



North Westerly - PD zoning 5th Review (Staff Approval)

Planning & Development

To: John Prestwich, PCS Group
From: Aly Burkhalter, Senior Planner
Date: May 8, 2025
Re: PD-001700-2024 North Westerly - PD

5th Review & Referral Comments

Town Planning Division staff has reviewed the applications for the North Westerly - PD and found it in conformance with Municipal Code, Title 10 and all relevant Town policy, standards, and specifications. Other Town staff and outside agency reviews can be found in your eTRAKiT portal.

The next step for this PD Zoning application is preparation for review by Planning Commission and decision by Town Council. Staff is anticipating this project will have public hearings before **Planning Commission on June 4, 2025** and **Town Council on July 8, 2025**. Please follow the instructions below for public notice requirements.

1. **Published Notice:**
 - a. Town staff will be responsible for submitting published notice in a newspaper.
 - b. The applicant shall be responsible for fees associated with published notice.
 - c. The notice shall be published at least 15 days prior to the hearing date
 - i. For Planning Commission, **due May 8, 2025** published on May 14, 2025
 - ii. For Town Council, **due June 12, 2025** published on June 18, 2025
2. **Mailed Notice:**
 - a. The applicant shall mail such notice via the United States Postal Service using first class mail to the following list of names and addresses
 - i. All persons listed on the records of the county assessor as owners of land subject to the application or as owners of the parcels of the land subject to the application and owners within 500 feet of the outer boundary of the land subject to the application.
 - ii. All homeowners' associations, business associations, metropolitan districts, and similar entities of the land subject to the application and within 500 feet of the outer boundary.
 - b. The notice shall be mailed at least 15 days prior to the hearing date
 - i. For Planning Commission, **mailed by May 16, 2025**
 - ii. For Town Council, **mailed by June 20, 2025**
3. **Posted Notice:**
 - a. Notice shall be posted along the public street rights-of-way bordering the property, including Erie Parkway, CR5, CR10, and CR7.
 - b. Town staff will provide the notice signs at Town Hall for the applicant to pick up.
 - c. The applicant shall cause a notice to be posted on the property for at least 15 days before the scheduled hearing date.
 - i. For Planning Commission, **posted by May 16, 2025**
 - ii. For Town Council, **posted by June 20, 2025**
4. **Affidavits of Notice:** The applicant shall provide Affidavits of Notice by the following deadlines:
 - a. For Planning Commission by May 30, 2025 for inclusion in the packet

- b. For Town Council, posted by July 3, 2025 for inclusion in the packet
- c. Affidavits shall be **provided as soon as possible**. If noticing deadlines are not met, Town Staff will have to reschedule the public hearing and will require re-noticing.

Planning Comments

These following comments have been resolved but retained for record.

#1 Land Use Application – Not provided with 3rd Submittal. No Comment.

#2 Application Fee - Not provided with 3rd Submittal. No Comment.

#3 Proof of Ownership - Not provided with 3rd Submittal. No Comment.

#4 Letter of Authorization - Not provided with 3rd Submittal. No Comment.

#5 Special Agreements - Not provided with 3rd Submittal. No Comment.

#6 Written Narrative – Provided as separate document with 3rd Submittal

1. The written narrative is located on pages 2&3 of the PD Zoning Document. Please remove it from the PD Zoning document and provide it as a separate document. Applicant Response: The Written Narrative is now a separate document. Town Response: Resolved.
2. Under A-General Project Concept And Purpose Of The Request, "Erie" Gateway is misspelled with no "i" Applicant Response: Corrected spelling. Town Response: Resolved.
3. Under A-General Project Concept And Purpose Of The Request, it states "accessory dwelling units" but this is not accounted for in the Home Diversity Plan. Please update the PD document to reflect the inclusion of ADUs. Applicant Response: We have added a note stating that only single family detached homes may include ADU's. Town Response: Resolved.
4. Under "3. The PD zone district is not a general waiver of the UDC regulations. PD zone districts are to be based on one or more of the following attributes that could not otherwise be achieved through other standard zone districts", please list only the attributes you are achieving and how you are meeting the individual attribute. This PD is not achieving "retention of historic structures and sites". Applicant Response: We have clarified which criteria is being met and how. Town Response: Resolved.
5. Under E. Adequate And Sufficient Public Safety, Utility Facilities and Services, please respond in a manner consistent with what you are currently proposing not stating future conformance. This text may be similar to the Impact Report text. Applicant Response: Added the information from the Impact Report that pertains to this section. Town Response: Resolved.

#7 ALTA Survey

The following items are regarding future easements which are not recorded with the PD zoning. Town staff would like to ensure that the necessity of future easements are accounted for in the development plan shown with the PD.

6. Town staff is concerned about irrigation structures outside of easement. How will this be addressed?
Applicant RESPONSE: A new easement will be granted the irrigation company over the current ditch alignment.

Town Response: If future easements are anticipated, please provide future major easement exhibit for comparison to concept plan.

Applicant 3rd submittal response: Per discussions with the ditch company a new proposed 50' easement will be granted for the irrigation channel and piped areas. A proposed major easement exhibit has been included with this submittal.

Town 3rd review response: Resolved

7. Town staff is concerned about overhead transmission lines "without the benefit of recorded easements" along Weld County Rd 10. How will this be addressed? Are these utilities planned to underground Applicant

RESPONSE: New easements will be granted to Xcel for the overhead transmission lines. These lines are large transmission lines on large towers. There are no plans to underground.

Town Response: If future easements are anticipated, please provide future major easement exhibit for comparison to concept plan.

Applicant 3rd submittal response: There is an existing 150' wide easement agreement between the State and Xcel. This agreement will be recorded at the county to make it real. This easement is shown in the proposed major easement exhibit.

Town 3rd review response: Resolved

8. Town staff is concerned about High school gravel access road without a recorded easement. How will this be addressed? Will there be a dedicated easement in the future to provide access.

Applicant RESPONSE: We believe a large portion of this access road can remain and if needed an easement could be granted. Also, new access could be provided off the proposed roadway.

Town Response: If future easements are anticipated, please provide future major easement exhibit for comparison to concept plan.

Applicant 3rd submittal response: No future easement is planned in this area. This road is used to access an existing drainage swale and concrete pan that was installed to capture stormwater runoff from the North Westerly property. Once the project is developed the stormwater runoff will be rerouted away from this area and a swale of this size will no longer be needed.

Town 3rd review response: Resolved

#8 PD Zoning Map and Development Guide

9. Please provide a Land Use Summary Chart on the Cover Sheet or Concept Plan as described in the PD User Guide This is in addition to the Housing Diversity Percentages provided on Sheet 6. Applicant Response: We have included a Land Use Plan and Summary Chart on one sheet. And placed the Concept Plan on an additional sheet to show the housing diversity within the community. Town Response: Resolved. Please see new comment 117 below.
10. All Sheets: Project number under title block is PD-001700-2024. Applicant Response: Project # has been added to each sheet as part of the Titleblock. Town Response: Resolved
11. All Sheets: Please replace all mention of Board of Trustees with Town Council. Applicant Response: Replaced with Town Council. Town Response: Resolved
12. Overall comment: there is no clear correlation between UDC land uses and zoning and what is proposed in the PD. It is unclear what commercial uses are allowed. It is unclear what uses are allowed within community amenity. It is unclear if front loaded duplex or townhomes would be allowed.

Applicant Response: This has been clarified in the permitted uses and home diversity

chart. The Community Amenity area is essentially a "private park" similar to the pool facilities at Westerly

Town Response: A permitted use section could not be found in the PD Development Guide. No Permitted Use Table is required if applicant is planning to match the permitted uses allowed by underlying zone district under the current Unified Development Code. See comment #117 regarding assuming Community Amenity area to be PLI zone district. Applicant should review and confirm PLI permitted use of Neighborhood Recreation Center to cover intended uses for Community Amenity. Applicant shall confirm in response to comments that commercial area uses will conform to CMU permitted uses.

Applicant 3rd submittal response: The PLI zoning will be sufficient for the intended uses for the Community Amenity.

Town 3rd review response: Resolved

13. All Sheets: Land Use (and Lot Type) colors that depict a built environment shall not be shades of green. Green shall be reserved for parks and open space uses.

Applicant Response: We updated the Concept Plan and Land Use plan so that "green" is reserved for open space & parks only. Town Response: Resolved

14. Overall comment: please provide more detail regarding the 10.6 ac Community Amenity in regards to land uses, design standards, and intent. Applicant Response: The Community Amenity area is essentially a "private park." It will have similar amenities and uses to a typical park with a potential pool facility similar to the Westerly pool facility. Town Response: See Comment #39

117. Staff would like to see the following sheet changes:

- a. Zone Map shall show underlying zone district areas (LR, MR, CMU). Community Private Amenity is assumed to be PLI zone district unless applicant demonstrates otherwise. Open Space and Parks land uses will not be their own zone district but included in other zone districts. Legal Descriptions will be provided for each of the underlying zone district boundaries. Zone District boundaries shall be determined based on density ranges of LR/MR/HR, existing zone district boundaries of LR/MR/HR, and future uses to be permitted for PLI/CMU.

Applicant 3rd submittal response: We have included the underlying Zoning Districts on the Zoning Map. However, we have discussed with staff and receive approval that we may proceed without having legal boundaries. We have included the note "The legal boundary of zoning contained within the PD are general and subject to change at final road alignments and lots at Final Plat," as advised by staff. The PLI zoning will be sufficient for the intended uses for the Community Amenity.

