



TOWN OF ERIE

Planning & Development – Planning Division
645 Holbrook Street – PO Box 750 – Erie, CO 80516
Tel: 303.926.2770 – Website: www.erieco.gov

LAND USE APPLICATION

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

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: ERIE JUNCTION LLC

PROJECT ADDRESS: NE CORNER COUNTY LINE ROAD AND BALCOLM STREET

PROJECT DESCRIPTION: OLD TOWN INFILL RESIDENTIAL DEVELOPMENT, 23 LOTS AND 4 TRACTS

LEGAL DESCRIPTION (attach legal description if Metes & Bounds)

Subdivision Name: Erie Junction Final Plat (proposed plat name). Currently unplatted

Filing #: Lot #: Block #: Section: 18 Township: 1N Range: 68W

OWNER (attach separate sheets if multiple)

Name/Company: ERIE JUNCTION LLC

Contact Person: NICK JACOBS

Address: 603 S PUBLIC RD. UNIT 765

City/State/Zip: LAFAYETTE, CO 80026

Phone: 720-539-3786

Fax:

E-mail: NICK.JACOBS@DIVERGEHOMES.COM

☒ Check here if Owner is responsible for Application Billing

AUTHORIZED REPRESENTATIVE

Company/Firm: Civil Resources, LLC

Contact Person: Jim Brzostowicz

Address: 8308 COLOARDO BLVD, SUITE 200

City/State/Zip: FIRESTONE, CO 80504

Phone: 303-833-1416 X 203

Fax:

E-mail: JIM@CIVILRESOURCES.COM

☐ Check here if Authorized Representative is responsible for Application Billing

MINERAL RIGHTS OWNER (attach separate sheets if multiple)

Name/Company: CRESTONE PEAK RESOURCES, INC.

Address: 1801 CALIFORNIA ST., SUITE 2500

City/State/Zip: DENVER CO 80202

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company: ERIE JUNCTION LLC

Address: SAME AS ABOVE

City/State/Zip:

LAND-USE & SUMMARY INFORMATION

Present Zoning: OTR

Proposed Zoning: OTR

Gross Acreage: 2.73

Gross Site Density (du/ac): 8.4

Lots/Units Proposed: 23

Gross Floor Area: N/A

SERVICE PROVIDERS

Electric: XCEL

Metro District: N/A

Water (if other than Town): TOWN

Gas: XCEL

Fire District: MOUNTAIN VIEW

Sewer (if other than Town): TOWN

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES

ANNEXATION		SUBDIVISION	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
COMPREHENSIVE PLAN AMENDMENT		<input checked="" type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Minor Plat Amendment	\$400.00
ZONING/ REZONING		<input type="checkbox"/> Road Vacation (constructed)	\$1000.00
<input type="checkbox"/> Initial Zoning	\$ 1700.00 + 10.00 per acre	<input checked="" type="checkbox"/> Road Vacation (paper)	\$100.00
<input type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre		
<input type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
<input type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input checked="" type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2,200.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
SPECIAL REVIEW USE		<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (major)	\$1100.00
<input type="checkbox"/> Minor	\$ 400.00	<input type="checkbox"/> Amendment (minor)	\$350.00
<input type="checkbox"/> Oil & Gas	\$ 1200.00	VARIANCE	
MISCELLANEOUS			\$600.00
<input type="checkbox"/> Outdoor Café Permit/R.O.W. Encroachment	\$50.00	METRO DIST SERVICE PLAN	
<input type="checkbox"/>			\$10,000.00

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

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

Owner:

Date:

Owner:

Date:

Applicant:

Date:

STATE OF COLORADO

County of Colorado

The foregoing instrument was acknowledged before

me this 21st day of June, 2021

by Nicholas Jacobs as member/manager of Erie Junction LLC

My commission expires: 2/23/2024

Witness my hand and official seal.

JULIANNE JOHNSON
NOTARY PUBLIC
STATE OF COLORADO

NOTARY ID 20164007076

My Commission Expires February 23, 2024

Notary Public



Contents

General Project Concept	2
Project Location:	3
Existing Conditions within the Subject Area:.....	3
Adjacent Land-Use/Zoning:.....	4
Summary of Prior Sketch Plan Submittals:	4
Purpose of this Request.....	4
Developer Background	4
Summary of Variances.....	10
Proposed Development Timeline - Phasing.....	10
Availability and adequacy of existing infrastructure and other necessary services including schools, fire protection, water/sewer service, and utility providers;	11
Location, function and ownership / maintenance of public and private open space, parks, trails, common areas, common buildings;	11
How the proposal relates to the existing land-use of the subject property and the zoning and land-use of adjacent properties, including statements describing areas of compatibility and conflict and the mitigation measures utilized.	11
How the proposal complies with the Town’s Comprehensive Master Plan and approval criteria of the Municipal Code Title 10-UDC.	13
Applicant’s Response to Title 10 UDC - Chapter 2: Zoning Districts	13
Applicant’s Response to Title 10 UDC - Chapter 3: Use Regulations	13
Applicant’s Response to Title 10 UDC - Chapter 4: Dimensional Standards	13
Applicant’s Response to Title 10 UDC - Chapter 5: Subdivision Standards, Design, and Improvements:	13
Applicant’s Response to Title 10 UDC - Chapter 6: Development and Design Standards.....	20
Section 10.7.12 Site Plan	28
A description regarding the status of mineral rights and the substance of any existing or proposed covenants, special conditions, grants of easements, or other restrictions applying to the proposed subdivision.	28

This written narrative generally follows the outline of topics provided in the Town of Erie's User Guide for Preliminary Plat. In addition to this Written Narrative, Applicant has included comments from each Sketch Plan in-line with the Town's formal response, as attachments to Section 10 – Additional Information & Referral Documents.

General Project Concept

Applicant has proposed a 23-unit high quality residential infill development located within a designated blight zone of Erie's Old Town District. The subject property is 2.73 acres in size and the density of the proposal consists of ten duplexes and one triplex. Public amenities include a native plant walk, interactive art sculptures and water use demonstrations for public education and enjoyment. Four tracts of land are dedicated as privately owned and maintained areas with easements for public access streets, alleys, sidewalks, stormwater detention, and landscape buffer.

