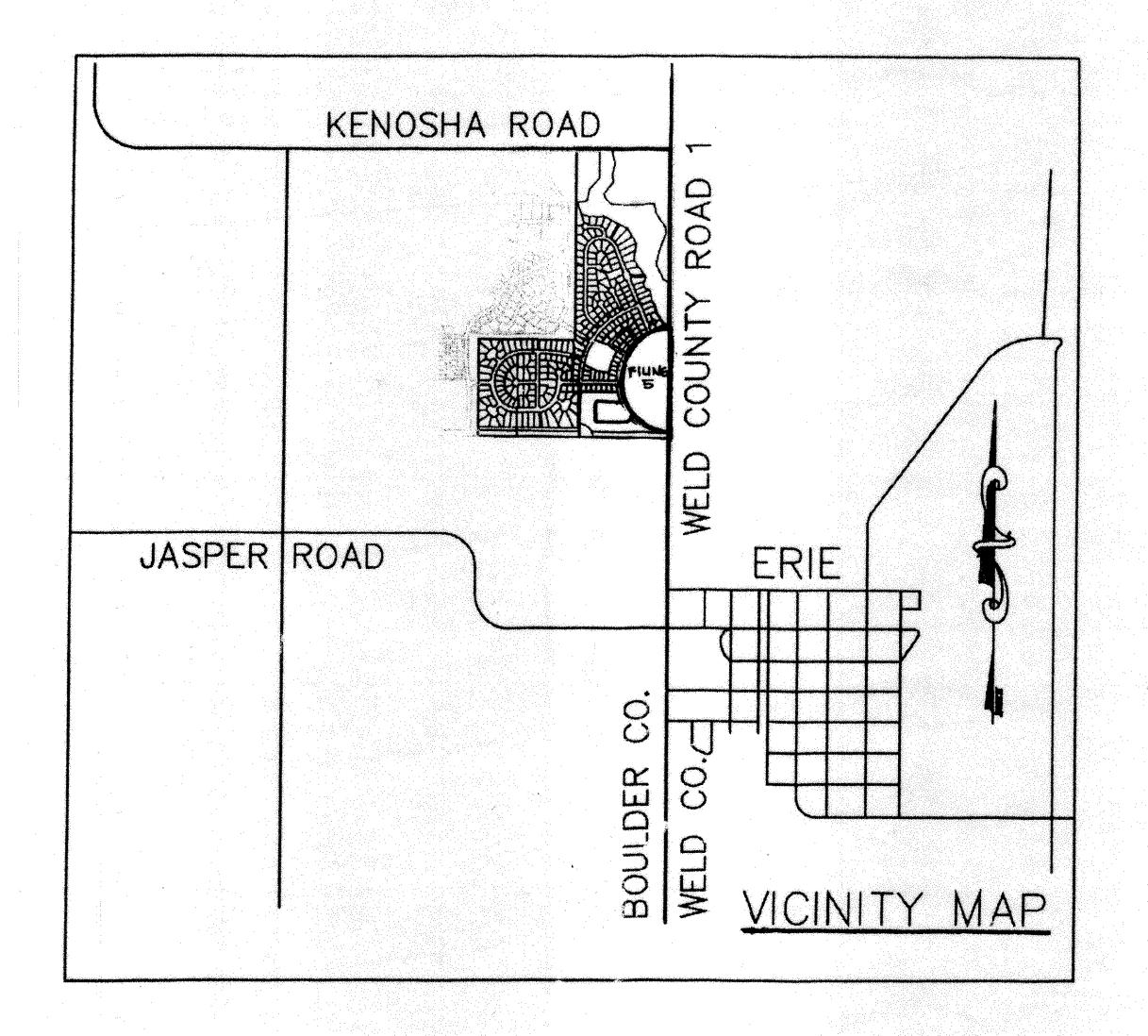
ERIE VILLAGE PLANNED DEVELOPMENT "PD" DEVELOPMENT PLAN, FIFTH AMENDMENT PDA 07-003



PD AMENDMENT CERTIFICATES

50 DAY-OF March, 2008

BOARD OF TRUSTEES CERTIFICATE

THIS PD AMENDMENT IS HEREBY APPROVED BY THE TOWN OF ERIE BOARD OF THIS ZA DAY OF LAND . 2008 .

