



The Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2774

Planning and Development

Planning

Memo

To: Layla Rosales
From: Hannah Hippely
Date: October 14, 2019
Re: PP-000935-2017: Erie Highlands Preliminary Plat No. 4
cc: Deborah Bachelder

Planning has reviewed your resubmittal for Erie Highlands Preliminary Plat No. 4, for conformance with Municipal Code, Title 10. The applications were reviewed at the October 10, 2019 Development Review Team (DRT) meeting.

CONDITIONS OF APPROVAL

1. Approval of the PUD amendment.

ADDRESS WITH FINAL PLAT APPLICATION

2. Address all comments from Town Parks and Recreation as part of any final plat application resulting from this preliminary plat approval. Approval of any final plat is contingent upon the Town accepting the Final Landscape and Irrigation Plans.
3. Address all comments from Town Engineering as part of any final plat application resulting from this preliminary plat approval. Approval of any final plat is contingent upon the Town accepting the Final Construction Documents. Street names will be finalized at final plat phase.
4. The final plat submittal shall show all of the utility easements as required by Xcel Energy and United Power. Approval of any final plat is contingent upon the utility providers being given the necessary easements to provide service.
5. This proposal is based on the shared use of private property for fencing, back yards, and access. This requires easements and agreements to be in place for the shared use and access easements, which may be created on the final plats.
6. The capped well within the preliminary plat must be monumented in the field, located, and shown with state grid ties on the first final plat within this area.

REFERRAL AGENCIES

- a. Engineering: Comments to be provided.
- b. Parks & Recreation: Comments to be provided.



Memo

To: Hannah Hippely
From: David Pasic, P.E., Civil Engineer
Date: July 18, 2019
Subject: **Erie Highlands Planning Area 9 Preliminary Plat**
CC: Joe Smith, Wendi Palmer, Chad Schroeder, Tyler Burhenn

General Comments

1. Limited responses were provided for comments from previous submittal. Please provide responses to comments to indicate how items were addressed in the future.
2. With the Development Agreement at Final Plat, the Town is due a cost recovery for Sanitary Sewer for the Coal Creek Interceptor at a rate of \$55.00 per SFE.
3. With the Development Agreement at Final Plat, the Town is due a cost recovery for Sanitary Sewer for the Northern Water Reclamation Facility (NWRF) Interceptor at a rate of \$410.00 per SFE.
4. With the Development Agreement at Final Plat, the St. Vrain Valley School District is due a cost recovery for Sanitary Sewer for the Erie High School Trunk Line.

Previous Comments for the Preliminary Grading and Utility Plan:

1. On Sheets 2 to 7, identify on the Key Map key what area is being depicted on the respective sheet.

RESPONSE: Done

Repeat Comment: The Key Map key is not highlighting the area being shown on the sheet. This shall be addressed in Final Plat.

New Comments for the Preliminary Grading and Utility Plans (This shall be addressed in Final Plat)

1. Sheet 1
 - a. Update Vicinity map to show current developments and streets. Highlight PA9 not all of Erie Highlands. (Section 161.02)
 - b. Show leader arrows for Street slopes on Local Street Detail for clarity.
2. Sheet 3
 - a. Show size and length of WL, SL, and Storm. (Section 161.02)
 - b. Fire Hydrants shall be placed to meet the 500 ft spacing maximum. (Section 613.00)
 - c. Water Valves shall be placed to meet maximum 600 ft spacing. (Section 616.00)
 - d. Sanitary manholes shall be spaced at maximum 400 ft. (Section 714.02)
 - e. Sanitary and water services shall have 10' separation. (Section 641.00)
 - f. Show existing sanitary services on Highlands Circle and Highview Drive.
3. Sheet 4

- a. Show existing lighting on Highview Drive to ensure adequate light placement.
 - b. Additional street light required on southwest corner of North Vista Drive and Highview Drive intersection. (Section 925.00)
 - c. Additional Street light required on Highland Drive between North Vista Drive and Glacier Drive. (Section 925.00)
4. Sheet 5
- a. Make sure all labels are referencing the correct surface. Some labels showing “???”.
 - b. Label size and length of pipe (Section 161.02).
 - c. Label structure type and size. (Section 161.02).
 - d. If color banding is to be shown for cut fill areas, please provide color printout of that sheet so that plans are more readable.

New Comments for the Preliminary Transportation Engineering Plan (This shall be addressed in Final Plat)

1. Sheet 1
 - a. Update Vicinity map to show current developments and streets. Highlight PA9 not all of Erie Highlands. (Section 161.02)
 - b. Show leader arrows for Street slopes on Local Street Detail for clarity.
2. Sheets 2-4: Label flowline curb radii and curb return grades. (Section 525.00 and Table 500-3)

Comments for Drainage Report (This shall be addressed in Final Plat)

New:

1. Please provide Drainage report to show conformance with Phase III report for Planning Area 8, 9, & 10. The drainage report shall be updated with the reconfigurations of the onsite detention ponds being installed in Planning Area 8.

New Comments provided by Merrick dated July 9, 2019:

Drainage Report

1. A drainage report was not included as part of this submittal. The comment response memo indicates that our previous Planning Area 9 comments dated July 11, 2018 were addressed and that they are working to address our comments for the Filing No. 14 CD set, dated March 20, 2019. However, our most recent comment review letter for Filing No. 14 that was provided to the Town is dated June 18, 2019. The design for Preliminary Plat No. 4 (Filings 16 & 17) must be coordinated with the design for Filing No. 14 and all other filings in Planning Area 9.
2. As shown on Sheet 3, a storm sewer extension and inlets are proposed to be constructed with Preliminary Plat No. 4 (Filings 16 & 17) at the east end of Sugarloaf Lane. Sizing calculations for these drainage improvements must be included in a drainage report and submitted for review.

Grading and Utility Plans

1. It is our understanding that proposed Pond E5 located at the northeast portion of the Erie Highlands area and the connecting storm sewer infrastructure will be designed and constructed in a separate construction package. These drainage improvements must be constructed prior to, or concurrently with, construction of Filings 16 & 17.

Comments for Preliminary Utility Report (This shall be addressed in Final Plat)

Previous:

1. On-going discussions will continue with respect to a potential non-potable water connection.

RESPONSE: Noted

No further response needed, but comment to remain for reminder of potential non-potable water use. Applicant should coordinate with the proposed Westerly development directly to the east. Westerly is considering using non-potable reuse water as well.

New:

1. Provide Utility Report to show conformance with Final Utility Report for Planning Areas 8 & 9.

Comments for the Traffic Impact Analysis (This shall be addressed in Final Plat)

1. Provide Traffic Impact Analysis/ Letter of Conformance with Analysis for PA8, PA9, and PA10. In this Analysis, please include information indicating if warrants will be triggered for signalization.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

October 7, 2019

Town of Erie Community Development Services
645 Holbrook / PO Box 750
Erie, CO 80516

Attn: Hannah Hippely

**Re: Erie Highlands Planning Area 9 - 4th referral
Case #s PUDA-000934-2017 and PP-000935-2017**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the fourth referral documentation for **Erie Highlands Planning Area 9** and acknowledges the easement space added for the "6-pack" configurations.

The property owner/developer/contractor is reminded to complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



The Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2774

Planning and Development

Planning

Memo

To: Layla Rosales
From: Hannah Hippely
Date: July 17, 2019
Re: PP-000935-2017: Erie Highlands Preliminary Plat No. 4
cc: Deborah Bachelder

Planning has reviewed your resubmittal for Erie Highlands Preliminary Plat No. 4, for conformance with Municipal Code, Title 10. The applications were reviewed at the July 11th, 2019 Development Review Team (DRT) meeting.

Referral agency packets were sent out and the referral responses that have been received by the Town are being forwarded to you for review and response. Please make the appropriate revisions to the application materials and provide a written response, if necessary, to address each of the written comments from staff and referral agencies.

PROCESS:

The next step for the applications is revision and resubmittal for another development referral and review which is necessary before the scheduling of public hearings for the applications can be determined.

ADDRESS PRIOR TO PUBLIC HEARING

1. The referral from Xcel stated a conflict and indicated that proposed easements were not sufficient. Please revise the plat to address the concern and provide the necessary easement.
2. The preliminary plat cannot proceed independent of the PUD and must wait to proceed to hearing until the PUD can accompany it.

ADDRESS WITH FINAL PLAT APPLICATION

1. This Preliminary Plat approval is conditional upon the approval of a Final Plat for Filings 14 and Filing 15, as those filings will provide all of the off-site improvements upon which this preliminary plat is dependent. Final Plat applications within this preliminary plat area will not be approved until final plats and development agreements for Filings 14 and 15 are recorded.
2. Address all comments from Town Parks and Recreation as part of any final plat application resulting from this preliminary plat approval. Approval of any final plat is contingent upon the Town accepting the Final Landscape and Irrigation Plans.
3. Address all comments from Town Engineering as part of any final plat application resulting from this preliminary plat approval. Approval of any final plat is contingent upon the Town accepting the Final Construction Documents. Street names will be finalized at final plat phase.
4. The final plat submittal shall show all of the utility easements as required by Xcel Energy and United Power. Approval of any final plat is contingent upon the utility providers being given the necessary easements to provide service.
5. This proposal is based on the shared use of private property for fencing, back yards, and access. This requires easements and agreements to be in place for the shared use and access easements. Therefore, while these shared areas (SUE and Access Easement) shall be shown on the plat, they should not be created by the plat but by separate instrument which would then be referenced on the

plat. Final Plat approval is conditional upon these easements being created and shown on any final plat for this area.

6. The capped well within the preliminary plat must be monumented in the field, located, and shown with state grid ties on the first final plat within this area.

CONDITIONS OF APPROVAL

7. APPROVAL OF THE PUD

REFERRAL AGENCIES

- a. Engineering: Comments to be provided.
- b. Parks & Recreation
- c. Merrick and Co.
- d. Xcel Energy: Requires a re-referral.
- e. United Power

RESUBMITTAL

Please submit the following to the Planning & Development:

Paper Copies:

- 1 copy of the new and updated materials bound and labeled for Planning to update the binder and application materials already submitted. Provide 11x17 plans for the notebook and one 24"x36" rolled plan set.

Digital Copies:

- A PDF format of the complete resubmittal materials on 2 USB Drives.

July 9, 2019

Town of Erie, Engineering Division
P.O. Box 750
645 Holbrook Street
Erie, Colorado 80516

**RE: ERIE HIGHLANDS PLANNING AREA 9, PRELIMINARY PLAT NO. 4 (FILINGS 16 & 17)
DRAINAGE REVIEW**

Dear Engineering Division:

We have reviewed the Erie Highlands Preliminary Plat No. 4 (Filings 16 & 17 of Planning Area 9) received on May 22, 2019. The submittal included a comment response memo dated May 17, 2019, by Terracina Design and Preliminary Grading and Utility Plans for Preliminary Plat No. 4 dated May 7, 2019, by Core Consultants, Inc. We have the following comments to offer:

Drainage Report

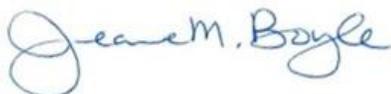
1. A drainage report was not included as part of this submittal. The comment response memo indicates that our previous Planning Area 9 comments dated July 11, 2018 were addressed and that they are working to address our comments for the Filing No. 14 CD set, dated March 20, 2019. However, our most recent comment review letter for Filing No. 14 that was provided to the Town is dated June 18, 2019. The design for Preliminary Plat No. 4 (Filings 16 & 17) must be coordinated with the design for Filing No. 14 and all other filings in Planning Area 9.
2. As shown on Sheet 3, a storm sewer extension and inlets are proposed to be constructed with Preliminary Plat No. 4 (Filings 16 & 17) at the east end of Sugarloaf Lane. Sizing calculations for these drainage improvements must be included in a drainage report and submitted for review.

Grading and Utility Plans

3. Provide plan and profiles for the proposed storm sewers.
4. Provide inlet and manhole details.
5. It is our understanding that proposed Pond E5 located at the northeast portion of the Erie Highlands area and the connecting storm sewer infrastructure will be designed and constructed in a separate construction package. These drainage improvements must be constructed prior to, or concurrently with, construction of Filings 16 & 17.

Please let us know if you have any questions.

Sincerely,
Merrick & Company



Jeanne M. Boyle, PE, CFM



Clare Steninger, PE





Internal Memo

To: Hannah Hippely, Planning - Senior Planner

From: Darren Champion, Parks and Open Space Project Coordinator

Date: May 22, 2019

Subject: Erie Highlands Planning Area 9 – PUD Amendment & Preliminary Plat

Cc: Farrell Buller, Deputy Town Administrator

Mike McGill, Parks and Open Space Division Manager

Parks & Open Space Division staff have reviewed the subject plans and offer the following comments:

Landscape Comments:

- No trees are to be located within 55' from the point of curb return at road intersections where a stop sign is present. This issue is currently affecting several intersections where stop signs are present. See attached Detail ST5 for additional clarification.
- Update native seed table to reflect the current "Short Grass Prairie Seed Mix" that can be found on Page 1000-25 at the following link:
<https://www.erieco.gov/DocumentCenter/View/10043/Section-1000---2019-Parks-Construction?bidId=>

DETACHED WALK

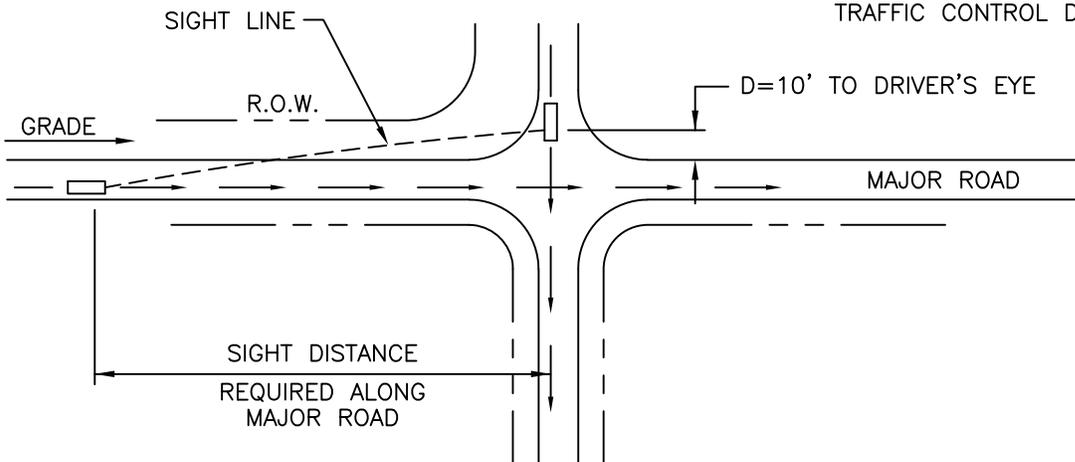
TREE LAWN (TYP)

NO TREES IN TREE LAWN WITHIN 55 FEET OF SIGN. ANY OTHER PLANTS AND LANDSCAPING MUST BE APPROVED BY THE PARKS AND RECREATION DIRECTOR OR DESIGNEE.

INTERSECTION LANDSCAPING

STOPPED APPROACH

SIGHT DISTANCE REQUIREMENT FOR INTERSECTIONS WITH TRAFFIC CONTROL DEVICES



DESIGN SPEED OF THRU ROADWAY (MPH)	MINIMUM SIGHT DISTANCE FOR STOPPED VEHICLE (FEET)	GRADE CORRECTION DISTANCE (FEET)			
		SPEED	UPGRADE TO 3% 6%	FOR DOWNGRADES 3% 6%	
25	250	25	0 -10	+10	+20
30	300	30	0 -10	+10	+20
35	350	35	-10 -15	+10	+25
40	400	40	-10 -20	+10	+30
45	450	45	-15 -25	+15	+40





Memo

To: Hannah Hippely
From: David Pasic, P.E., Civil Engineer
Date: July 18, 2019
Subject: **Erie Highlands Planning Area 9 Preliminary Plat**
CC: Joe Smith, Wendi Palmer, Chad Schroeder, Tyler Burhenn

General Comments

1. Limited responses were provided for comments from previous submittal. Please provide responses to comments to indicate how items were addressed in the future.
2. With the Development Agreement at Final Plat, the Town is due a cost recovery for Sanitary Sewer for the Coal Creek Interceptor at a rate of \$55.00 per SFE.
3. With the Development Agreement at Final Plat, the Town is due a cost recovery for Sanitary Sewer for the Northern Water Reclamation Facility (NWRF) Interceptor at a rate of \$410.00 per SFE.
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Previous Comments for the Preliminary Grading and Utility Plan:

1. On Sheets 2 to 7, identify on the Key Map key what area is being depicted on the respective sheet.

RESPONSE: Done

Repeat Comment: The Key Map key is not highlighting the area being shown on the sheet. This shall be addressed in Final Plat.

