s Comprehensive Master Plan and the purposes of this UDC; *Staff: The Town’s Comprehensive Plan and UDC strive to have a diversity of housing types built within the Town. The plan for Colliers Hill accomplished these goals. The Comprehensive Plan designation for the site is Low Density Residential*

(LR), and the proposed zoning of Low-Density Residential (LR) is consistent with this goal.

- 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:* As the developer of Colliers Hill has constructed the project, the necessary facilities and services to support the development have been provided. This will continue through the final development phases and the changing of the zone district boundaries will not negatively impact this. The rezoning allows for an efficient lot and infrastructure layout.

- 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:* The area under consideration has long been planned for single-family detached. The addition of a duplex area on the southeast corner of the property is permitted within the LR zoning district. Development and the rezoning will allow the Colliers Hill to finish out development.

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

*Staff:* The change in the zoning boundary would facilitate the development of Village 1 in an efficient manner, and will not increase the amount of overall development units permitted within Colliers Hill. It does allow more density within the area than what was originally contemplated. Staff has not found this change to be a significant adverse impact as the resulting development will be in conformance with the long term development plan for the area. Additionally, the change results in an efficient and orderly development pattern overall which is a benefit to the neighborhood and the Town.

- 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:* The rezoning would change the designation from the SR to the LR zoning district. This change would be consistent with the Comprehensive Plan, and will allow the area to develop in conformance with the overall development pattern established within Colliers Hill to the South.

- 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:* This adjustment in the zoning will allow an efficient development pattern which is consistent with the Town's goals, and the overall Colliers Hill development, related to quality growth and development.

## **2. Planned Unit Development (PUD)**

The Colliers PUD Amendment No. 6 was reviewed for conformance with Municipal Code, Title 10, UDC Section 10.7.6.D.9. Approval Criteria. Staff finds the PUD in compliance with the Approval Criteria as listed below.

- a. The PUD Rezoning is generally consistent with the purpose of the PUD overlay district in Subsection 2.7.D.1;

*Staff:* The UDC standards of the LR zone district are not conducive to construction of a single-family detached, duplex, and townhome project such as the ones proposed. Modifications to these standards are required to achieve the development pattern

- and design proposed as has been established in the overall Colliers Hill development. This PUD results in high quality urban design and allows a compatible mix of residential housing types within the Colliers Hill development.*
- b. The PUD Rezoning will promote the public health, safety, and general welfare;  
*Staff: The PUD rezoning allows the Colliers Hill development to continue construction and provides a range of housing types and urban design that contribute to the Town.*
  - c. The PUD Rezoning is generally consistent with the Town's Comprehensive Master Plan and the purposes of this UDC;  
*Staff: The PUD supports and permits the development of this area as proposed. This development is consistent with the goals of the Comprehensive Plan and achieves the housing diversity requirement (by allowing townhomes) of the UDC in a high quality manner.*
  - d. The PUD Rezoning is generally consistent with the PUD standards in Subsection 2.7.D.2;  
*Staff: The requested variations from the UDC do not include anything precluded from variation by this section.*
  - e. 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: Adequate facilities and services are available or will be available prior to construction.*
  - f. 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;  
*Staff: No adverse impacts resulting from this PUD have been identified. The area under consideration has been anticipated for development and the PUD will not affect the development impacts.*
  - g. 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;  
*Staff: No adverse impact resulting from this PUD have been identified. The area under consideration has been anticipated for development and the PUD amendment will not affect the development impacts.*
  - h. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;  
*Staff: The proposed PUD amendment will not result in adverse impacts upon properties in the vicinity of Colliers Hill.*
  - i. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject property;  
*Staff: Existing uses in the area consists of the Colliers Hill development, which currently includes single-family detached residences, duplexes, and an area permitted for multi-family (apartments). The proposed single-family detached, duplexes, and townhomes are compatible with the development.*
  - j. 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  
*Staff: Phasing of this development, if applicable, will be covered in an individual development agreement associated with the final plat.*
  - k. The PUD Plan provides public benefit(s).



*Staff: The PUD allows the development of a townhome product, providing housing variety suggested by the Comprehensive Plan and required by the UDC. The result does provide public benefit by increasing housing choice within Town and providing a high quality of design.*

**NEIGHBORHOOD MEETING:**

As required by the Municipal Code a Neighborhood Meeting was held on April 8, 2021 (see attached summary). The required notice for the Neighborhood Meeting was provided.

**PUBLIC NOTICE:**

Notice of this Public Hearing has been provided as follows:

Published in the Colorado Hometown Weekly:	July 14, 2021
Property Posted as required:	July 16, 2021
Letters to Adjacent Property Owners:	July 16, 2021

**PUBLIC COMMENTS:**

No written public comments have been received for the Bridgewater (Colliers Hill) PUD Amendment No. 6 application.