Town 3rd review response: Resolved

- b. Land Use Plan remove sheet and move Land Use Summary Chart to Concept Plan sheet

Applicant 3rd submittal response: The Land Use Plan Sheet has been removed.

Town 3rd review response: Resolved

- c. Concept Plan sheet graphic to remain as-is with land use summary chart added to sheet and Dimensional Standard Table moved to same sheet as Parking Requirements.

Applicant 3rd submittal response: The Land Use Summary Chart has been moved to the Concept Plan sheet and the Dimensional Standards Table has been moved to the Parking Requirements sheet.

Town 3rd review response: Resolved

135. Comment at 3rd submittal: The legend for LR shall state "low" instead of "medium".

Applicant 4th submittal response: This legend has been updated.

Town of Erie

Planning Memo 2nd Review

Planning 4th review response: Resolved

141. New Comment at 4th submittal: Sheet 1 of PD Development Guide – The vested rights language should be as follows: "This PD constitutes a site specific development plan as defined in C.R.S. § 24-68-101, *et seq.*, and Chapter 3 of Title 9 of the Erie Municipal Code and shall create vested property rights for 7 years from the date of approval of the PD-DP, provided that all required procedures are followed. If building permits for at least 50% of the units contemplated by this PD have been issued within 7 years of the date of the Town's final approval of this PD, the vesting term shall be automatically extended for an additional 3 years."
Applicant Response at 5th submittal: THIS NOTE HAS BEEN UPDATED
Town Response at 5th submittal: Resolved
142. New Comment at 4th submittal: Sheet 2 Zone Map - Please update Note 1: to remove "public improvement plans" and only state Final Plat.
Applicant Response at 5th submittal: The note has been updated.
Town Response at 5th submittal: Resolved
143. New Comment at 4th submittal: Sheet 2 Zone Map and Sheet 3 Land Use Summary – Per discussion with the applicant regarding recent state ADU legislation and to provide clarity for future reviews, please add a note to "Accessory Dwelling Units shall not count toward the maximum dwelling unit calculation."
Applicant Response at 5th submittal: The note has been updated.
Town Response at 5th submittal: Resolved
144. New Comment at 4th submittal: Sheet 3 Land Use Summary – Please remove note 3 regarding Pre-Development Agreement as amended. The Pre-DA was not amended to this language and the neighborhood park shall continue to meet section 8a of the Pre-Development Agreement stating at least 11 contiguous acres.
Applicant Response at 5th submittal: The note has been updated.
Town Response at 5th submittal: Resolved

#9a Concept Plan (Sheet 3)

15. The Concept Plan should depict Land Uses as listed in Chapter 3 of the Unified Development Code. Land Use categories can be general such as Residential, Commercial, or Mixed Use, or specific such Dwelling, Single Family Detached or Bank. Staff recommends general land use categories to prevent the need for PD amendments as future development may request different lot types. If proposing a new land use, the PD must define the land use. Lot Types may be used on the Home Diversity Plan.
Applicant Response: We have included a Land Use Plan and Summary Chart on one sheet. And placed the Concept Plan on an additional sheet to show the housing diversity within the community.
Town Response: Concept Plan legend and graphic to remain as-is as long as Comment 12 and 117 are addressed regarding underlying zone districts and permitted uses.
Applicant 3rd submittal response: no response included
Town 3rd review response: Resolved per comment 12 and 117 resolution above
16. On the legend, please include parks and open space colors for legend. See comment #13 above regarding use of green for lot type legend. Applicant Response: We updated the Concept Plan and Land Use plan so that "green" is reserved for open space & parks only and included it on the legends. Town Response: Resolved

17. On concept plan, a Pocket Park is shown adjacent CR5 on Park Plan. Please coordinate what is being proposed between pocket park shape on Park Plan and linework of detention pond on Concept Plan. Applicant Response: This pocket park has been removed. Town Response: Resolved
18. On concept plan, please remove linework from Neighborhood Park, unless proposing something here or showing mine shaft. If so, please label. Applicant Response: The linework has been removed Town Response: Resolved
19. On concept plan, the open space (effluent wet pond detention/irrigation) is shown as a Pocket Park on the Park Plan not Open Space. See Engineering comment that this cannot be both effluent and irrigation. Applicant Response: We are now showing 2 ponds for each. The area has been updated to Open Space Town Response: Resolved
20. On concept plan, please show trails on concept plan as a thick legible line. Line may be dashed. Please include it in the legend.
Applicant Response: The trails have been included in a separate sheet with the open space for clarification.
Town Response: Trails may remain excluded from Concept Plan as long as they continue to be shown on Pedestrian Circulation (sheet 15) and are added on the Parks and Open Space (Sheet 23)
Applicant 3rd submittal response: The trails are on the "Pedestrian Circulation" and the "Parks and Open Space" maps.
Town 3rd review response: Resolved
21. On concept plan, color entire lot/block land use color rather than individual buildings. The lot/block is the land use. Applicant Response: We have included a Land Use Plan and Summary Chart on one sheet. The colors fill the entire planning area. The Concept Plan is included on an additional sheet to show the housing diversity within the community Town Response: Resolved
22. On concept plan, remove Pocket Park green color from between commercial block or show lot lines delineating park from commercial lot. Applicant Response: On the Concept Plan, the commercial lot is separate from the park lot. Town Response: Resolved. Planning staff will defer to DNS comments regarding pocket park.
23. On concept plan, boundary needs to match boundary shown on Zone Map (sheet 4). Applicant Response: The boundary has been updated. Town Response: Resolved
24. The Dimensional Standards Summary Table shall be provided on its own separate sheet from the Concept Plan. It shall include dimensional standards for commercial, mixed use, or community amenity. See additional comments below under #9c Building form/Characteristics Plan.
Applicant Response: The Dimensional Standards Summary Table is on the same sheet as the Concept Plan, but a separate sheet from the Land Use Plan, which now the concept plan focuses on the types of residences and not the planning areas. We have updated to include additional standards for commercial.
Town Response: See Comment 117 regarding reformatting. Dimensional Standards shall be moved to Parking Requirement sheet.
Applicant 3rd submittal response: The Dimensional Standards have been moved to the Parking Requirement sheet.
Town 3rd review response: Resolved
25. Please provide Parking Requirements as a separate table from dimensional standards. If Parking Requirements do not vary from UDC *per land use*, please remove altogether. See additional comments below under #9c Building form/Characteristics Plan. Applicant Response: We have added parking

- requirements per the Land Use and added a note where we refer to the standard UDC requirements. Town Response: Resolved
26. On dimensional standards, staff is unsure if the minimum lot area for townhome and live-work is reasonable. Please provide as a separate exhibit a lot typical of the Townhome and Live Work with a 700sf lot area. Staff recommends increasing to minimum 1000sf lot area. Applicant Response: Updated to 1,000sf as suggested Town Response: Resolved
 27. On dimensional standards, please state Multi-Family minimum lot area is 1000 sf "per DU".
Applicant Response: The minimum lot area for Multi-family is now 20,000 sf.
Town Response: Multifamily minimum lot area to be regulated "per DU" rate rather than flat number.
Applicant 3rd submittal response: Changed the minimum lot area to be "per DU" rate
Town 3rd review response: please state Multi-Family minimum lot area is "1000 sf per DU" or other number per dwelling unit
Applicant 4th submittal response: The minimum lot size per DU has been updated.
Planning 4th review response: Resolved
 28. Remove footnote 1, 2, and 4 of Dimensional Standards Table as it is consistent with the UDC and the PD is not proposing a variation from the UDC. Applicant Response: These notes have been removed. Town Response: Resolved
 29. Regarding footnote 3 of the Dimensional Standards Table, the allowable 2-ft encroachment for "above grade features" is unclear if it just ornamental features or would allow patios, decks, balconies. Please refer to UDC 10-4-2. If you are not varying from the exceptions in this section, please remove it from the PD. Applicant Response: We follow the UDC. These notes have been removed Town Response: Resolved
 30. Regarding footnote 5 of the Dimensional Standards Table, it states that it may encroach up to 6-ft into the rear setback but the rear setback is 5-ft. Please modify allowable encroachment to a number less than the minimum rear setback. Please clarify that it is the deck surface that is 30-inches above grade. Applicant Response: We follow the UDC. These notes have been removed Town Response: Resolved
 31. Remove "utility" just "easements" for footnote 6 of the Dimensional Standards Table Applicant Response: We follow the UDC. These notes have been removed Town Response: Resolved
 118. The concept plan design has changed since the last submittal and is showing blocks and land uses crossing the ditch in the southeast corner. It is unclear how the uses relate to the ditch as shown. If ditch is being relocated, please update linework. Please see Engineering memo comment #23 regarding coordinating with Utility Plan. Applicant 3rd submittal response: The irrigation ditch shown in the concept plan now matches the proposed utility plan. The areas where the irrigation ditch is being piped have been added to the plan.
Town 3rd review response: Resolved
 119. The concept plan design has changed since the last submittal and is showing the third north-south connection (other than Westerly Blvd and Waterford Blvd) is no longer continuous. Staff preferred the previous alignment and would prefer more connectivity with a continuous street to the north border.
Applicant 3rd submittal response: The plan now depicts the original alignment of a continuous north-south street.
Town 3rd review response: Resolved