New Comments for the Preliminary Grading and Utility Plans (This shall be addressed in Final Plat)

1. Sheet 1
 - a. Update Vicinity map to show current developments and streets. Highlight PA9 not all of Erie Highlands. (Section 161.02)
 - b. Show leader arrows for Street slopes on Local Street Detail for clarity.
2. Sheet 3
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 - f. Show existing sanitary services on Highlands Circle and Highview Drive.
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- a. Show existing lighting on Highview Drive to ensure adequate light placement.
 - b. Additional street light required on southwest corner of North Vista Drive and Highview Drive intersection. (Section 925.00)
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4. Sheet 5
- a. Make sure all labels are referencing the correct surface. Some labels showing “???”.
 - b. Label size and length of pipe (Section 161.02).
 - c. Label structure type and size. (Section 161.02).
 - d. If color banding is to be shown for cut fill areas, please provide color printout of that sheet so that plans are more readable.

New Comments for the Preliminary Transportation Engineering Plan (This shall be addressed in Final Plat)

1. Sheet 1
 - a. Update Vicinity map to show current developments and streets. Highlight PA9 not all of Erie Highlands. (Section 161.02)
 - b. Show leader arrows for Street slopes on Local Street Detail for clarity.
2. Sheets 2-4: Label flowline curb radii and curb return grades. (Section 525.00 and Table 500-3)

Comments for Drainage Report (This shall be addressed in Final Plat)

New:

1. Please provide Drainage report to show conformance with Phase III report for Planning Area 8, 9, & 10. The drainage report shall be updated with the reconfigurations of the onsite detention ponds being installed in Planning Area 8.

New Comments provided by Merrick dated July 9, 2019:

Drainage Report

1. A drainage report was not included as part of this submittal. The comment response memo indicates that our previous Planning Area 9 comments dated July 11, 2018 were addressed and that they are working to address our comments for the Filing No. 14 CD set, dated March 20, 2019. However, our most recent comment review letter for Filing No. 14 that was provided to the Town is dated June 18, 2019. The design for Preliminary Plat No. 4 (Filings 16 & 17) must be coordinated with the design for Filing No. 14 and all other filings in Planning Area 9.
2. As shown on Sheet 3, a storm sewer extension and inlets are proposed to be constructed with Preliminary Plat No. 4 (Filings 16 & 17) at the east end of Sugarloaf Lane. Sizing calculations for these drainage improvements must be included in a drainage report and submitted for review.

Grading and Utility Plans

1. It is our understanding that proposed Pond E5 located at the northeast portion of the Erie Highlands area and the connecting storm sewer infrastructure will be designed and constructed in a separate construction package. These drainage improvements must be constructed prior to, or concurrently with, construction of Filings 16 & 17.

Comments for Preliminary Utility Report (This shall be addressed in Final Plat)

Previous:

1. On-going discussions will continue with respect to a potential non-potable water connection.

RESPONSE: Noted

No further response needed, but comment to remain for reminder of potential non-potable water use. Applicant should coordinate with the proposed Westerly development directly to the east. Westerly is considering using non-potable reuse water as well.

New:

1. Provide Utility Report to show conformance with Final Utility Report for Planning Areas 8 & 9.

Comments for the Traffic Impact Analysis (This shall be addressed in Final Plat)

1. Provide Traffic Impact Analysis/ Letter of Conformance with Analysis for PA8, PA9, and PA10. In this Analysis, please include information indicating if warrants will be triggered for signalization.

Hannah Hippely

From: Gina Lujan <glujan@unitedpower.com>
Sent: Friday, June 28, 2019 12:52 PM
To: Development Referral
Subject: PUDA-00934-2017 & PP-000935-2017

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

Thank you for inviting us to review and comment on this referral. United Power, Inc. appreciates the planned utility easement. If streetlights locations are know, we need a 5' wide utility easement along one side of the lot closest to the streetlight location.

Sincerely,
Gina

Gina Lujan
Right of Way Specialist
Office: 303-637-1268
Hours: M – F 7:00-3:30

UNITEDPOWER
500 Cooperative Way
Brighton CO 80603
Fax: 303-637-1344

Disclaimer

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Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

June 3, 2019

Town of Erie Community Development Services
645 Holbrook / PO Box 750
Erie, CO 80516

Attn: Hannah Hippely

**RE: Erie Highlands Planning Area 9 [Filing No. 11] - 3rd referral
Case #s PUDA-000934-2017/PP-000935-2017**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk still has a **conflict** with the above captioned project. Please note that the 18-foot wide tracts serving the 6-plex lots – Tracts H, I, W, X and Y – are not wide enough to accommodate natural gas distribution. Therefore, it is requested that either 1) these easement widths are increased to 25- or 30-feet; or, 2) 6-foot wide dry utility easements are added to one side or the other of these tracts *within the lots* abutting the tracts. Also bear in mind that the natural gas line needs to be located a minimum of 5-feet from any structure. These clearances are not only for installation purposes, but for the safety of the crews during future repair, replace and maintenance activities.

The property owner/developer/contractor must complete the application process for any new natural gas service via xcelenergy.com/InstallAndConnect. The Builder's Call Line is 1-800-628-2121. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Donna George
Right of Way and Permits
Public Service Company of Colorado / Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



The Town of Erie
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P.O. Box 750
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(303) 926-2774

Planning and Development

Planning

Memo

To: Layla Rosales

From: Hannah Hippely

Date: July 30, 2018

Re: Community Development Review Comments from Development Review Team Meeting on July 19th, 2018 for the following applications:

1. PUDA-000934-2017: Erie Highlands Planned Unit Development Amendment No. 1
2. PP-000935-2017: Erie Highlands Preliminary Plat No. 4
3. SP-000936-2017: Erie Highlands Site Plan

cc: Deborah Bachelder, Todd Bjerkass

Comments:

Community Development has reviewed your resubmittal for Erie Highlands Preliminary Plat No. 4, Site Plan, and PUD Amendment applications for conformance with Municipal Code, Title 10. The applications were reviewed at the July 19th, 2018 Development Review Team (DRT) meeting. Referral agency packets were sent out and the referral responses that have been received by the Town are being forwarded to you for review and response. Comments were made by several Town Departments and referral agencies that need to be addressed prior to proceeding to public hearings. Please make the appropriate revisions to the application materials and provide a written response to address each of the written comments from staff and referral agencies.

Process:

The next step for the applications is revision and resubmittal for another development referral and review which is necessary before the scheduling of public hearings for the applications can be determined.

GENERAL

1. An ALTA survey based on recent title works shall be submitted as part of any final plat application. The preliminary plat shows a major item that does not appear on the ALTA.
2. The timing of Glacier Drive improvements will be addressed in the development agreement associated with a final plat for Preliminary Plat No. 3.
3. The curb cut for Magnolia Circle south of Highview Drive should be included as part of Preliminary Plat No. 3, this will split Tract QQ.
4. The future development tract, shown as Tract PP, shall be labeled as the last tract so that there will not be a gap in the tract naming after this is tract is replatted.
5. The curb cut onto Glacier Drive within Tract PP should be removed from Preliminary Plats No.3 and No. 4 as the location of this curb cut is not finalized.
6. Details of owner anticipated future development within Planning Area 10 shall be removed from all documents and plans as these details are not under review, have not been approved, and are not part of the consideration for the subject proposal.

- a. Many of the engineering sheets still show details within Planning Area 10. Please remove or grey back the information outside the subject area.
7. This proposal is based on the shared use of private property for fencing, back yards, and access. This requires easements and agreements to be in place for the shared use and access easements. However, the plat is not the correct instrument to lay out the details nor should these easements be dedicated to the Town nor is the Town a party to the agreements. Therefore, while these shared areas (SUE and Access Easement) shall be shown on the plat, they should not be created by the plat but by separate instrument which would then be referenced on the plat.

PRELIMINARY PLAT

1. General Comments

- a. Please coordinate all street names across all documents.
 - i. Previously we asked that "Street A should be a continuation of the street name to the north within Preliminary Plat No. 3". After looking at the sketch plan for Planning Area 10 and this revised preliminary plat it was determined that this road should instead have a new name from south of Highlands Drive to Glacier Drive. Please update the plat and other documents with a new and distinct name, the road should be a Drive.
- b. Tracts should be relabeled so that Tract C and Tract PP are switched, this way when the future development tract is replatted there will not be a gap in the tract sequencing.
- c. The Shared Use Easements have been shown on the plat. However, as currently set up these easements would be dedicated to the Town. Instead, these easements should be set up by a separate agreement which is then referenced on the plat.
- d. Utility easements vary within the plat and isn't clear that sufficient easements have been provided for all utilities.
 - Xcel requires a 6 foot easement has spacing requirements from wet utilities but, only a 5 foot easement is shown. A 6 foot easement is necessary and site plan details should show how the spacing requirement can be met.
 - The dry utility layout details should be included in the site plan documents which should assist in determining if the easements on the plat are sufficient. The PUD proposes a 5 foot street setback which will not be possible given Xcel's need for a 6 foot easement.
 - Easements at the rear of the 4 packs do not always align to create a continuous easement, see Sheet 3 between Lots 16, 18, 35, 32 and Sheet 5 between Lots 28, 30, 32, 41, 39.
 - Electric is provided by United Power in the area and a referral has just been sent to this provider, comments will be forwarded upon receipt.

2. Sheet Review

- a. Sheet 1
 - i. Update the key map as necessary.
 - ii. Update the Tract Summary Table as necessary.
 - iii. Delete note 16.
- b. Sheet 2
 - i. Add a curb cut for the extension of the road into the future development tract. This will result in two tracts where there is currently Tract QQ.

- c. Sheets 3 – 6
 - i. Shared use easements shown on the plat must be created by separate recorded document and that documents should be referenced on the plat. This easement shall in addition listed what may occur in the easement area also grant access so the adjacent property owner can do necessary maintenance and repairs on dwelling.
 - ii. The function of the access easement which extends beyond the shared driveway tract is not understood. Who is this easement granted to and for what purpose?
This comment was not addressed in the resubmittal. If this easement serves a purpose, it should be created by separate document and referenced on the plat similar to the shared use easement.
 - iii. The capped well on Sheet 6 must be monumented in the field, located, and shown with state grid ties on the plat. *This is shown with a grid tied location on the ALTA, please add all known information to the preliminary plat at this time.*

3. Landscape Plan

- a. Update this plat to reflect responses to all previous comments as needed.
- b. On Sheet L.2 no landscape details are shown, is this sheet necessary?
- c. Please review and label all easements shown on the plans and existing with the tracts.
- d. Please show a limit of construction on the plans. These plan should show (scaled back) the landscaping which will be constructed as part of Glacier Drive construction.
- e. Since the preliminary plat is combined with a site plan, the landscape plan and irrigation plan for the entire area (lots and tracts) will need to be provided at construction level detail at this time. The irrigation plan should show all points of connection, pumps and pump houses, meters, backflow devices, controllers, and main line layout.

PUD AMENDMENT

1. PUD Narrative

- a. Section f should provide a description of the existing and proposed utilities and public services, the statement provided does little to educate the public and review bodies about what those services are and who is providing them.
- b. In section g, the neighborhood park and school area are refer to as “(planning area 12&13)”, when they are not planning areas but filings, this is confusing as there only 10 Planning Areas in the PUD and should be deleted.
- c. Sections g and h also utilize the term ‘new architectural standards’, please update these sections to correctly reflect the nature of the application. *These sections have not been updated.*
- d. Section h is supposed to discuss how the proposal meets the Towns Comprehensive Plan and municipal code approval criteria for a PUD. The existing PUD is not relevant to answering this question. Again the narrative speaks only to architectural standards being modified and no attempt to explain how this supports the listed building blocks is provided. Please provide a discussion of how the proposal meets the PUD approval criteria and supports goals or objectives found in the Comprehensive Plan.

2. Sheet Review

- a. Sheet 2
 - i. Remove the detention pond from Planning Area 11, this is not a zoning items.
- b. Sheet 3

- i. There should be no change to this sheet from the current PUD.
- c. Sheet 4
 - i. Please see the attached revised draft Design Standards as staff has provided some clean up to the formatting and suggested edits.
 - ii. The patterned driveway paver is to be a decorative colored paver rather than a concrete color but this is not included in the PUD.
 - iii. Architectural Variety – please reorganize for clarity as drafted below.
 - 1. Variety Within The Motor Court
 - Insert the Motorcourt Variety Exhibit under the relevant text in the design standards or delete it. If retained, rename Typical Monotony Exhibit to Motorcourt Variety Exhibit.
 - Delete the redundant text under the Typical Monotony Exhibit.
 - iv. Architectural Character – The Site Plan approval will requires the review and approval of specific architectural plans, once staff is satisfied that these plans meet the intent of the UDC and respond to the direction given during the sketch plan, the Architectural Character element of the PUD can be finalized.
 - v. Front Porches –
 - a. Further comments on front porches will follow the detailed architectural review from the site plan once staff is able to review all of the models and elevations.
 - b. The proposed language should be clarified to read “All homes shall include a front porch that inclusive of the stoop measures at least 50 square feet and is at least 5 feet in depth. Homes adjacent to the public street shall have a wraparound porch that is a minimum of 12 feet wide along the street side and that inclusive of the stoop measures at least 100 square feet with a minimum depth of 5 feet”.
 - vi. Development Standards Chart
 - a. Delete the column identifying the planning area as the chart title indicates that the chart applies to PA9.
 - b. Rather than add the corner exhibit, please add the street to right side of the setback exhibits and label the rear street as E
 - c. Add the letter from the setback exhibits to the column for which it corresponds and retitle as follows:
 - (A) Front Setback
 - (B) Street Side Setback
 - (C) Interior Side Setback
 - (D) Rear Setback
 - (E) Rear Street Setback
 - d. Reorganize the columns so the Rear Street Setback is the last setback column.
 - e. Delete notes 1 and 2.
 - f. The rear setback for the lots at the top of the motorcourt is less than the 8 foot easement shown on the plat in this same location. The setback should not be less than the easement.
 - g. Remove the Corner Lot Setback Exhibit, this is not necessary when the previous comments are addressed.
 - vii. Setback Exhibits
 - a. Correct the alignment of setback identifying letters within their circles.

- b. Remove the word typical from the exhibit titles.
 - c. If these exhibits are not to scale, please remove the scale and indicate NTS.
 - d. Stairs appear to encroach into the setback in the 4 Pack Setback Exhibit. Is this intentional? If not, can the stairs be removed so the two setback exhibits match.
 - e. Add the street to the right edge of the exhibits so the rear street setback can be added to the exhibit and key.
 - f. The dimensions are given in the table therefore key should read:
 - (A) Front Setback
 - (B) Street Side Setback
 - (C) Interior Side Setback
 - (D) Rear Setback
 - (E) Rear Street Setback
- viii. Fencing
- a. Please include a typical that shows the location of fencing.

SITE PLAN

1. Site plan review is a construction detail level review rather than conceptual, please update all plans to construction level documents.
 - a. *The grading and utility plan and the transportation engineering plan are still preliminary, these should be at final plat level of detail, as should the landscape plan.*
 - b. *The following exhibits are required in the Site Plan:*
 - i. Cover Sheet
 1. The title on all sheets shall be updated to read:

ERIE HIGHLANDS FILING NO. 15
 A PORTION OF THE NE 1/4 OF SECTION 20, TOWNSHIP 1
 NORTH, RANGE 68 WEST OF THE 6TH PRINCIPAL
 MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, COLORADO
 29.962 ACRES
 SP-000936-2017
 2. Update the Site Plan Approval Certificate signature line which currently reads “Director of Community Development” to “Director of Planning and Development”.
 - ii. Site Plan
 1. Sheets L.2 and L.3 should include:
 - a. Locate and dimension all public and private streets, walks and trail, rights-of-way and points of access on or adjacent to the proposed site with surface materials noted; surfaces are not noted. Additionally, walkways to street adjacent houses show walks to the porch but this location does not match what is shown on the architectural drawings where stairs and points of access to the dwelling come off the street not the motor court.
 - b. Locate and dimension all existing and proposed easements, including the access and shared use easements shown on the plat, on and adjacent to the site;

- c. The mail Kiosk must be moved off of Glacier Drive as this classification of road is not appropriate for a mail kiosk. It should be placed on a tract more internal to the site on a local road.
- d. The Parking Plan indicates that the garage dimensions will be 20x20 but, the architectural plans show that the interior width is less than 20 feet. The garages provide the required on-site parking for each house and must be large enough to serve this purpose.
- e. The fencing plan does not show gates to the individual back yards. Please show where these will go. How does this fencing plan provide access to the neighbor for any maintenance that may need to be done on the house within the boundaries of the fence?

iii. Landscape Plan

- 1. Side and rear yard (50 % live plant material) landscape requirements exists for single family residential development, please demonstrate that these requirements will be met. Fifty percent of the area within the fence should be given a hatch symbol. In the legend this symbol can be identified to mean that the landscaping will be installed by the homeowner.
- 2. The irrigation plan should be added to the site plan set is required and should also cover the Town right of way. The plan should show all points of connection, pumps and pump houses, meters, backflow devices, controllers, and main line layout.

iv. Utility Plan – This must be added to the site plan set.

v. Grading/Drainage Plan – This must be added to the site plan set.

vi. Photometric Plan – A photometric is typically required. An alternative to providing such a plan is to utilize full cut off fixtures on the houses and to provide the details of the fixture on the architectural plans.