CLERK & RECORDER CERTIFICATE

STATE OF COLORADO) COUNTY OF BOULDER)

DAY OF JUDE, 2008 A.D. AND WAS RECORDED AT RECEPTION NUMBER

2935226 P-69 F-4 = 33,34,35,36,37, Fee 51.00

(SIGNATURE) H: //ary Hall BOULDER COUNTY CLERK AND RECORDER

Erie Village Planned Development "PD" Development Plan, Fifth Amendment PDA 07-003

I GENERAL PROVISIONS

This Planned Development Amendment, hereafter referred as "Development Plan" is authorized by the Town of

Applicability

The provisions of this Development Plan shall run with the land. The landowners, their successors, heirs or assigns shall be bound by this Development Plan, as amended and approved by the Director or Town Board of

The adoption of this Development Plan shall evidence the findings and decision of the Town of Erie Board of Trustees that this Development Plan for Erie Village is in general conformity with the Town of Erie Comprehensive Plan and is authorized by and is in compliance with the Town of Erie Municipal Code,

Relationship to Town Regulations

The provisions of this Development Plan shall prevail and govern the development of Erie Village, provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the Town of Erie Municipal Code, as amended, or any other applicable ordinance or regulation of the Town of Erie, shall be applicable.

To further the mutual interest of residents, occupants, and owners of the Planned Development Amendment and of the public in the preservation of the integrity of the Planned Development Amendment, the provisions of this Development Plan regulating the use of land and the location of common open space shall run in favor of the Town of Erie and shall be enforceable at law or in equity by the Town without limitation on any power or regulation.

Where there is more than one provision within the Development Plan that covers the same subject matter, the provision which is most restrictive or composes higher standards or requirements shall govern unless determined otherwise by the Director.

Maximum Level of Development

The total number of dwellings or the total commercial, business, or industrial intensity approved for development within the Planning Area is the maximum development requested for platting or construction (plus approved density transfers, if any). The actual number of dwellings or level of development for commercial, business, or industrial properties may be less due to the subdivision or site plan requirements or other requirements by the Town Board of Trustees.

At the time of subdivision final plat, the applicant shall provide a summary of the development to date, along with the final plat submittal to ensure maximum development limits are not exceeded.

This Planned Development, Fifth Amendment is intended to:

- Update zoning references throughout the document to reflect adoption of the Municipal Code Title 10. - Amend the provisions of the prior plans relative to Filing 5 to accommodate the Continuum of Care Retirement Community proposed for Filing 5.

I SINGLE FAMILY RESIDENTIAL (Filings 1-2-3-4)

Erie Village is designed in density rings putting the smaller lots and highest density near the Filing 5 core (Core). Filings further from the core have larger lots and lower carriage house density.

Lot Setback Minimums

Front Setback: Filing 1: 20 feet

Filings 2-4: 16 feet (excluding sidewalk)

Side Setback: Five Feet

Side Setback adjoining street on corner lot: Filing 1: 10 feet; Filings 2-4: 16 feet

Rear Setback: Eight feet except on double frontage lots where it is 16 feet.

Thirty five feet for Filings 1 through 4.

Maximum Lot Coverage 35% for single family.

Accessory Dwelling Units or Uses in Single Family Areas

Thirty nine percent of Erie Village lots permit accessory dwelling units and accessory uses by right. (Called carriage houses in earlier documentation.) Carriage houses are now classified as accessory dwelling units to conform with the general requirements in the Municipal Code. Uses may include home occupation, studio or residential use. Accessory dwelling units may be leased to non-owners for residential uses.

The specific lots permitting accessory dwelling units by right are listed on the attached "Accessory Apartment Schedule, Exhibit A" Accessory dwelling units will not be permitted by right or special review on lots not listed on Exhibit "A". Accessory buildings will conform to the Erie building code and general requirements in the Municipal Code.

Minimum Architectural Standards: Single Family Residential

The following reflect the minimum acceptable standard for houses in Erie Village. The Erie Village Homeowner Association Architectural Review Committee (EVHAARC) works from more detailed guidelines based on these standards. Variation from these standards requires approval by EVHAARC and the Erie Planning Commission.

Design and Building Features

- Plans will be submitted to EVHAARC for approval prior to construction. - Substantially identical home designs (including mirrored plans) must be a minimum of 400 feet apart in any
- direction and have different elevations and detailing.
- All houses shall have covered front porches of at least 6 feet in depth and 8 feet in width. Porches may not be two stories in height and the floor must be a minimum of eighteen inches above the adjacent finished grade and in no case less than 18" above the enfronting curb height.
- Roofs shall be symmetrical hipped, gambrel or gabled (including clipped) with a pitch of no less than 6:12 for two story residences or 8:12 for single story. For "skirted" or "flared", the minimum pitch is 3:12. Flat roofs may be used only if they are occupiable and accessible from an interior room.