The proposed street layout aligns closely with the existing street grid of Lawley Drive to the south, and Main Street to the west. However, variances are required and detailed below. Building and lot layouts fully comply with Old Town dimensions and include private backyards with a mix of attached front-entry garages and detached rear-entry garages with a separate work-space loft above it. Architectural design is proposed as transitional with primary cues taken from the surrounding Old Town District's roof lines, brick finishes, and vertical board siding. The design intends to clearly reference the past but use these angles and materials in a more modern yet warm aesthetic.

Applicant's proposed development utilized and sought the highest level of compatibility with the general vision, rules, codes, and guidelines as published by the Town of Erie through the following documents:

- 1.) *Town of Erie Comprehensive Plan – 2015 Update*
- 2.) *Town of Erie Unified Development Code – Title 10, December 2019*
- 3.) *Town of Erie Downtown Redevelopment Framework Plan, September 30, 2016*
- 4.) *Historic Old Town Erie Urban Renewal Plan, 11.12.13*
- 5.) *Town of Erie Parks, Recreation, Trails and Open Space – 2016 Update*

Applicant's civil engineering utilized the following documents, plans, and policies from the Town of Erie:

- 1.) *Town of Erie Transportation Plan*
- 2.) *Town of Erie Utility Master Plans*
- 3.) *Town of Erie Standards and Specifications for Design and Construction of Public Improvements*
- 4.) *Urban Drainage and Flood Control District Policies and Standards*

Lastly, Applicant utilized in a tangential manner the following activities, research and Town documents/records to help influence and reinforce their overall vision and design ideas:

- 1.) *Site walks and character studies of the surrounding neighborhood*
- 2.) *Reviews of Town of Erie development applications from other developments located in or near the Old Town District.*
- 3.) *Town of Erie 2020 Historic Preservation Master Plan*
- 4.) *Parks, Recreation, Open Space & Trails Master Plan Summary*
- 5.) *Prior subject property owner's Sketch Plan submittals from 2015 & 2016, including Town comments of same.*

Project Location:

Erie Junction is located at 4060 E. County Line Road, on the northeast corner of E. County Line Road and Balcolm Street in Old Town.

**Existing Conditions within the Subject Area:**

Zoning: OTR – Old Town Residential

Project Size: 2.73 Acres

Existing Use: Vacant (site previously used as a precast concrete business)

Adjacent Land-Use/Zoning:

	ZONING	LAND USE
NORTH	OTR – Old Town Residential	Old Town – Single Family Residential
SOUTH	OTR – Old Town Residential	Old Town – Single Family Residential
EAST	OTR – Old Town Residential	Old Town – Single Family Residential
WEST	B - Business	Exploring Minds Day Care Center Single Family Resident Vacant Warehouse Building

Summary of Prior Sketch Plan Submittals:

Applicant submitted two prior Sketch Plans to the Town and received design review feedback on 2/3/2021 and 4/2/2021, respectively. In those reviews the core concern was resolving the conflict between Applicant's desire to retain the street grid and lot layout of the adjacent Old Town District while adhering to the new suburban-focused street buffers and rights-of-way requirements as defined within the Town's UDC and Standards and Specifications. Other minor issues were also resolved for building envelope encroachments, detention, and sidewalk design.

Applicant has responded in-line to all documents received from the Town during each Sketch Plan, please see Section 10. Additional Information & Referral Documents.

Purpose of this Request

The purpose of the Erie Junction project and every other Diverge Homes development is to contribute to and enhance its surrounding Old Town neighborhood by following three core concepts:

- 1.) Implement high quality subdivision design that is sensitive to and reflects the character of the surrounding neighborhood for both street grid and architecture without sacrificing the sentiments and needs of today's new home buyers.
- 2.) Enhance the economic and social vitality of the surrounding neighborhood through the marketing of high-demand properties and unique, long-lasting infrastructure and amenities.
- 3.) Encourage a visibly strong connection to nature and the arts throughout the development.

Developer Background



Diverge Homes LLC (www.divergehomes.com) is both the owner and developer of Erie Junction. Founded in Lafayette, Colorado, in 2016, Diverge Homes' mission and vision remains in place today: to lead the industry in redevelopment of American small towns. Please note the background below was redacted from our corporate website and may contain forward-looking statements regarding potential projects and marketability of the company.

Building Townie Life®

At Diverge we believe that big cities are exciting and a lot of fun. They can also be intense. The noise, frenetic pace, and lack of space can take their toll. Our core idea is to deliver residential products and experiences that allow people to obtain the solace and simplicity of life — and an amazing house — in a small town. Why? Because we believe small towns offer an unmatched combination of benefits: close to outdoor pursuits, yet they don't require giving up walkability to fantastic restaurants, shops, music, and art. But most of all, living in a small town means that you won't have to live in the big city, or, the suburbs. Diverge does not support or invest in sprawl.

Since launching in 2016 we have been working hard to make this idea a reality. We build communities in small towns for those looking for greater proximity to the outdoors, walkability to revived old towns, and smartly designed homes built for active families. Diverge is a new kind of developer. One that is laser-focused on small town infill as opposed to sprawl. We create neighborhoods that are truly a part of the towns they are in.

Diverge by the Numbers

4	Colorado Developments
100+	Homes in Process
1	Sculpture with 2000+ Mylar Tubes
26	<i>Townie Homes®</i> Delivered
10%	Annual Growth Rate
1,253	Plants and Trees Planted To Date

Diverge Homes Mission

We are on a mission to rebuild America's small towns. We proudly diverge from industry expectations, not only in the locations we choose but in believing that home builders should offer greater transparency, deep info sharing, high-touch service, and door-to-door neighborhood communication.

Diverge believes in thoughtful development that enlivens our small-town communities. We hire local contractors, designers, and builders who know and care about the towns we build in. Our way may not be the fastest or easiest, but it's always the right way.

Our move-in ready homes are designed with smart, active lifestyles and families in mind. Community areas seek to inspire wonder and connect to the nature around them, with access to trails and open space, and amenities like pocket parks, native plant walks, and kinetic art installations.

Walkability and a Meaningful Connection to Nature

Our developments are either in quaint old-town districts or just nearby, so the car can stay in the garage when you're out for the day or for a night on the town. These small towns, with their picturesque Main Streets, are steeped in history while offering unique shops and restaurants that easily rival those found in bigger cities.

Likewise, each of our developments are near trails and/or parks and open spaces, so the best of Colorado is at your doorstep. And within all of our community areas, we design funky outdoor art and landscape that inspire and educate.