2. The site plan sheets include an outline of the structures, please darken these so they are more legible. Staff understands that the buildings will maintain a distance of 10 feet between the face of the finished wall surfaces so that only projections (eaves) would need to be fire rated.

3. A detail of the motorcourt pavers was added as requested to Sheet L.14. Please add the manufacturer, color, and pattern installation information to this detail.

4. Architecture

a. Detailed architectural review and approval is part of the site plan approval and is necessary to draft the PUD, please submit architectural review level drawings of all the models and elevation variations. These should be provided on 11x17 size sheets.

i. In order to minimize the number of terms and use consistent terms throughout all of the documents please rename “Drive (Front) Elevation” to just “Front Elevation” and “Street (Front) Elevation” to “Street Side Elevation” in all plan sets.

ii. Please review all of the labels for the various elevations to ensure they are correct and match the floor plan titles. For example, in the plan set for The

Chaise (101.2CO) BT4 the Active and Privacy Side Elevations are mislabeled (sheet A-4.1.a.6).

- b. The Enhanced Elevation Exhibit will assist in further evaluating the architecture and determining how the PUD should be written, thank you for providing this.
 - i. In order to minimize terms used throughout the documents please rename “Front Street” to “Street Side” and “Front Drive” to just “Front”.

REFERRAL AGENCIES

Response and/or Corrections to Plans and Re-referral Required:

- a. Planning: See comments above.
- b. Engineering: Comments to be provided.
- c. Parks & Recreation: See attached comments.
- d. OSTAB: See attached comments.
- e. Merrick and Co.: See attached comments.
- f. Xcel Energy: See attached comments.

RESUBMITTAL

Please submit the following to the Planning & Development:

Paper Copies:

- 1 copy of the new and updated materials bound and labeled for Planning to update the binder and application materials already submitted. Provide 11x17 plans for the notebook.
- 2 copies of the complete submittal in tabbed binders labeled for Public and Engineering. Provide 11x17 plans in the notebook.
- 3 copies of all plan sets bound in 24"x36" rolls and labeled for Planning, Engineering, and Parks & Recreation.

Digital Copies:

- A PDF format of the complete submittal materials on 5 USB flash drives with file names consistent with the Town’s Users Guide. Please include a hyperlinked copy of the title work. The Town will provide the mailing envelope, address labels and postage for delivery of the flash drives. The flash drives will be distributed to the follow referral agencies:
 - 1. Town of Erie (File) - (Planning, Engineering, Parks, Building)
 - 2. OSTAB
 - 3. Merrick and Co.
 - 4. Xcel Energy
 - 5. United Power



Internal Memo

To: Hannah Hippely, Planning - Senior Planner

From: Darren Champion, Parks and Open Space Project Coordinator

Date: July 25, 2018

Subject: Erie Highlands Planning Area 9 – Preliminary Plat

Cc: Farrell Buller, Assistant to the Town Administrator – Community Services

Rob Crabb, Parks and Open Space Division Manager

Parks & Open Space Division staff has reviewed the subject plans and offers the following comments:

General Comment:

- No irrigation plan was received as part of this submittal. Please provide irrigation plan prior to final plat.

Landscape Comments:

- Sheet L.8 through L.11 - No trees are to be located within 55' from the point of curb return at road intersections where a stop sign is present. This applies to either side of the corner where the stop sign is located.
- Sheet L.12 - Landscape Note 2. indicates 4" edger per Town of Erie Standards and Specifications. Please show 6" edger to reflect current standards, or remove "per Town of Erie Standards and Specifications".
- Update native seed table to reflect the current "Short Grass Prairie Seed Mix" that can be found on Page 1000-25 at the following link: <http://erieco.gov/DocumentCenter/View/10043/Section-1000---2018-Parks-Construction?bidId>
- Update Note 21. to read as follows:
"TRANSFORMERS, GROUND MOUNTED HVAC EQUIPMENT, UTILITY PEDESTALS, ETC. ARE NOT SHOWN ON THE LANDSCAPE PLAN. ADDITIONAL LANDSCAPING AND ASSOCIATED IRRIGATION WILL BE REQUIRED BASED UPON FIELD CONDITIONS IN ORDER TO SCREEN ABOVE GROUND UTILITY FACILITIES. THE ADDITIONAL LANDSCAPING OF THE ABOVE GROUND UTILITY FACILITIES SHALL BE INSTALLED PRIOR TO INSPECTION BY THE LANDSCAPE ARCHITECT. THE COMPLIANCE STATEMENT SUBMITTED FOR INITIAL ACCEPTANCE OF THE LANDSCAPING SHALL INCLUDE A DECLARATION THAT THE UTILITY FACILITIES HAVE BEEN LANDSCAPED AS REQUIRED."
- Replace the last sentence in Note 19. to read as follows: ALL TOWN OF ERIE LANDSCAPE ACCEPTANCE PROCEDURES FOR HOA/DISTRICT MAINTAINED TRACTS SHALL BE FOLLOWED".
- Sheet L.13 – Correct Detail 1 if 6" edger is to be used in place of the 4" edger shown.



Memo

To: Hannah Hippely
From: Chad Schroeder, P.E., CFM, Development Engineer
Date: August 20, 2018
Subject: **Erie Highlands Planning Area 9 Preliminary Plat**
CC: Russell Pennington
Wendi Palmer
Matt Wiederspahn

Comments for the Preliminary Plat:

1. Erie Highlands Planning Areas 8 & 9 both require the following improvements which shall be performed by whichever planning area is constructed first. Make the following corrections where needed:
 - d. Provide three road stubs along Glacier Drive south of the Highview Drive intersection which adhere to Collector intersection spacing requirements of a 400-foot minimum:
 - i. A stub southwest to Planning Area 10.
RESPONSE: Added
Starting with the layout in the July 19, 2018 Erie Highlands Planning Area 8 plans, please shift the Planning Area 10 access towards the east on Glacier Drive so that there is at least 400 feet spacing between the Highview Drive and the Planning Area 10 access stub and between the Blake Property access stub and the Planning Area 10 access stub. Provide a curb ramp on the east side of the three Glacier Drive T Intersections.
 - e. Remove the existing Oil and Gas access off of WCR 5.
RESPONSE: Done, WCR 5 CD's will show the removal of Oil and Gas access.
The access needs to be shown as removed on all plans. Provide a new access route and easements to the existing oil and gas facilities.
 - f. Meeting Minor Arterial standards, construct WCR 5 from the Erie Parking intersection south beyond the Blake property line to include the required safety improvements such as required auxiliary lanes. Provide the Minor Arterial ROW needed for all of the improvements. Include a meandering sidewalk along the western side of WCR 5 from Erie Parkway to the southern end of the WCR 5 improvements.
RESPONSE: Added the WCR 5 CD's
The details need to be provided for the entire intersection and auxiliary lanes as shown in the July 19, 2018 Erie Highlands Planning Area 8 plans.

Comments for the Preliminary Grading and Utility Plan:

3. Erie Highlands Planning Areas 8 & 9 both require the following improvements which shall be performed by whichever planning area is constructed first. Make the following corrections where needed:
 - f. The 8-inch sanitary sewer line in Glacier Drive shall be extended and stubbed into the stub road to the Blake Property. Provide an 8-inch water line stub from Glacier Drive into the stub road to the Blake Property.
RESPONSE: More discussion during final CD's can take place.
Provide the utility layout shown in the July 19, 2018 Erie Highlands Planning Area 8 plans.
 - j. On Sheets 6 & 7, the Limits of Construction need to enclose all disturbed areas including all of Glacier Drive and the mining waste material pile.
RESPONSE: Addressed during pre-plat 3 submittal.
Provide the Limits of Construction shown in the July 19, 2018 Erie Highlands Planning Area 8 plans.
 - l. Show the full layout of WCR 5 including both the existing and proposed condition from the Erie Parkway intersection to the southern end of the WCR 5 improvements.
RESPONSE: Refer to PA-8 Pre-Plat
Provide the details for the entire intersections and auxiliary lanes as shown in the July 19, 2018 Erie Highlands Planning Area 8 plans.
 - m. Show the removal of the existing Oil and Gas access off of WCR 5.
RESPONSE: Addressed during pre-plat 3 submittal.
The access needs to be shown as removed on all plans.
6. On Sheets 2 to 7, identify on the Key Map key what area is being depicted on the respective sheet.
RESPONSE: Done
The Key Map key is not highlighting the area being shown on the sheet.
8. On Sheet 3, show the existing sanitary sewer service line stems into the proposed auto court drives along Highlands Drive, Highlands Circle, and Highview Drive.
RESPONSE: Added
The sanitary sewer stubs are still not shown.
9. Provide water meter vault designs for approval (follow Standard Drawing W12B for guidance) along with applicable utility easements.
RESPONSE: Provided
Provide curb stops for each service line. Show a 10-foot easement around the vault.

Comments for the Preliminary Transportation Engineering Plan

1. On Sheet 2, adjust sag vertical curve at approximately Sta 22+80 to be 30 or greater.
2. On Sheet 3, adjust sag vertical curve at approximately Sta 21+72 to be 30 or greater.
3. On Sheet 4, provide sag vertical curve information at approximately Sta 26+42 and Sta 29+00.

Comments for the Site Plan

12. Show all proposed and existing stop signs.

RESPONSE: Added

Include missing Stop Signs at the intersection of Highlands Circle & Highlands Drive (northbound) and Highlands Circle & Highview Drive (westbound). In the stop sign label in the Sheet 3 Legend.

13. Show the locations of all the water meter vaults. A 10-foot minimum buffer is required between tree trunks and all Town utility lines, water meter vaults, fire hydrants, and storm sewer structures.

RESPONSE: Added

Water meter vaults need to be shown for all structures in Planning Area 9.

Comments for Preliminary Master Drainage Report:

15. See attached Drainage Report Comments from Merrick dated November 3, 2017.

RESPONSE: Done

See attached Drainage Report Comments from Merrick dated August 14, 2018

Comments for Preliminary Utility Report:

18. On-going discussions will continue with respect to a potential non-potable water connection.

RESPONSE: Noted

No further response needed, but comment to remain for reminder of potential non-potable water use.

Comments for the Traffic Impact Analysis:

19. The traffic engineer needs to provide an analysis on if the Planning Area 8 and/or Planning Area 9 residences triggers the warrants for a signal at Highlands Boulevard and Erie Parkway. The analysis needs to consider a fully built out Glacier Drive.

RESPONSE: See new traffic report.

Show the signals for Highlands Blvd and Erie Parkway intersection. The Development Agreement will outline when the signal is required to be installed.

20. Provide the complete signage/stripping and dimension details of the Erie Parkway-Glacier Drive and WCR 5-Glacier Drive intersections.

RESPONSE: Done

Provide the details for the entire intersections and auxiliary lanes as shown in the July 19, 2018 Erie Highlands Planning Area 8 plans.

21. Analyze the WCR 5 and Glacier Drive Intersection. Provide all of the necessary auxiliary lane dimensions, signage, and striping for the intersection including the required WCR 5 improvements along the Blake Property.

RESPONSE: Done

Provide the details for the entire intersections and auxiliary lanes as shown in the July 19, 2018 Erie Highlands Planning Area 8 plans.



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Denver, Colorado 80211
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Fax: +1 303-964-3355

www.merrick.com

October 26, 2018

Town of Erie, Engineering Division
P.O. Box 750
645 Holbrook Street
Erie, Colorado 80516

RE: REVIEW OF ERIE HIGHLANDS PLANNING AREAS 8 & 9 RESUBMITTAL

Dear Engineering Division:

We have reviewed the Erie Highlands resubmittal received on September 14, 2018. The submittal included Erie Highlands Preliminary Plat No. 3 (Revised 9-12-18), August 17, 2018 response to comments, Phase II Drainage Report (July 12, 2018), and Preliminary Grading & Utility Plans by Core Consultants, Inc. We have the following comment to offer:

Preliminary Grading and Utility Plans

1. All our previous review comments were addressed. However, in addressing Item 4 under the heading of Preliminary Grading and Utility Plans in the September 13, 2018 review comments (move sanitary pipe and manhole from pond berm), grading modifications were made to the proposed pond. Comparing the Highlands Preliminary Plat No. 3 with the Preliminary Plat No. 3 Grading and Utility Plan (Sheet 4 of 7) shows the pond grading limits extending beyond the Drainage & Utility Easement. For the next submittal, show the easement on the grading plan and ensure the pond grading is within the designated drainage easement. If needed, modify the drainage easement to encompass the entire pond and maintenance access. Update the pond stage-storage UD spreadsheet if pond grading modifications are made.

Please let us know if you have any questions.

Sincerely,
Merrick & Company

A handwritten signature in blue ink that reads "Jeanne M. Boyle".

Jeanne M. Boyle, PE, CFM

A handwritten signature in blue ink that reads "Robert C. Moore".

Robert C. Moore, PE



July 11, 2018

Town of Erie, Engineering Division
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Erie, Colorado 80516

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RE: REVIEW OF ERIE HIGHLANDS 9 RESUBMITTAL

Dear Engineering Division:

We have reviewed the Erie Highlands resubmittal received on June 22, 2018. The submittal included Erie Highlands Planning Area 8 & 9 Phase II Drainage Report (July 12, 2017), Preliminary Grading and Utility Plans (May 7, 2018) by CORE Consultants, Inc and Erie Highlands Planning Area 9 Site Plan (November 22, 2017) by Terracina Design. We have the following comments to offer:

Phase II Drainage Report

1. A revised Phase II drainage report dated March 20, 2018, was previously reviewed by Merrick on May 9, 2018. The report dated July 12, 2017 is out of date and therefore was not reviewed as part of this submittal. The following comments pertain to the March 20, 2018, version of the drainage report and are the same as our May 9, 2018 comments.
2. In section II.B, it is stated that the proposed pond releases at 35.5 cfs. Verify that this discharge is correlated to the 100-year storm event since it appears that this flow is significantly lower than expected for the 100-year storm event.
3. The pond grading must be adjusted to include the following features in order to allow enough space for the detention pond design:
 - A 2.5' deep minimum micropool.
 - Initial surcharge depth (4" minimum).
 - Maintenance access to the forebay, pond bottom, and outlet structure.
 - Also, clarify where the overflow weir is located.
4. Contours in Basin A seem to direct a portion of Basin A to the east offsite to CO Road 5 instead of to the proposed detention pond as indicated in the report. Update the contours shown on sheet 1.

Preliminary Grading and Utility Plans

5. On sheet 4 (Grading Plan), it appears that the grading of Pond EP-5 at the northeast corner of the site has different grading and layout than what is shown on the drainage plan presented in the drainage report. Clarify which grading is planned to be used and update all plans, calculations, and details as necessary.

Sincerely,
Merrick & Company

Jeanne M. Boyle

Jeanne M. Boyle, PE, CFM

Clare Steninger

Clare Steninger, PE



August 14, 2018

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RE: REVIEW OF ERIE HIGHLANDS PLANNING AREAS 8 & 9 RESUBMITTAL

Dear Engineering Division:

We have reviewed the Erie Highlands resubmittal received on July 26, 2018. The submittal included Erie Highlands Planning Area 8 & 9 Phase II Drainage Report (July 12, 2018), Preliminary Grading and Utility Plans for Preliminary Plat No. 3 (December 22, 2017) by CORE Consultants, Inc. We have the following comments to offer:

Phase II Drainage Report

1. For the design of the proposed detention pond, include the actual stage-area data based on the grading plan for the pond volume in the detention basin stage-storage table to verify that the required storage volume is available and to size the outlet structure correctly.
2. It appears that the emergency spillway for the proposed pond would convey flow northeast to the intersection of Erie Parkway and County Road 5. For Phase 3 drainage report submittal, provide erosion protection calculations for the emergency spillway.

Preliminary Grading and Utility Plans

3. On sheet 4 (Grading Plan), a note specifies an "8-inch of Surcharge Area" which conflicts with the 4-inch initial surcharge depth provided in the pond sizing calculations. Clarify which depth is planned and update the calculations or grading plan note as necessary.
4. It appears that an 8-inch sanitary sewer and a manhole are located in the north embankment for the proposed. The sewer line should be located outside of the pond embankment so if repairs are needed, the embankment will not be disturbed.