- Garages opening to the front of the lot must be set back a minimum of 20 feet from the front of the principal building. If entered from the side, the garage front elevation may not be forward of the house front and must have appropriate window or other treatment compatible with the house. Openings for garage doors may be no wider than 9 feet nor more than 8 feet high.
- Eave depth must be 18" minimum for the principal building (and accessory apartment if applicable) and 12" for gable overhangs. Eaves must be closed with soffits.

- Exterior walls may be of wood shingles, wood or hardboard clapboard with no more than 5 ½ inches exposed
- to the weather, board and batten, brick, natural or architectural stone, or stucco. Window or door frames will be solid wood or quality vinyl.

Accessory Dwelling Units and Accessory Buildings - Materials and design shall conform to the principal residence in style, material and color treatment.

III MIXED USE CORE AREA (Filing 5)

The core area is intended to facilitate mixed office, commercial, and residential uses associated with a continuum of care retirement community as depicted on the Concept Plan included herein as Appendix D.

Concept Plan

The Concept Plan shows the general configuration of the Continuum of Care Retirement Community that is intended, and would be permitted, by this PD zoning; however, the Concept Plan is illustrative in nature and does not represent a Site Plan. Any deviation from the Concept Plan requested or required by the Town for Site Plan approval is permissible under this PD zoning and such deviation shall not be construed to require further PD amendment. Development of the property will be subject to the Town codes and regulations in place at the time a development application is made to the Town.

- The occupancy of all residential dwelling units in Erie Village Filing 5 shall be restricted as follows:
- 1. The maximum number of persons occupying a dwelling unit shall be two (2) persons.
- 2. At least one person occupying a dwelling unit shall be sixty-two (62) years of age or older (a "Qualified
- 3. No person under the age of nineteen (19) years of age shall be allowed to occupy a dwelling unit.
- 4. If only one of the occupants is sixty-two (62) years of age or older and that occupant ceases to occupy the dwelling unit, the remaining occupant who is a spouse, sibling or child of the Qualified Occupant that has been in the same dwelling unit for at least the previous six (6) months (a "Remaining Occupant") may continue to reside in the same dwelling unit. However, if a second occupant is added to the dwelling unit, or if the Remaining Occupant vacates the dwelling unit, the new occupant must be a Qualified Occupant.
- 5. The Guest Quarters allowed in Erie Village Filing 5, as defined in the Erie Village PD Amendment No. 5, shall be exempt from the age restriction requirements.

Permitted Uses

- The following uses listed in the Erie UDC are permitted by right in the Mixed Use Core Area (Filing 5):
- 1. Single Family, Duplex and Multi-Family. 2. Assisted Living Facilities (including special needs care* as part of the assisted living facility)
- Adult Day Care* (as part of the assisted living facility)
- 4. Dental or Medical Offices, Clinics and Labs
- Community Gardens, Open Space, and Parks
- 6. Residential Assembly (HOA)
- Automated teller machines
- Bars/Taverns and Restaurants (indoor and outdoor) 9. Office, Business or Professional
- 10. Parking Lots
- 11. Parking Structures (only integrated into a building with another principal use)

Intended Amenities and Services

- 12. Convenience Store, General Retail and Personal Service Establishments 13. Clock Tower
- 14. Gazebos/Trellis/Sheds
- 15. Trash Enclosures
- 16. Recreation and Exercise Equipment (indoor and outdoor)
- 17. Maintenance Equipment and Supply Storage (only in enclosed parking structure or garage).
- 18. Guest Quarters* *Use Definitions:

Special Needs Care: Supportive personalized care with protective oversight and supervision on a 24-hour basis in a separate, secured group living area of not more than 15 units in a CODHE state licensed Assisted Living Facility. Supportive personalized care includes assistance with activities of daily living, 3 daily meals, housekeeping, linen service, social and recreational activities, and supervision and assistance of medication, bathing, dressing, toileting and other care as needed including aid with meals. Special needs care does not include skilled nursing care.

Adult Day Care: A day time community based program located on the main floor of the Assisted Living Building for seniors, age 62 and older, providing a variety of health assistance, social and related support services within a protective environment; fully supervised by a trained staff.

Guest Quarters: One guest suite of 500 to 600 s.f. to accommodate any guest of the seniors housing community residents or the Operations Management Company for no longer than 10 days. This guest room shall not be offered to the public.