120. The concept plan design has changed since the last submittal and is showing a more curvilinear east-west collector. Staff preferred the previous alignment. Applicant 3rd submittal response: The plan now depicts the original alignment of a more angular/straightened east-west collector.
Town 3rd review response: Resolved
121. The previous concept plan showed a boundary for the water tank site. Please add the boundary back. Additionally, please refer to DNS comments regarding the suitability of the Neighborhood Park location with the plugged and abandoned oil wells.
Applicant 3rd submittal response: We added back the Water Tank boundary. Per discussions with the Town, we have located the plugged O&G wells in an open space tract and have been given permission to make the Neighborhood Park as small as 7.5 acres.
Town 3rd review response: Resolved
136. Comment at 3rd submittal: Per Sheet 3 Concept Plan, it appears there are townhomes (single story Type A) in the CMU zone district/PA-2 which is not permitted by right in the CMU zone district by UDC 10-3-1 Permitted Use Table. Please add a note to Sheet 2 Zone Map and Sheet 3 Concept Plan: "Uses are permitted by right per the underlying zone district with the addition of permitting townhomes by right in CMU zone districts as shown on the Concept Plan."
Applicant 4th submittal response: The note has been added
Planning 4th review response: Resolved
137. New comment at 3rd submittal: Per Sheet 3 Land Use Summary Chart, please add commercial square footage number to PA-2 row. Per the Market Study and Economic Development review, staff also requests the number be updated from 141,398 to a round number of 150,000.
Applicant 4th submittal response: The commercial square footage has been added.
Planning 4th review response: Resolved

#9b Home Diversity Plan (Sheet 4)

32. Please remove "market rate" language as the Pre-DA requires inclusion of affordable housing. May use term such as "standard" or "unrestricted" residential to indicate that is separate from the age-restricted residential. Applicant Response: The language has been changed to "standard" Town Response: Resolved
33. Please indicated how the Higher Density Housing requirement of the Pre-DA is being met
Applicant Response: We have added the language from the Pre-DA to the chart for the Housing Diversity
Town Response: Town was requesting Pre-DA section 7c "High Density Housing. Developer shall cause at least 20% of the total residential units in the Development to be constructed as higher density housing, including without limitation condominiums, townhomes, apartments, cooperative housing." Please add this note and remove affordable housing note.
Applicant 3rd submittal response: We have changed the note.
Town 3rd review response: Resolved
34. Remove Commercial & Mixed Use as it is not relevant to the Home Diversity Plan. It shall be included as part of the Land Use Summary Chart. Applicant Response: Commercial and Mixed Use has been removed from the Home Diversity Plan and instead included as part of the Land Use. Town Response: Resolved

35. Per the written narrative comments, please include ADUs on the Home Diversity Plan if they are being proposed.

Applicant Response: The Accessory Dwelling Units will be determined by the homeowner or builder. We have indicated that Single Family Detached may have ADU's in the future.

Town Response: Please add note on Home Diversity sheet indicating ADUs will be allowed and not captured in unit counts and percentages.

Applicant 3rd submittal response: The note has been added.

Town 3rd review response: Resolved

138. New comment at 3rd submittal: Please add note to Home Diversity Plan sheet that states: "Lot widths and depths are to show housing diversity. Information listed on this page are not required dimensional standards."

Applicant 4th submittal response: Note added

Planning 4th review response: Resolved

#9c Building Form/Characteristics Plans (Sheet 5-10)

36. Per the user guide, provide a table/matrix of housing types, a representable graphic, and brief description. Provide Typical Building floor plans or lot layouts and architectural elevations or renderings.

Applicant Response: Renderings are included on the Home Diversity sheet.

Town Response: In lieu of a table/matrix, please provide a brief description of the applicability at the top of each sheet (as indicated on the redlines)

Applicant 3rd submittal response: The note has been added.

Town 3rd review response: Resolved

37. Overall Sheets 7-11 are unclear in their organization. The outline of the sections is inconsistent and hard to track. (e.g section 1.A.I.A. under single family detached versus 1.a.i.(A)(1) under single family detached). Section (C) Townhomes is unclear by its indent if it is under b. Building Orientation ii. Design Standards. Because of indenting and the outline, it is hard to tell what applies to duplexes or both duplex and townhomes.

Applicant Response: This section has been reformatted

Town Response: See sheet redlines where outline lettering/numbering can be improved. Example of outline lettering and numbering below. Additionally, the orders of sections shall duplicate between sections, such as Architecture Character is always the second section. Try to match section names such as "Building Orientation" and "Orientation to the Street". Example images should be directly below the text they are explaining or given a caption.

Applicant 3rd submittal response: The outlined lettering/numbering was updated and tried to match the same order of sections.

Town 3rd review response: Resolved

38. There is mixing of the terms Multi-Family, Mixed-Use, and Commercial when the title of the page may say otherwise. Applicant Response: The titles for each sheet have been updated and formatted to include information for only each type of development standard. The language has also been cleaned up so that terms are more concise for each type. Town Response: Resolved

a. Sheet 7 shall be labeled "Single Family Detached Development Standards" and fit exclusively all single-family detached standards on that sheet.

b. Sheet 8 shall be labeled "Single Family Attached Development Standards" and fit exclusively all single-family attached standards on that sheet.

c. Sheet 9 shall be labeled "Multi-Family Development Standards".

- d. Sheet 10-11 shall be labeled "Commercial Development Standards".
39. Please add a section for Community Amenity as it is a use on the concept plan.
 Applicant Response: The Community Amenity area is essentially a "private park." It will have similar amenities and uses to a typical park with a potential pool facility similar to the Westerly pool facility.
 Town Response: Per comments above regarding underlying zone district, unless included in the PD Development Guide, the Community Area will default to UDC requirements for public institution (UDC 10-6-8.B) including setbacks (UDC 10-4-2). If not, please add a Community Area development standards section and add Community Amenity row on Dimensional Standards Summary Table.
 Applicant 3rd submittal response: At this time, we believe the PLI standards are appropriate.
 Town 3rd review response: Resolved
40. Overall, it is unclear if live/work is "mixed-use" and under what section of standards would it apply. Please clarify.
 Applicant Response: Live/work units are essentially Townhomes with the potential for main floor office/retail
 Town Response: See comment 36b that Single Family Attached standards will apply to live/work units if that is the intent that they be treated as Townhomes in development standards.
 Applicant 3rd submittal response: The standards for Single Family Attached will work for the intent of the Live/Work units.
 Town 3rd review response: Resolved
41. Overall, it does not appear there are large mixed-use buildings in the Concept Plan the Multi-Family Development Standards section would apply to but the section frequently refers to "mixed-use". If the intent is for Multi-Family as indicated on the Concept Plan is allowed ground floor retail and may be mixed use, please indicate that in the land use labels and development standards. Applicant Response: Changed the Mixed-Use references in this section to Multi Family for clarification.
 Town Response: Resolved
42. Overall, parking requirements should be consistently located. Some parking requirements are listed on the dimensional standards table on Sheet 5 and should be removed. Some parking requirements are listed under the development standards by use/lot type. Either located parking requirements under development standards by use/lot type or make a single parking requirement sheet. Applicant Response: Provided a Parking Requirement chart Town Response: Resolved. Parking Requirement Chart on single sheet provided.
43. [Sheet 7] Regarding item #1 under enhanced elevations, windows of "sufficient size" is not enforceable. Please provide a minimum area of the window. Town standards dictate a minimum of 8sf of glass area. Applicant Response: Added the minimum square footage. Town Response: Resolved
44. [Sheet 8] Under Single Family Attached Architectural Standards 1.b.ii.(A)(2), please consistently use the term "garden court" as it what the UDC term is. UDC states "Each residential lot shall be provided with lot frontage on a street, garden court, or pocket park". Please use similar language. Applicant Response: Updated the reference to the above. Town Response: Resolved
45. [Sheet 8] Under Single Family Attached Architectural Standards 1.c.ii.(D), please revise roof slope is 6:12 not 16:12. Applicant Response: Corrected. Town Response: Resolved

46. [Sheet 8] Under Single Family Attached Architectural Standards 1.c.ii.(C) "the maximum length of any townhome building shall be 156 feet." needs to be moved to the section with the maximum number of dwelling units in a townhome building as these are similar standards that would need to be reviewed together.
Applicant Response: Moved the standard to the section with similar criteria.
Town Response: Apologies but please revert to including maximum length to under II. Architectural Character B. Design Standards [Sheet 7].
Applicant 3rd submittal response: The maximum length was added back to this section.
Town 3rd review response: Resolved
47. [Sheet 8] Under e. Materials, it references "Multi-Family" repeated. It is unclear if Multi-Family is a typo that needs removed, or if this section is incorrectly located.
Applicant Response: Multi-family does not pertain to this section since it pertains to duplexes. "Multi-family" has been removed from this section. Town Response: Resolved
48. [Sheet 8] Under A. General Multi-Family Standards, move "Exterior Building Lighting" item to Lighting Standards with Overall Photometric Plan on Sheet 15. Please coordinate all lighting standards with Overall Photometric Plan (sheet 15) so that lighting standards are consistently in one location.
Applicant Response: All the lighting standards have been moved to the Overall Photometric Plan.
Town Response: Same comment applies to Commercial Development Standards. Move Area Lighting section to Overall Photometric Plan.
Applicant 3rd submittal response: The lighting section of the Commercial Development Standards has been moved to the Overall Lighting Plan.
Town 3rd review response: Resolved
49. [Sheet 8-g] replace "PUD" with "PD" and "UDO" with "UDC" Applicant Response: These terms have been corrected. Town Response: Resolved
50. [Sheet 8] Under B. Mixed Use Site Standards, remove "setbacks and building separations shall be measured from the street right-of-way or property lot line". This is not a variation from the UDC and would be a footnote with the dimensional standards section if so. Applicant Response: This standard has been removed. Town Response: Resolved
51. [Sheet 8] Under B. Mixed Use Site Standards, remove "see community design planned unit development standards for landscape requirements within front, side and rear setback areas" unless adding a landscape requirement section to the PD. Applicant Response: This standard has been removed. Town Response: Resolved
52. [Sheet 9] Under 1. Building Mass, d. list of items should be under c. which indicates a list of items to choose from Applicant Response: This list has been moved to the correct location. Town Response: Resolved
53. [Sheet 9] under A. Commercial Standards "it is the intent of this section that the following qualitative and quantitative standards serve as general guidelines in the review of site plans and building elevations. It is not expected that every development will meet all of the following standards, but that the principles of good design be applied in the best combination determined by the use, nature of the site, and location of the development. Commercial buildings and streetscape design shall activate public right-of-ways to the maximum extent possible." This statement makes the entire section un-enforceable. Please remove. Applicant Response: This statement has been removed. Town Response: Resolved

