

**TOWN OF ERIE**

Community Development Department – Planning Division
 645 Holbrook Street – PO Box 750 – Erie, CO 80516
 Tel: 303.926.2770 – Fax: 303.926.2706 – Web: www.erieco.gov

LAND USE APPLICATION

Please fill in this form completely. Incomplete applications will not be processed.

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: Erie Highlands PA 10

PROJECT ADDRESS: N/A. Located south of Highview Dr., north of Filing 12, East of Filing 11, West of Glacier Dr.

PROJECT DESCRIPTION: Planning Area 10 of the Erie Highlands PUD

LEGAL DESCRIPTION *(attach legal description if Metes & Bounds)*

Subdivision Name: Tract E of Erie Highlands Preliminary Plat No.3

Filing #:

Lot #:

Block #:

Section:

Township:

Range:

OWNER *(attach separate sheets if multiple)*

Name/Company: See Attached

Contact Person:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

AUTHORIZED REPRESENTATIVE

Company/Firm: Clayton Properties Group II, Inc.

Contact Person: Bruce Rau

Address: 4908 Tower Rd

City/State/Zip: Denver, CO 80249

Phone: 303-486-8500

Fax:

E-mail: brau@oakwoodhomesco.com

MINERAL RIGHTS OWNER *(attach separate sheets if multiple)*

Name/Company: William H peltier/Boulder Valley Coal Co.

Address: 5503 S. Franklin Lane

City/State/Zip: Littleton, CO 80121

MINERAL LEASE HOLDER *(attach separate sheets if multiple)*

Name/Company: Encana Oil & Gas Inc.

Address: 370 17th Street, Suite 1700

City/State/Zip: Denver, CO 80202

LAND-USE & SUMMARY INFORMATION

Present Zoning: MR

Proposed Zoning:

Gross Acreage: 12.873

Gross Site Density (du/ac): 8.8

Lots/Units Proposed: 114

Gross Floor Area:

SERVICE PROVIDERS

Electric: United Power

Metro District: Erie Highlands Metro District No. 1

Water *(if other than Town)*:

Gas: Xcel Energy

Fire District: Mountain View Fire District

Sewer *(if other than Town)*:

PAGE TWO MUST BE SIGNED AND NOTARIZED

DEVELOPMENT REVIEW FEES			
ANNEXATION		SUBDIVISION	
<input type="checkbox"/> Major (10+ acres)	\$ 4000.00	<input type="checkbox"/> Sketch Plan	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor (less than 10 acres)	\$ 2000.00	<input checked="" type="checkbox"/> Preliminary Plat	\$ 2000.00 + 40.00 per lot
<input type="checkbox"/> Deannexation	\$ 1000.00	<input type="checkbox"/> Final Plat	\$ 2000.00 + 20.00 per lot
COMPREHENSIVE PLAN AMENDMENT		<input type="checkbox"/> Minor Subdivision Plat	\$ 2000.00
<input type="checkbox"/> Major	\$ 3000.00	<input type="checkbox"/> Minor Amendment Plat	\$ 1000.00 + 10.00 per lot
<input type="checkbox"/> Minor	\$ 1200.00	<input type="checkbox"/> Road Vacation (constructed)	\$ 1000.00
ZONING/REZONING		<input type="checkbox"/> Road Vacation (paper)	\$ 100.00
<input type="checkbox"/> Rezoning	\$ 1700.00 + 10.00 per acre	SITE PLAN	
<input checked="" type="checkbox"/> PUD Rezoning	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Residential	\$ 1400.00 + 10.00 per unit
<input checked="" type="checkbox"/> PUD Amendment	\$ 1700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>10,000 sq. ft.)	\$ 2200.00
<input type="checkbox"/> Major PD Amendment	\$ 3700.00 + 10.00 per acre	<input type="checkbox"/> Non-Resi. (>2,000 sq. ft.)	\$ 1000.00
<input type="checkbox"/> Minor PD Amendment	\$ 500.00	<input type="checkbox"/> Non-Resi. (<2,000 sq. ft.)	\$ 200.00
SPECIAL REVIEW USE		<input type="checkbox"/> Amendment (major)	\$ 1100.00
<input type="checkbox"/> Major	\$ 1000.00	<input type="checkbox"/> Amendment (minor)	\$ 350.00
<input type="checkbox"/> Minor	\$ 400.00	VARIANCE	\$ 600.00
<input type="checkbox"/> Oil & Gas	\$ 1200.00	SERVICE PLAN	\$ 10,000.00

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

The undersigned is fully aware of the request/proposal being made and the actions being initiated on the referenced property. The undersigned understand that the application must be found to be complete by the Town of Erie before the request can officially be accepted and the development review process initiated. The undersigned is aware that the applicant is fully responsible for all reasonable costs associated with the review of the application/request being made to the Town of Erie. Pursuant to Chapter 7 (Section 7.2.B.5) of the Unified Development Code (UDC) of the Town of Erie, applicants shall pay all costs billed by the Town for legal, engineering and planning costs incurred by staff, including consultants acting on behalf of staff, necessary for project review. By this acknowledgement, the undersigned hereby certify that the above information is true and correct.