Residential/Assisted Living Uses

Total Units: (based o	n Concept Plan)		183	100%
Independent Living	Basic amenities/services, 10 meals/mo, optional services and care program.	Single Family Detached	5	3%
Independent Living	Basic amenities/services, 10 meals/mo, optional services and care program.	Single Family Attached, Duplex	36	20%
Independent Living	Basic amenities/services, 10 meals/mo, optional services and care.	Multi-Family, Apartment	38	20%
Assisted Living, Intermediate Care	Complete amenities/services, 1 meal/day, optional supportive care program.	Multi-Family, Apartment,	37	20%
Assisted Living, Personalized Care	Complete amenities/services, 3 meals/day, supportive care focused program,	Multi-Family, Apartment,	67	37%

Maximum Number of Units: (the number of units may vary as noted below, but shall not exceed) 189

Type of Residential Unit #Units %Units*

*This percentage distribution is the intended distribution of the various types of residential units at build-out assuming the anticipated market demand for the units is realized. The assisted living facility and assisted living units will be constructed as Phase 1. The independent living multi-family apartments will be built in Phase 1, or as a separate Phase 2, depending on market demand. Construction of the independent living duplexes and detached single family units will begin in Phase 1 and continue to build-out as sales warrant. To ensure the intended distribution of units is achieved, the number of units of each type shall not vary more than 10 percent up or down unless approved by the Director of Community Development, with the exception that the number of single family detached units may be 3 to 7 units. In no event shall the total number of residential units exceed

The maximum gross density based on the 17.2 acre Filing 5 shall not exceed 11 units per acre. The maximum number of units shall be 189 Units.

Building Setbacks and Spacing

All buildings shall setback at least 16 feet from any street. Additionally, all duplex and single family units shall setback at least 16 feet from parking lots and access drives (measured from back of curb). The following

- minimum spacing between detached structure standards are established: - 25 feet between two-story structures
- 20 feet between two-story and one-story structures
- 20 feet between one-story structures, rear to rear
- 15 feet between one-story structures, rear to side
- 10 feet between one-story structures, side to side

Building height shall not exceed 35 feet.

Interior streets shall be privately owned and maintained by the Owners Association. Streets shall be as shown on Exhibit C, Street Sections, Filing 5 Private Street.

Use	Spaces per unit
Assisted Living Apartment:	0.50 space/unit
Intermediate Care Apartment:	0.75 space/unit
Independent Living Apartment:	1.00 space/unit
Duplex:	2.00 spaces/unit
Single Family	2.00 spaces/unit
Employee Parking:	1.00 space/employee (at maximum shift)
Guest parking:	0.25 space/multi-family unit
Existing Office Building	See Municipal Code

Parking for uses not listed above shall comply with the Town of Erie Municipal Code.

The following identifies the parking standards by use or type of residential unit:

All walkways shall meet Town of Erie standards; however, the streets internal to Filing 5 may have attached sidewalks. All walkways shall be maintained by the Owners Association.

Parks and Open Space

The amount of park and open space land to be dedicated, and the method of meeting the dedication requirement shall be determined by the Board of Trustees as provided in the Municipal Code; however, this PD zoning acknowledges that the number of people residing in Filing 5 shall be based on the 1.38 persons per unit standard specified on the Concept Plan.

Common Area Maintenance

The Owners Association shall be responsible for all exterior maintenance in the Continuum of Care Retirement Community, including all structures, landscaped areas, private streets, parking areas, driveways, trails and walkways, recreation equipment, lights and signs.

IV AGRICULTURAL AREA & USES

Areas designated "Agricultural" in Filing 2, will continue to be farmed, as will all other areas until they are developed. Requests for structures & parking will be submitted for review and approval as the need develops to support agricultural sales, or recreation, and recreational parking.

Setbacks, sizes and heights follow standards in the Resource Preservation category in the Municipal Code. Minimum architectural standards enumerated above do not apply to agricultural or recreational buildings which may be located in the agricultural parcels platted in Filing 2.

Undeveloped land in all Filings in Erie Village will continue to be farmed until improved.

V MULTI-FAMILY RESIDENTIAL

The multi family parcel is vested for a total of 98 dwelling units. Parcel size is 7.248 acres plus 1.821 acres of open space previously dedicated to the Town of Erle. Calculated on the larger site, density is 9.25 units per acre: calculated on the smaller site, density is 13.5 units per acre. The site may be developed at this density under the existing Town Of Erie Multifamily development and zoning code.