54. [Sheet 9] Under B. Commercial Site Standards, remove "setbacks and building separations shall be measured from the street right-of-way or property lot line". This is not a variation from the UDC and would be with the dimensional standards section if so. Applicant Response: This statement has been removed. Town Response: Resolved
55. [Sheet 9] Under B. Commercial Site Standards, remove "commercial landscape standards should be referenced for landscape requirements and allowed features within setback areas" unless adding a landscape requirement section to the PD. If proposing landscape standards, they should be under separate landscape standard section. See Sheet 16 regarding landscaping comments. Applicant Response: This standard has been removed. Town Response: Resolved
56. [Sheet 9] Under B. Commercial Site Standards, remove "internal connectivity will be determined at time of final pd, but should promote pedestrian connections to major trails/open space corridors and the surrounding communities". This does create an enforceable statement. There should not be references to "final PD". This may reference the parks, open, space, and trails plan, if applicable. Applicant Response: Removed standard. Town Response: Resolved
57. [Sheet 9] Under B. Commercial Site Standards, move item 4 list of allowable encroachments to the dimensional standards table footnotes. Applicant Response: The list of allowable encroachments has been moved to the dimensional standards table. Town Response: Resolved
58. [Sheet 9/10] Under 5. Parking Lots, remove item c paving materials statement as it is not a variation from the UDC Applicant Response: Removed standard. Town Response: Resolved
59. [Sheet 10] under C. Commercial Architecture Standards, please remove "wall-mounted signage shall also be on the building faces adjacent to the right-of-way" unless you provide a full sign standard section. Applicant Response: Removed standard. Town Response: Resolved
60. [Sheet 10] under C. Commercial Architecture Standards item 1.c, define "main street". Applicant Response: Main street is identified on the Concept Plan. Town Response: This label could not be found on Sheet 4. Applicant 3rd submittal response: The label has been included on the Concept Plan. Town 3rd review response: Resolved
61. [Sheet 10] under C. Commercial Architecture Standards item 1.c, Describe what four-sided architecture means. Applicant Response: Four-sided architecture has been defined. Town Response: Staff would like clarity if this would apply to an elevation facing a commercial alley. Applicant 3rd submittal response: The wording has been changed to "on all sides of the building that are visible to the street, main pedestrian walkways, or parking areas." Town 3rd review response: Resolved
62. [Sheet 10] under C. Commercial Architecture Standards item 1.c, provide separate Drive Through standard section. Applicant Response: Minimized the section and clarified which standards apply as a separate section. Town Response: Resolved
63. [Sheet 10] "third-story step back is not required" should be remove or make separate requirement. This is not appropriately located. Applicant Response: Removed standard. Town Response: Resolved
64. [Sheet 10] Table 1 move to the dimensional standard section. Applicant Response: Removed standard Town Response: Resolved

65. [Sheet 10] Table 1 - Please provide more information regarding the minimum open space requirements. Open Space Requirements should be part of Parks and Open Space section (sheet 16) if creating additional standards for commercial development to provide dedicated open space. If this is a requirement for non-dedicated land, please refer to it as "private open space" or "private landscape area"
Applicant Response: Changed category to "Private" open space/landscape requirement.

Town Response: Staff could not find this section in the 3rd Submittal. Minimum private open space requirements appear to be removed.

Applicant 3rd submittal response: We do not intend to have minimum private open space requirements.

Town 3rd review response: Resolved

66. [Sheet 11] Examples may be provided but should not be the subject of the PD standard text. Please rewrite this section as guidelines or requirements.

Applicant Response: Minimized the section and clarified which standards apply.

Town Response: Disclaimer should be removed from Standards text and read as caption to the photo. Copy example disclaimer from sheet 9 to sheet 10 to accompany the additional photos.

Applicant 3rd submittal response: The disclaimer has been copied to the additional photos.

Town 3rd review response: Resolved

122. [Sheet 6 Single Family Attached Development Standards] Throughout Architectural Variety section, please differentiate between variety amongst individual units in a single building and variety of buildings along a block face. Where possible, please use the same language as the Single Family Detached standards.

Applicant 3rd submittal response: We have clarified the differentiation amongst individual units and entire buildings. We also used similar language.

Town 3rd review response: Resolved

123. [Sheet 8 Multi Family Development Standards] Why is this not included in Single Family or Commercial? Please include there if applicable.

Applicant 3rd submittal response: We have deleted this text.

Town 3rd review response: Resolved

124. [Sheet 11 Parking Standards] Commercial parking requirements still need a base ratio of spaces per gross floor area even if a shared parking agreement is utilized. Unless otherwise stated, the Commercial parking requirement will be used for Community Amenity.

Applicant 3rd submittal response: Understood.

Town 3rd review response: Resolved

125. [Sheet 10 Dimensional Standards]: Does note 2 apply to ADUs when there is not a garage present?

Applicant 3rd submittal response: We anticipate having garages but have added that an ADU could be a part of the garage, likely second level.

Town 3rd review response: Resolved

139. New comment at 3rd submittal: At first review of the commercial dimensional standards, please remove the "minimum parking setback" from the Front on Garden Court requirement as parking would not be allowed to front on a garden court.

Applicant 4th submittal response: The setback has been removed.

Planning 4th review response: Resolved

#9d Illustrative Concept Plans – not provided. No comment.

#9e Utility Concept Plan (Sheet 12) – no comment

67. Depict locations of existing overhead electric lines (along WCR 10) and electric distribution per the ALTA Applicant RESPONSE: The existing overhead electric lines are now shown. Town Response: Resolved

9f Undermining Plan (Sheet 13) – see CGS comments. Please follow the direction provided by Colorado Geologic Survey regarding geotechnical considerations and mine subsidence as these present potentially significant impacts which could alter development

15. Please show mine shaft, as well as are known, on this sheet and all sheets.
Applicant RESPONSE: The approximate locations of the mine shafts are now shown.
Town Response: Per UDC 10-6-13, Mineshafts may be located in a street right-of-way, tract, or in a nonresidential lot with an easement restricted for parking, open space or landscape use. Any modifications to this provision proposed by the applicant for town consideration shall be in compliance with recommendations from the geological and geotechnical hazards reports and the Colorado Geological Survey. Please see CGS comments. Please provide Undermining Plan as its own separate sheet with Subsidence Zones requirements from CGS (such as foundation lengths) and shaft setbacks diagramed on the plan.
Applicant 3rd submittal response: Please see separate CGS comment response letter.
Town 3rd review response: Resolved. Planning staff defers to any further CGS comments. This will need to be additionally recorded with each plat.
68. Staff is concerned about the undermining impacting the developability of the larger multi-family buildings in Phase 1. Applicant RESPONSE: An updated subsidence report has been included with this submittal Town Response: Multi-family buildings where located in Subsidence Zone A will be subject to the foundation length maximum and two-story maximum per CGS comments.
Applicant 3rd submittal response: Please see separate CGS comment response letter.
Town 3rd review response: Resolved. Planning staff defers to any further CGS comments. This will be reviewed at site plan for Multifamily.