Our Projects (in addition to Erie Junction)

Cannon Trail - Lafayette, Colorado (www.cannontrail.com)

Cannon Trail is our flagship development, and the high demand proves that we're onto something. It validates our mission that Diverge communities positively contribute to the small towns they're in. It also confirms our gut instincts about being completely open about what we do. Cannon Trail has clearly resonated with homebuyers looking for a better way to live.

We invested in Lafayette because we see how people enjoy the active Old Town district and we believe in its on-going potential. It's such a fun, diverse place to call home. With art galleries, restaurants, breweries, a theater, and a stellar children's museum, Lafayette offers everything you might want from a big city.

The Cannon Trail neighborhood includes 39 paired and single-family homes, and features pocket parks, a native plant walk, and a kinetic art installation. All within a five-to-ten minute walk to Old Town Lafayette, with its wonderful shops and delicious restaurants.

The development lies next to the Coal Creek Trail, a beautiful, year-round biking and hiking path connecting Lafayette and Louisville. And the RTD Park and Ride is less than a mile away.

608 Yampa – Steamboat Springs, Colorado

We are excited to announce our new development in the heart of downtown Steamboat Springs. It's right across the street from the Yampa River and next to a small park (that hosts the weekly Farmers' Market during the summer). 608 Yampa will feature four to five well-sized condominiums, a first floor parking garage, and an exciting but as of yet unnamed window dressing for use by the Steamboat Arts Council and Steamboat Main Street Economic Development Corporation. The project location affords forever views of the Yampa River, Howelsen Hill, the Rodeo arena, and even Mt. Werner. 608 Yampa sits in the heart of the vibrant and fast-growing Old town riverfront district, with all the restaurants, shops, and attractions that Steamboat Springs is known for.

For outdoor enthusiasts, it really doesn't get much better. Fly fishing the Yampa's best section is literally across the street, and you'll be a few minutes away from soaking in hot springs, skiing, hiking, riding, climbing, and cycling. Whatever it is that you love to do, it's here for you in Steamboat. Best of all, unlike many of Colorado's glitzy ski towns, Steamboat Springs retains its down-to-earth Western heritage.

Bonvue Ranch - Golden, Colorado

With an enviable location just minutes away from Denver, Golden is the home of our latest project. Located at the foot of the Rockies, our North Table Mountain property has stunning views. The project is currently zoned for 30 single-family homes. Trailheads are just a short walk away, so put together a day pack and the hike begins at your doorstep. The car stays behind.

Golden is one of the original communities of the American West, and this is still reflected in the city's character, even with its proximity to Denver. Golden has kept a level of diversity for architecture, retail, and restaurants that other towns envy. The buildings are heavy on stone and wood as opposed to steel, concrete, and glass and our architecture will reflect and build upon this heritage.

There are several equestrian stables nearby, including one right across the street from our development. Hiking, climbing, biking, kayaking, skiing, horseback riding, as well as being near to good jobs, schools, and cities — there might not be a more perfect distillation of "Colorado living" than in Golden.

Our People

Nick Jacobs – President and Founder

Nick is President and Founder of Diverge Homes and affiliated companies. He founded the company in 2016 and oversees all operations, services, and developments. Specific responsibilities include site acquisition, building and site design, data science for, and financing of all projects.

Diverge Homes' founding vision remains in place today: to redevelop under-utilized parcels of land in and around American small towns, starting with Colorado. Nick structured the company so that architecture, amenities, and construction operations can be repeated with high consistency regardless of location.

Prior to Diverge Homes, Nick spent 17 years in telecommunications and technology, managing operations and sales for real estate acquisition, construction, hardware, and software. He received an M.A. from Utah State and a B.S. from Michigan State.

Ken Bailey – Construction Director

Ken is based in Boulder County, Colorado, and is responsible for all residential construction and operations. He has over 40 years in single and multifamily construction.

Ken has led the design and construction of nearly 200 units in the Boulder and Denver metropolitan area.

Ken's strength is his artistic touch combined with the pragmatism of a veteran builder. Whether designing large custom homes or dozens of multifamily units, all buyers are guaranteed to receive the same level of attention and service that has led to Ken's reputation for excellence.

Stephanie Iannone, Mindy Nassar, and Kim Avery – The Iannone Real Estate Group at Housing Helpers, Sales Team

With over \$500 million in real estate transactions, the Iannone Group at Housing Helpers of Colorado brings significant real estate brokerage experience to the Diverge team. Plus, they believe in our mission like no other. Our partnership with the Iannone Real Estate Group extends far beyond just sales brokerage and marketing. They consult and support Diverge Homes' development opportunities, providing invaluable input on everything from site plans, lot layouts, floor plan functionality, and interior design.

Stephanie Iannone, Owner & Managing Broker

Stephanie leads the Iannone Real Estate Group at Housing Helpers of Colorado. Over the years, she has received numerous awards and recognition for her expertise. These include Distinguished Realtor of the Year, Top 25 Most Powerful Salespeople in Colorado, and for eight consecutive years, Stephanie has received Denver's Top Real Estate Agents Five Star Award. Her company, Housing Helpers of Colorado, has been named one of the Top 50 Woman-Owned Businesses in Colorado.

Stephanie's executive experience includes serving as a Director for the IRES regional MLS Board and Boulder Area Realtor Association, as well as Chair of the Boulder Chamber. She brings her passion and leadership to Diverge, where she and her team achieve extraordinary results on our projects.

Mindy Nassar, Broker Associate

A lifelong Coloradan, Mindy has witnessed the change and growth that has transformed the state into one of the most desirable places to live in the country. She is a wealth of experience in all aspects of the real estate industry, from mortgages to development to sales. However, it's meeting new people and helping clients find the perfect place to call home that she truly loves. She brings this love, along with her enthusiastic personality, professionalism, accessibility, and honesty to her work selling Diverge Homes.

Kim Avery, Broker Associate

After selling luxury real estate in Northern California, Kim relocated to Lafayette in 1997. She still manages to find new places to explore in Colorado. Kim has been with Housing Helpers since 2008. She is dependable, productive, and focused on delivering excellent customer service. Kim delights in helping our clients find the perfect home and assists them in navigating the paperwork.

Stewart Architecture – Architecture & Design

Since 1992 Stewart Architecture has provided planning and architectural services for a diverse range of project types, including public, commercial, residential, land planning, and historic preservation. Their focus is on building community through sustainable planning and architecture. The firm believes sustainability includes preservation of our energy, natural, and cultural resources.

Based in Louisville, Stewart Architecture is recognized for its cultural heritage and preservation work with numerous awards. These include the Stephen H. Hart Award of the Colorado State Historical Society and the Colorado Preservation Inc. Dana Crawford Award for Excellence.