Sincerely,
Merrick & Company

Jeanne M. Boyle, PE, CFM

Clare Steninger, PE



July 13, 2018

VIA E-MAIL

Town of Erie - Planning and Building
Hannah Hippely, Planner
645 Holbrook
Erie, CO 80516
hhippely@erieco.gov

KERR-McGEE GATHERING LLC OBJECTION WITHDRAWAL

Re: Erie Highlands Planning Area 8
Oakwood Homes – Property Owner or “Applicant”
Township 1 North, Range 68 West, 6th P.M.
Section 20: Part of the NE/4 (“Application Property”)
Weld County, Colorado

Ms. Hippely:

Anadarko Petroleum Corporation (“APC”) filed an objection letter on behalf of its subsidiary Kerr-McGee Gathering LLC (“KMGG”), dated May 9, 2018, with the Planning and Building Department for the Town of Erie (“Town”). KMGG is the owner of a valid easement located in the N/2 of Section 20, Township 1 North, Range 68 West, for which the Town is reviewing Erie Highlands Planning Area 9 Permit Application PUD Amendment, Preliminary Plat, Site Plan PUDA-000934-2017, PP-000935-2017, and SP-000936-2017.

Since submitting the objection letter, KMGG has had the opportunity to discuss the matter with the Applicant and has reached an agreement to remove the pipeline located within the section of the easement interfering with their development plans. Therefore, APC and KMGG wish to withdraw the objection.

Please contact me at 720-929-3321 if you have any questions or comments about this matter.

Sincerely,
KERR-McGEE GATHERING LLC

A handwritten signature in black ink that reads 'Emma F. Vannoy'.

Emma Vannoy
Landman

cc: Murph Shelby, Lead Counsel
Ron Olsen
Brett Cavanagh
Kelly Reyos



August 14, 2018

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Erie, Colorado 80516

www.merrick.com

RE: REVIEW OF ERIE HIGHLANDS PLANNING AREAS 8 & 9 RESUBMITTAL

Dear Engineering Division:

We have reviewed the Erie Highlands resubmittal received on July 26, 2018. The submittal included Erie Highlands Planning Area 8 & 9 Phase II Drainage Report (July 12, 2018), Preliminary Grading and Utility Plans for Preliminary Plat No. 3 (December 22, 2017) by CORE Consultants, Inc. We have the following comments to offer:

Phase II Drainage Report

1. For the design of the proposed detention pond, include the actual stage-area data based on the grading plan for the pond volume in the detention basin stage-storage table to verify that the required storage volume is available and to size the outlet structure correctly.
2. It appears that the emergency spillway for the proposed pond would convey flow northeast to the intersection of Erie Parkway and County Road 5. For Phase 3 drainage report submittal, provide erosion protection calculations for the emergency spillway.

Preliminary Grading and Utility Plans

3. On sheet 4 (Grading Plan), a note specifies an "8-inch of Surcharge Area" which conflicts with the 4-inch initial surcharge depth provided in the pond sizing calculations. Clarify which depth is planned and update the calculations or grading plan note as necessary.
4. It appears that an 8-inch sanitary sewer and a manhole are located in the north embankment for the proposed. The sewer line should be located outside of the pond embankment so if repairs are needed, the embankment will not be disturbed.

Sincerely,
Merrick & Company

Jeanne M. Boyle, PE, CFM

Clare Steninger, PE



Town of Erie Open Space and Trails Advisory Board

From: Town of Erie Open Space and Trails Advisory Board (OSTAB)
To: Hannah Hippely, Senior Planner, Community Development
Date: July 12, 2018

Subject: Erie Highlands, Planning Area 9, Preliminary Plat
Document Date: May 14, 2018
Location: south side of Erie Parkway, west side of WCR 5

OSTAB has reviewed the package materials, compared them to Town planning documents, and submits the following comments, questions, and recommendations for the Town's evaluation process.

Open Space and the Natural Areas Inventory (NAI):

Discussion: There are no NAI sites in this application. There is no dedicated public open space in this application; it was dedicated in earlier phases.

Recommendation: None.

Spine Trail:

Discussion: There is no Spine Trail in this application; it was approved in earlier phases.

Recommendations: None

Neighborhood Trails:

Discussion: There is not a sheet entitled "Trails Plan". Therefore, we used Sheet L2 in the Landscape Plan and the Narrative to evaluate neighborhood trails. The Narrative states:

"The private landscape tracts are primarily located along Glacier Drive. Five foot pedestrian walkways link Planning Area 9 to proposed 8' trails along proposed Glacier Drive; which connect to the school-neighborhood park site and Erie Parkway. All common drives and front yard landscape in Planning Area 9 will be maintained by the Metro District including snow removal."

We believe the applicant is required to build an 8' concrete trail in a meandering buffer on the south side of Highlands Drive. Sheet 2 of the original PUD Zoning Map has a trail along the entire southern side of Indian Peaks Drive (subsequently renamed Highlands Dr.), the eastern side of Glacier Drive between Indian Peaks Drive and Erie Parkway, and on the southern side of Erie Parkway from Glacier Drive to WCR 5. Erie High School is on the NE corner of the intersection of Erie Parkway and WCR 5.

The sidewalk on the south side of Erie Parkway is complete. The proposed sidewalk on the east side of Glacier Drive has been moved to the west side, as requested by the Town. It will be constructed within Planning Areas 8, 9, and 10. This Planning Area includes the construction of Highlands Drive, apparently with a sidewalk only on the north side. Sheet L9 in the Site Plan seems to imply that this 8' sidewalk on the south side in the western portion of Highland Dr. will be built in Planning Area 11. Sheet L11 in the Site Plan seems to imply that this 8' sidewalk on the south side in the eastern portion of

Highland Dr. will be built in Tract QQ in Planning Area 10. We do not know if Town codes permit a road to be completed without a sidewalk on both sides. That should be researched. Moreover, we believe that it is very important that the trail be included in this phase. Most of Erie Highlands that is west of this Planning Area will be completed before this phase. Thus, there will be a substantial number of students from Erie Highlands attending Erie High School and the K-8 school currently under construction. They deserve a safe access to those schools. It is our goal that all Erie residents have safe, quiet, nearby access to the Town's trail system and to all schools.

Recommendations:

1. Build an 8 foot meandering sidewalk in a landscaped buffer on the south side of Highlands Drive;

Carriage House Product:

Discussion: The PUD Narrative describes this product as follows:

"A typical Carriage House layout consists of 4 detached units around a central motor court. The buildings are configured with the garages facing the motor court which, when combined with the protruding front porches, provides a visually appealing streetscape. Each unit is 2-3 stories with a maximum height of 35'. Units have 2-car garage parking, individual fenced in yards and front and rear porches. Carriage house brings diversity to Erie Highlands in both style and affordability."

We have two concerns about this unique design:

1. Safe pedestrian access from the rear units (usually 2, sometimes 4) to the street-side sidewalks;
2. Small yards totally enclosed by privacy fences.

Based upon reviews of multiple sheets and the Narrative Exhibit, it appears that the only access from every rear unit to the street-side sidewalk for pedestrians is via the central motor court aka shared driveway. In a typical 4 unit layout, there would be 8 garages off this central motor court; in a 6 unit layout, there would be 12 garages off this central motor court. We are especially concerned about school children residing in the rear units who typically would be walking from their residence to a bus stop in the morning or biking, usually about the same time as adults depart for work. The applicant's response states; "We have reviewed this with town staff. Rear unit access will remain the same." We still believe this format is unsafe and that a solution to this problem is required.

It appears that the typical lot size is 2,500 sq. ft. The height of the solid privacy fence is not given; they are typically 5-6' high. Residents in the rear units will have a viewscape restricted to this very small area. One of the design standards in the UDC (10.6.1.A.8) is "To encourage developments that relate to adjoining public streets, open spaces, parks, trails, and neighborhoods with building orientation and physical connections that contribute to the surrounding network of streets and walkways". This design, particular concerning the rear units, does not include any of these standards. We are also concerned that the design restricts all non-motorized movement to 5' street-side sidewalks, unless the 8' sidewalk is built on the south side of Highland Drive and residents cross that street, which will probably be heavily used. Thus, we recommend that the sidewalk on the south side of Sugarloaf Lane be widened to 8'. After a long discussion, we also voted 4-2 to recommend that the application be denied if this widened sidewalk is not included.

Recommendations:

1. Provide safe access, particularly for children in rear units, from residences to a street-side sidewalk. A driveway used by 8 or 12 vehicles is not safe for children;
2. Widen the sidewalk on the south side of Sugarloaf Lane to 8'. If this widened sidewalk is not included, the application should be denied.

Please forward this referral letter to the Applicant, and appropriate town departments, boards, and commissions. Thank you for your attention to these matters. OSTAB is available to discuss any of the above in more detail as needed.

Sincerely,

Open Space and Trails Advisory Board

Bob Braudes

Phil Brink

Christine Felz

Dawn Fraser

Nicole Littmann

Ken Martin (Chair)

Joe Swanson



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

July 10, 2018

Town of Erie Community Development Services
645 Holbrook / PO Box 750
Erie, CO 80516

Attn: Hannah Hippely

**RE: Erie Highlands Planning Area 9 [Filing No. 11] - 2nd referral
Case #s PUDA-000934-2017/PP-000935-2017/SP-000936-2017**

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the second referral documentation for **Erie Highlands Planning Area 9**, acknowledges the comment responses, requests confirmation that the necessary front-lot utility easements for natural gas facilities, particularly for the "internal" lots, will be provided on the final plat.

Please contact me at donna.l.george@xcelenergy.com or 303-571-3306 if there are any questions with this referral response.

Donna George
Right of Way and Permits
Public Service Company of Colorado



The Town of Erie
645 Holbrook St.
P.O. Box 750
Erie, CO 80516
(303) 926-2774

Planning and Development

Planning

Memo

To: Layla Rosales

From: Hannah Hippely

Date: January 29, 2018

Re: Community Development Review Comments from Development Review Team Meeting on January 18th and 25th, 2018 for the following applications:

1. PUDA-000934-2017: Erie Highlands Planned Unit Development Amendment No. 1
2. PP-000935-2017: Erie Highlands Preliminary Plat No. 4
3. SP-000936-2017: Erie Highlands Site Plan

cc: Deborah Bachelder, Todd Bjerkass

Comments:

Community Development has reviewed your resubmittal for Erie Highlands Preliminary Plat No. 4, Site Plan, and PUD Amendment applications for conformance with Municipal Code, Title 10. The applications were reviewed at the January 18th and 25th, 2018 Development Review Team (DRT) meeting.

Referral agency packets were sent out and the referral responses that have been received by the Town are being forwarded to you for review and response. Comments were made by several Town Departments and referral agencies that need to be addressed prior to proceeding to public hearings. Please make the appropriate revisions to the application materials and provide a written response to address each of the written comments from staff and referral agencies.

Process:

The next step for the applications is revision and resubmittal for another development referral and review which is necessary before the scheduling of public hearings for the applications can be determined.

GENERAL

1. Update all application materials to reflect comments related to Preliminary Plat No. 3 (Planning Area 8) including the removal of the construction of Glacier Drive. Staff has drafted comments with the understanding that Preliminary Plat No. 3 will be finalized and constructed first, these improvements would need to be constructed in order to proceed with final platting of Preliminary Plat No. 4 (Planning Area 9).
2. Necessary access into Tract C from Highview Drive should be discussed with Town Engineering as part of Preliminary Plat No. 3. The midblock access point shown on Highview Drive just west of Glacier Drive may not be appropriate. The second access to Tract C may need to come from Glacier Drive.
3. Details of owner anticipated future development within Tract C shall be removed from all documents and plans as these details are not under review, have not been approved, and are not part of the consideration for the subject proposal.

PRELIMINARY PLAT

1. General Comments

- a. The second line in the title of this document should read “A REPLAT OF A PORTION OF TRACTS K AND L.”
- b. Trails and Connectivity
 - i. The trail shown on the PUD on the south side of Highview Drive shall be constructed with Highview Drive as part of this development. Not only does this trail provide critical links from this denser area to nearby parks and open space but it also provides a critical link from all of the development to the west to the school located northeast for the intersection of Erie Parkway and County Road 5. Please update the plat to show a 30 foot wide public access easement along the north edge of Tract C.
- c. Please coordinate all street names across all documents.
 - i. Highlands Circle shall be named Highlands Drive
 - ii. Street A should be a continuation of the street name to the north within Preliminary Plat No 3 (Spring Drive), please update the plat and other documents with this name.
 - iii. Street C on the preliminary Plat is shown as Sugarloaf Lane on the Landscape Plans and Sugar Loaf Lane on the Utility Plan, please update the plat and other all other documents with a consistent name.
- d. Tracts should be relabeled so that Tract C and Tract PP are switched, this way when the future development tract is replatted there will not be a gap in the tract sequencing.

2. Sheet Review

a. Sheet 1

- i. In the title the last line “Sheet 1 of 7” shall be removed, the sheet count is provided in the bottom right hand corner.
- ii. Update the key map.
- iii. Tract Summary Table
 - A. Tract A and Tract B uses should list “Trail, Landscape, and Utilities”.
 - B. Uses listed in the shared driveways Tract C – Tract OO should include “Utilities and Driveway”.
 - C. Update to reflect previous comments on tract labeling (Tract C and Tract PP switch), ownership and uses need updating. Tract PP should list ‘Trail and Future Development Tract’ as uses.
- iv. Notes
 - A. Note 10 should be updated to reflect this is Preliminary Plat No. 4.
 - B. A note should be added which grants a blanket public access easement over Tract A and Tract B.
 - C. A note should be added which grants a blanket public access and utility easement over Tract C – Tract OO (list all tracts in the note). This note should also state that the Tracts shall remain free from obstruction at all times and shall not be used for parking or storage.
 - D. A note should be added which defines the parameters of the shared use easement. What rights are granted by this easement? Is there anything specifically precluded by this easement. If a property owner must do maintenance on the exterior of their home how are they provided access to the area?

- b. Sheet 2
 - i. Add a 30 foot wide easement along the north edge of Tract C (renamed to Tract PP) so that an 8 foot concrete trail can be located within the easement.
 - c. Sheets 3 – 6
 - i. Shared use easements need to be added to this plat.
 - ii. Dry utility easements which were discussed during the sketch plan should be added to this plat.
 - iii. The function of the access easement which extends beyond the shared driveway tract is not understood. Who is this easement granted to and for what purpose?
 - iv. Staff understands that all landscaping outside the privacy fence and the driveways including the aprons within the private lots are to be maintained by the HOA but, the plat does not provide for access onto the private lots sufficient to achieve this intent. How will this be accomplished? Is additional easement on the plat for the benefit of the Metro District necessary to achieve this?
 - v. The capped well on Sheet 6 must be monumented in the field, located, and shown with state grid ties on the plat.
3. Landscape Plan
- a. Update this plat to reflect responses to all previous comments including comments related to Preliminary Plat No. 3.
 - b. The Landscaping Plan for this preliminary plat should include the tracts along Glacier Drive and the trail corridor south of Highview Drive. This landscaping should also be shown within the site plan documents.
 - c. The fencing plan should include all the proposed fencing including the internal privacy fencing along with that detail. Please create a separate Fencing Plan sheet which shows the entire site and the fence details on one sheet. The fence details can then be removed from the other sheets simplifying them for easier legibility. All fence details must also be included within the site plan documents along with the specific location of the fence rather than conceptual location so that the development standards for fencing can be evaluated.
 - d. Sheet L.2 No species information or quantities are listed on the plan, this plan must move beyond a conceptual level at this time. The plant schedule provided on Sheet L.4 shall be updated to reflect the proposed species shown on L.2.
 - e. Landscaping within Tract A and Tract B shown on Sheet L.2 could conflict with the utility easements shown on the Preliminary Plat within Tract A and Tract B. Please review the easement locations and ensure any conflicts between the locations of landscaping, for example the street trees, and the location of utilities are resolved.
 - f. The secondary neighborhood column was approved in the proposed general location by the Sign Plan. Please review the specific location with Town Engineering to ensure the location is properly sited outside the correct sight triangle (the triangle shown does not appear to be correct).
 - g. An irrigation plan is required.
 - h. The Landscape Plan should be extended to include the trail corridor along the south side of Highview Drive.
4. Grading, Utility, and Engineering Plans all shall be updated to reflect all previous comments made herein, comments related to Preliminary Plat No. 3 and comments from other agencies

provided along with this document. These documents must also be incorporated into the Site Plan document set.