#9g Oil/gas plan (Sheet 13) – no comment

69. Please remove the separate Oil and Gas exhibit as it is duplicative of Sheet 13 of the PD zone map and guide document Applicant Response: Removed. Town Response: Resolved
70. Please note "to be reduced by recording of Final Plat" to oil & gas setback to lot line. Indicate that lots proposed will not be in violation of setbacks at Final Plat recording. Applicant RESPONSE: The additional text above has been added to the legend. Town Response: Resolved

#9h Parking, Loading, and vehicular and pedestrian circulation

71. Please provide two separate sheets for Circulation Plan and Streetscape Plan. Provide a circulation plan that depicts all modes of transportation – vehicular, bicycle, and pedestrian – per UDC 10-6-5.D.2.a. Trails as depicted on Sheet 16 Parks - Open Space and Landscape Character should be repeated on the Circulation Plan. Please relabel the Circulation Plan provided as the Streetscape Plan to remain in

conjunction with the Road Sections. Streetscape Plan and Road Section comments below. Applicant Response: We have created (3) separate sheets and graphics for the "Streetscape Plan" and (2) "Circulation Plans" which shows the pedestrian trails and bicycle circulation. We will add the road sections to the Streetscape Plan when available from the Town of Erie. Town Response: Resolved

72. At first submittal, parking was adequately depicted on the Concept Plan to indicate that sufficient parking may be provided per land use. See above comment #25 regarding providing parking requirements throughout the development standards or in one consolidated section. Applicant Response: Parking standards will be met in the detailed site plans, as appropriate. Town Response: Resolved
73. EV Parking as required through the Pre-DA was not mentioned. Please provide in the same location as other parking standards the following statement: "Electric Vehicle charging shall be provided per building code with the additional minimum standards as follows. The Development shall include a minimum of 3 publicly accessible Level 3 Electric Vehicle ("EV") charging stations in convenient locations, as approved by the Town. In addition, at least 2% of the total parking spaces for multifamily units in the Development shall be EV charging spaces, and an additional 5% of the total parking spaces for multifamily units shall be EV charging-ready spaces." Applicant Town Response: Resolved

#9i Signage Plan (Sheet 17)

74. Please provide characteristics for monument signs such as height, maximum gross surface area, and material if specified and deviating from UDC 10-6-12. Applicant Response: Added that we intend to meet UDC requirements Town Response: Resolved.
75. The PD only addresses monument signs. Please confirm UDC 10-6-12 will apply to all other signs. Are separate sign standards necessary for Live-Work units? Applicant Response: The signage for live-work units will also need to meet UCD requirements. Town Response: Resolved
126. [Sheet 17 Signage Plan] Please provide a key map of planned Monument Signs. Per UDC, only one monument sign per street frontage is allowed for each development. If multiple monument signs are desired along Erie Parkway, a monument sign plan shall be provided in the PD Development Guide. Applicant 3rd submittal response: Created a key map with the monument signs. Town 3rd review response: Upon review of the monument sign key map per UDC 10-6-12.H.3 "Monument signs located along Erie Parkway shall not be located in an easement or a landscaped tract." Please add note to sheet that monument signs shall not be located in landscape tracts or within easements without permission of easement holder. Applicant 4th submittal response: The note has been added. Planning 4th review response: Resolved

#9j Overall Lighting Plan (Sheet 17)

77. Please provide design characteristics such as height or other characteristics if deviating from UDC 10-6-10. Please consolidate lighting standards to a single section. They should not be in the Commercial Development Standards and this section. The concepts and themes provided on Sheet 15 are not enforceable and

may provide conflict with the code. For example, "Only be on when needed" should be tied to a time period such as turned off from 10pm to 6am or "All outdoor light not necessary for security purposes shall be reduced, activated by motion sensor detectors, or turned off during non-operating hours." This may be labeled as an "intent" statement but they need to be correlated to enforceable standards.

Applicant Response: Added that we intend to meet UDC requirements. Town

Response: Some lighting text still exists on Sheet 9 Commercial Development standards and has been redlined to move to Sheet 17 Overall Photometric Plan

78. Establish fixture styles Applicant Response: The fixtures will meet UDC requirements. Town Response: Resolved

127. [Sheet 17 Overall Lighting Plan] Staff have reconsidered the naming of the required sheet and would prefer it be called Overall "Lighting" Plan

Applicant 3rd submittal response: We have changed the title of this section.

Town 3rd review response: Resolved

128. [Sheet 17 Overall Lighting Plan] If you are using the same fixtures of the existing Westerly neighborhood. Please provide a scaled fixture design with height label.

Applicant 3rd submittal response: We have added the fixture with the height labeled.

Town 3rd review response: Resolved

#9k Parks and Open Space Plan (Sheet 22-27) – Please refer to any additional comments by DNS.

79. Please separate the Landscape concept from the Parks and Open Space Plan.

Provide a Parks and Open Space concept narrative describing how the PD meets the UDC, Town Standards and Specifications, and Mixed Use Vision Guide Requirements.

Applicant Response: A separate park and open space narrative has been added.

Town Response: Resolved

80. Please show detention ponds on Parks Plan as indicated on Concept Plan. Pond B and Pond E as indicated on Sheet 12: Utility Concept Plan are indicated as pocket parks on Sheet 16: Parks and Open Space Plan. Please describe in the concept narrative how drainage ponds will be utilized as parks and in compliance with UDC 10-6-3.B.4.b.ii. *Usability*: "At least 75 percent of the dedicated land required by this section shall be well-drained, level, and suitable for playing fields and recreational facilities" and UDC 10-6-4.E.6.f: "Credit towards minimum park or open space requirements may be available for portions of detention ponds that are outside the area required to store water quality volume, provided they are designed according to sections 10-6-4 E.6.a and b, and are useable by residents as parks or open space. To be eligible for this credit, detention basins shall not be more than an average of three feet deep and shall also meet at least one of the use definitions of parks and open space. Average depth shall be measured from existing grade". Applicant Response: At this time, we do not anticipate credit for the detention ponds. Town Response: Resolved

81. All trails shall be at least 10-ft wide per the Pre-DA. Applicant Per the response from the "North Westerly – PD 1st Review Applicant Question Response" dated 4/25/2024, the Town will only require the 10' wide trail for the spine trail, and all other trails can remain as 8'. Town Response: Resolved

82. Please include Community Gardens in the Parks and Open Space Plan and compliance with item #10 of the Pre-Development Agreement.

"The Development shall provide community gardens, edible landscaping, or on-site

urban agriculture accessible to all residents of the Development, to be served by potable water. Edible landscaping is the practice of fully integrating a variety of edible plants into ornamental landscapes. Community gardens shall not count toward pocket park requirements and shall not be owned or maintained by the Town." Applicant Response: Since we are only at the zoning stage, the community gardens have been included as part of narrative for the future development/requirements of the parks and open space plans. Town Response: Resolved

83. Please note the "Water Tank Land" *may* count as park space per the Pre-DA Applicant Response: This has been noted and included in our Parks & Open Space Credit chart. Town Response: Resolved

84. Please indicate the significant [at-grade] road crossings and underpasses per the Pre-DA at Erie Parkway, CR5, and CR7 to neighboring communities, in particular Westerly, Colliers Hill and Gateway. Applicant Response: We will work with the Town on alternatives and will be determined with the Preliminary Plat. Town Response: Connections to adjacent neighborhoods shall be labeled and noted as at-grade crosswalk, overpass, or underpass on Pedestrian Circulation Plan (Sheet 15) if trails are not shown on Parks and Open Space Concept Plan (Sheet 23). Pedestrian Tunnel to Westerly at Erie Parkway shall be labeled "pedestrian underpass". This should be for every connection out of the PD boundary. Particular areas of interest were marked in the redlines. This will be determined at time of Final Plat per note, but staff would like to get a better understanding of connections. Applicant 3rd submittal response: All pedestrian crossing will be at-grade crosswalks, except for the underpass which is labeled. A note has been provided to clarify this. Town 3rd review response: Resolved

85. Please designate types of parks per the UDC, Town standards or Mixed Use Vision Guide designations of 100% / 40% / 10% credit open space. "Open space in easements" shall be labeled as *private* open space if seeking no credit or as *dedicated* open space with percentage if seeking credit. Parks and Open space are separate buckets of requirements. Do not show one total for parks and open space. Applicant Response: The Parks and Open Space chart has been updated to incorporate the park and open space requirements and designations per the Mixed Use Vision Guide. Town Response: Resolved. Please refer to any comments by DNS.

86. As indicated above, the Town is still in conversation with the applicant regarding the Town's new Mixed Use Vision Guide. An example of a table that might indicate Parks and Open Space is shown below. **Numbers are just an example and should be verified.** Applicant Response: The Parks and Open Space chart has been updated to incorporate the park and open space requirements and designations per the Mixed Use Vision Guide Town Response: Resolved. Please refer to any comments by DNS.

129. Remove pictures unless they are showing a specific requirement. If so, please add a caption stating what requirement they are demonstrating Applicant 3rd submittal response: We have updated the pictures and added a caption.

Town 3rd review response: Please remove pictures and Sheets 25-28 as they are not standards that can be enforced as part of a PD Development Guide.

Applicant 4th submittal response: Sheets 25-28 have been deleted.

Planning 4th review response: Resolved

#9I Typical Road Sections & Streetscape Plans (Sheet 14) -

87. Per the PD User Guide, reference specific land use areas where they would be used in relationship with the Streetscape Plan.

Applicant Response: We have not received any updates from the Town regarding the latest street standards. Currently, we have listed the types of ROW widths we are proposing at this time and have removed the street sections for now.

Town Response: Please show building types from Concept Plan (single family detached front load, commercial, pocket park) faded back as underlay to Streetscape Plan on Sheet 14 so that staff can review streets in conjunction with land use.

Applicant 3rd submittal response: We have added the building type underlay.

Town 3rd review response: Resolved

88. Please label the classification of each road section.

Applicant Response: See comment #88 Town Response: Please update the legend with the street classifications and no width as described in the June 3rd memo.

Legend should include:

- a. Major Collector with Median
- b. Minor Collector on a Designated Bikeway
- c. Minor Collector
- d. Local Street

Because the final street sections have not been determined, staff would prefer if the Streetscape Plan described street classifications without dictating widths. Street Classifications are determined by the AADT. The mark ups on Sheet 14 show what staff believes could be minor collectors based on adjacent land uses. Staff recommends the applicant work with their traffic consultant to determine the AADT of what was shown as green and light blue streets on the Streetscape Plan to determine if minor or major collector classifications are required.