Peter Stewart, Founder and Principal

Peter has practiced architecture in Colorado for 30 years, planning and implementing historic and sustainable neighborhood and home design projects. He is a passionate advocate for the reuse of existing structures and resources. He leads the way in reuse while never compromising modern adaptations and energy performance in his numerous residential, commercial, and public projects. Peter's sensitivity to local community and context distinguish him and his firm. With Diverge, Peter designs quality neighborhoods and homes that create a sense of place where people want to live, work, and play.

Kelsey Tessier, Architect

Kelsey develops architectural designs for Diverge Homes, as well as the construction documents and permit submissions. A Colorado native, Kelsey has been with Stewart Architecture for six years. She received her masters' degree in Architecture from Montana State University in Bozeman. Kelsey has a variety of experience in residential, historic preservation, and small commercial architecture. She especially enjoys pushing the limits of design to create unexpected solutions. Outside of architecture, Kelsey loves

Jim Brzostowicz – Civil Resources, Inc.

For more than a decade, Civil Resources has provided civil, municipal, and private engineering expertise and services to the communities of the Rocky Mountain region. Established in 2003 in Frederick, Colorado, just north of the Denver Metro area, their professional services also include water resources, geotechnical engineering, roadway and facilities design, land development and construction engineering. They have worked with the Town of Erie for over five years.

Civil Resources believes in smart, constructible design and enduring value, in building infrastructure to withstand time and the elements, and in creating communities that enhance the way we live, work and play. They strive to understand stakeholder goals and make them their own. And Civil Resources always designs and constructs with the health and safety of the community in mind.

Jim joined Civil Resources in 2011, and has been practicing civil engineering for more than 20 years. His professional experience includes a variety of development and municipal projects, including complex urban and transportation projects, energy services, health care and commercial. Jim is extremely involved in design work and consistently uses technology to supplement sound engineering judgment.

Summary of Variances

This project application requires two variances to the Town of Erie standard for local streets and alleys.

The Town's vision for Old Town infill and redevelopment, as stated in the 2015 Comprehensive Plan and Uniform Development Code, Title 10, is to adhere to and maintain the Old Town street/lot grid. Diverge Homes strongly agrees with this approach. However, the Town also requires a 30' buffer along County Line Road, and, the adjoining property layout to the north is atypical compared to the south and western areas.

The Town's code requirements for the 30' buffer combined with the atypical lot layout on the northern boundary create conflicts with the goals and expectations within Title 10-UDC for standard street layout.

After discussion and two Sketch Plan reviews with the Town on these street and lot layout issues, Applicant believes the proposed design strikes the most optimal balance: The buffer zone is established as required and the street and lot grid is, for the most part, directly in line with the existing Lawley Street and Main Street designs.

Achieving this balance requires a variance to and privatization of the local streets and alley proposed to serve the subdivision. Further details of these variances are provided below in Section 7.D.4 – *Applicant's Response to Title 10 UDC Chapter 6: Development and Design Standards*.

Proposed Development Timeline - Phasing

- 2022: Commence and complete infrastructure; construction start on 5 units (Lots 19-23).
- 2023: Completion of any units from 2022 and construction starts on 12 units (Lots 7-18).
- 2024: Completion of any units from 2023 and construction starts on 6 units (Lots 1-6).
- 2025: HOA transfer to Homeowners.

Availability and adequacy of existing infrastructure and other necessary services including schools, fire protection, water/sewer service, and utility providers;

Existing infrastructure on or adjacent to the property have been identified and confirmed as adequate for the purposes of this proposal. Applicant has engaged the services of Xcel for electrical and gas design and installation. The Town of Erie has confirmed availability and sizing capability for sanitary sewer and water. Drainage has been designed in conformance with the Town's standards, and the associated exhibits, drawings, and reports are attached herein.

Fire Protection through Mountain View Fire Rescue has reviewed and provided preliminary approval for all public access street designs, turning radius, and hydrant placement.

St. Vrain School District provided preliminary review and approval during Sketch Plan for the increased population impact associated with Applicant's proposal.

Location, function and ownership / maintenance of public and private open space, parks, trails, common areas, common buildings;

The Erie Junction Homeowner's Association will own and maintain all common areas, streets, sidewalks, alleys, detention, and boulevard areas. Please refer to the Preliminary Plat design for location and function. The HOA documents have been attached in Section 6 – Special Agreements.

There are no publicly-owned spaces proposed by Applicant. Public Access Easements are shown on the Preliminary Plat for the common areas, streets, sidewalks, alleys, detention, and boulevard areas.

How the proposal relates to the existing land-use of the subject property and the zoning and land-use of adjacent properties, including statements describing areas of compatibility and conflict and the mitigation measures utilized.

The existing land-use of the subject property is vacant land with no structures. For its recent history, the land-use was light industrial, and more specifically, a pre-cast concrete packaging business.

The subject property and surrounding areas of Old Town are currently defined as blight per the Town's Historic Old Town Erie Urban Renewal Plan.

The land-use of adjacent properties are residential to the north, east, and south. To the west is County Line Road followed by business properties for pre-school education (Exploring Minds Day Care Center) and a single-family residential lot/structure including a warehouse building that also operates as a general contractor (G S Services Co).

In determining the type of residential use for the subject property, Applicant considered several housing types allowed within the OTR district, including but not limited to: Apartments, Mixed Use, Single-Family, and Multi-Family residential buildings ranging between 2-6 units. Applicant also conducted field surveys of all surrounding residential buildings and a broker's market analysis for home pricing in the Old Town district.

The outcomes of this effort and resulting research guided Applicant's decision to propose a development for paired (duplex) residential housing because it provides the highest level of compatibility with the adjacent Old Town properties in terms of size and price. Single family homes are not commercially feasible or marketable on the subject property due to the blight of the surrounding land use and overall, the much lower price points of adjacent properties when compared to a newly constructed single family home. Alternatively, Applicant considered multiple 4 to 6 unit row-house buildings but deemed such a layout as too intense when compared to the single-family layout of the surrounding area.

Applicant's proposed plat designates that each unit within the development hold title as fee simple, meaning that the owner of each unit will control and hold title to their entire property including the land beneath and sky above. This type of land ownership is the most compatible title with the surrounding land use. The shared wall between units is often referred to as a party wall, and the terms and conditions for party walls are defined in the Erie Junction Homeowner's Association which is included in this submittal package.