Streets: Because there is no thoroughfare through the multifamily residential, all streets and sidewalks will be owned and maintained by the property owner and multifamily homeowner association.

Landscaping: A landscape plan will be submitted for Town Staff review and approval,

Multifamily Bulk and Density Standards:

Height limit: 35'

Maximum Building Coverage: 35%

Lot Setback / Building Separation Minimums: Front Setback" 16" Side to Side Building Separation: 8' Rear Setback (West Property Line) - Dwelling Unit: 15' Rear Setback (West Property Line) - Optional Garage: 9' Rear Setback (North Property Line) - Dwelling Unit: 25' Rear Setback (North Property Line) - Optional Garage: 19' Rear Setback (South Property Line) - 15' Rear to Side Setback - 30' CW Bixler Setback - 20" Side Setback adjoining Street - 16'

Private Street Section: The 51' ROW as detailed on sheet 3 of 5

VI GENERAL

Road widths have been carefully reviewed with the Town and are shown on the street sections in Exhibit "C".

Erie Village Homeowners Association will be responsible for landscaping, watering and maintenance of median strips, common areas and cul de sac islands. Although it is not the intent of the Town to take over maintenance of these areas, the Town shall have the right to do so.

In Filing 1, sidewalk width and location relate to projected usage with sidewalks on both sides of major thoroughfares, one side of lower traffic streets and excluded in short cut de sacs. In subsequent Filings detached sidewalks will be located on both sides of the street except that cul de sacs may have attached sidewalks.

Flood Plain Standards Lots adjacent to Coal Creek include land which is in the 100 year flood plain but outside the floodway. The flood plain is clearly identified on the final plat. Title insurance or other written notification will inform purchasers of such lots that no buildings are permitted within the 100 year flood plain. (Note that FEMA permits building on such lots without flood insurance as long as the dwelling is out of the flood plain.)

A landscape plan for all public areas will be submitted in compliance with Town regulations and standards for Town Staff review and approval.

Open Space Fencing Standards and Restrictions

Only fences following design criteria, in Appendix E, in locations approved by Town Staff are permitted on property lines adjacent to parks, open space, drainage areas and pedestrian trail outlots. Fences in drainage areas or the flood plain will be open rail type fence, approximately 42 inches tall with the bottom rail no lower than 6 inches from the ground and will follow approved by the Town. Permanent chain link fence is not allowed in Erie Village. Title insurance and/or other written notification will inform purchasers of improvement restrictions on land in Public Service Company Easements. In no case will residences, garages or accessory buildings be permitted in such easements.

Open space will be kept in a natural state with native grass coverage. Developer will restore it wherever disturbed by development. Park improvement plans will be submitted for Staff review and approval. The right-of-way dedicated in this area and adjacent to Outlot K and Outlot O will be developed as open space by the developer and maintained by the Town of Erie. The dedicated area along Coal Creek may be designated as open space or as nature preserve as the Town prefers. Its trails will be part of the Boulder Creek - Coal Creek trail system. Trails and open space in Outlot "B" will be maintained by the Town of Erie.

Three tot lots larger than one half acre serve the 189 residences in Filings 2-3-4. No tot lots were required in Filing 1. The tot lot for Filing 2 will be in outlot "I", for Filing 3 and 4 in Outlot "M". Before the 155th single family building permit is issued, a tot lot will be built in Filing 1, Outlot "A".

The Erie Village Homeowner's Association will be responsible for the maintenance of parks, trails and open space which primarily benefit the homeowners. The town may take over maintenance when and if it chooses.

APPENDIX A

Lots Permitting Accessory Dwelling Units by Right

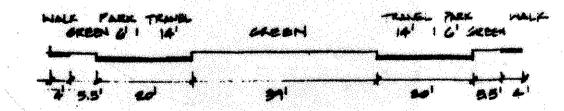
Block	Filing 1 Lot	Filing 2 Lot	Filing 3 Lot	Filing 4 Lot
С	1,3			
1	2,3,6,7,10,11 13,14,16,17			
2	3,4,5,6			
3	12,13		the second second	
4		9,15,16,17,22		
5		5,6,8,11,12, 18,19,23,24		
6		5,6,7,8		
7		14,15		
8		4,5,6		
9	2,3		5, 11	12,13,14,15 16,18,25,26,
10	2,3	en militario y Norva describirante a Talendario	7,10,11,12,13	
11	1,2,3,4,5,6			
No Block	12			
13			5,6,7,8,9,10, 12 13,14,15,16,17	18,19,21,22,2 24,25,26,28
14			1,2,3	
No Block	15			
16	and the state of the		1,2,4,5,7,8,9,13 14,15,17,18	
TOTAL	Filing 1 28	Filing 2 23	Filing 3 34	Filing 4

