



TOWN OF ERIE

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

LAND USE APPLICATION

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

STAFF USE ONLY

FILE NAME:

FILE NO:

DATE SUBMITTED:

FEES PAID:

PROJECT/BUSINESS NAME: Westerly - Southern Land Company

PROJECT ADDRESS: TBD - generally east of County Road 5, west of County Road 7, and south of Erie Parkway

PROJECT DESCRIPTION: The Westerly property is proposed to be a high quality Mixed Use addition to the Town of Erie, the proposal includes an area of Neighborhood Mixed Use, a variety of residential land uses, a significant amount of Open Space and Parks for the benefit of the Community and the Town of Erie.

LEGAL DESCRIPTION (attach legal description if Metes & Bounds)

Subdivision Name:

Filing #: Lot #: Block #: Section: 21 Township: 1 North Range: 68 West

OWNER (attach separate sheets if multiple)

Name/Company: Erie Land Company, LLC

Contact Person: Heidi Majerik

Address: 1225 17th Street, Suite 2420

City/State/Zip: Denver, CO - 80202

Phone: 303-888-3866

Fax:

E-mail: heidi.majerik@southernland.com

☒ Check here if Owner is responsible for Application Billing

AUTHORIZED REPRESENTATIVE

Company/Firm:

Contact Person:

Address:

City/State/Zip:

Phone:

Fax:

E-mail:

☐ Check here if Authorized Representative is responsible for Application Billing

MINERAL RIGHTS OWNER (attach separate sheets if multiple)

Name/Company: Anadarko Petroleum Corp.

Address: 1099 18th Street, Suite 1800

City/State/Zip: Denver, CO - 80202

MINERAL LEASE HOLDER (attach separate sheets if multiple)

Name/Company: Anadarko Petroleum Corp.

Address: 1099 18th Street, Suite 1800

City/State/Zip: Denver, CO - 80202

LAND-USE & SUMMARY INFORMATION

Present Zoning: NMU - LR - MR - PLI - AG/OS

Proposed Zoning: PUD Overlay

Gross Acreage: Full property is approx. 427 acres, 63.36 acres are being added to the current PUD.

Gross Site Density (du/ac): 2.8 du/ac.

Lots/Units Proposed: 1,204

Gross Floor Area: approx. 35,000 in the NMU area.

SERVICE PROVIDERS

Electric: Public Service

Metro District: Westerly Metropolitan Districts

Water (if other than Town):

Gas: Public Service

Fire District: Mountain View Fire

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

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

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

Owner: Erie Land Company, LLC Date: 9/29/90

Owner: _____ Date: _____

Applicant: Heidi Majarik Date: _____

STATE OF COLORADO)
) ss.
County of DENVER)

The foregoing instrument was acknowledged before me this 29 day of September, 2020, by Heidi Majarik.

My commission expires: 6-21-2022
Witness my hand and official seal.

NANCY RELIHAN
Notary Public
State of Colorado
Notary ID # 20184026021
My Commission Expires 06-21-2022

Nancy Relihan
Notary Public

June, 2021

Town of Erie
Community Development Department
645 Holbrook Street
Erie, CO 80516

RE: PUD, Westerly

To Whom It May Concern:

Erie Land Company, LLC ("Applicant") is pleased to submit the enclosed PUD Amendment application for the property located at the between the southeast corner of Erie Parkway and Weld County Road 5, extending to Weld County Road 7 on the east side of the property. This project consists of a parcel with an area of approximately 427 acres that is located in the Town of Erie and is currently zoned NMU, LR, MR, PLI and AG/OS, which is consistent with the Town Comprehensive Plan as well as this proposed PUD. The approved PUD is intended to facilitate the creation of a Traditional Neighborhood Designed community, similar to Andres Duany designed communities, by modifying some of the dimensional standards in the Town of Erie's UDC so new home styles may be included in this community. This PUD Amendment proposes one addition to the standards that are in the currently approved Westerly PUD, it adds clarification for the setback to side-loaded garages on non-corner lots, and adds specific standards for this garage orientation that was not included in the initial language. This condition will only apply to a maximum of 20% of the minimum 60' wide lots, or approximately 35-40 homes in the approximately 1,200 home community. The intent of this PUD Amendment is to apply the same standards to the adjacent Swink property that has recently been annexed in to the Town of Erie, and is an extension of the Westerly community. This Amendment adds approximately 63.36 acres to the existing PUD.