Applicant's proposed unit size and livable square footage of each unit will range from 1,750 to 2,000 square feet above grade, not including basements, along with backyard space and detached garages to more closely align with the adjacent properties.

Applicant's proposed lot design of ten paired homes and one triplex building is estimated to price in the range of \$500,000.00 to \$650,000.00 per unit, depending on market costs, buyer demand and other key criteria. This estimated range is highly compatible to the recent closing values and estimated appraisal values of the surrounding single-family residential homes.

How the proposal complies with the Town's Comprehensive Master Plan and approval criteria of the Municipal Code Title 10-UDC.

Applicant has categorized its response in line with the Code as applicable. Only those sections of code were addressed herein when they required explicit affirmation or specific detail and/or data.

Applicant's Response to Title 10 UDC - Chapter 2: Zoning Districts

The proposed development is subject to and complies with Chapter 2: Zoning Districts, Section 10.2.2.H Old Town Residential (OTR).

Applicant's Response to Title 10 UDC - Chapter 3: Use Regulations

The proposed development is subject to and complies with Special Review Use per Section 10.3.1 Table 3-1: Table of Permitted Uses.

Applicant's Response to Title 10 UDC - Chapter 4: Dimensional Standards

The proposed development is subject to and complies with the Town requirements for OTR lot dimensions and building bulk, density, location, setbacks and height as shown in the table found in Section 10.4.1.A, included below:

- The subject property is in the OTR zoning district.
- Proposed Density of 8.4 units per acre.
- No variances or exceptions are requested as related to this Chapter 4.

		Minimum Lot Standards		Minimum Setbacks (ft.) ^②				Max Height (ft)
District	Max/Min Density (DU/Acre)	Width (ft)	Net Area ^③ (sq ft)	Front	Street (all uses)	Interior Lot Line		Rear
OTR	SF: 5/na MF: 16/na	SF: 50 MF: none	SF: 6,000 MF: 3,000 per DU	Principal: 20 Accessory: 30	20	Prin: 5 ^①	Acc: 5 ^①	Principal: 20 Accessory: 5
								Prin: 35 Acc: 25

Applicant's Response to Title 10 UDC - Chapter 5: Subdivision Standards, Design, and Improvements:

10.5.1 Purpose

Applicant Response – Affirmed.

10.5.2 Applicability

Applicant Response – Affirmed

10.5.3 General Provisions

A. Grading and Stormwater Permits – Applicant complies. Detailed Drainage reports are attached herein in Section 9 – Development Reports and Plans. Permits will be applied for and obtained through CDPHE as required.

B. Minimum Standards – Applicant is requesting variances for the minimum standards in two areas: 1.) Street design; and 2.) Minimum utility dimension. Details of these two variances are provided below.

C. Phasing Schedule – Applicant intends to simultaneously construct all infrastructure to serve the subdivision prior to commencing construction of a building and as such, no phasing schedule is requested or provided by Applicant.

D. Compliance with Other Provisions of this UDC – Applicant complies.

E. Compliance with other Town of Erie Adopted Plans and Policies – Applicant complies.

10.5.4 Layout and Design Generally

A. Name of Subdivision – Erie Junction is the name of the subdivision. This name does not duplicate the name of any existing subdivision in the Town.

B. Natural and Scenic Resource Protection – Applicant’s acknowledges that this proposal complies with the standards and requirements in Section 6.2.

C. Natural Hazard Areas – The subject property is located adjacent to an area shown as “high risk” on available mine subsidence maps. Applicant’s preliminary geotechnical engineering report from Spring 2021 suggested an additional study to determine if there is a proximity risk to the subject property.

Applicant consulted with an environmental services firm, Western Environment and Ecology, that specializes in undermining and subsidence research. This firm indicated to Applicant via email, which is included as an attachment to Section 9 of this response, that the property is not at risk for undermining of subsidence. Applicant has since requested a formal letter from this firm and will submit that document to the Town as an attachment to this application.

D. Adjoining Subdivisions – Per the variances described above, Applicant’s proposal presents the best case possible for coordinating its subdivision design with the adjoining subdivisions, utility and drainage easements, and other relevant design considerations.

E. Lots – Applicant’s lot size dimensions are standard for the Old Town district and for the type of development and use contemplated herein. Applicant complies with all sub-items within this Section.

F. Blocks – Applicant affirms and complies with this Section.

G. Streets – Applicant’s proposal requires a variance from Town Standards due to several factors:

- 1.) The Town’s requirement for a 30’ buffer zone along County Line Road, causing a direct conflict with the Town’s requirement to align new subdivision design with the adjoining subdivisions.
- 2.) The atypical street grid connection from the adjoining Lawley Drive south of the property. There is no possibility for a thru-street to the north of subject property.

The primary goal of Applicant is to meet the criteria of UDC 10.2.2h for architecture and the proposed street and lot grid.

After careful consideration and feedback from Town Engineering, Applicant chose to extend the existing Old Town lot and street grids adjoining the subject property from the south and east, as they are the only areas with public Rights of Way that connect with the subject property.

- Lawley Drive area is immediately south of the subject property.
- Main Street area is immediately east of the subject property.

Applicant excluded the design from the western and northern boundary areas of the subject property due to the following:

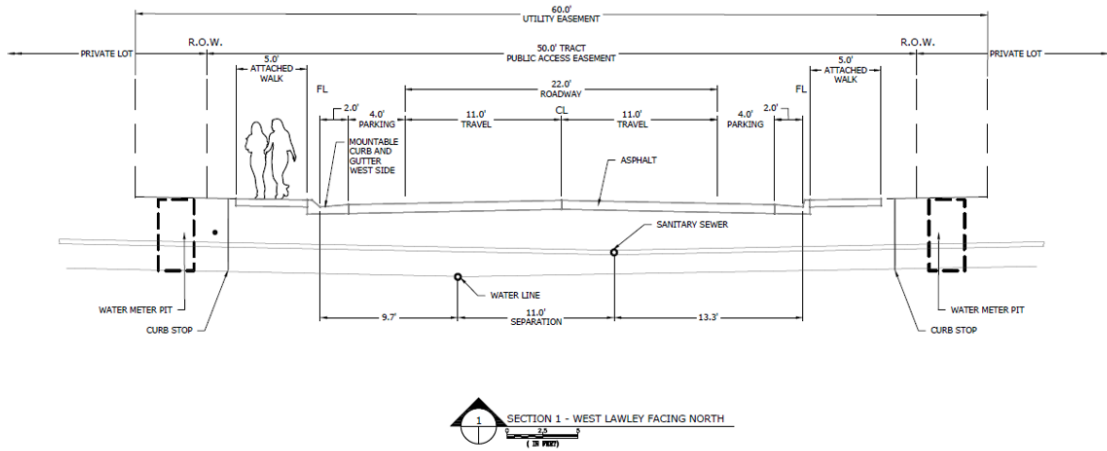
- The western line of the subject property adjoins County Line Road and represents the end of the Old Town District.
- The northern line of the subject property backs to atypical residential lots and consists of a minimum 6’ foot high privacy fence owned and maintained by others.
- There is no possible Right of Way connection from the northern boundary to the subject property.