PUD AMENDMENT

1. PUD Narrative

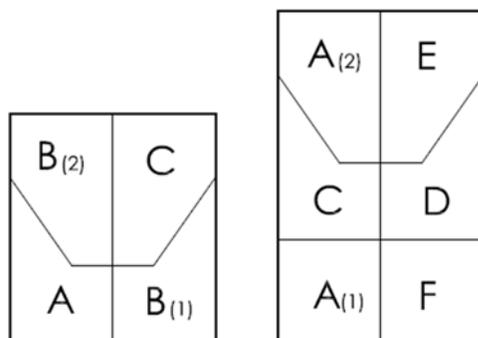
- a. As required in the user guide, the narrative should provide a project concept and purpose. The statement provided only speaks to the PUD amendment being necessary to modify architectural standards. Basic elements of the UDC are required to be modified in order to allow this subdivision lay out and those elements are not addressed or recognized by this narrative.
- b. As required in the user guide, the narrative should provide a detailed description of proposed variation(s) of the underlying zone district standards and requirements and the District Specific Standards noted above and the justification for such variations, this was not provided.
- c. The statement provided regarding the public benefit provided by this PUD speaks to the reasons why the product is not substandard when what is required is a statement specifying and highlighting the public benefit(s) of the PUD.
- d. What is meant by 'reconfiguration' in sections f and g of the narrative?
- e. Please expand on section g to more fully answer the question. The purpose of the narrative is to provide information to the public and review bodies regarding the application. Many of these people are unfamiliar with the site and the project, this section should provide the necessary context. For example, referring to areas as PA8, PA 10, and PA 11 is rather meaningless to most people.
- f. Sections g and h also utilize the term 'new architectural standards', please update these sections to correctly reflect the nature of the application.
- g. Section i must be expanded to address the shared driveway tracts, these are common areas and a new concept that should be explained.

2. Sheet Review

- a. Sheet 1
 - i. Note 1 should be modified to read remove the word "dimensional".
- b. Sheet 2
 - i. The trail south of Highview Drive should be located within Planning Area 10 outside of the right of way, similar to how it is shown along Glacier Drive.
- c. Sheet 3
 - i. The PA-9 row in the Development Standards table should be reviewed to ensure coordination with the proposed exhibits, for example how is the front setback measured at the rear lots where the front property line has a 90 degree angle? Is there to be an increased lot width on corner lots? This row of the table should be moved to sheet 4 where the exhibits and details related to Planning Area 9 dimensional standards are located.
- d. Sheet 4
 - i. Relabel "ARCHITECTURAL STANDARDS - PA-9" to "DESIGN STANDARDS PA-9".
 - ii. The text related to the driveway design should read "Driveways including the shared tract and private garage aprons (the motor court) shall be constructed of patterned pavers".

1. The driveway design requirement should be separated out into its own number, not as a subset of Architectural Variety.
 2. The enhanced design elements exhibit should be removed, it takes up quite a bit of space and provides little useful additional detail that is not already provided with text. However, if you would like to show the paver texture detail on this sheet, it could be added to the other exhibits.
 3. The text on this sheet related to driveway design includes both “patterned paving materials” and “pavers”, is there a difference between these two? Please include specific material and installation method proposed for the driveway in the site plan documents. Staff also understood that these would be a colored paver rather than a concrete color but this is not included in the PUD.
- iii. Architectural Variety – please reorganize for clarity as drafted below.
1. Street Fronting Lots
 - No identical model plan elevation shall be repeated directly across any street from the same model plan and elevation.
 - No identical model plan elevation shall be repeated more than once within every 4 lots on the same side of any street.
 - A minimum of 3 alternative elevations for each model plan shall be submitted to the Town for review. *This was dropped from the variety element already in the PUD and staff does not support the removal of this requirement at this time. However, if an equivalent variation in the number of models is proposed and an equivalent level of variety assured staff would be open to removing this from the PUD.*
 2. Variety Within The Motor Court
 - No more than two (2) of the same model are permitted within a motor court.
 - If two (2) of the same model do exist within the same motor court, they shall be of different elevations.

MOTOR COURT VARIETY EXHIBIT



3. Staff has used “motor court” and “variety” to the above for consistency and to reduce the number of different terms used within the PUD.
4. Please label the street and show the driveway tract on the variety exhibit.
5. Delete “see Exhibit X” from letter c.

- iv. Architectural Character – The Site Plan approval will require the review of specific architectural plans, once staff is satisfied that these plans meet the intent of the UDC and respond to the direction given during the sketch plan, the Architectural Character element of the PUD can be drafted.
 - a. Reorientation of dwellings as proposed by the PUD requires that the street facing facades that are as well developed and appealing as those facing the motor court and visible side and/or rear elevations that are enhanced.
- v. Orientation Of Dwellings
 - a. Please replace the text on the PUD with the following:
 - Each residential lot shall be provided with lot frontage onto a shared driveway tract which provides access to a public street.
 - Dwellings may be oriented toward the shared driveway with both the primary pedestrian door and garage facing the shared drive.
- vi. Garages
 - a. Please replace the text on the PUD with the following:
 - All garages will face the shared driveway tract.
 - The width of the garage shall not exceed 67% of the width of the front elevation.
- vii. Front Porches – further comments on front porches should follow the detailed architectural review from the Site plan.
- viii. Setback Exhibits
 - a. The line differences delineate the different setback lines but, these are rather difficult to interpret, please revisit these exhibits to improve legibility.
 - b. Changes in proposed setbacks may be desired in order to achieve goals related to architectural character, these exhibits should be revisited once the architecture has been addressed.
 - c. Permitted encroachments will need to be defined specific to Planning Area 9.
 - d. Delete “or alley access” from the 4 pack exhibit and add “street” to the 6 pack exhibit.
- ix. Fencing
 - a. Please replace the text on the PUD with the following:
 - Fences must be located within a shared use easement or on the property lines and maintained by the property owner. *I have removed walls and hedges from this modification.*
- x. Landscaping requirements for Single Family Development exist in the UDC, if these are not demonstrated to be met through the Site Plan, modifications to those requirements will need to be included in the PUD. The sketch plan had provided typical landscaping exhibits to address this issue.
- xi. Accessory Structures – Staff will recommend that accessory structures not be permitted within Planning Area 9, please add this to the PUD.

SITE PLAN

1. Site plan review is a construction detail level review rather than conceptual, please update all plans to construction level documents.
2. Sheet L.4 is the Parking Plan, please update the Sheet Index on Sheet 1.

- a. The parking diagram demonstrates that parking compliant with the UDC for single family residential can be met and that on street parking provides significant additional parking for guests or overflow parking.
- b. Staff does not support parking within the motor court as parking in this area extends into the shared tract and conflicts with the movements of those backing out of the adjacent garages. Please remove the parking from the 6 pack motor courts.
3. Please add the Enhanced Elevation Exhibit to the site plan document set.
 - a. Within this exhibit, please identify the Street, Front, Rear, Active, and Privacy elevations of each structures similar to what how the enhanced elevations were identified. Elevation proposed to be enhanced would have two identifiers, for example an enhanced rear would have both an E and an R. The typical should be deleted from the exhibit.
 - b. Street and Front elevations will not have a standard and an enhanced elevation as the standard elevation is to be approved through the site plan architectural review and there will not be a lesser (non-enhanced) alternative.
 - c. On lots where the rear and side (active or privacy) are both visible both would need to be enhanced.
4. The site plan sheets include an outline of the structures, does that outline represent the building foot print or include the roof overhang? Assuming a 1 foot roof overhang, structures must be 12 feet apart before building permit requirements related to fire rating are required. Please clarify what is being shown on the plans.
5. Shared use easements should be shown as they are proposed to be platted, the typical language on the site plan should be removed.
6. Construction details for the motor court shall be provided.
7. Landscaping
 - a. Front yard (75 % live plant material) and side and rear yard (50 % live plant material) landscape requirements exists for single family residential development, please demonstrate how these requirements are being met.
 - b. The Landscape Plan does not provide either species or numbers, these details are required.
 - c. An irrigation plan is required.
 - d. Front yard landscaping conflicts with access to the rear yard gates, this access route is the only means for accessing the back yard and a clear path should exist.
 - e. Identify the widths of the tree lawns, these appear to vary but all are required to meet the minimum width required by the Standards and Specifications.
 - f. Fences adjacent to sidewalks must be placed at least 12 inches from the edge of the sidewalk. The materials provided are not detailed enough to evaluate this requirement, please revise the site plan to replace the conceptual fencing plan with a construction level detail fencing plan.
 - g. Fences may not exceed 6 feet in height, the detail on Sheet L.10 shall be revised.
 - h. Please review the Construction Standards for Solid Material Fences in the UDC and amend the details to be construction level details reflecting the UDC standards.
8. Architecture
 - a. Detailed architectural review and approval is part of the site plan approval, please submit architectural review level drawings and elevation variations (as has been done elsewhere in Erie Highlands) for each model. These can be provided on 11x17 size sheets.

- b. The materials provided for architectural review include 4 models each with a single elevation. This is not a sufficient number of variation to meet the architectural variety requirements. Please provide an exhibit showing how the diversity requirement can be met with the models and elevations proposed.
- c. Street side elevations have changed little from what was presented during the sketch plan review. These elevations, for all models, will need revision and shall be of a design quality similar to the front elevations. This elevation should not be thought of as an enhanced side as has been the approach in other areas of Erie Highlands.
 - i. There should be some unity of design rather than this elevation being an afterthought of the interior layout.
 - ii. Windows should be substantial and have rhythm and balance and reflect an intentional design mentioned above. The elevation for the three story model includes four different window sizes located in what appears to be a random pattern.
 - iii. The direction given during the sketch plan was to address the long blank walls and flat elevation but, the proposed plans do neither.
 - 1. Additional elevation changes are necessary, 2nd and third story bump outs would be a way to address this issue. First floor box or bay windows could be added.
 - 2. Elevations could also be improved through the use of additional materials. The use of masonry on the 3 story street side is minimal and leaves the remaining elevations a monotonous lap siding.
 - iv. Rear enhancements should not diminish the street elevation as is the case for the two story model, the window at the 2nd story are reduced when the rear is enhanced.
 - v. Some extremely small windows are utilized in these plans in a variety of ways. Staff would like to discuss the use of these windows.
- d. No models were presented that would be in the middle of the 6 pack units.
- e. Understanding the location of the active and privacy sides through the requested Enhanced Elevation Exhibit will assist in evaluating the architecture and determining how the PUD should be written.

REFERRAL AGENCIES

Below is a list of the referral agencies that were sent the applicant materials for review. We have listed which ones need a response and re-referral and ones that have responded and require a response but which will not require re-referral when the application is resubmitted.

Response and/or Corrections to Plans and Re-referral Required:

- a. Planning: See comments above.
- b. Engineering: Comments to be provided.
- c. Parks & Recreation: See attached comments.
- d. Stone Landscape Architecture: See attached comments.
- e. OSTAB: See attached comments.
- f. Merrick and Co.: See attached comments.
- g. Anadarko: See attached comments.
- h. Xcel Energy: See attached comments.

Referral Received and Response Required:

- i. Office of Archaeology and Historic Preservation: See attached comments.
- j. Colorado Geological Survey: See attached comments.
- k. St. Vrain Valley School District: See attached comments.
- l. Mountain View Fire: See attached comments.
- m. Felsburg, Holt & Ullevig: See attached comments.

RESUBMITTAL

Please submit the following to the Planning & Development:

Paper Copies:

- 1 copy of the new and updated materials bound and labeled for Planning to update the binder and application materials already submitted. Provide 11x17 plans for the notebook.
- 2 copies of the complete submittal in tabbed binders labeled for Public and Engineering. Provide 11x17 plans in the notebook.
- 4 copies of all plan sets bound in 24"x36" rolls and labeled for Planning, Environmental Planner, Engineering, and Parks & Recreation.

Digital Copies:

- A PDF format of the complete submittal materials on 5 USB flash drives with file names consistent with the Town's Users Guide. Please include a hyperlinked copy of the title work. The Town will provide the mailing envelope, address labels and postage for delivery of the flash drives. The flash drives will be distributed to the follow referral agencies:
 1. Town of Erie (File) - (insert staff that will review: Planning, Engineering, Parks, Environmental Planner, Building)
 2. OSTAB
 3. Merrick and Co.
 4. Anadarko
 5. Xcel Energy



Memo

To: Hannah Hippely
From: Chad Schroeder, P.E., CFM, Development Engineer
Date: February 16, 2018
Subject: **Erie Highlands Planning Area 9 Preliminary Plat**
CC: Russell Pennington
Wendi Palmer
Matt Wiederspahn

Comments for the Preliminary Plat:

1. Erie Highlands Planning Areas 8 & 9 both require the following improvements which shall be performed by whichever planning area is constructed first. Make the following corrections where needed:
 - a. Lay out Glacier Drive as a Collector with an 80-foot ROW.
 - b. Glacier Drive shall be fully constructed from Erie Parkway to WCR 5 including detached sidewalks on both sides of the roadway.
 - c. Install a Highlands Drive stub to the east off Glacier Drive to the future commercial area.
 - d. Provide three road stubs along Glacier Drive south of the Highview Drive intersection which adhere to Collector intersection spacing requirements of a 400-foot minimum:
 - i. A stub southwest to Planning Area 10.
 - ii. A stub south to the Blake Property, include dedicated ROW for the stub to the Blake Property line.
 - iii. Opposite the Blake Property stub, a stub to the north for future Oil and Gas access.
 - e. Remove the existing Oil and Gas access off of WCR 5.
 - f. Meeting Minor Arterial standards, construct WCR 5 from the Erie Parking intersection south beyond the Blake property line to include the required safety improvements such as required auxiliary lanes. Provide the Minor Arterial ROW needed for all of the improvements. Include a meandering sidewalk along the western side of WCR 5 from Erie Parkway to the southern end of the WCR 5 improvements.
2. Show all utility easements. A 30-foot wide easement is required for one or two water lines, sanitary sewer lines, and/or storm sewer lines. If all three service lines run in a roadway segment, then a 40-foot easement is required.

Comments for the Preliminary Grading and Utility Plan:

3. Erie Highlands Planning Areas 8 & 9 both require the following improvements which shall be performed by whichever planning area is constructed first. Make the following corrections where needed:

- a. The 12-inch water line in Glacier Drive shall be extended all the way to WCR 5 and connect with the proposed 16-inch water line along WCR 5.
 - b. Show the installation of the 16-inch water line along WCR 5 from Erie Parkway to Glacier Drive.
 - c. Provide additional storm water sewer pipe and inlets in the fully constructed Glacier Drive as needed.
 - d. Provide an 8-inch water line stub and an 8-inch sanitary sewer line stub in the Highlands Drive road stub to the east off Glacier Drive to the future commercial area.
 - e. Provide an 8-inch water line stub and an 8-inch sanitary sewer line stub in the Glacier Drive road stub to Planning Area 10.
 - f. The 8-inch sanitary sewer line in Glacier Drive shall be extended and stubbed into the stub road to the Blake Property. Provide an 8-inch water line stub from Glacier Drive into the stub road to the Blake Property.
 - g. The 8-inch sanitary line from the end of Magnolia Court to the southwest corner of Erie Parkway and WCR 5 needs to be rerouted so the alignment does not restrict the future commercial use. The proposed alignment shall be provided with this Preliminary Plat. Also, show the sanitary sewer line crossing under Glacier Drive.
 - h. Provide a triangular corner detention pond layout in the southwest corner of the Erie Parkway and WCR 5 intersection corner. Also provide updated structure locations and drainage calculations.
 - i. Provide a plan for Preliminary Plat approval on removing and/or regrading the mining waste material pile in the southeast corner of the development along WCR 5. Proper dust mitigation needs to be addressed along with a public notification plan.
 - j. On Sheets 6 & 7, the Limits of Construction need to enclose all disturbed areas including all of Glacier Drive and the mining waste material pile.
 - k. Lengthen the vehicle tracking pads to least 100 feet. Provide an additional vehicle tracking pad on Glacier Drive at WCR 5. On Sheet 8, update the vehicle tracking control detail to comply with Standard Drawing STM6A in the Town of Erie Standards and Specifications.
 - l. Show the full layout of WCR 5 including both the existing and proposed condition from the Erie Parkway intersection to the southern end of the WCR 5 improvements.
 - m. Show the removal of the existing Oil and Gas access off of WCR 5.
4. On Sheet 1, update the Typical Local cross section (tree lawns need to be 6.67 feet for mountable curbs and 7.0 feet for vertical curbs – show associate curb and gutter widths).
 5. On Sheet 1, note the Typical Collector and Residential Collector cross section curb and gutter width of 2.5 feet.
 6. On Sheets 2 to 7, identify on the Key Map key what area is being depicted on the respective sheet.
 7. On Sheet 2, remove the Glacier Drive 12-inch water line connection to the 30-inch water line in Erie Parkway.
 8. On Sheet 3, show the existing sanitary sewer service line stems into the proposed auto court drives along Highlands Drive, Highlands Circle, and Highview Drive.

9. Provide water meter vault designs for approval (follow Standard Drawing W12B for guidance) along with applicable utility easements.
10. Remove the water line stub and sanitary sewer line stub to the south in Highview Drive located roughly halfway between North Vista Drive and Glacier Drive.
11. Include all applicable Town Standard Drawings for all of Sheet 8's erosion control details.