General Project Concept and Purpose of the Request

The General project concept is for the design of a walkable commercial village at the northeast corner with a direct connection through the open space to the Neighborhood Park at the promontory towards the south and east property line. The vehicular circulation provides direct access through the community while leading to or terminating at the Neighborhood Park. Every resident is within a 5-minute walk to the Neighborhood Park, or a Pocket Park, and various connections to the pedestrian trail network. This style of a walkable neighborhoods increase the opportunity for daily interactions between neighbors and can strengthen these bonds within the community. In turn, this leads to increased social engagement and community trust. With streets favoring people over cars, walkable neighborhoods also have the capacity to host more community events such as block parties and outdoor markets - this is particularly true in Westerly with the large central greenway anchored on either end with active uses, and a passive trail use linking the neighborhood.

The proposed plan anticipates an approximate density of 2.8 dwelling units per acre. As can be seen in the associated Concept Plan there is a diverse mix of residential home types being proposed for this community, ranging from Live Work, Townhomes, Paired Homes, and Single-Family homes, in a variety of alley load and front-loaded garage configurations. In addition, the Plan anticipates approximately 35,000 square feet of non-residential floor area in the Mixed-Use area – Village 2.

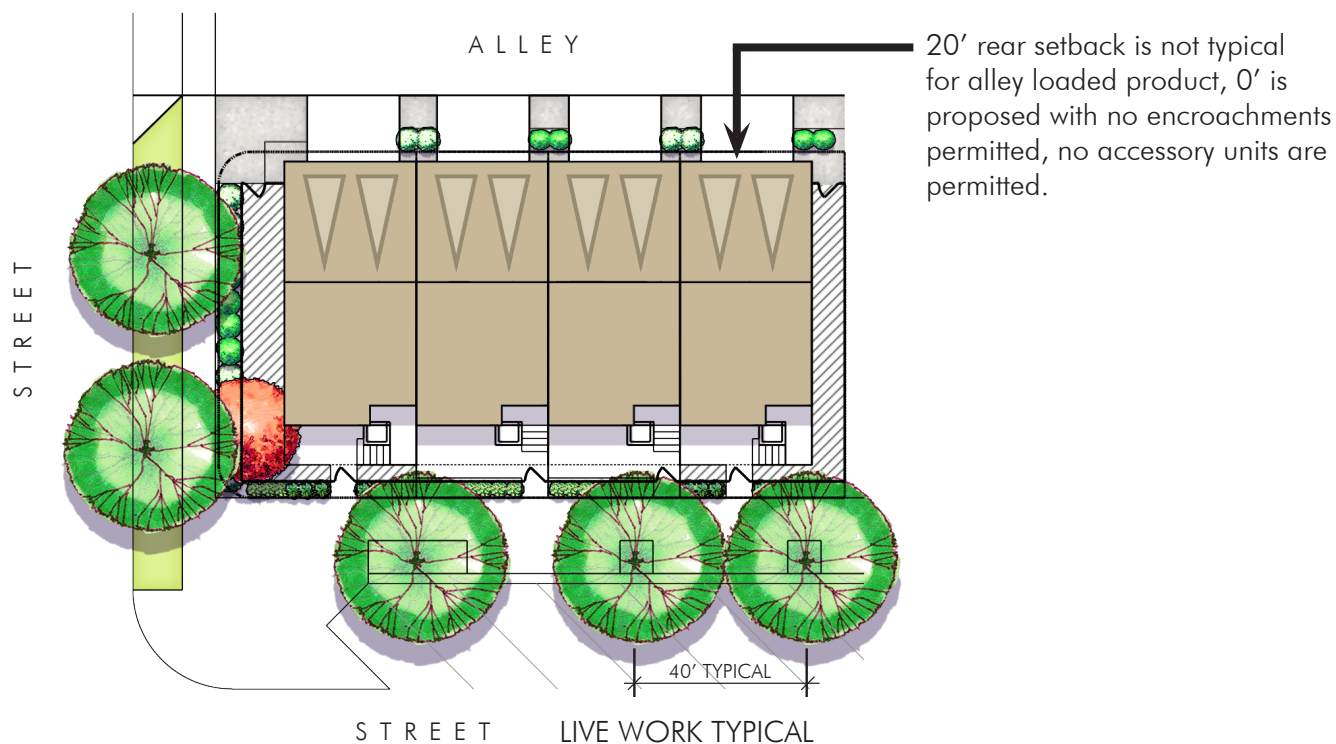
There are many public benefits to this style of community design. The design of Westerly is composed of a well-connected street network that disperses traffic and increases pedestrian connections. Pedestrian friendly street design includes bringing buildings close to the street with front porches that encourage social interaction, higher quality windows and doors, tree lined streets, and many homes having the garages in the rear. This high-quality pedestrian network and public realm makes walking pleasurable, and perhaps more importantly this style of community crafting provides areas for social interaction, areas to linger with friends, sit and talk, or simply hang out with neighbors. Southern Land has a background in programming community events, and the design of the community allows areas for these events to take place on scales from small to large.