Owner: _____ Date: _____

Owner: _____ Date: _____

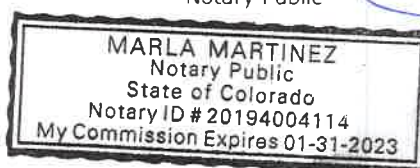
Applicant: 3081 _____ Date: 7.18.19

STATE OF COLORADO)
County of Denver) ss.

The foregoing instrument was acknowledged before me this 18th day of September, 2019, by Brandon Wyszynski.

My commission expires: 1-31-2023
Witness my hand and official seal.

Notary Public



Tract G, Erie Highlands Filing No. 11

As owner of the above mentioned property I authorize the submittal of all entitlement documents needed for development by the Town. This includes Rezone, PUD, Preliminary Plat, Final Plat, Plat Amendment, and Site Plan.

Mr. Brandon Wyszynski
Erie Highlands Metropolitan District No. 1,2,3,4,5
c/o Icenogle Seaver Pogue, P.C.
4725 South Monaco Street, Suite 225
Denver, CO 80237
bwyszynski@oakwoodhomesco.com

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Owner: _____

Date: 3.16.2021

STATE OF COLORADO)
) ss.
County of Denver)

The foregoing instrument was acknowledged before

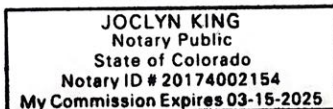
me this 26 day of March, 2021.

By Brandon Wyszynski

My commission expires: March 15, 2025

Witness my hand and official seal.

Joclyn King
Notary Public



Erie Highlands Planning Area 10

Rezone Narrative

September 20, 2019

a. *General project concept and purpose of the request:*

The purpose of this proposed Zoning Amendment is to modify the zone line between the LR and MR zones in order to create a more efficient site plan for PA10 located in the MR zone. The MR zone grew slightly from 56.31 Ac to 56.59 Ac. The LR zone shrunk slightly from 163.16 Ac to 162.88 Ac. This is reflected in both the PUD Plan and the Preliminary Plat being submitted concurrently.

b. *Proposed development timeline:*

Oakwood Homes hopes to begin construction on the development in fall 2020 with models opening summer 2021.

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

This amendment maintains the original zoning classification from the previously approved PUD. The configuration of PA10 and PA6 are slightly modified to allow a swap of land between the two, while maintaining the intent of the original PUD.

Changes to Chapter 4 Dimensional Standards and Chapter 6 Development and Design Standards will allow for the product to be introduced into the community. Please refer to the included exhibits which details the specific modifications requested.

Planning area 10 is surrounded by a variety of uses. To the west are single-family homes (PA6) with a landscape tract and trail separating the two uses. This Tract (formerly Tract G of Filing 11) is being replatted and incorporated into PA10 in order to create a more efficient site plan. Exhibit A shows how this Tract is being reconfigured per the new zone line separating PA10 and PA6.

To the north sits Highview Drive with single family Carriage Homes (PA 9) to the north along with an open space tract and regional trail to the south side of Highview Drive. This tract (formerly known as Tract PP of Preliminary Plat 4) is also being replatted in order to continue North Vista Drive from PA9 into PA10 and to Glacier Drive to the east.

To the east of PA10 is Glacier Drive. East of this is a mix of Oil & Gas, Detention, and future commercial site (PA11).