Applicant 3rd submittal response: We have updated the street classifications and map.

Town 3rd review response: Resolved

89. Per the Pre-DA item 15.d. Other Roadways. "Developer shall provide north/south and east/west minor arterial, neighborhood, and collector streets across the Property, in an orthogonal alignment to the extent possible, as generally depicted on connectivity plan attached hereto as Exhibit C", the major connections as depicted in Exhibit C of the Pre-DA shall be classified as at a minimum collector streets. The major east/west connection from Flora View Drive to Gateway shall be at a minimum a collector classification. Additionally, the commercial designated east/west major connection to Gateway shall be designated a collector.

Applicant Response: Per the response from the "North Westerly – PD Interim Feedback" dated 6/3/2024: Director of Planning & Development, Sarah Nurmela, and case planner, Aly Burkhalter, met with Fox Tuttle on May 29th and anticipate updated sketch design on June 14th. Staff will allow the applicant to move forward with resubmittal showing a road into the existing school roundabout and dashed lines of future realignment (as shown below). To make sure this is addressed in the future but does not hold up the PD review process, staff would like to consider amending the Pre-Development Agreement that this be resolved prior to the approval of the Preliminary Plat.

Town Response: Staff is continuing to work with Town's consultant on the Flora View intersection. Please show a dashed connection to Flora View per redlines and note that it will be determined per the Pre-DA prior to Final Plat

Applicant 3rd submittal response: We have added a dashed line to show this

alternative connection and added a note.

Town 3rd review response: Resolved

90. Front loaded homes will not be allowed on Collector streets. Alley will not be allowed direct access onto Collector streets. Applicant Response: Homes and alleys along the collectors have been updated accordingly. Town Response: Front Loaded homes are shown near the elementary/middle school.

Applicant 3rd submittal response: Front loaded homes have been relocated from fronting on collectors.

Town 3rd review response: Resolved

91. Road sections should show a commitment to multi-modal circulation. Separated bicycle facilities shall be provided on collector streets and encouraged in the design of local streets. Applicant Response: We are proposing a shared street network with a multi-use off-street trail. Town Response: Bicycle Connectivity Plan (Sheet 16) was provided with second submittal. The legend on the Bicycle Connectivity Plan should reflect the bicycle facilities as designated on the Streetscape Plan (Road Classifications) such as Separated On-Street Bike Lane. The main commercial thoroughfare was recommended to be a Minor Collector on a Designated Bikeway and shall have bicycle facilities. If local streets are intended to be shared streets, they should also be shown on the Bicycle Connectivity Plan, similarly to how local streets were shown as on-street pedestrian connection on the Pedestrian Connectivity Plan.

Applicant 3rd submittal response: The main commercial thoroughfare has been updated to a minor collector with designated bike lanes. The local streets have been added to the bicycle circulation map.

Town 3rd review response: Resolved

92. Travel lanes may be reduced. Minimum drive lane width outside striping and shoulder for local street is 8-ft and for collector street is 10-ft. For clarity on the Two-Way Yield-2S-28/51 "Local" street, please show two 8-ft travel lanes and 6-ft parking on both sides.

Applicant Response: We have not received any updates from the Town regarding the latest street standards. Currently, we have listed the types of ROW widths we are proposing at this time and have removed the street sections for now.

Town Response: Staff will continue to work with the applicant

Applicant 3rd submittal response: Staff will continue to work with the applicant

Town 3rd review response: Resolved. Street sections have been removed from the PD document. The street classifications are shown correctly on the Streetscape Plan.

Lane width and street cross section per each classification indicated on the Streetscape Plan will be reviewed at time of plat.

Applicant 4th submittal response: Acknowledged

Planning 4th review response: Resolved

130. [Sheet 14 Streetscape Plan] Similar to Comment #84, please add symbology for what the intended connections outside the site will be, such as signalized intersection, right in-right out, etc.

Applicant 3rd submittal response: The intersections have been labeled with an estimated proposed signalization and access. Future traffic studies will determine the final

Town 3rd review response: Resolved

#9m Phasing Plan (Sheet 17)

93. Please show phasing boundaries to edge of right-of-way, lot, or tract rather than centerline of right-of-way or through tracts. A thinner boundary line may be required. Applicant Response: We have updated the phasing plan boundaries so that they include to the edge of right of way or tract. Town Response: Resolved
94. Please provide a land summary chart per phase showing number of dwelling units by type and parks and open space by type per phase. Applicant Response: We have provided a phasing plan with a summary chart per phase. Town Response: Resolved
140. New comment at 3rd submittal: Please add commercial square footage to phasing plan
Applicant 4th submittal response: The commercial square footage has been added to the phasing plan.
Planning 4th review response: Resolved

#9n Landscaping Plan (Sheet 18-21)

95. Please separate the Landscape concept from the Parks and Open Space Plan. In lieu of a plan, you may provide graphic representations of the concept and intent. See comment #40 and #44 regarding landscaping standards. Landscaping standards shall also be separated into public versus private landscaping. See DNS comments. Applicant Response: We have separated the Landscape Concept from the Parks and Open Space concept. We have included imagery to show representations of the types of landscape, parks and open space that are envisioned for this community. Town Response: To further differentiate between the two sections, please update the title to "Private" Landscape Concept. Per your note "Any landscaping within the public right-of-way, trail corridors, and parks shall follow the town of Erie landscape standards.", please remove Public Streetscapes content from this sheet as it would be per Town standards.
Applicant 3rd submittal response: We are articulating the design character. For example, the Town of Erie Landscape Standards could be met in a number of different design styles/character because the standards primarily deal with minimum required numbers of plants, not how those plantings are organized. We intend to use the TOE standards but want to have an overall character theme and organization amongst the public spaces and residential landscapes.
Town 3rd review response: Please provide a landscape character plan (can be a bubble diagram) that shows where these character areas are on a plan. The statements and standards indicate "urban" neighborhoods which are not indicated on a plan anywhere in the PD. If you do not want to provide a plan and standards and want to default to the Town UDC, you may remove the Landscape Concept and Character sheets 19-23.
Applicant 4th submittal response: The Landscape Concept and Character sheets 19-23 have been deleted. We will defer to the Town UDC for the landscape standards.
Planning 4th review response: Resolved
96. Please indicate conformance with UDC 10-6-4.F.2. Water efficiency in landscape design. Staff recommends making a commitment to xeric landscaping and reduction of turf. Applicant Response: Added criteria for plantings to be xeric, low-water or drought tolerant; turf sod should be a low-water species variety; and that turf sod

shall be used in areas of usability or pedestrian-oriented/residential walkways and use native seeding within the open areas. Town Response: Resolved.

131. Remove pictures unless they are showing a specific requirement. If so, please add a caption stating what requirement they are demonstrating. Many of the images are showing non-functional turf in contradiction to the water wise landscaping the Town is encouraging.

Applicant 3rd submittal response: The pictures have been labeled.

Town 3rd review response: Please see comment 95. Please remove photo if not resolving the request for Landscape Plan and standards.

Applicant 4th submittal response: The photos have been removed on sheets 19-23.

Planning 4th review response: Resolved

132. Although the section is for intent and concept, because there are no quantifiable standards such as percentage live plant material, quantity of shrubs or trees, or percentage of permeable surface, the PD will default to the Town standards and code in place at the time of review.

Applicant 3rd submittal response: Acknowledged.

Town 3rd review response: Resolved

133. The intent and character does not address Commercial Mixed-Use Landscape Standards or the Community Amenity (Public Institutional zone district) Landscape Standards.

Applicant 3rd submittal response: We have added verbiage to clarify that this section is also addressing the commercial mixed-use and community amenity landscapes.

Town 3rd review response: Resolved

#90 Environmental Plan (Sheet 29) – no comment

#10a. An Assessment of Impact Report

97. Section I. PD Map has language referring to the previous annexation. Please remove language regarding "proposed" boundaries of the municipality and "proposed annexation". Applicant Response: Removed "proposed" for the boundaries and the annexation. Town Response: Resolved

98. Section 3. Please update that each perimeter street along the property frontage will be improved according to the preliminary and final plat.

Applicant Response: Added that the improvements will be according to the preliminary and final plat.

Town Response: Please update to state only per plat and not per Transportation Plan: "Each perimeter street along the property frontage ~~will be improved according to the street classifications presented in the Erie Transportation Plan by Felsburg Holt & Ullevig dated January 2018 and~~ will be improved according to the preliminary and final plat."

Applicant 3rd submittal response: The note has been updated.

Town 3rd review response: Assessment of Impact was not provided in 3rd submittal. Please update to state: "Each perimeter street along the property frontage will be improved according to the preliminary and final plat."

Applicant 4th submittal response: The Assessment of Impact Report has been resubmitted and the language has been updated.