Comments for the Site Plan

12. Show all proposed and existing stop signs.
13. Show the locations of all the water meter vaults. A 10-foot minimum buffer is required between tree trunks and all Town utility lines, water meter vaults, fire hydrants, and storm sewer structures.
14. Provide stopping distance sight line analysis per the proposed speed limit along the Glacier Drive for the intersections at Highlands Drive, Sugarloaf Drive, and Highview Drive (follow Standard Drawing ST5). Adjust tree locations as needed.

Comments for Preliminary Master Drainage Report:

15. See attached Drainage Report Comments from Merrick dated November 3, 2017.
16. Change the Town Acceptance signature block from "Deputy Public Works Director" to "Town Engineer".

Comments for Preliminary Utility Report:

17. Update the water distribution calculations with the water line changes outlined in the earlier comments in this referral. Provide system analysis of the updates. Remove the P-11 water line from the analysis. The location of this line will be dependent upon the Planning Area 10's layout.
18. On-going discussions will continue with respect to a potential non-potable water connection.

Comments for the Traffic Impact Analysis:

19. The traffic engineer needs to provide an analysis on if the Planning Area 8 and/or Planning Area 9 residences triggers the warrants for a signal at Highlands Boulevard and Erie Parkway. The analysis needs to consider a fully built out Glacier Drive.
20. Provide the complete signage/stripping and dimension details of the Erie Parkway-Glacier Drive and WCR 5-Glacier Drive intersections.
21. Analyze the WCR 5 and Glacier Drive Intersection. Provide all of the necessary auxiliary lane dimensions, signage, and stripping for the intersection including the required WCR 5 improvements along the Blake Property.



Memo

To: Hannah Hippely
From: Chad Schroeder, P.E., CFM, Development Engineer
Date: January 29, 2018
Subject: **Erie Highlands Planning Area 9 Preliminary Plat**
CC: Russell Pennington
Wendi Palmer
Matt Wiederspahn

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1. Erie Highlands Planning Area 8 & 9 both require the following improvements which shall be performed by whichever planning area is constructed first. Make the following corrections where needed:
 - a. Lay out Glacier Drive as a Collector with an 80-foot ROW.
 - b. Glacier Drive shall be fully constructed from Erie Parkway to CR5.
 - c. Install a Highlands Drive stub to the east off Glacier Drive to the future commercial area.
 - d. Provide two road stubs along Glacier Drive south of the Highview Drive intersection which adhere to Collector intersection spacing requirements of a 400-foot minimum:
 - i. A stub southwest to Planning Area 10.
 - ii. A stub south to the Blake Property, include dedicated ROW for the stub to the Blake Property line.
 - e. From Erie Parkway to the Blake property line, construct the western half of CR5 to meet Minor Arterial standards including installing a meandering sidewalk.

Comments for the Preliminary Grading and Utility Plan:

2. Erie Highlands Planning Area 8 & 9 both require the following improvements which shall be performed by whichever planning area is constructed first. Make the following corrections where needed:
 - a. The 12-inch water line in Glacier Drive shall be extended all the way to CR5 and connect with the proposed 16-inch water line along CR5.
 - b. Show the installation of the 16-inch water line along CR5 from Erie Parkway to Glacier Drive.
 - c. Provide additional storm water sewer pipe and inlets in the fully constructed Glacier Drive as needed.
 - d. Provide an 8-inch water line stub and an 8-inch sanitary sewer line stub in the Highlands Drive road stub to the east off Glacier Drive to the future commercial area.

- e. Provide an 8-inch water line stub and an 8-inch sanitary sewer line stub in the Glacier Drive road stub to Planning Area 10.
 - f. The 8-inch sanitary sewer line in Glacier Drive shall be extended and stubbed into the stub road to the Blake Property. Provide an 8-inch water line stub from Glacier Drive into the stub road to the Blake Property.
 - g. The 8-inch sanitary line from the end of Magnolia Court to the southwest corner of Erie Parkway and CR5 needs to be rerouted more to the south so not to restrict the future commercial pads' development lot potential along Erie Parkway.
 - h. The proposed detention pond along Erie Parkway to CR5 needs to be reconfigured and/or relocated so to not restrict the future commercial pads' development potential along Erie Parkway.
 - i. Provide a plan for removing and/or regrading the mining waste material pile in the southeast corner of the development along CR5. Proper dust mitigation needs to be addressed along with a public notification plan.
 - j. On Sheets 6 & 7, the Limits of Construction need to enclose all disturbed areas including all of Glacier Drive and the mining waste material pile.
 - k. Lengthen the vehicle tracking pads to least 100 feet. Provide an additional vehicle tracking pad on Glacier Drive at CR5. On Sheet 8, update the vehicle tracking control detail to comply with Standard Drawing STM6A in the Town of Erie Standards and Specifications.
3. On Sheet 1, update the Typical Local cross section (tree lawns need to be 6.67 feet for mountable curbs and 7.0 feet for vertical curbs – show associate curb and gutter widths).
 4. On Sheet 1, note the Typical Collector and Residential Collector cross section curb and gutter width of 2.5 feet.
 5. On Sheets 2 to 7, identify on the Key Map key what area is being depicted on the respective sheet.
 6. On Sheet 2, remove the Glacier Drive 12-inch water line connection to the 30-inch water line in Erie Parkway.
 7. On Sheet 3, show the existing sanitary sewer service line stems into the proposed auto court drives along Highlands Drive, Highlands Circle, and Highview Drive.
 8. Provide water meter vault designs for approval (follow Standard Drawing W12B for guidance) along with applicable utility easements.
 9. Remove the water line stub and sanitary sewer line stub to the south in Highview Drive located roughly halfway between North Vista Drive and Glacier Drive.
 10. Include all applicable Town Standard Drawings for all of Sheet 8's erosion control details.

Comments for the Site Plan

11. Show all proposed and existing stop signs.
12. Show the locations of all the water meter vaults. A 10-foot minimum buffer is required between tree trunks and all Town utility lines, water meter vaults, fire hydrants, and storm sewer structures.
13. Provide stopping distance sight line analysis per the proposed speed limit along the Glacier Drive for the intersections at Highlands Drive, Sugarloaf Drive, and Highview Drive (follow Standard Drawing ST5). Adjust tree locations as needed.

Comments for Preliminary Master Drainage Report:

14. See attached Drainage Report Comments from Merrick dated November 3, 2017.
15. Change the Town Acceptance signature block from “Deputy Public Works Director” to “Town Engineer”.

Comments for Preliminary Utility Report:

16. Update the water distribution calculations with the water line changes outlined in the earlier comments in this referral. Provide system analysis of the updates.
17. The Town would like to discuss potential locations and alignments for connecting to our non-potable system in the area

Comments for the Traffic Impact Analysis:

18. The traffic engineer needs to provide an analysis on if the Planning Area 8 and/or Planning Area 9 residences triggers the warrants for a signal at Highlands Boulevard and Erie Parkway. The analysis needs to consider a fully built out Glacier Drive.
19. Provide the signage/stripping and dimension details of the Erie Parkway-Glacier Drive and CR5-Glacier Drive intersections.



May 9, 2018

2480 W. 26th Avenue, Unit B225
Denver, Colorado 80211
Tel: +1 303-964-3333
Fax: +1 303-964-3355

Town of Erie, Engineering Division
P.O. Box 750
645 Holbrook Street
Erie, Colorado 80516

www.merrick.com

RE: REVIEW OF ERIE HIGHLANDS RESUBMITTAL

Dear Engineering Division:

We have reviewed the Erie Highlands resubmittal received on April 25, 2018. The submittal included Erie Highlands Planning Area 8 & 9 Phase II Drainage Report (March 20, 2018) and Preliminary Grading and Utility Plans (December 22, 2017) by CORE Consultants, Inc. We have the following comments to offer:

Phase II Drainage Report

1. In section II.B, it is stated that the proposed pond releases at 35.5 cfs. Verify that this discharge is correlated to the 100-year storm event since it appears that this flow is significantly lower than expected for the 100-year storm event.
2. The pond grading must be adjusted to include the following features in order to allow enough space for the detention pond design:
 - A 2.5' deep minimum micropool.
 - Initial surcharge depth (4" minimum).
 - Maintenance access to the forebay, pond bottom, and outlet structure.
 - Also, clarify where the overflow weir is located.
3. Contours in Basin A seem to direct a portion of Basin A to the east offsite to CO Road 5 instead of to the proposed detention pond as indicated in the report. Update the contours shown on sheet 1.

Preliminary Grading and Utility Plans

4. On sheet 4 (Grading Plan), it appears that the grading of Pond EP-5 at the northeast corner of the site has different grading and layout than what is shown on the drainage plan presented in the drainage report. Clarify which grading is planned to be used and update all plans, calculations, and details as necessary.

Sincerely,
Merrick & Company

Jeanne M. Boyle, PE, CFM

Clare Steninger, PE



Internal Memo

To: Hannah Hippely, Planning - Senior Planner

From: Darren Champion, Parks and Open Space Project Coordinator

Date: January 29, 2018

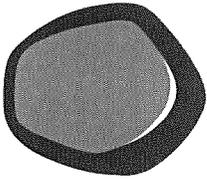
Subject: Erie Highlands Planning Area 9 – Preliminary Plat

Cc: Farrell Buller, Assistant to the Town Administrator – Community Services

Rob Crabb, Parks and Open Space Division Manager

Parks & Open Space Division staff has reviewed the subject plans and offers these comments:

- Please provide irrigation plans for review prior to final plat.
- Provide native seed mix that is to be used within this landscape plan, native seed mixtures can be found at the following link: <http://www.erieco.gov/DocumentCenter/View/10043>
- No trees are to be located within 55' from the point of curb return at road intersections.
- Please add the following general note “UPON COMPLETION OF THE PROJECT, DEVELOPER / LANDSCAPE ARCHITECT TO PROVIDE TOWN OF ERIE A FULL SET OF AS-BUILT DRAWINGS OF ALL LANDSCAPE AND IRRIGATION, ON A CD SET INCLUDING LATEST VERSION OF PDF AND AUTO-CAD.”



STONE
LANDSCAPE
ARCHITECTS

TO: TOWN OF ERIE
Rob Crabb, Parks & Open Space

FROM: Stone Landscape Architects, LLC
Terry Stone

DATE: January 19, 2018

RE: ERIE HIGHLANDS PLANNING AREA 9, PRELIMINARY PLAT NO. 4

Below are the Parks-related review comments for this project.

"Preliminary Landscape Plans" set:

1. Sheet L.2: Street Trees are required for all street frontages: 1 deciduous/ornamental tree for every 40'. Show in the tree lawns provided; show sight triangles at intersections and coordinate with tree locations.
2. Sheet L.2: Show curb ramps on west end of Sugarloaf Lane. Consider crosswalks to the school/park site across Highlands Circle.
3. Sheet L.2: Identify sidewalk/trail widths on the plan.
4. Sheet L.2: Perimeter fencing must meet Town guidelines, and shall include 2'x2' columns at 50' on center max. Show columns on plan.
5. Sheet L.3: Revise fence detail to meet Town guidelines. For example, 25% openings are required in the fence, add note stating the finished side of fence shall face the street, etc.
6. Sheet L.4: Complete the plant schedule with full botanic name including species and variety.
7. Sheet L.4: Provide Town of Erie General Notes for both Landscape and irrigation.

END OF COMMENTS



Town of Erie Open Space and Trails Advisory Board

From: Town of Erie Open Space and Trails Advisory Board (OSTAB)
To: Hannah Hippely, Senior Planner, Community Development
Date: January 16, 2017

Subject: Erie Highlands, Planning Area 9, Preliminary Plat
Document Date: November 22, 2017
Location: south side of Erie Parkway, west side of WCR 5

OSTAB has reviewed the package materials, compared them to Town planning documents, and submits the following comments, questions, and recommendations for the Town's evaluation process.

Open Space and the Natural Areas Inventory (NAI):

Discussion: There are no NAI sites in this application. There is no dedicated public open space in this application; it was dedicated in earlier phases.

Recommendation: None.

Spine Trail:

Discussion: There is no Spine Trail in this application; it was approved in earlier phases.

Recommendations: None

Neighborhood Trails:

Discussion: There is not a sheet entitled "Trails Plan". Therefore, we used Sheet L2 in the Landscape Plan and the Narrative to evaluate neighborhood trails. The Narrative states:

"The private landscape tracts are primarily located along Glacier Drive. Five foot pedestrian walkways link Planning Area 9 to proposed 8' trails along proposed Glacier Drive; which connect to the school-neighborhood park site and Erie Parkway.

Landscape Sheet L2 does not state the trail width on Glacier Drive; we are assuming that it is 8' concrete, as stated in the narrative. That sheet should state the trail width.

(This dotted line mysteriously was inserted by the Word application, and I am unable to remove it!)

.....

We believe the applicant is required to build an 8' concrete trail in a meandering buffer on the south side of Highview Drive. The original PUD Zoning Map and correspondence from Terracina Design both have this trail. (Note that Highview Drive was named Indian Peaks Drive in the original PUD.) In a letter dated June 18, 2013, Terracina stated: "A trail connection will be provided from the school park site to the High School. The concept plan shows a 10' on-street trail along the apartment and commercial frontage due to the uncertainty of the layout of those planning areas. If trail connections through those planning areas become feasible with the future site planning efforts then it certainly will be provided." In subsequent letter dated August 16, 2013, Terracina stated: "A tract and 10 foot wide trail will be

provided along the south side of Indian Peaks Dr. The details will be shown at the time of the plat. A note has been added to the PUD – see note 6 on sheet 3.” Note 6 on sheet 3 of the PUD Zoning Map states: “The trail along Indian Peaks Drive within PA-6 and PA-10 shall be located within a landscape tract and meander.” Sheet 2 of the original PUD Zoning Map has a trail along the entire southern side of Indian Peaks Drive, the eastern side of Glacier Drive between Indian Peaks Drive and Erie Parkway, and on the southern side of Erie Parkway from Glacier Drive to WCR 5. Erie High School is on the NE corner of the intersection of Erie Parkway and WCR 5.

The sidewalk on the south side of Erie Parkway is complete. The proposed sidewalk on the east side of Glacier Drive has been moved to the west side, as requested by the Town. It will be constructed within Planning Areas 8 and 9. This Planning Area includes the construction of Highview Drive, with a sidewalk only on the north side. We do not know if Town codes permit a road to be completed without a sidewalk on both sides. That should be researched.

Moreover, we believe that it is very important that the trail be included in this phase. Most of Erie Highlands that is west of this Planning Area will be completed before this phase. Thus there will be a substantial number of students from Erie Highlands attending Erie High School. They deserve a safe access to that school. It is our goal that all Erie residents have safe, quiet, nearby access to the Town’s trail system and to all schools. Typically this includes 8 foot trails in mid-block connectors. There is no 8 foot trail or sidewalk in the interior in this application. To accomplish our goal, we recommend a landscaped tract with an 8’ concrete trail running north/south within this application area. It should be opposite our similar recommendation for Plan Area 8 to the north.

Recommendations:

1. Indicate on the Sheet L2 in the Landscape plan that the trail on Glacier Drive is 8’ concrete;
2. Build an 8 foot meandering trail in a landscaped buffer on the south side of Highview Drive;
3. Include an 8 foot concrete trail in a north-south tract in the interior of this Planning Area. It should be opposite our similar recommendation in Plan Area 8, which is due north of this Planning Area.

Carriage House Product:

Discussion: The PUD Narrative describes this product as follows:

“A typical Carriage House layout consists of 4 detached units around a central motor court. The buildings are configured with the garages facing the motor court which, when combined with the protruding front porches, provides a visually appealing streetscape. Each unit is 2-3 stories with a maximum height of 35’. Units have 2-car garage parking, individual fenced in yards and front and rear porches. Carriage house brings diversity to Erie Highlands in both style and affordability.”

We have two concerns about this unique design:

1. Safe pedestrian access from the rear units (usually 2) to the street-side sidewalks;
2. Small yards totally enclosed by privacy fences.

Based upon reviews of multiple sheets and the Narrative Exhibit, it appears that the only access from every unit to the street-side sidewalk for pedestrians is via the central motor court aka shared driveway. In a typical 4 unit layout, there would be 8 garages off this central motor court. We are especially concerned about school children residing in the rear units who typically would be walking from their residence to a bus stop in the morning, usually about the same time as adults depart for work. There must be a solution to this problem.

It appears that the typical lot size is 2,500 sq. ft. The height of the solid privacy fence is not given; they are typically 5-6’ high. Residents in the rear units will have a viewscape restricted to this very small area. One of the design standards in the UDC (10.6.1.A.8) is “To encourage developments that relate to adjoining public streets, open spaces, parks, trails, and neighborhoods with building orientation and physical connections that contribute to the surrounding network of streets and walkways”. This design, particular concerning the rear units, does not include any of these standards.