Variance Overview — Continuation of Lawley Drive with Alley Connection

Applicant’ request for an engineering variance proposes no change to the standard Town of Erie local street collector dimensional requirements for Total Dimension (60’ width), Roadway Traffic Flows in each direction (11’ width), Parking Areas (4’ width), or Curb and Gutter.

A variance is required for Applicant’s proposal to join the 5’ sidewalk to the curb and gutter, thereby excluding a sidewalk boulevard, utilizing the remaining dimension from back of walk for a gas utility easement on each side of the road. This change does not alter the public safety or introduce additional life safety risk. It is necessary

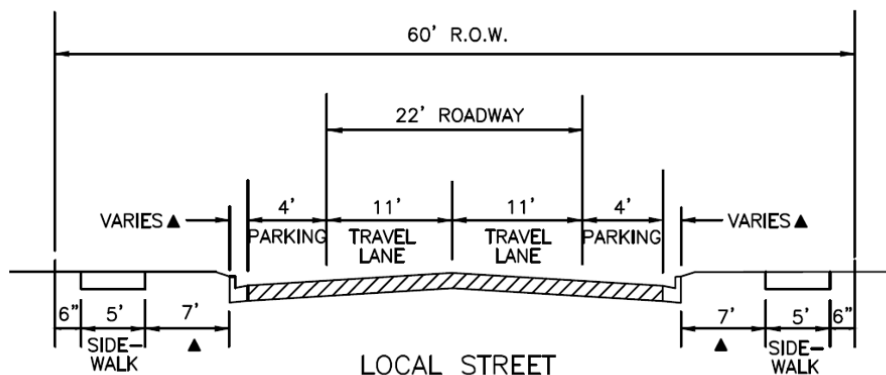
Variance 1A: Street Section for Proposed West Lawley



Applicant proposes no change to the dimensional requirements for the Roadway travel lanes, parking areas, or curb and gutter. A 5.0' foot attached sidewalk is proposed for both sides with a mountable curb and gutter proposed for the west side, to accommodate the street entry garage units. A standard curb and gutter is proposed for the east side. The 60.0' foot wide utility easement spans the entire street section and, after sidewalk, allows for 7.0' feet of utility space beginning at the back of each sidewalk. This 7.0' foot dimension is equal to the existing standard.

Shown in comparison with:

Town of Erie Street Section for Local Streets (and for adjoining Lawley Street)



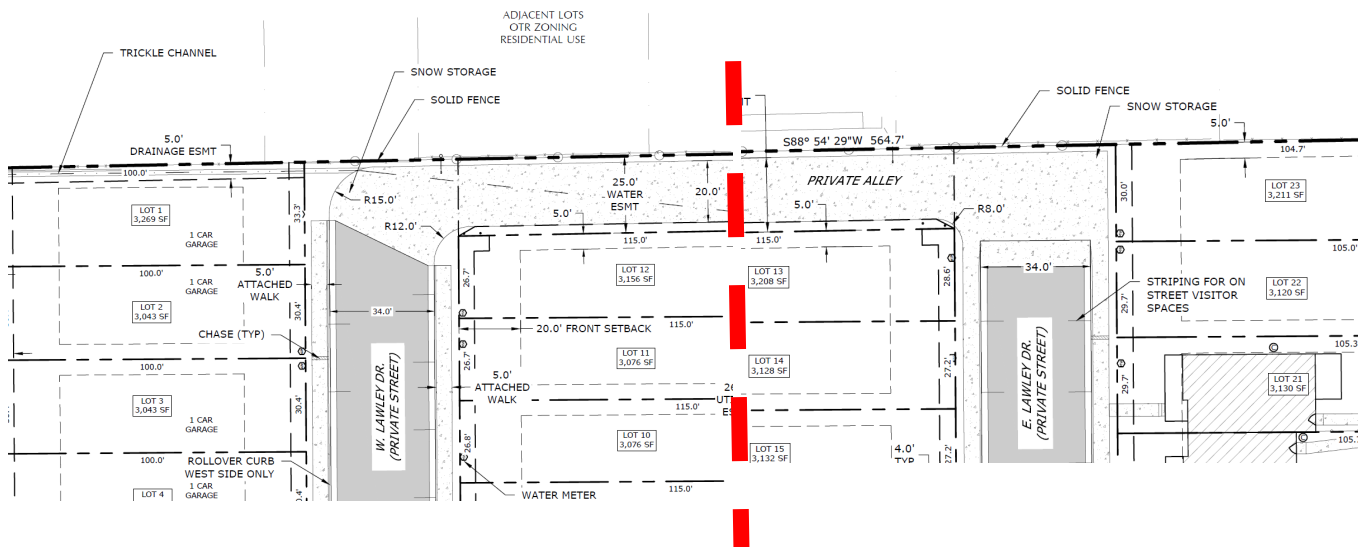
Variance 2: Dead-end Street with 25.0' ft Alley Connection

Per the Site Plan shown above, this variance results from Applicant's desire to continue the existing street grid northward from each Lawley Drive ROW and to continue the lot grid westward from the existing Main Street area. Rationale and justification for this variance is provided in detail above.

A 25.0' foot paved, privately owned, alley is proposed as a connector between the ends of East and West Lawley Drive. This alley has been designed to accommodate snow storage and emergency vehicle access. Rocky Mountain Fire reviewed the design and provided verbal approval in March, 2021. Bollards are proposed in front of (south of) the existing solid fence area (shown in the drawing below) and on the inside turning radius of each corner.

Please refer to the full construction drawings for detail.

Shown below are close-up views of the alley connection to each street.