Planning 4th review response: Resolved

99. Section 3. Roadway Network references culs-de-sac. Culs-de-sac are not proposed in the PD and will not be approved. Is this referring to dead end alleys or stubbed streets for future connections? Applicant Response: Removed cul-de-sacs and replaced with dead end alleys or stubbed streets. Town Response: Resolved
100. Section 8. Street Maintenance – Maintenance of sidewalks and tree lawns shall be provided by the adjacent property owner or HOA. Applicant Response: Added that the maintenance of sidewalks and tree lawns shall be provided by adjacent property owner or HOA. Town Response: Resolved
101. The Town of Erie does not have its own Fire Protection District. Mountain View Fire Protection District is the fire protection district. Applicant Response: Replaced with Mountain View Fire Protection District. Town Response: Resolved
102. Urban Drainage and Flood Control District is now Mile High Flood District Applicant Response: Updated to Mile High Flood District. Town Response: Resolved
103. The proposed PD Zoning Area is not encompassed in the Northern Water Conservancy District and will require petition for inclusion. Please see referral comments. Applicant Response: We will work with the Northern Water Conservancy for a petition for inclusion. Town Response: Resolved
104. V. School District Impact. It is 2,300 dwelling units not 2,300 single family residential units.
Applicant Response: Changed to dwelling units and updated the # to current count.
Town Response: Please add "will be determined at Final Plat". Please note that although some housing is identified as age-restricted, the Town is unable to waive school fees for age-restricted housing.
Applicant 3rd submittal response: Acknowledged.
Town 3rd review response: Assessment of Impact was not provided in 3rd submittal. : Please add "will be determined at Final Plat".
Applicant 4th submittal response: The Assessment of Impact Report has been resubmitted and the language has been updated.
Planning 4th review response: Resolved

#10b. A Market Study or Economic Impact Study

105. Please provide a Market Study or Economic Impact Study as there is commercial uses proposed. Applicant Response: The consultant is working with the Town of Erie and the report is forthcoming. Town Response: Acknowledged. Please see Economic Development comments
Applicant 3rd submittal response: Please see response to Economic Development comments.
Town 3rd review response: Resolved. Market Study provided in 3rd submittal.
106. The Metro District application indicated 220,000sf of commercial. Please clarify the discrepancy between the Metro District 220,000 sf and PD 175,000 sf. Applicant Response: The consultant is working with the Town of Erie and the report is forthcoming to determine the actual square footage that will be proposed. Town Response: Acknowledged. Please see Economic Development comments.
Applicant 3rd submittal response: Please see response to Economic Development comments.
Town 3rd review response: Planning defers to Economic Development's review as to the amount of square footage proposed.
Applicant 4th submittal response: Acknowledged

Planning 4th review response: Resolved. Economic Development has no further comments

#10c. A Phase I Drainage Report and Plan – no comment

#10d. Traffic Impact Narrative

107. Under Land Use and Access, please make sure the numbers match the highest estimate from the PD Zone Map document. The Home Diversity Plan (sheet 6 of the PD Zone Map and Guide) shows maximums of 770 single family detached, 870 single family attached, 215 multi-family, 445 age-restricted, and 175,000 sf of commercial.

Applicant RESPONSE: Site data has been updated in the narrative.

Town Response: It appears that the numbers on the Home Diversity Plan are still much higher than what is shown on the Traffic Narrative.

Applicant 3rd submittal response: The numbers will match.

Town 3rd review response: Resolved

108. The intersection of Erie Parkway and WCR 7 is signalized Applicant RESPONSE: Text has been revised. Town Response: Resolved

109. WCR 7 is no longer shifting alignment in the updated Transportation Mobility Plan. Applicant RESPONSE: Noted. Town Response: Resolved

110. WCR 10 is paved not gravel Applicant RESPONSE: Noted. Town Response: Resolved

#10e. General Conceptual Utility Report – no comment

#10f. Threatened and Endangered Species, Habitat, and Wetlands report – no comment

#10g. Cultural, Archaeological, and Historical Resource Report and Protection Plan – no comment

#10h. Environmental Hazards Report – no comment

#10j. Soils Report – no comment

#10k. A Geological Report – see CGS comments

111. It is indicated in the Mine Subsidence Report that buildings should be limited to less than 165-ft and two-stories or less in the Subsidence Zone A. It is unclear where this area is indicated on Undermining Plan (Sheet 13 of the PD Zone Map and Guide). Additionally no structures should be located within 25-ft of the capped shafts of the Clayton Mine which was not clearly demarcated on the Undermining Plan. Applicant RESPONSE: An updated subsidence report has been included with this submittal. Town Response: Resolved. Please see comments #68 and #69 above.

#10l. Separate Exhibit providing a comparative chart that lists the UDC regulation that is requested to be modified and the proposed modified PD regulation that will replace it.

112. Please add PD commercial dimensional standards to this comparison.

Applicant Response: Commercial will defer to UDC standards.

Town Response: Commercial dimensional standards were provided on the Dimensional Standards Chart of the PD Development Guide. Please include those dimensions for comparison on this chart.

Applicant 3rd submittal response: The Commercial standards have been added and defer to the UDC standards.

Town 3rd review response: The commercial dimensional standards were provided and do differ from the UDC standards. Please provide comparative chart.

Applicant 4th submittal response: The comparative chart has been included with this submittal.

Planning 4th review response: Resolved

113. Please compare to all options of LR/MR/HR, such as MR Medium, MR Large SFD and Atch, HR Medium, HR Large SFD and Atch. Please fill out all sections of the chart unless a use is not allowed in the zone district. For example, MR Small should be filled in for Single Family Front Load, but not for Live-Work. Applicant Response: All categories have been added as requested. Town Response: Resolved

114. Remove "1,000-2,499" under HR Small for Front on Street – Minimum Lot Setbacks Applicant Response: This has been removed. Town Response: Resolved

115. Multifamily lot area should compare to HR Large Atch: 2,500 per DU. Please fill out the comparable setbacks for HR. Applicant Response: This has been added. Town Response: Resolved. See Comment #27

116. Add dimensional standards for Commercial and Community Amenity.

Applicant Response: Commercial will defer to UDC Standards, the Community Amenity is essentially a park use similar to the Waypoint in the existing Westerly Community.

Town Response: See comment #112. Community Amenity will default to PLI zone district setbacks. Please confirm that is the intent.

Applicant 3rd submittal response: Yes, that is the intent.

Town 3rd review response: Please add note to Dimensional Standards summary table "PLI zone district dimensional standards defer to the Town of Erie Unified Development Code"

Applicant 4th submittal response: The note has been added.

Planning 4th review response: Resolved

134. Staff is concerned about the 5' rear setback on Single Family Front Load homes that they will not have a backyard compared to UDC requirement of 20' rear setback. Can you explain more about the intention for this requirement? The PD's rear setback for alley loaded should differentiate between when an alley is present or not.

Applicant 3rd submittal response: We have updated the rear setback to 15'. All alley-loaded products require the alley to be present for access.

Town 3rd review response: Resolved

#10m. Separate Exhibit showing existing and proposed major easements (i.e. gas lines, overhead utility lines, etc.). – Please provide per comments #6-8

Applicant 3rd submittal response: A separate exhibit showing existing and proposed major easements has been included with this submittal.

Town 3rd review response: Resolved

#11. Any additional information or referral documents as required by the Planning & Development Director, in order to thoroughly review the impacts of the proposed development. – not required at this time

The review process is a cumulative process and dependent on various criteria. We reserve the right to provide further comment(s) and request additional information. Please contact me at 303-981-5985 or aburkhalter@erieco.gov for further clarification. Staff would be happy to schedule a virtual meeting to discuss the comments and answer any questions.

Sincerely,

Aly Burkhalter | Senior Planner

Planning & Development

Pronouns: She / Her / Hers ([What's this?](#))



Town of Erie

645 Holbrook | P.O. Box 750 | Erie, CO 80516

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Delivering exception public service with honesty, efficiency, and compassion.



Memo

To: Aly Burkhalter, Senior Planner
From: Nicole Johnson, Civil Engineer
Date: May 8, 2025
Subject: North Westerly PD – Engineering Comments, Review 5
CC: Chad Schroeder

Planned Development Zoning Map and Guide Comments

1. Sheet 11:
 - a. Repeat Comment: Please show the existing utilities on the utility plan.



Memo

To: Aly Burkhalter, Senior Planner
From: Nick Wagner, Transportation Engineer
Date: May 7th, 2025
Subject: North Westerly PD - Transportation Engineering Comments
CC: John Firouzi

Transportation PD Comments:

1. See the attached PD streetscape plan sheet for updates

Transportation TIA Comments:

1. Update the background traffic section's last paragraph. It references old background traffic volumes from the previous submittal.
2. The intersections of 23 should not be investigated, the intersection to the north (where the major and minor collector intersect) should be the intersection that is investigated. This intersection should be investigated as a possible roundabout per PD document.
3. The town is concerned with the proposed traffic volume at the start of Main Street (9,760 ADT) as well as how that traffic is dispersed (the block closest the amenity center drops to 1,760 ADT). As a result, the town is requesting that the two blocks highlighted on the PD document be coded as a minor arterial (per TOE standards, minor arterial is <12,000) and each intersection (the arterial & minor collector intersection and the arterial & local street intersection) be investigated. Currently, only intersection 24 is investigated but is shown as a 4-way stop (should be a TWSC) and shows LOS A, which given almost 10k ADT, seems high.