APPENDIX B

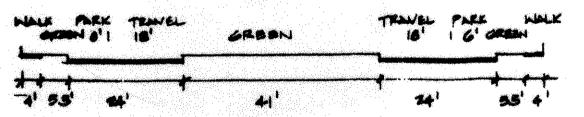
Uses Permitted in Filing 2 Agricultural Parcels (Rural Preservation)

Uses Permitted By Right: Agriculture, Produce Stand, Publicly Owned Facility - Erie Uses Which May Be Permitted By Special Review: Open Space and Parks, Publicly Owned Facility - Other

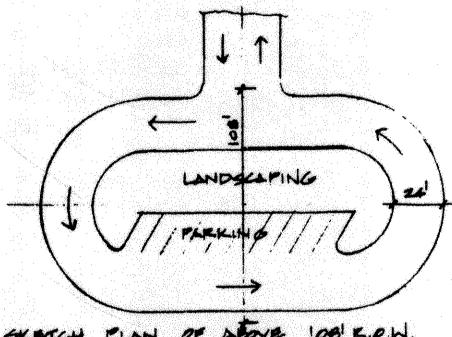
ERIE VILLAGE DEVELOPMENT PLAN Street Sections (TYPICAL)



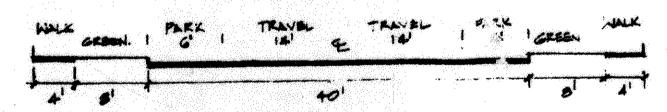
90 KO.W. WASHOURN ST (TRAPPIC CALMING MEDIAN)



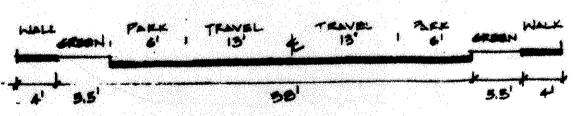
100' ROW. . BREHNAN CT; DAVIS CT; PLOWERS CT



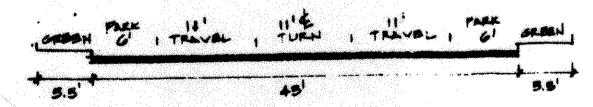
SKETCH PLAN OF ABOVE 108 KOW.



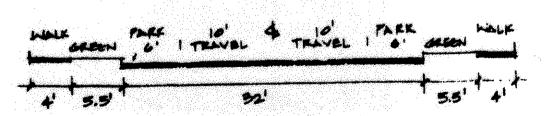
(NOTE: CONNECTS TO SA' ROW & KENDSHE FARM & SE' @ FILING !)



57' ROW NOWAHAM LAND

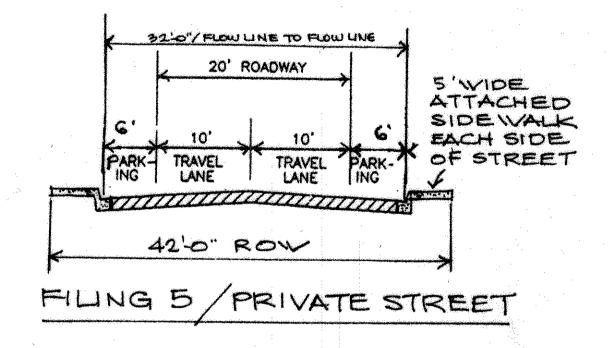


BO' ROW. C.W. DIXLER BLYD (NOTE: CONTINUATION OF FILING I, SIDEMALK LOCATED OUTSIDE E.O. W.)



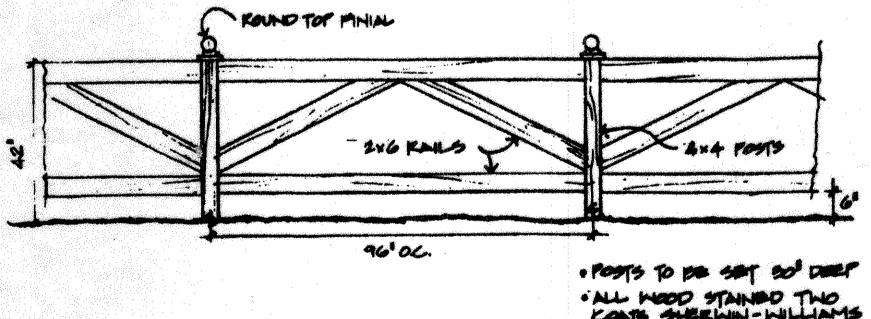
ALLEN CT; WASHING CT; KICHARDS CT; PADPIBLD DL; DAKLEY LN; GREENING AVE; CONWAY ST CONWAY CT : WASHEURN ST ALL STREETS WITHIN MULTIFAMILY PARCEL (NOTE: SAME AS MILING I, EXCEPT SIDEMALKS ARE NOW INCLUDED IN FO.W. FOR FILINGS 2-4)