In summary, the design of this community includes a mix of housing, providing a range of housing types, sizes and prices mixed throughout the community. This style of design and community crafting brings shops/restaurants and services closer to residents, which enables a more efficient use of services and resources, and creates a more convenient, enjoyable place to live.

Proposed Variations

There are no new proposed variations with this PUD Amendment, the variations from the underlying zone district relate to the dimensional standards currently in the UDC, and are currently approved as part of the Westerly PUD. The UDC dimensional standards do not facilitate the development of alley loaded homes, and also do not facilitate the development of a rich mix of residential housing types. This PUD request proposes standards that will support a true mix of residential housing typologies, and promote a well-connected and walkable community. The specific variations are detailed in the PUD document for each specific home type being proposed. The variations relate to minimum lot size, lot coverage, and setbacks. The justification for the proposed variations is that they will allow for the creation of a rich, diverse, traditional designed neighborhood which is not possible under the existing underlying zoning. A couple of specific examples are a 20' rear setback precludes a rear/alley loaded home with an attached garage, a minimum 50' lot width which is not necessary for specific single family detached homes that are rear loaded. Below is a more detailed analysis of the deviations being requested.

Dimensional Standards - UDC compared to PUD							
	Minimum Lot Standards		Minimum Lot Setbacks (ft.)				
Housing Type	Width (ft.)	Area (s.f.)	Front	Side (to Abutting Street)	Side (to Interior Lot)	Rear	Height
NMU - UDC	25'	not listed	Prin. - 0'	0'	0'	Prin. - 20'	Prin. - 45' 3 stories
						Acc. - 5'	
Live Work - PUD	20'	1,000	Prin. - 5'	8'	5'	Prin. - 0'	Prin. - 45' 3 stories
	28' Corner Lots		Acc. - NA			Acc. - NA	