H. Alleys – Applicant affirms and complies with this Section.

I. Sidewalks, Curbs, and Gutters – Applicant affirms and complies with this Section.

J. Utility Easements – Variance Requested.

Applicant has requested a utility easement of 25.0' feet, in lieu of the standard 30.0' feet, within the northern alley connecting East and West Lawley. One utility, water, is proposed for this alley. Town Engineering has provided verbal approval for this shortened dimension and their comments are reflected in the construction drawings.

K. Storm Water Drainage – Applicant affirms and complies with this Section.

L. Water and Wastewater Lines – At the time of submittal, the Town has not required oversizing of water lines. Applicant confirms that design standards are in accordance with Town Engineering documents.

M. Water Courses and Ditches – Not Applicable to the subject property.

N. Water Supply – Applicant affirms and complies with this Section.

10.5.5 Improvements – Applicant affirms and complies with this Section.

10.5.6 Dedications and Fees In-Lieu – Applicant affirms that a payment in-lieu of land dedication, pursuant to Section 10.6.3, for Parks and Open Space, will be required for the subdivision. Applicant affirms that an additional payment in-lieu of land for public school sites will also be required for the subdivision.

Applicant's Response to Title 10 UDC - Chapter 6: Development and Design Standards

10.6.1 General Provisions

The surrounding architectural character of Erie Junction and Old Town Erie, in general, as articulated in the Town of Erie's Urban Renewal Plan, "is often described as being comprised of "a little of everything" meaning that in its most established areas, such as Old Town, neighborhoods feature homes representing a broad spectrum of architectural styles, sizes, types, and ages."

Applicant strongly favors this type of eclectic mix, which is the result of development that occurred over more than one hundred years. Each era features architecture which was in style or popular in its time, such as Victorian style in the early part of the

twentieth century, followed by craftsman and bungalow styles and mid-century modern as seen on Lawley Drive. Erie Junction's character fits within this context by utilizing familiar shapes, forms, and scale found in Old Town, such as primary gable roofs with lower pitch porches and appurtenances, as well as hip and shed roofs. Exterior materials utilize siding and other materials found across Old Town. Composition and detailing of these elements are not merely an extracted "traditional style" but are more modern, reflective of our time, just as the Victorian, bungalow and mid-century modern architecture within Old Town reflected their time in history.

Applicant believes this compatibility to Old Town, while being new, will instill a sense of location and place missing in many production developments which simply extract those "traditional styles" and do not have a sense of time or place. By utilizing traditional street patterns, small town scale, and architectural forms, Erie Junction synthesizes modern materials and detailing to provide energy efficient and sustainable housing while retaining and respecting the Old Town context and its historic character.

Applicant applied careful consideration to the physical relationship between the proposed development and adjacent properties. The general goal was to implement the Town's Comprehensive Master Plan vision in the most compatible way while also showcasing the unique character and high quality of a Diverge Homes development.

- The proposed built environment is directly in line with newly built structures in Old Town and adjacent areas.
- The subject property is currently vacant with no natural or scenic resources to protect.
- Applicant's landscape plan shows quantities of new trees and shrubs that exceed minimum Town standards.
- The buffer zone landscaping along County Line Road and the native plant walk and kinetic art work proposed along Balcolm Street will establish a high quality appearance for the Town while allowing for both Diverge Homes to showcase its own individuality and for the Town's art council to have a role in determining the public art sculptures.
- Applicant's goal with this proposed development is to significantly enhance this southwestern portion of Old Town Erie. The character and style of this proposed development is of higher quality than the surrounding areas, all of which are designated as blight. Applicant's mission as a small-town infill developer is to invest in the future, recognizing that the pace of change in the immediately adjacent area will soon keep pace with the proposed development.
- Applicant's core engineering efforts have encouraged building orientation and physical connections that contribute to, and are directly in line with, the surrounding network of streets and walkways.

Applicant conducted two architectural character studies in March and June, 2021. Below are the adjacent buildings whose designs were most influential. Applicant has borrowed the influences of color, roof form and style, exterior finishes of brick, stucco, and vertical

siding, along with floor plan dimensions and sizing. All buildings shown below are within one-to-two blocks of the subject property.





10.6.2 Natural and Scenic Resource Protection

The subject property is currently a flat, vacant parcel with no natural or scenic resources to protect.

The following list comprise the man-made features that will contribute to the Town's scenic quality and small-town character:

- Botanical garden signage for all unique plants and artwork.
- Native plant-walk with specimen trees and Colorado adapted and native vegetation that focuses on aesthetics of color throughout all seasons.
- Interactive art sculptures for public use and enjoyment.
- Two Loveland, Colorado buff sandstone seating areas along County Line Road.
- Three water-usage turf demonstration plots, each approx. 10' x 10', using different types of grass: Kentucky Bluegrass, Blue Grama Grass, and Short Prairie Grass. Water usage required to maintain each will be shown on the botanical garden signage for education on water usage and conservation.

10.6.2.D.2.d Standards for Community Gateway Corridors – County Line Road

Applicant affirms their design complies with the criteria of this Section.

10.6.3 Parks, Open Space, and Trails

The small size of the subject property does not provide suitability for the development of Neighborhood parks per this and other sections of the Town Code. Applicant acknowledges the requirement to pay the Neighborhood Park Land and Construction Cost Fee as a substitute for this Section's requirements.

10.6.4 Landscaping, Screening, and Fencing

Applicant affirms their design complies with the criteria of this Section.

Applicant's design focuses on Xeriscape and low- to no-turf to the greatest extent possible. Applicant has designed a water-usage demonstration for the public view that will educate people on the greatly varied usage of water by certain types of grasses.

- Three water-usage turf demonstration plots, each approx. 10' x 10', using different types of grass: Kentucky Bluegrass, Blue Grama Grass, and Short Prairie Grass. Water usage required to maintain each will be shown on the botanical garden signage for education on water usage and conservation.