Recommendations:

1. Provide safe access, particularly for children in rear units, from residences to a street-side sidewalk. A driveway used by 8 vehicles is not safe for children;
2. Use the flexibility that the PUD confers to provide improved open space, trails, and greenspace experiences by placing additional focus on creating enhanced connectivity with open space amenities.

Please forward this referral letter to the Applicant, and appropriate town departments, boards, and commissions. Thank you for your attention to these matters. OSTAB is available to discuss any of the above in more detail as needed.

Sincerely,

Open Space and Trails Advisory Board

Phil Brink
Bob Braudes
Dawn Fraser
Monica Kash
Nicole Littmann
Ken Martin (Chair)
Joe Martinez



November 3, 2017

Town of Erie, Engineering Division
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**RE: REVIEW OF ERIE HIGHLANDS
PHASE II DRAINAGE REPORT AND PLAN**

Dear Engineering Division:

We have reviewed the Erie Highlands submittal received on October 16, 2017. The submittal included Erie Highlands Planning Area 8 & 9 Phase II Drainage Report (July 12, 2017) and Drainage Plan (July 10, 2017) by CORE Consultants, Inc. We have the following comments to offer:

Phase II Drainage Report

1. Although the report references the Erie Highlands Phase III Drainage Report (November 2013) and the Phase III report for Planning Area 5 & 6 (February 2016), verify that the designs for Planning Areas 8 & 9 in this report comply with the Erie Outfall Systems Planning report (Love and Associates, 2007).
2. In section II.B, it is stated that the proposed pond releases at 35.5 cfs. Verify that this discharge is correlated to the 100-year storm event.
3. Verify that the area and imperviousness for basins tributary to existing Pond 1 do not exceed the values utilized in the design from the 2013 Phase III report (Basins C, D, and E).
4. In Appendix B, clarify what classifies a "townhome" versus a "duplex" and justify why 55% and 65%, respectively, were used for these residences.
5. Contours in Basin A seem to create a channel that flows to the east offsite to CO Road 5. The entire basin should drain to the proposed detention pond as described in the report text. Update the contours shown on sheet 1.

Sincerely,
Merrick & Company

Jeanne M. Boyle, PE, CFM

Clare Steninger, PE



FELSBURG
HOLT &
ULLEVIG

connecting and enhancing communities

December 19, 2016

MEMORANDUM

TO: Hannah Hippely

FROM: Charles M. Buck, P.E., PTOE

SUBJECT: Traffic Engineering Review

PROJECT: Erie Highlands, Planning Area 9
PUD Amendment, Preliminary Plat, and Site Plan
PUDA-000934-2017, PP-000935-2017, SP-000936-2017
FHU # 95-190

I have reviewed the materials provided for Erie Highlands Planning Area 9, located along the south side of Erie Parkway between Highland Boulevard and Glacier Drive. Currently, 156 residential units are proposed. A flash drive containing numerous documents and drawings was provided. I have focused my review on the Preliminary Transportation Engineering Plan (Core Consultants, 11/22/17), the Site Plan (Terracina Design, 11/22/17) Preliminary Plat (Aztec Consultants, Inc., 9/20/17) and on the Traffic Impact Study 2nd Update, prepared by Aldridge Transportation Consultants, LLC, dated 7/12/17. I have examined these materials specifically from the perspective of traffic engineering and transportation planning but not general civil or utility engineering. I have the following comments:

Preliminary Transportation Engineering Plan

- The plan depicts street plan, profile, and cross sections for the internal roadway system in Planning Area 9. The plan generally conforms to Town of Erie standards. The plan is consistent with the Preliminary Plat and the Site Plan, as well as previous submittals for Erie Highlands.

Traffic Impact Study 2nd Update

- The purpose of the report is to identify whether the intersection of Erie Parkway/Highland Boulevard would warrant a traffic signal with the development of both Planning Areas 8 and 9.
- The trip generation analysis and trip distribution is consistent with the previously approved 2013 Traffic Impact Study. The assignment of trips to the site accesses is appropriate and reasonable.

December 19, 2017
Memorandum to Hannah Hippely
Page 2

- The LOS analyses based on the projected total traffic at Erie Parkway/Highlands Boulevard show acceptable operational levels with STOP sign control on the northbound approach.
- The signal warrant analysis is based on reasonable assumptions of the hourly distribution of traffic. *Manual on Uniform Traffic Control Devices* (MUTCD) Warrants 1 and 2 are not met with the projected volumes. These two warrants are the only warrants that would apply to this residential development.
- I concur with the findings that a signal would not be warranted at this intersection with the residential development in Planning Area 9. STOP sign control would remain adequate and would provide acceptable operational levels.
- Traffic conditions at this intersection should be periodically monitored, however, and appropriate traffic control measures taken, when warranted by actual conditions.

The above comments constitute my review of the materials provided for Erie Highlands Planning Area 9. Please call if you have questions or if I can provide any additional information.



MOUNTAIN VIEW FIRE RESCUE

3561 N. Stagecoach Road • Longmont, CO 80504
(303) 772-0710 • FAX (303) 651-7702

December 12, 2017

Ms. Hannah Hippely
Town of Erie
645 Holbrook Street
Erie, CO 80516

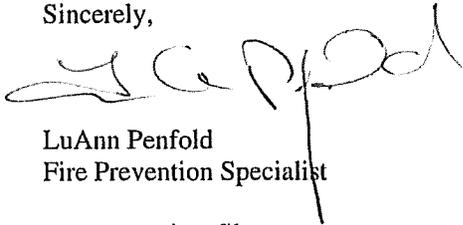
Dear Ms. Hippely:

I have reviewed the submitted material pertaining to the preliminary plat for the Erie Highlands Planning Area 9 and shall make the following comments:

- Fire apparatus access appears to be satisfactory as shown on the plans submitted.
- Hydrant spacing appears to be adequate as shown on the plans.
- Construction plans, showing the configuration of streets, the location of fire hydrants, the size of water mains and available fire flows must be submitted to the Fire District for review and approval before a final plat is approved by the Town of Erie.

The Fire District reserves the right to make further comments as the project proceeds. Nothing in this review is intended to authorize or approve of any aspect of this project that does not comply with all applicable codes and standards. We appreciate being involved in the planning process, should you have any questions, please contact me at 303-772-0710 x 1121.

Sincerely,



LuAnn Penfold
Fire Prevention Specialist

cc: project file

lp12.08.17

COLORADO GEOLOGICAL SURVEY

1801 19th Street
Golden, Colorado 80401



Karen Berry
State Geologist

January 12, 2018

Hannah Hippely
Community Development
Town of Erie
P.O. Box 750
Erie, CO 80516

Location:
NE¼ Section 20,
T1N, R68W of the 6th P.M.
40.0411, -105.0241

**Subject: Erie Highlands Planning Area 9
PUD Amendment PUDA-000934-2017, Preliminary Plat PP-000935-2017, Site Plan SP-000936-2017
Town of Erie, Weld County, CO; CGS Unique No. WE-18-0024**

Dear Hannah:

Colorado Geological Survey has reviewed the Erie Highlands Planning Area 9 PUD amendment, preliminary plat, and site plan referral. I understand the applicant proposes 156 single family lots and an 11.067 tract for future development on 18.9 acres located in the northeastern area of Erie Highlands (formerly Horst/Dearmin). With this referral, I received:

- a Development Referral requesting CGS's review (received October 4, 2017),
- an Erie Highlands Planning Area 9 Preliminary Plat narrative (November 22, 2017),
- a set of seven Erie Highlands Preliminary Plat No. 4 sheets (AzTec Consultants, September 20, 2017),
- numerous other documents,

and the following environmental, geologic/geotechnical, and subsidence investigations previously reviewed by CGS:

- a Geologic and Preliminary Geotechnical Investigation, Horst Property (CTL|Thompson, June 1, 2000),
- a Preliminary Geotechnical Study for Site Development (A.G. Wassenaar, December 30, 2004),
- a Subsidence Investigation (CTL|Thompson, August 25, 2005, updated July 9, 2013),
- a Phase I Environmental Site Assessment, Dearmin Property (A.G. Wassenaar, November 1, 2012), and
- a Limited Subsurface Investigation Report (A.G. Wassenaar, January 2, 2013, strictly environmental)

CGS previously reviewed the overall Erie Highlands development at the Rezoning/PUD Rezoning/Preliminary Plat phases. Our comments were discussed in letters dated December 2, 2005, May 30, 2013, and August 15, 2013. We previously reviewed Erie Highlands Preliminary Plat No. 2 (January 6, 2016), and Filing 11 (July 26, 2016), of which Planning Area 9 is a part. We have several comments:

Undermined by Boulder Valley #1 coal mine. Erie Highlands Planning Area 9 is undermined by the Boulder Valley #1 Mine (also referred to as the State Mine and Andrew Mine) at depths of approximately 250 to 300 feet below the ground surface. CGS agrees with CTL|Thompson (July 9, 2013, page 1) that the probability is low that a void collapse would propagate to the surface, or to a height that could cause distress to structures, through an intact bedrock thickness of greater than 90 feet, and that the subsidence hazard within Planning Area 9 is therefore low. No mine shafts are known to be present within Planning Area 9.

Hannah Hippely
January 12, 2018
Page 2 of 2

However, it is possible that unmapped shafts or other mining-related features exist within proposed development areas. **All grading activities should be carefully observed** to identify any unmapped shafts or other mining features. The developer, engineer, builder, earthmoving contractors and field inspection staff should be made aware that most of the Erie Highlands property is undermined, unmapped shafts may be present, and there is a potential risk of sinkholes and other subsidence-related features developing. If subsidence feature(s) or shaft(s) are observed, mitigation and/or possible development reconfiguration would be required.

Expansive soils and bedrock. . Wassenaar's and CTL/Thompson's geotechnical reports are from 2000 and 2004. They describe compressible and expansive soils and very highly expansive claystone bedrock within Planning Area 9. Overexcavation was recommended by both consultants to mitigate risks of damage to roads, foundations, floor slabs, etc. It is not known whether, or to what depth, the recommended overexcavation has been performed. An updated geotechnical study is recommended to more accurately characterize fill, soil and bedrock engineering properties for use in design of earthwork and subgrade preparation, foundations, floor systems, subsurface drainage, pavements, etc.

Provided the geotechnical consultants' recommendations are correctly incorporated into site development plans and specifications, and are correctly implemented during construction, CGS has no objection to approval of Erie Highlands Planning Area 9 as proposed.

Thank you for the continued opportunity to review and comment on this project. If you have questions or require further review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,



Jill Carlson, C.E.G.
Engineering Geologist

**ST. VRAIN VALLEY SCHOOLS**
academic excellence by design

December 11, 2017

Hannah Hippley
Town of Erie
645 Holbrook
Erie CO 80516

RE: Erie Highlands Area 9

Dear Deborah:

Thank you for referring the Erie Highlands Referral to the School District. The District has reviewed the development proposal in terms of (1) available school capacity, (2) required land dedications and/or cash-in-lieu fees and (3) transportation/access considerations. After reviewing the above proposal, **the School District finds Black Rock, Erie MS and High School will exceed the benchmark.**

Comments

- At the time of building permit no cash in lieu payment will be required unless the total number of planned units exceed 1017 total dwelling units for all filings. However, a SVVSD receipt for each credit will be required prior to a building permit being issued.
- Residents of the SVVSD passed a bond which will allow the district to construct a new K8 facility near Erie High School. The construction of this facility is underway and will open for the 2018/19 school year. The opening of this school should alleviate overcrowding at the elementary and middle school levels.
- The bond also funds an addition to Erie High School. The addition will alleviate overcrowding at the high school level too.

Should this development be approved, the options for managing the short and long term overcrowding in these schools may include adding modular classrooms and implementing split or staggered schedules as needed. Other options may include, but not be limited to, implementing year-round schools or asking voters to approve new bonds for additional school facilities or a mill levy for additional operating funds. It should be noted that a lack of operating funds may be a factor in delaying construction and occupancy of new school facilities in this area.

Detailed information on the specific capacity issues, the land dedication requirements and transportation impacts for this proposal follow in Attachment A. A land dedication is required with this project and there are comments on pedestrian access included in the attachment. The recommendation of the District noted above applies to the attendance boundaries current as of the date of this letter. These attendance boundaries may change in the future as new facilities are constructed and opened. If you have any further questions or concerns regarding this referral, please feel free to contact me via e-mail at kragerud_ryan@svvsd.org or at the number below.

Sincerely,

Ryan Kragerud, AICP
Planning/GIS

Enc.: Attachment A – Specific Project Analysis
Cash-in-lieu chart

ATTACHMENT A - Specific Project Analysis

PROJECT: Erie Highlands

(1) SCHOOL CAPACITY

The Board of Education has established a District-wide policy of reviewing new development projects in terms of the impact on existing and approved school facilities within the applicable feeder system. Any residential project within the applicable feeder that causes the 125% school benchmark capacity to be exceeded within 5 years would not be supported. This determination includes both existing facilities and planned facilities from a voter-approved bond. The building capacity, including existing and new facilities, along with the impact of this proposal and all other approved development projects for this feeder is noted in the chart below.

BLACK ROCK ELEMENTARY													
CAPACITY INFORMATION				CAPACITY BENCHMARK*									
				(includes projected students, plus development's student impact)									
School Level	Building Capacity	Stdts. Oct-16	Std. Impact	2017-18		2018-19		2019-20		2020-21		2021-22	
				Stdts	Cap.	Stdts	Cap.	Stdts	Cap.	Stdts	Cap.	Stdts	Cap.
Elementary	637	737	34	552	87%								
Erie K8 (K5)	600		34			462	77%	492	82%	508	85%	537	90%
Erie K8 (MS)	300		16			306	102%	315	105%	325	108%	322	107%
Middle (EMS)	780	1004	16	772	99%								
High (EHS)	1512	1039	17	1191	79%	1197	79%	1240	82%	1299	86%	1337	88%
Total	2496		67	2515		1197		2046		2132		2196	

Specific comments concerning this proposal regarding School Capacity are as follows:

- *Specific Impact* - This application will add 156 single family dwelling units and 67 additional students in the **Black Rock Elementary, Erie Middle and Erie High School Feeder.**
- *Benchmark Determination* – Black Rock elementary, Erie middle school and Erie High School will not exceed 125% of capacity within 5 years.
- *Mitigation Options* - The School Board has developed a mitigation policy that would assist in providing capacity for the new students in this subdivision. Under the policy, should an applicant wish to begin construction on a residential development prior to the District's ability to provide additional capacity, the applicant may mitigate the development's impact on the feeder by agreeing to a voluntary, per-unit payment. Funds would be used to provide permanent or temporary capacity within the impacted feeder. The Planning Department would be happy to discuss this type of mitigation for the proposal with either the town or developer.
- *Phasing Plan* – The District would appreciate a phasing plan from the applicant at the time of final plat to more accurately calculate the impacts of this development.

(2) LAND DEDICATIONS AND CASH IN-LIEU FEES

The implementation of the Intergovernmental Agreement (IGA) Concerning Fair Contributions for Public School Sites by the town of Erie requires that the applicant either dedicate land directly to the School District along with provision of the adjacent infrastructure and/or pay cash-in-lieu (CIL) fees based on the student yield of the development. CIL fees provide funds for land acquisition and water rights acquisition, which is only a small component of providing additional school capacity for a feeder. Specific comments regarding land dedications and CIL fees for this referral are as follows:

- *Dedication and/or Cash-in-lieu Requirements* – The dedication requirement for the Erie Highlands is 10.085 acres. The current plan shows an elementary school site that meets this 10 acre requirement.
- *Number of Units covered by dedication/cash-in-lieu* – The land dedication requirement for this development is 10 acres all 1017 units will be covered.
- *Dedication/Cash-in-lieu Procedures* – *Receipts for dwelling unit credits may be obtained at the time of building permit in the St. Vrain Valley School District Business Office – 395 S. Pratt Parkway, Longmont.*

3) TRANSPORTATION/ACCESS

Transportation considerations for a project deal with bussing and pedestrian access to and from the subdivision. Pedestrian access, in particular, is an important goal of the School District in order to facilitate community connection to schools and to minimize transportation costs. Specific comments for this application are as follows:

- *Provision of Busing* - Busing for this project, under the current boundaries, would most likely be provided at the elementary and middle school levels. After the PK-8 opens; busing most likely won't be provided at any level.
- *Pedestrian/Access Issues* – The planned layout of this neighborhood will allow for sufficient access to the PK-8 and High School.