FILING 5 STREET SECTION

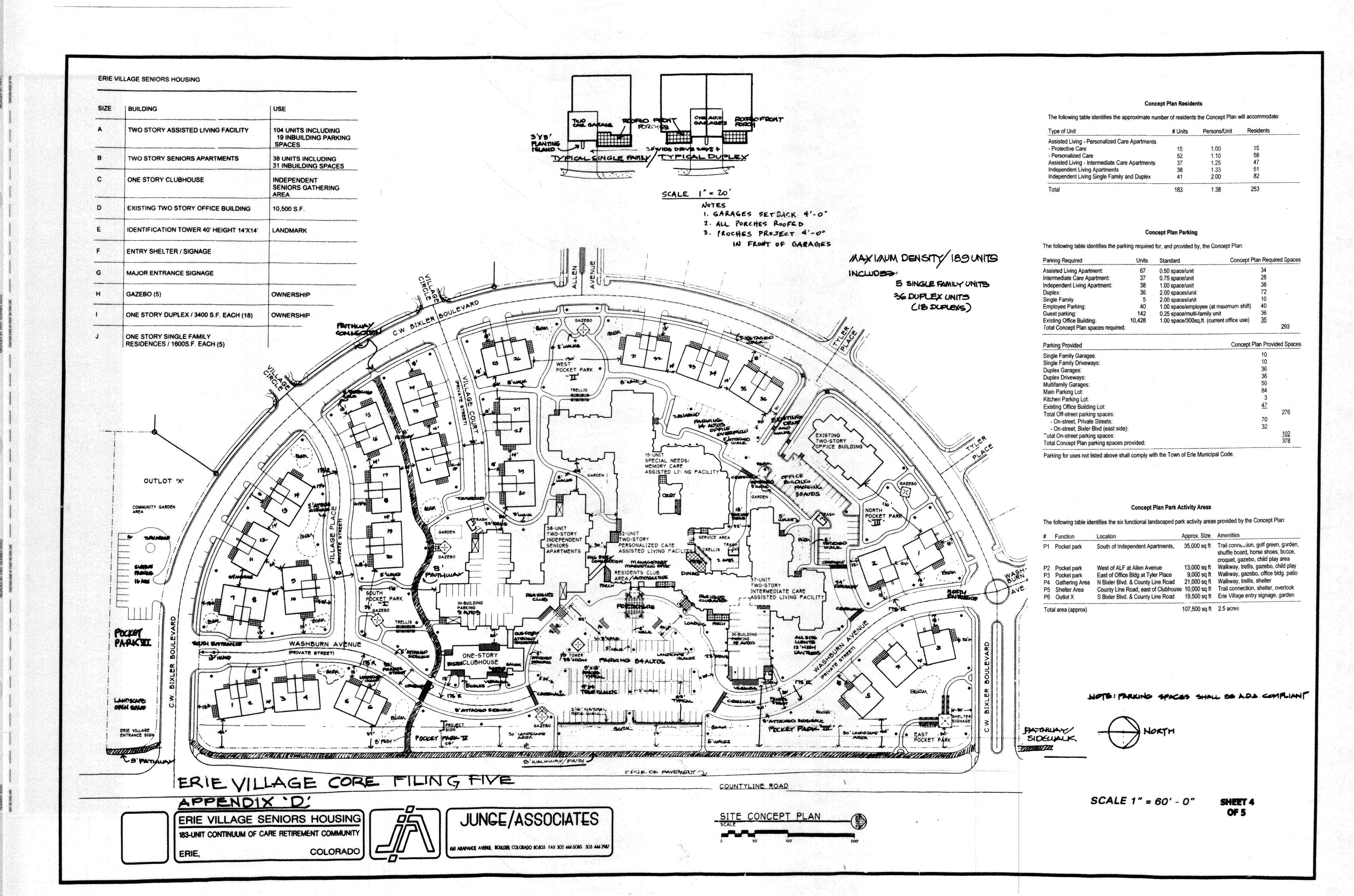


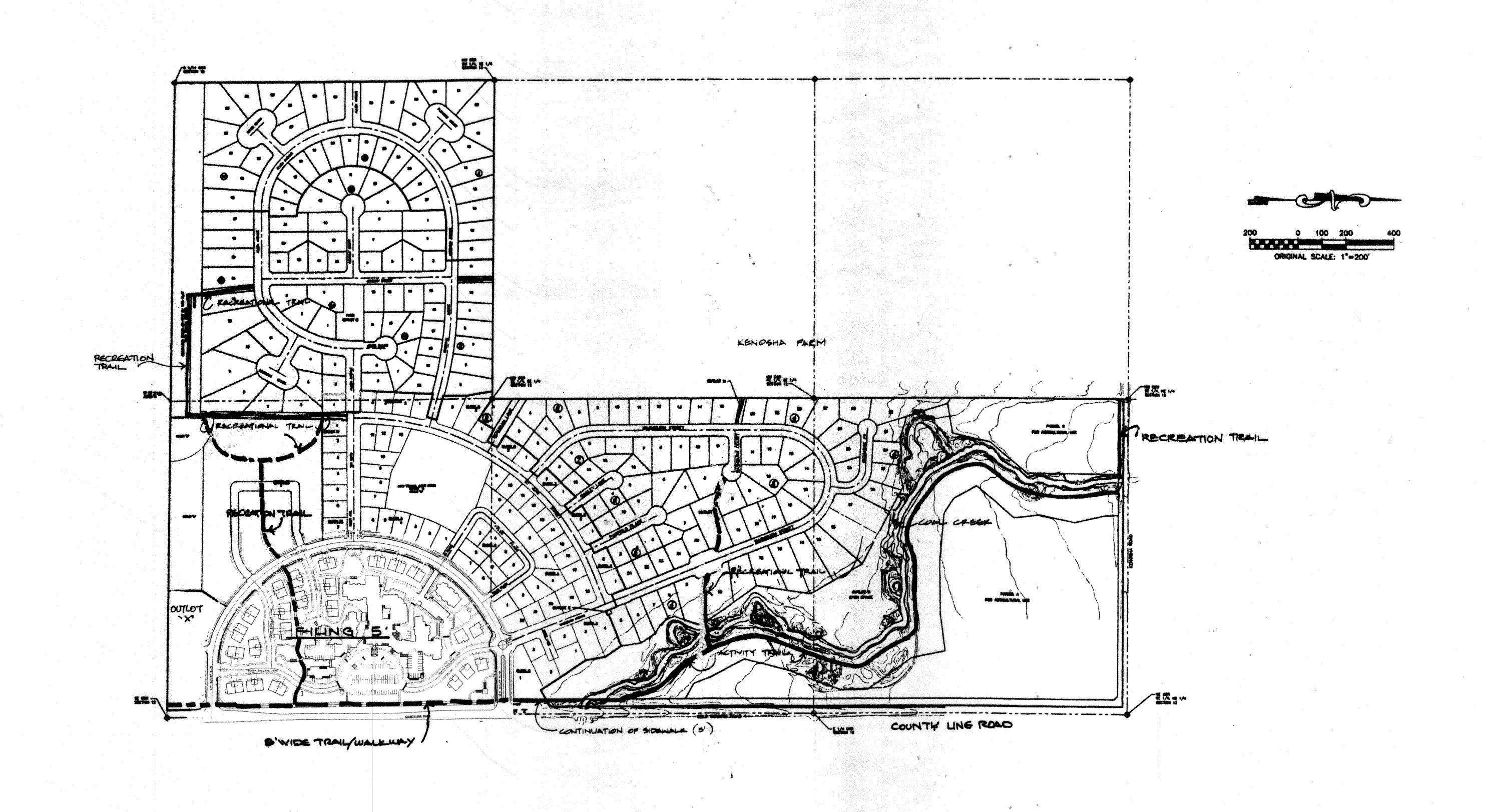
ERIE VILLAGE DEVELOPMENT PLAN APPENDIX E Fence Design for Areas in Flood Plain or Drainage Ways

STACH ALL RAILS WITH "Z" x 4" WIRE MESH GRID MAY BE ATTACHED ON THE PRIVACY SIDE AT OWNERS OFTION



COME SHERMIN-MILLIAMS COMES ON SER. · ALL MODE TO BE REDWIND





SHEET 5 OF 5

ERIE VILLAGE

TRAIL MAP CONCEPT PLAN