Applicant's Site Plan for the Development has exceeded the minimum landscaping requirements in all areas:

- Street Frontage Trees
 - County Line Road – 5 Trees Required; 10 Proposed

- Balcolm Street – 15 Trees Required; 19 Proposed
- 15% Gross Site Landscape/Native Requirement
 - Landscape Required – 17,825 square feet (15% of Gross)
 - Landscape Proposed – 20,945 square feet (17.5% increase over minimum standard)
- One Tree per 1000 Square Feet of Landscape
 - Trees Required – 21
 - Trees Proposed – 29 (38% increase over minimum standard)
- One Shrub per 150 Square Feet of Landscape
 - Shrubs Required – 140
 - Shrubs Proposed – 292 (109% increase over minimum standard)

Additionally, Applicant's Site Plan for the Triplex also exceeds the minimum requirements:

- 15% Gross Site Landscape/Native Requirement
 - Landscape Required – 1,402 square feet (15% of Gross)
 - Landscape Proposed – 3,789 square feet (170% increase over minimum standard)
- One Tree per 1000 Square Feet of Landscape
 - Trees Required – 4
 - Tree Proposed – 7 (75% increase over minimum standard)
- One Shrub per 150 Square Feet of Landscape
 - Shrubs Required – 25
 - Shrubs Proposed – 214 (756% increase over minimum standard)

10.6.4.E.8 – Minimum Landscaping Requirements: Parking Lots

Applicant affirms and complies with all on-site parking requirements for all proposed lots and units proposed. Parking lots are not required and have not been proposed.

10.6.4.G.3 – Outdoor Refuse/Recycling Collection

Applicant's Triplex Site Plan allows for outdoor storage of Refuse/Recycling receptacles on the side or in the alley area of each unit. This design standard is also indicative of the future duplex Site Plans for the proposed development.

10.6.4.G.8 – Outdoor Storage

Applicant has included submittal of the draft version of the HOA documents which exceed the minimum standards of screening and/or parking of non-principal use vehicles.

10.6.4.H – Fencing and Walls

Applicant affirms the proposed development complies with this Section and standard.

10.6.5 – Transportation and Access Traffic Impact Mitigation

Applicant's development includes 10 duplex buildings (20 residential dwelling units) and 1 triplex building (3 residential dwelling units) located at 4060 County Line Road. The projected traffic volume for the residential development is expected to generate 200 vehicle trips over the course of an average weekday (vpd), including 15 vehicle trips per hour (vph) in the morning peak hour and 21 vph in the evening peak hour.

The adjacent street network has available capacity to accommodate the additional traffic anticipated from the proposed development.

The existing lot is currently vacant. Therefore, there are no trips generated from the existing use. Applicant has submitted a Traffic Trip Generation Letter as part of this land-use application, see Section 9m – Traffic Impact Study.

No bicycle facilities are proposed as all property as there are no community buildings proposed for the development.

10.6.6 – Off-Street Parking and Loading

Applicant affirms the proposed development complies with this Section and standard without the need for automatic Off-Street parking reductions in the Old Town Residential district. The off street parking of 2 per dwelling unit has been met, and, Applicant proposed street striping to encourage more efficient on-street parking.

10.6.7 – Residential Use Category Design Standards

In determining the type of residential use for the subject property, Applicant considered several housing types allowed within the OTR district, including but not limited to: Apartments, Mixed Use, Single-Family, and Multi-Family residential buildings ranging between 2-6 units. Applicant also conducted field surveys of all surrounding residential buildings and a broker's market analysis for home pricing in the Old Town district.

The outcomes of this effort and resulting research guided Applicant's decision to propose a development for paired (duplex) residential housing because it provides the highest level of compatibility and applicability with the adjacent Old Town properties in terms of size and price. Single family homes are not commercially feasible or marketable on the subject property due to the blight of the surrounding land use and overall, the much lower price points of adjacent properties when compared to a newly constructed single family home. Alternatively, Applicant considered multiple 4 to 6 unit row-house buildings but deemed such a layout as too intense when compared to the single-family layout of the surrounding area.

Applicant's proposed plat designates that each unit within the development hold title as fee simple, meaning that the owner of each unit will control and hold title to their entire property including the land beneath and sky above. This type of land ownership is the most compatible title with the surrounding land use. The shared wall between units is often referred to as a party wall, and the terms and conditions for party walls are defined in the Erie Junction Homeowner's Association which is included in this submittal package.

Applicant's proposed unit size and livable square footage of each unit will range from 1,750 to 2,000 square feet above grade, not including basements, along with backyard space and detached garages to more closely align with the adjacent properties.

Applicant's proposed lot design of ten paired homes and one triplex building is estimated to price in the range of \$500,000.00 to \$650,000.00 per unit, depending on market costs, buyer demand and other key criteria. This estimated range is highly compatible to the recent closing values and estimated appraisal values of the surrounding single-family residential homes.

The triplex Site Plan included with this land-use application shows a varied roof line for each unit, yet still taking cues from the surrounding architecture of Old Town for use of brick, vertical siding, and a combination of shed and gable roofs.

Overall, the subdivision Site Plan proposes three different types of buildings, all of which were intended to provide for a high level of visual interest and distinctive character. In total, there are three types of buildings proposed by Applicant:

- 1.) Street-load Duplex (backing to County Line Road) – 6 units
- 2.) Alley-load Duplex (interior buildings) – 14 units
- 3.) Triplex (Full Site Plan included herein) – 3 Units

For each building type above, Applicant proposes the following. Note that each proposed model will have its own unique street elevation:

- 1.) Street-load Duplex – Each unit will have its own unique model.
- 2.) Alley-load Duplex – Eight unique street models.
- 3.) Triplex – Each unit will have its own unique model.

Section 10.6.7.e.ii.B Architectural Variety: Duplexes/Stacked Tri-plex/Quad-plex/Manor

Applicant's proposed design standards exceeds the minimum requirements of 2 differentiating design methods for this standard through the use of the following construction styles. Please refer to the Triplex Site Plan for further detail:

- Three distinct color variations – Gray/Blue, White/Gray/Blue, and White/Gray
- Four distinct exterior material finishes: brick, vertical siding, horizontal board, and stucco

- Three different architectural styles to roof lines and roof form: Gables, Shed, and Turned-Gable.
- Three different front porches.

Section 10.6.7.f Materials

Applicant's proposal, which is consistent with all Diverge Homes developments, utilize long-lasting, high-quality materials as detailed on the Triplex Site Plan and shown above. Applicant's buildings are proposed to exceed the current standard for energy efficiency per the standards of Xcel, resulting in a rebate to Applicant/Builder and a highly energy-efficient home for the Buyer.

Section 10.7.12 Site Plan

Applicant affirms and complies with this Section and standard.

A description regarding the status of mineral rights and the substance of any existing or proposed covenants, special conditions, grants of easements, or other restrictions applying to the proposed subdivision.

Mineral rights to the subject property are held by Crestone Resources. Erie Junction LLC is the leaseholder of interest and will retain such interest indefinitely. No special conditions or other restrictions are noted within the lease documents, all of which are attached herein in Section 5.

End of Written Narrative