School Planning Standards And Calculation of In Lieu Fees

Single Family		School Planning Standards				Developed Land Value	Cash-in-lieu Contribution
Number Of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	Acres of Land Contribution			
156	0.22	525	10	0.65	\$80,117		
	34.32						
156	0.1	750	25	0.52	\$80,117		
	15.6						
156	0.11	1200	50	0.72	\$80,117		
	17.16						
	67.08			1.89	\$80,117	\$151,318	
Single Family Student Yield is	0.43					\$970 Per Unit	

School Planning Standards And Calculations of In Lieu Fees

Duplex/Triplex	Number Of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres	School Planning Standards		Developed Land Value	Cash-in-lieu Contribution
					Acres of Land Contribution			
Elementary	0	0.2	525	10		0.00	\$80,117	
		0						
Middle Level	0	0.09	750	25		0.00	\$80,117	
		0						
High School	0	0.09	1200	50		0.00	\$80,117	
		0						
Total		0				0.00	\$80,117	\$0
Duplex/Triplex Student Yield is		0.38						#DIV/0! Per Unit

School Planning Standards And Calculation of In Lieu Fees

Multi-Family	School Planning Standards				Acres of Land Contribution	Developed Land Value	Cash-in-lieu Contribution
	Number Of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres			
Elementary	0	0.15 0	525	10	0.00	\$80,117	
Middle Level	0	0.06 0	750	25	0.00	\$80,117	
High School	0	0.06 0	1200	50	0.00	\$80,117	
Total		0			0.00	\$80,117	\$0
Multi-Family Student Yield is		0.27					#DIV/0! Per Unit

School Planning Standards And Calculation of In Lieu Fees

Condo/Townhouse	School Planning Standards				Acres of Land Contribution	Developed Land Value	Cash-in-lieu Contribution
	Number Of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres			
Elementary	0	0.07	525	10	0.00	\$80,117	
		0					
Middle Level	0	0.04	750	25	0.00	\$80,117	
		0					
High School	0	0.04	1200	50	0.00	\$80,117	
		0					
Total		0			0.00	\$80,117	\$0
Condo/Townhouse Student Yield is		0.15					#DIV/0! Per Unit

School Planning Standards And Calculation of In Lieu Fees

Mobile Home	School Planning Standards				Developed Land Value	Cash-in-lieu Contribution
	Number Of Units	Projected Student Yield	Student Facility Standard	Site Size Standard Acres		
Elementary	0	0.16	525	10	\$80,117	
		0				
Middle Level	0	0.09	750	25	\$80,117	
		0				
High School	0	0.09	1200	50	\$80,117	
		0				
Total		0			\$80,117	\$0
Mobile Home Student Yield is		0.34				#DIV/0! Per Unit

Hannah Hippely

From: ., HC_FileSearch <hc_filesearch@state.co.us>
Sent: Thursday, December 07, 2017 9:31 AM
To: Development Referral
Subject: Erie Highlands Planning Area 9

We have received your developmental referral in regards to the Erie Highlands Planning Area 9. If you would like to request a search of the Colorado Inventory of Cultural Resources for Archaeological and Paleontological resources for this project, or for future projects, please fill out the attached request form and return it to this email.

If you have questions or concerns, please let us know.

Best,
Stephanie

Stephanie Boktor
Cultural Resource Information / GIS Specialist
Office of Archaeology and Historic Preservation



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.571.3306
Facsimile: 303. 571.3284
donna.l.george@xcelenergy.com

January 4, 2018

Town of Erie Community Development Services
645 Holbrook / PO Box 750
Erie, CO 80516

Attn: Hannah Hippely

**RE: Erie Highlands Planning Area 9
Case #s PUDA-000934-2017 / PP-000935-2017 / SP-000936-2017**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has determined **there is a conflict** with the above captioned project. There do not appear to any utility easements dedicated for natural gas utilities. To ensure that adequate utility easements are available within this development and per state statutes, PSCo requests 6-foot wide utility easements within all lots for natural gas facilities including space for service trucks to drive. Bear in mind that these utility easements must have 5-foot separation from gravity-fed wet utilities and 10-foot separation from forced-fed water utilities.

The property owner/developer/contractor must complete the **application process** for any new gas service via FastApp-Fax-Email-USPS (go to: https://www.xcelenergy.com/start_stop_transfer/new_construction_service_activation_for_builders). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Public Service Company has no objection to this proposed PUD Amendment, contingent upon Public Service Company of Colorado's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center** at 1-800-922-1987 to have all utilities located prior to any construction.

Should you have any questions with this referral response, please contact me at 303-571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado



January 12, 2018

VIA E-MAIL

Town of Erie - Planning and Building
Hannah Hippely, Planner
645 Holbrook
Erie, CO 80516
hhippely@erieco.gov

**NOTICE OF OIL AND GAS LEASEHOLD INTERESTS OWNED BY KERR-McGEE
OIL & GAS ONSHORE LP, PIPELINE EASEMENTS OWNED BY KERR-McGEE
GATHERING LLC AND OBJECTION**

Re: Erie Highlands Planning Area 9
Clayton Properties Group II, Inc. – Property Owner or “Applicant”
Township 1 North, Range 68 West, 6th P.M.
Section 20: Part of the NE/4 (“Application Property”)
Weld County, Colorado

Ms. Hippely:

This letter is being sent by Anadarko Petroleum Corporation on behalf of its subsidiaries Kerr-McGee Oil & Gas Onshore LP (“KMOG” or the “Company”) and Kerr-McGee Gathering LLC (“KMGG”) to inform you that KMOG is the owner of valid oil and gas leases underlying all or parts of Section 20, Township 1 North, Range 68 West (“Leased Lands”) and that KMGG is the owner of valid pipeline easements located in the NE/4 of Section 20, for which the Town of Erie (the “Town”) is reviewing Erie Highlands Planning Area 9 (“Application”). KMOG and KMGG are submitting this comment and objection timely, in accordance with State of Colorado and the Town’s procedural requirements.

KMOG’s recorded oil and gas leases are real property interests entitling it to produce oil and gas from the Leased Lands (and, as may be applicable, adjacent lands). The Company has the right to utilize the Application Property to produce from existing wells, to maintain, rework, recomplete, and fracture those existing wells to enhance production, and to drill new wells to produce oil and gas, in accordance with applicable Colorado Oil and Gas Conservation Commission regulations and Colorado Statutes. KMOG’s oil and gas assets have significant value, and the Company is consequently concerned about any development, surface use, plan of use, PUD, zoning or rezoning, or other action by the Town that would impair or preclude its ability to develop its oil and gas interests.

KMGG objects to the approval of the subject Application because the following item is not properly *depicted* on Erie Highlands Planning Area 9:

1. Right-of-Way Agreement made effective on May 10th, 1993, between Daniel R Horst (Grantor) and Vessels Gas Processing Inc (Grantee) recorded May 21st, 1993 with the Adams County Clerk and Recorder at reception number 1143992 AND recorded on November 9th, 2017 with the Weld County Clerk and Recorder at reception number 4351303.
2. Assignment, Bill of Sale and Conveyance effective on February 28, 2011 between Encana Oil & Gas (USA) Inc. (Assignor) and Kerr-McGee Gathering LLC (Assignee).
 - a. Assignment, Bill of Sale and Conveyance supersedes Release of Pipeline Right-of-Way Easement recorded November 8, 2013 with the Adams County Recorder at reception number 3976733.

KMGG objects to the approval of the subject Application due to the following safety and hazardous concern of Residential Lots being placed directly over top of said ROW, within the Erie Highlands Planning Area 9.

KMGG has included a copy of the Assignment, Bill of Sale and Conveyance and the portion of exhibit referencing the ROW Agreement between Horst and Vessels.

Please contact me at 720-929-3321 if you have any questions or comments about this matter. KMOG and KMGG hope to promptly resolve this matter with the Applicant, and we look forward to working with the Town to accomplish its land use planning goals.

Sincerely,
ANADARKO PETROLEUM CORPORATION



Emma Vannoy
Landman

cc: Jeff Fiske, Lead Counsel
Ron Olsen
Don Jobe

STATE OF COLORADO)
) ss
COUNTY OF WELD)

ASSIGNMENT, BILL OF SALE AND CONVEYANCE

Encana Oil & Gas (USA) Inc., a Delaware corporation ("*Assignor*"), whose address is 370 17th Street, Suite 1700, Denver, Colorado 80202, for TEN DOLLARS (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, hereby sells, conveys, transfers and assigns to Kerr-McGee Gathering LLC, a Colorado limited liability company, ("*Assignee*"), whose address is 1201 Lake Robbins Drive, The Woodlands, Texas 77380, all of Assignor's right, title and interest in and to the following midstream assets located in Adams, Arapahoe, Boulder, Broomfield, Denver, Elbert, and Weld Counties, Colorado (collectively, "*Assets*");

(a) The easements, rights of way, and surface use agreements, surface leases, and other agreements to use the surface (subject to paragraph J below) associated with the Gathering Systems and the Ft. Lupton Plant, including but not limited to those set forth on Exhibit A (collectively, the "*Easements*");

(b) The Gathering Systems consisting of the Ione System, the Wallenberg System, the Third Creek System, the Aristocrat System, and the Miller System, as described on Exhibit B-1 and depicted on Exhibits B-2, B-3, B-4, B-5 and B-6, respectively, together with all facilities, gathering lines, field compression cathodic protection equipment, meters, valves, fittings, equipment, tanks, personal property and appurtenances located downstream of the inlet flange of each Receipt Point (as such term is defined in the Gas Gathering and Processing Agreement) as of the Effective Date (as defined in Section 1.4 below) and extending to the delivery point into third-party pipelines or gathering systems or the Ft. Lupton Plant, in each case used or held for use (even if inactive or not currently in service) in ownership and operation of the Gathering Systems;

(c) The Ft. Lupton Plant, which includes, collectively, all equipment, compression facilities and property associated therewith and as described on Exhibit B-7;

(d) All permits, licenses, sublicenses, certificates, approvals, consents, notices, waivers, variances, franchises, registrations, orders, filings, accreditations, or other similar authorizations required by any law or governmental entity or tribal authority or granted by any governmental authority insofar as they relate to the Gathering Systems and the Ft. Lupton Plant (collectively, "*Permits*"), to the extent assignable;

(e) All existing and effective gathering contracts, processing contracts, gas purchase contracts, facilities agreements, and other contracts, agreements and instruments, insofar as they relate to the Gathering Systems and the Ft. Lupton Plant, including without limitation, the material agreements described in Exhibit C (the "*Material Agreements*");

627492

(f) The files, records and data maintained by Seller and relating to the Gathering Systems and Ft. Lupton Plant (the "Records");

(g) The vehicles and related equipment described on Schedule 1.2(h);

(h) The line pack associated with the Plant and Gathering Systems;

The Assets do not include, and there is hereby expressly excepted and excluded therefrom and reserved to Assignor (collectively, the "Excluded Assets");

(1) Seller's oil, gas and mineral leases and all wells and other property and equipment located on such leases except as specifically described in Exhibit A attached hereto;

(2) Seller's share of the condensate collected from the Gathering Systems and the Ft. Lupton Plant as of the Effective Date (which condensate would be allocated to Seller as of the Effective Date in accordance with the allocation procedures set forth in the Gas Gathering and Processing Agreement);

(3) all production facilities located upstream of the inlet flange of the Receipt Points (as such term is defined in the Gas Gathering and Processing Agreement), including, without limitation, Seller's oil and gas and water disposal wells;

(4) all real property of Seller, other than as set forth in Section 1.2(b) of the Agreement, relating to the Assets and owned in fee;

(5) Seller's Wattenberg Plant site located at the following addresses: 1245 WCR 19 and 885 WCR 4, Brighton, Colorado 80603;

(6) Seller's office located in Longmont, Colorado, and all equipment located in or based from that office, including computers and cell phones;

(7) all rights to lay pipelines under the terms of an applicable oil and gas lease;

(8) Seller's SCADA system and all associated equipment and property including software, communication equipment, radios and Permits, even if connected to the Receipt Points, provided that Seller will provide information to Buyer as required by the Transition Services Agreement to be entered into between the Parties in connection with Closing in order to utilize Seller's SCADA system and associated assets until Buyer installs its own such system;

(9) Seller's meters on Seller-operated wells;

(10) all portable and hand-held equipment used by Seller's staff for testing and analyzing purposes, including the spill response trailer currently located at the Ft. Lupton Plant, FLIR cameras, analysis equipment used by integrity and measurement technicians, and safety analysis equipment used by environmental coordinators;

- (11) all software except as otherwise provided herein;
- (12) gas lift systems and gas lift pipelines, if any;
- (13) all rights and causes of action in favor of or against Seller arising, occurring or existing prior to the Effective Date with respect to the Retained Liabilities (as defined in Agreement) and the Excluded Assets including, but not limited to, any and all contract rights, claims, receivables, revenues, recoupment rights, recovery rights, and accounting adjustments, or other claims of any nature in favor of Seller and relating or accruing to any time period prior to the Effective Date;
- (14) all corporate formation and governance, financial, and tax records of Seller not involving or relating to the Assets or the business thereof, other than the Records;
- (15) all compressors related to the operation of Seller's wells upstream of the Receipt Points;
- (16) any refund or claim for refund of costs, Taxes or expenses borne by Seller attributable to the period prior to the Effective Date;
- (17) existing positive or negative imbalances, receivables or claims related to under- or over-billings in periods prior to the Closing under the Agreement (defined below), all of which shall be retained by Seller;
- (18) all master service agreements and similar enabling agreements, whether or not any work orders or attachments thereto relate to the Assets, unless specifically listed on Exhibit C;
- (19) all liquid sales and residue gas resale contracts, unless specifically listed in Exhibit C;
- (20) the following communication towers: (i) Ione Tower, (ii) Herren Tower, (iii) Leonard Tower, (iv) Erie Tower, (v) 49 Tower, and (vi) Wardell Tower;
- (21) the right to use the Easements with respect to the Excluded Assets; and
- (22) other assets of Seller that do not relate to the Gathering Systems, the Ft. Lupton Plant, or the Assets.

Assignee shall not be responsible for, and Assignor expressly retains, all rights and liabilities related to the Excluded Assets, subject to the terms of the Agreement.

This Assignment, Bill of Sale and Conveyance ("*Assignment*"), shall be effective as of January 1, 2011, at 7:00 a.m., local time where the interests are located (referred to herein as the "Effective Date").

**EXCEPT AS PROVIDED IN THE AGREEMENT (AS DEFINED BELOW),
ASSIGNOR EXPRESSLY DISCLAIMS ANY AND ALL REPRESENTATIONS**

AND WARRANTIES. WITHOUT LIMITATION OF THE FOREGOING, THE INTERESTS IN THE ASSETS CONVEYED TO ASSIGNEE PURSUANT HERETO ARE WITHOUT (i) ANY WARRANTY, COVENANT OR REPRESENTATION WHETHER EXPRESS, IMPLIED, STATUTORY OR OTHERWISE RELATING TO TITLE TO THE ASSETS, THE CONDITION, QUANTITY, QUALITY, EXISTENCE OF DEFECTS, FITNESS FOR A PARTICULAR PURPOSE, CONFORMITY TO THE MODELS OR SAMPLES OF MATERIALS OR MERCHANTABILITY OF ANY EQUIPMENT OR PROPERTY OR ITS FITNESS FOR ANY PURPOSE OR (ii) ANY OTHER EXPRESS, IMPLIED, STATUTORY OR OTHER WARRANTY OR REPRESENTATION WHATSOEVER. ASSIGNEE IS RELYING SOLELY UPON ITS OWN INSPECTION OF THE ASSETS, AND, SUBJECT TO ASSIGNEE'S EXPRESS RIGHTS UNDER THIS AGREEMENT AND THE OTHER TRANSACTION DOCUMENTS, ASSIGNEE SHALL ACCEPT ALL OF THE SAME IN THEIR "AS IS", "WHERE IS" CONDITION, "WITH ALL FAULTS."

This Assignment is made subject to the terms and conditions of that certain Purchase and Sale Agreement, dated January 14, 2011, by and between Assignor and Assignee, as amended (the "*Agreement*"), which terms and conditions are incorporated here by reference. If there is any conflict between the terms of this Assignment and the terms of the Agreement, the Agreement shall control in all respects and shall not merge into the terms of this Assignment. All capitalized terms used herein, but not defined herein, shall have the meanings given to them in the Agreement.

This Assignment may be executed in any number of counterparts and each of such counterparts shall together constitute but one and the same Assignment.

(signatures on following page)

Executed by the parties this ^{20th} ~~20~~ day of February, 2011, but effective as of the Effective Date.

ASSIGNOR:

ENCANA OIL & GAS (USA) INC.

By: [Signature]
Name: Dwain J. Henke
Title: Vice President

ASSIGNEE:

KERR-MCGEE CATHERING LLC

By: [Signature]
Name: Donald R. Smoker
Title: President

County: HUBB State: COLORADO

Hubb	Grantor Grantee	Date	Book Page Rec./Pln	Legal Description
Prospect	00005 COLORADO			
508780-00-0	DANIEL R. HOBBS VESSELS GAS PROCESSING, LLC	5/10/1993	1369 1758	To, to wit: in Range 68N Section 20 that part of the 1/2 of Section 20 here fully described in Exhibit "A", attached hereto and incorporated herein
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]