To the south of PA10 is a vacant parcel owned by Blake Daniel Raymond also known as "The Railroad Spur" as this was a former railway path. This spur separates PA10 from PA6 where single family homes in Filing 12 exist. The spur also acts as a transition between the higher density of duplexes and single-family homes.

d. *How the proposal complies with the Town's Comprehensive Plan and approval criteria of the Municipal Code, Title 10, Unified Development Code:*

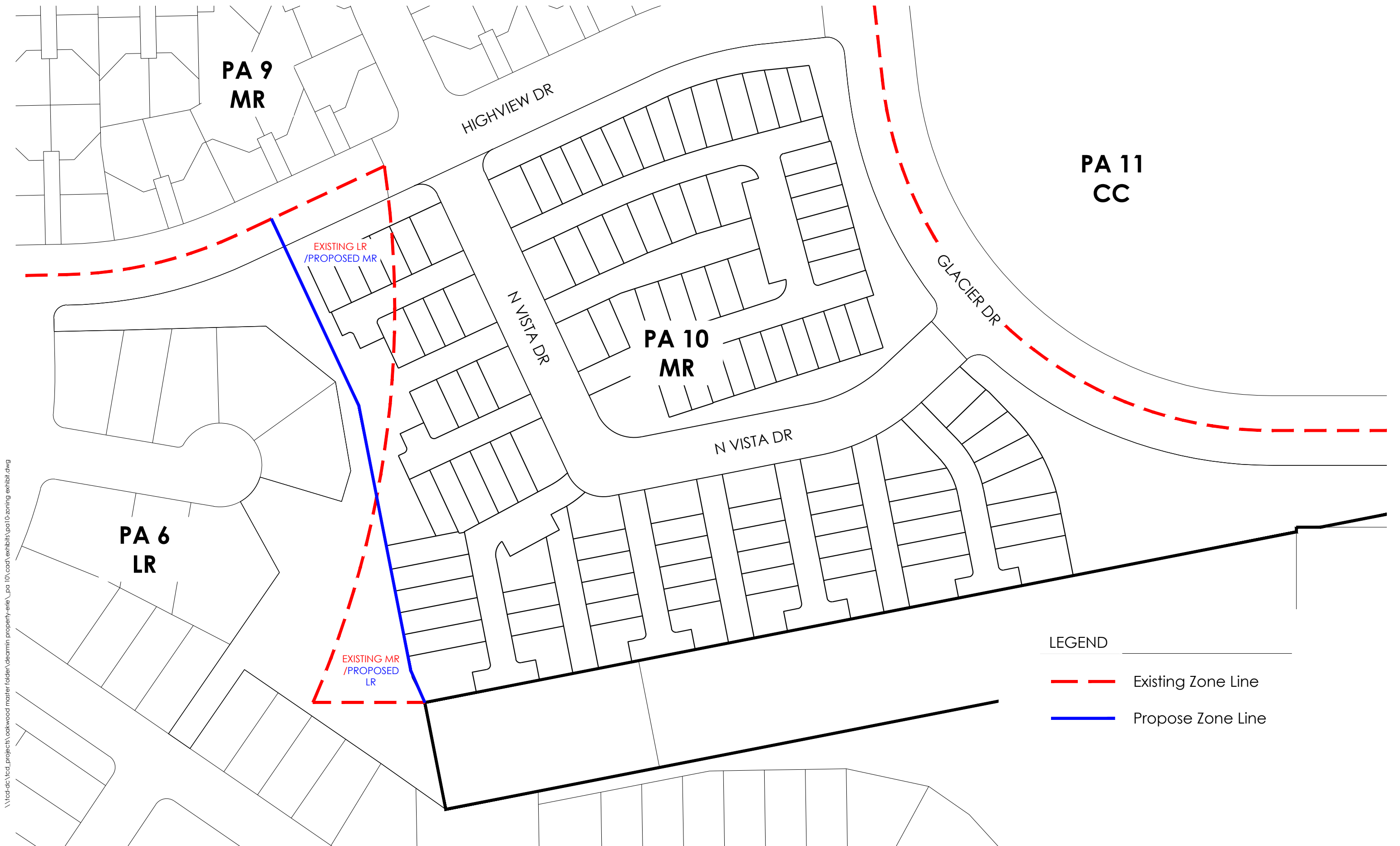
The zone districts shown in this amendment maintains the vision, goals and guiding principles as established in the Dearmin Property PUD as well as the Town of Erie Comprehensive Plan. Proposed PUD Standards for Planning Area 10 maintain the Comprehensive Plan's five Community Building Blocks: neighborhood emphasis, mixed-use development, gateways and corridors, rural character and economic sustainability.

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

Three oil and gas sites exist within the entire Dearmin property. A Compatible Development and Surface Use Agreement is in place for the property and additional Oil and Gas Operations Areas will not be required.

The existing covenants and design guidelines and any subsequent revisions will be required to be followed for the residential and commercial areas of the Property.

As part of the Preliminary Plat being submitted separately, we are proposing to realign the 25' temporary construction easement and 30' pipeline easement in the southeast corner of the property to allow for this site plan to be viable.



LEGEND

- Existing Zone Line
- Propose Zone Line

Erie Highlands PA 10

Exhibit A: Rezoning

