

**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](http://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:

PUDA-001151-2020

DATE SUBMITTED:

3/23/2020

FEES PAID:

1828<sup>00</sup>  
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: 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

**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 &amp; 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: 12.84

Gross Site Density (du/ac): 9.6

# Lots/Units Proposed: 124

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 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 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	
<input type="checkbox"/> Oil & Gas	\$ 1200.00		\$ 600.00
		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: [Signature]

Date: 3/6/2020

Owner: Bruce Rau

Date: 3/6/2020

Applicant: [Signature]

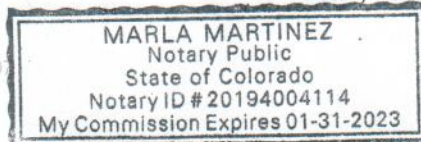
Date: 3/6/2020

STATE OF COLORADO )  
County of Denver ) ss.

The foregoing instrument was acknowledged before me this 12th day of March, 2020 by Bruce Rau.

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

[Signature]  
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](mailto: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

JOCYLN KING  
Notary Public  
State of Colorado  
Notary ID # 20174002154  
My Commission Expires 03-15-2025

Erie Highlands Planning Area 10  
PUD Amendment Narrative  
October, 2020

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

The purpose of this proposed PUD amendment is to revise design standards for Planning Area 10 to allow the Townhome architectural standards to be included in the development. The concept behind the Townhomes is to bring diversity to Erie Highlands in both style and affordability. This amendment also affects the acreage of both planning area 6 and 10 in by swapping land between the two in order to create a more efficient site plan for PA10. This is reflected in both the PUD Plan and the Zone Map Amendment being submitted separately.

A typical Townhome layout consists of rear loaded units with garages facing alleys. These alleys load onto a public street. The buildings are configured with the front doors facing a green court which, when combined with a variety of building faces and porch styles, provides a visually appealing greenspace. Each unit is 2-3 stories with a maximum height of 35'. Each unit has a 2-car garage along with additional guest parking in key locations. Most homes will not have fenced in yards with the majority of landscape being maintained by the metro district.

Architecture has been provided as reference in order to understand the product and the new PUD standards being requested.

b. *A detailed description of proposed variations of underlying zone district standards and requirements:*

Development standards have been revised to allow for this Townhome product. When we first started design on this development the Town had asked for a 30' greencourt between buildings. Because of this, we modified the front setback from 20' to 5' since these units front onto a greencourt or landscape tract and not a street. This greencourt is equal to the 30' of setback loss.

Street side setbacks were reduced from 20' to 15' to allow more variation in end unit size as well as to bring the unit closer to the street if necessary. Street fronts are set to 5' because of the landscape tracts located in front of these units.

We also modified the minimum lot area from 2,500 SF to 1,200 SF in order to accommodate the density of this type of product allowed in the PUD. These smaller lots are for the interior units of the buildings, whereas the end units have larger lot sizes. Smaller lots also have reduced maintenance for the homeowner, since everything outside of the property is maintained by the metrodistrict.

Design Standards were also modified for this Townhome product. Architectural Character proposes elevations only visible from streets or common open space shall display a similar level of detailing as opposed to all sides. In the case of our proposed design, side elevations facing side elevations of buildings are not visible from the street or open space. We believe it would not be beneficial to articulate a non visible elevation the same way as a visible elevation.

Architectural Variety may comply with 1 of 2 options in the proposed standards which either treats units individually or combined as a whole like other multifamily product in the code.

c. *Statement specifying the public benefit(s) to be contained in or associated with the PUD:*

The Townhome product brings additional diversity to Erie Highlands in both style and affordability which is a prominent objective expressed by Town staff and elected officials as indicated within the UDC and Comprehensive Plan. Oakwood has developed the Townhome product in response to the rapidly growing consumer demand for additional housing choices due to the lack of for-sale multifamily product on the market. This additional diversity in housing choices is a public benefit for those looking for alternatives to large lots and expensive homes. The compact footprint and configuration of the homes attract a wide variety of residents from first time home buyers to empty nesters looking for less or no maintenance. The neighborhood includes common maintenance of the alleys, including snow removal, along with green courts and front yard landscaping, a feature that adds significantly to the low maintenance living. This continuous maintenance of the alleys and green courts provides for safe conditions in winter for the general public.

The reduction of lot size with a creative design approach is in response to market conditions and the new generation of buyers who are looking for reduced maintenance living. This concept of smaller lots already in the PUD is something Townhome utilizes.

This product does require a few changes to the UDC which can be accomplished with a PUD Amendment. These changes are necessary to allow for smaller lot sizes and setbacks and new architectural standards to allow our proposed product. These new design standards will maintain the public benefit, public health, safety and general welfare established in the original Dearmin Property PUD.

d. *Intensity and density of uses proposed:*

Planning Area 10 is zoned MR with a maximum of 203 units. The Preliminary Plat shows a total of 124 residential units at a density of 9.7 units/acre.

e. *Proposed development timeline:*

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

f. *Existing and proposed utilities and public services:*

This amendment will not change the quantity of traffic, utilities or emergency services required. Traffic has been accounted for in the Traffic Impact Analysis and stormwater has been accounted for in the Master Drainage Report.

g. *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. Please refer to the included exhibit A which details this modification.

Changes to Chapter 4 Dimensional Standards and Chapter 6 Development and Design Standards will allow for the Townhome 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 a 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 Townhomes and single-family homes.

- h. 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.

- i. A description regarding the location, function and ownership/maintenance of public and private open space, parks, trails, common areas, common buildings:*

Three main open space tracts located along Filing 11 to the west, along Highview Dr to the north, and along Glacier Dr to the east function as landscape buffers to the proposed development. Tract PP from Preliminary Plat 4 along Highview Dr to the north acts as a trail link between previous filings to the southwest and the proposed tracts along Glacier. These tracts will be maintained by the Metro District. The neighborhood also includes tracts along alleys and greencourts. Each homeowner is allowed access to and from their home off the alleys and greencourts. The metro district will be responsible for maintenance of the alleys, including snow removal, and front yard landscaping along the green courts, a feature that adds significantly to the low maintenance living.

- j. 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.