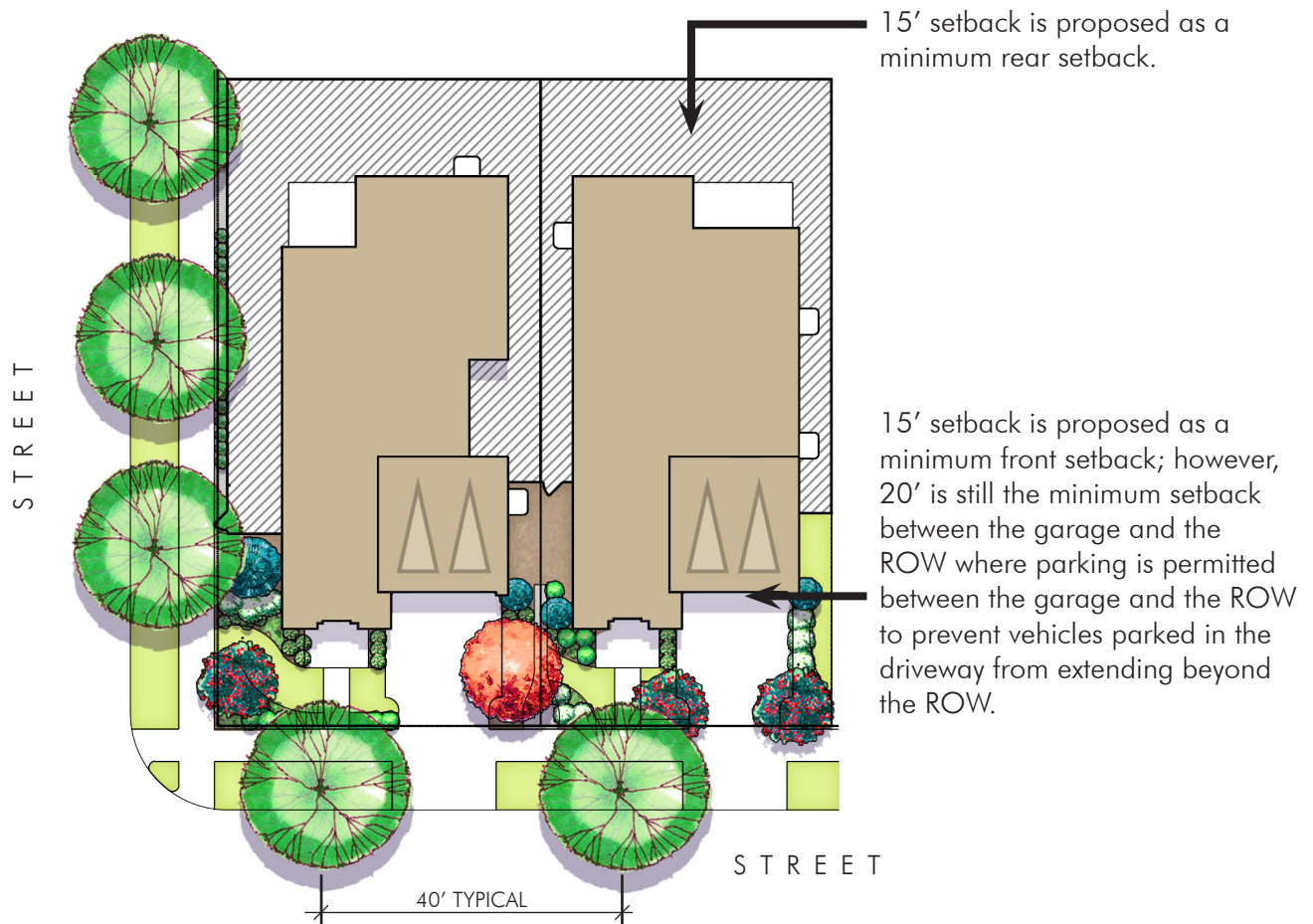


Summary:

- The Westerly PUD proposes a reduction in the rear setback to accommodate a typical alley accessed live work product.
- The PUD also requests a reduction in the lot width from 25' to 20', which accommodates a width that is commonly used for live work product - the PUD also establishes a minimum width of 28' for corner lots.
- The PUD establishes a minimum lot area of 1,000 sq.ft. - the UDC does not have a minimum lot area.
- The PUD establishes an 8' side to abutting street setback, and a 5' side to interior setback - the UDC allows 0'.