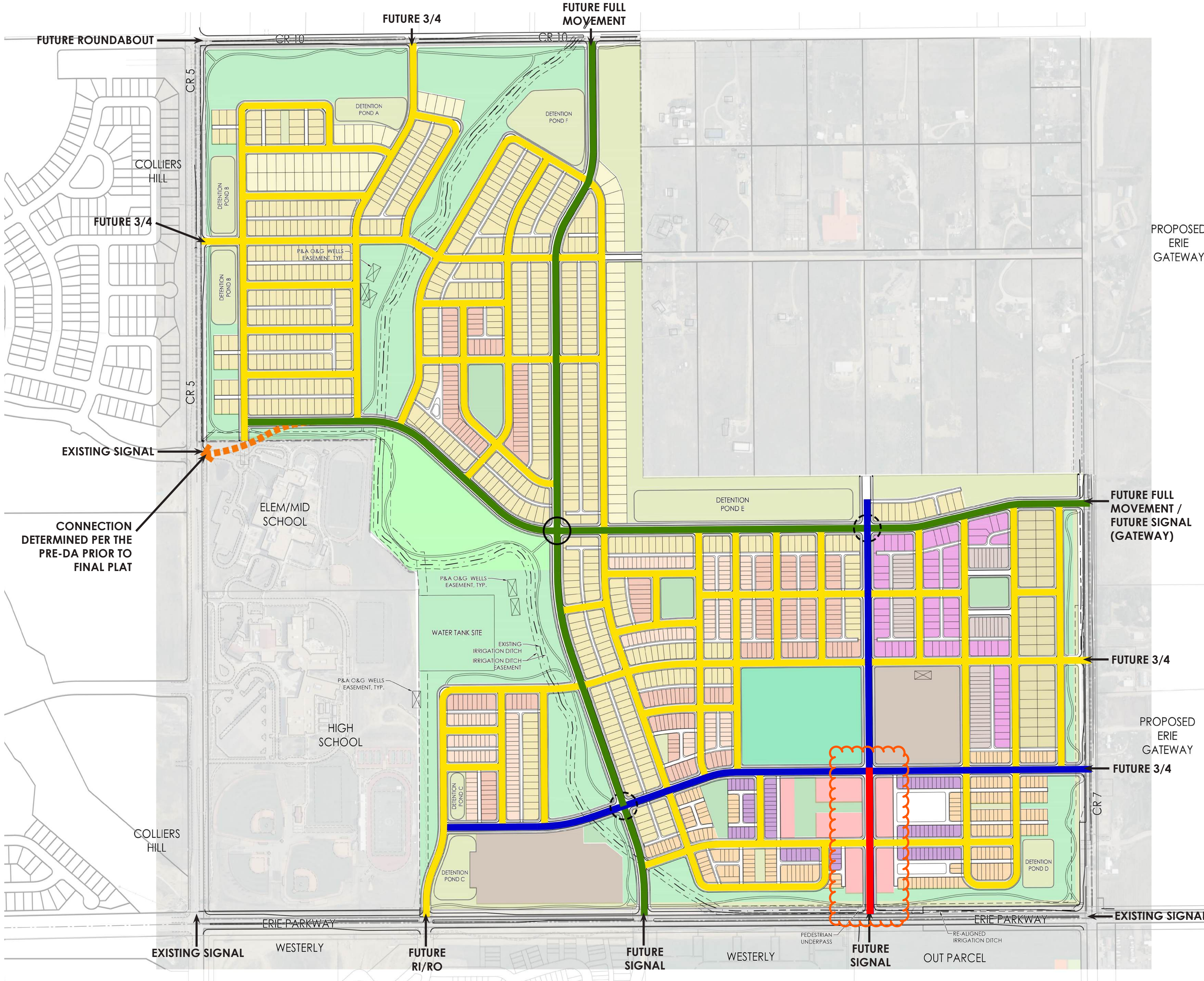
Given the designated parking area for this commercial corridor is located to the east of Main Street, I would expect higher right turn/left turn volumes at these intersections than what is currently shown. Please update these two intersections given that a majority of the ADT in this area will be turning to utilize the designated parking area.

4. Update table 9 to include recommendations for the updated intersection 23 (Western Main Collector & Minor Collector), 24 (Minor Arterial & Local Street), and new intersection 25 (Minor Arterial & Minor Collector).

NORTH WESTERLY PLANNED DEVELOPMENT ZONING MAP AND GUIDE

A PARCEL OF LAND LOCATED IN SECTION 16, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN,
TOWN OF ERIE, COUNTY OF WELD, STATE OF COLORADO
390.8797 ACRES
PD-001700-2024

STREETSCAPE PLAN



"Main Street" Minor Arterial (TBD at Phase 2)

LEGEND:

- MAJOR COLLECTOR WITH MEDIAN AND DESIGNATED BIKEWAY
- MINOR COLLECTOR WITH A DESIGNATED BIKEWAY
- LOCAL STREET
- POSSIBLE CONNECTION
- SINGLE LANE ROUNDABOUT (TBD WITH PRELIMINARY PLAT)
- POTENTIAL SINGLE LANE ROUNDABOUT OR TWO-WAY STOP (TBD WITH PRELIMINARY PLAT)

NOTE: THE "FUTURE" STREET INTERSECTION SIGNALS & ACCESS (RIGHT IN/RIGHT OUT, 3/4, FULL) TO CONNECTOR STREETS SHALL BE DETERMINED WITH FUTURE TRAFFIC STUDIES.



PREPARED FOR:

NORTH WESTERLY
OWNER, LLC
3990 HILLSBORO PIKE,
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PCS GROUP, INC.
200 KALAMATH STREET,
DENVER, CO - 80233
720-259-8246
CONTACT:
JOHN PRESTWICH

REVISIONS:

NO.	REVISION DESCRIPTION	DATE	BY
1	2ND SUBMITTAL	7/11/2024	JP/CGR
2	3RD SUBMITTAL	10/02/2024	JP/CGR
3	4TH SUBMITTAL	2/14/2025	JP/CGR
4	5TH SUBMITTAL	4/18/2025	JP/CGR

SHEET INFO:

STREETSCAPE
PLAN

DRAWN BY:
CGR
DESIGNED BY:
BC/SW
SUBMITTED ON:
2/09/2023

From: Chris LaRue
Sent: Monday, May 5, 2025 4:03 PM
To: Aly Burkhalter
Subject: FW: 5th Referral Review Submittal - PD-1700-2024 North Westerly Minor Subdivision

Follow Up Flag: Follow up
Flag Status: Flagged

Just got copied on this one

Chris LaRue | Principal Planner
Town of Erie | Planning & Development
Phone: 720-745-1030 | Fax: 303-926-2706
www.erieco.gov | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

From: Kristen Thompson <ktompson@northernwater.org>
Sent: Monday, May 5, 2025 3:45 PM
To: Melinda Helmer <mhelmer@erieco.gov>
Cc: Chris LaRue <clarue@erieco.gov>
Subject: RE: 5th Referral Review Submittal - PD-1700-2024 North Westerly Minor Subdivision

External Email: Do not click links or open attachments unless you recognize the sender and know the content is safe.

Melinda,

Portions of these lands are not within the boundaries of the Northern Colorado Water Conservancy District, and all the parcels are not within the boundaries of the Municipal Subdistrict.

To include these lands via the “Consent for Inclusion” method, please add the following verbiage to the annexation ordinance and provide Northern Water with a certified copy of the recorded annexation ordinance.

“The Town hereby consents, pursuant to C.R.S. Section 37-45-136(3.6), to the inclusion of the Property into the Municipal Subdistrict, Northern Colorado Water Conservancy District and the Northern Colorado Water Conservancy District.”

Please let me know if you have any questions about the inclusion process.

Thank you
Kris



Kristen Thompson

Contracts Specialist II – Land and Water | Northern Water

Direct: (970) 622-2237

220 Water Ave | Berthoud, CO 80513 | (800) 369-RAIN (7246)

www.northernwater.org | [Facebook](#) | [X](#) | [Instagram](#) | [LinkedIn](#)

Disclaimer Notice: An allotment of Colorado-Big Thompson water is subject to the Water Conservancy Act, C.R.S 37-45-101 et seq authority of the Board of Directors of the Northern Colorado Water Conservancy District, and other relevant laws and regulations. The information provided in this email is not binding on Northern Water because the legal rights to Colorado-Big Thompson Project Allotment are subject to the continuing discretion of the Board of Directors of Northern Water and other legal limitations and requirements. Northern Water staff and counsel cannot provide you with legal advice, and you are advised to seek legal counsel with respect to the subject matter of this email. You also have an independent obligation to review and confirm the accuracy and completeness of any information provided to Northern Water, and to supplement or correct the records of Northern Water with respect to any errors or omissions.

From: Melinda Helmer <mhelmer@erieco.gov>

Sent: Friday, April 18, 2025 4:05 PM

To: Jim L. Struble <jstruble@northernwater.org>; Kristen Thompson <kthompson@northernwater.org>;

MailContracts <contracts@northernwater.org>

Cc: Chris LaRue <clarue@erieco.gov>

Subject: 5th Referral Review Submittal - PD-1700-2024 North Westerly Minor Subdivision

External Message - Please be cautious when replying or opening links or attachments in this email

Good afternoon,

Please find the link for 5th Referral Review submittal documents on the above noted project:

<https://portal.laserfiche.com/Portal/Browse.aspx?id=188183&repo=r-a69d230a>

Referral comments are due back by May 6, 2025. Staff DRT is scheduled for May 8, 2025. Please forward referral comments to developmentreferral@erieco.gov

Please let me know if you have any questions.

Regards,



Melinda Helmer, CMC | Business Operations Coordinator

Town of Erie | Planning & Development

645 Holbrook Street | P.O. Box 750 | Erie, CO 80516

Cell: 720-745-1062

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