DIMENSIONAL STANDARDS - UDC compared to PUD

	MINIMUM LOT STANDARDS		MINIMUM LOT SETBACKS (FT.)				
HOUSING TYPE	WIDTH (FT.)	AREA (S.F.)	FRONT	SIDE (TO ABUTTING STREET)	SIDE (TO INTERIOR LOT)	REAR	HEIGHT
LR - UDC	SF: 50' 60' corner MF: none	SF: 5,000 MF: 2,500	PRIN. - 20'	20'	5'	PRIN. - 20'	PRIN. - 35' ACC. 25'
			ACC. - 30'			ACC. - 5'	
SINGLE FAMILY FRONT LOAD	45'	4,500	PRIN. - 15'	8'	5'	PRIN. - 15'	PRIN. - 35' ACC. 25'
			FRONT LOAD GAR. 20' SIDE LOAD GAR. 15'				
	48' CORNER LOTS		ACC. - 25'			ACC. - 5'	
SINGLE FAMILY ALLEY LOAD	34'	3,000	PRIN. - 8'	8'	5'	PRIN. - 0'	
	37' CORNER LOTS		ACC. - NA			ACC. - NA	
DUPLEX ALLEY LOAD	24'	1,700	PRIN. - 8'	8'	5'	PRIN. - 0'	
	27' CORNER LOTS		ACC. - NA			ACC. - NA	
TOWNHOME ALLEY LOAD	20'	1,200	PRIN. - 8'	8'	5'	PRIN. - 0'	
	28'		ACC. - NA			ACC. - NA	



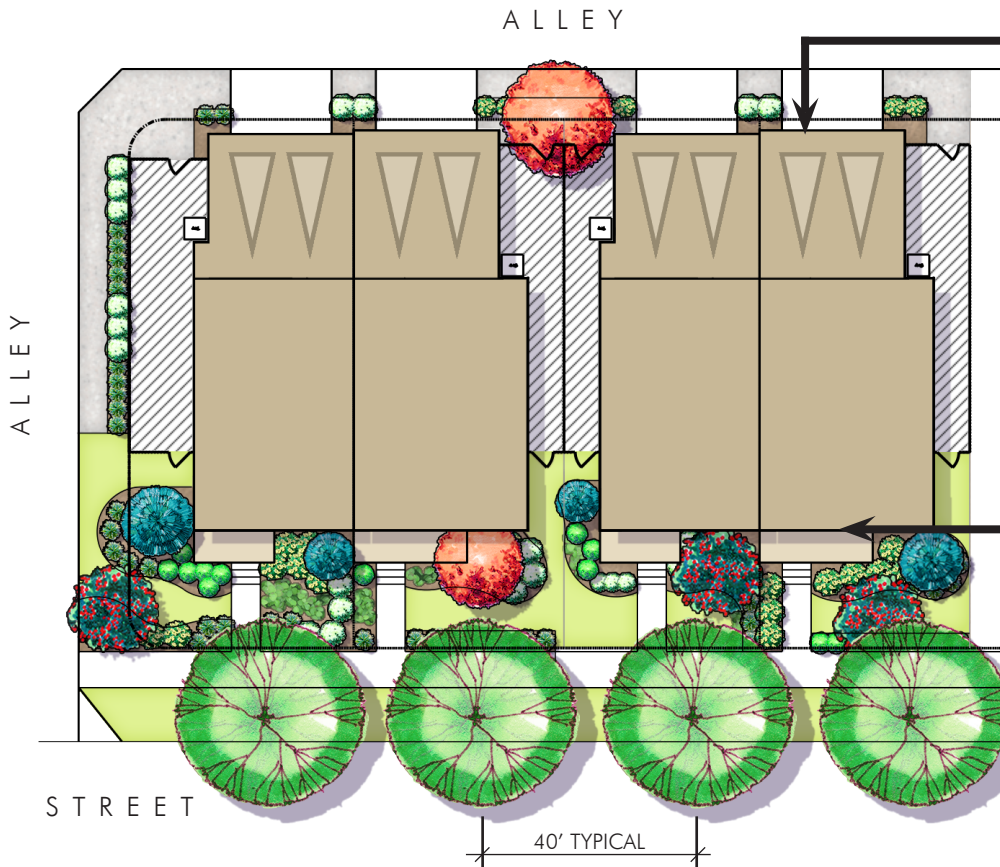
SINGLE FAMILY FRONT LOAD - TYPICAL



20' rear setback is not typical for alley loaded product, 0' is proposed with no encroachments permitted, no accessory units are permitted.

8' setback is proposed as a minimum front setback; since the garages are accessed from the alley it is desirable to bring the homes closer to the street with front porches to encourage social interaction. When homes front a greencourt instead of a street a 5' setback is proposed.

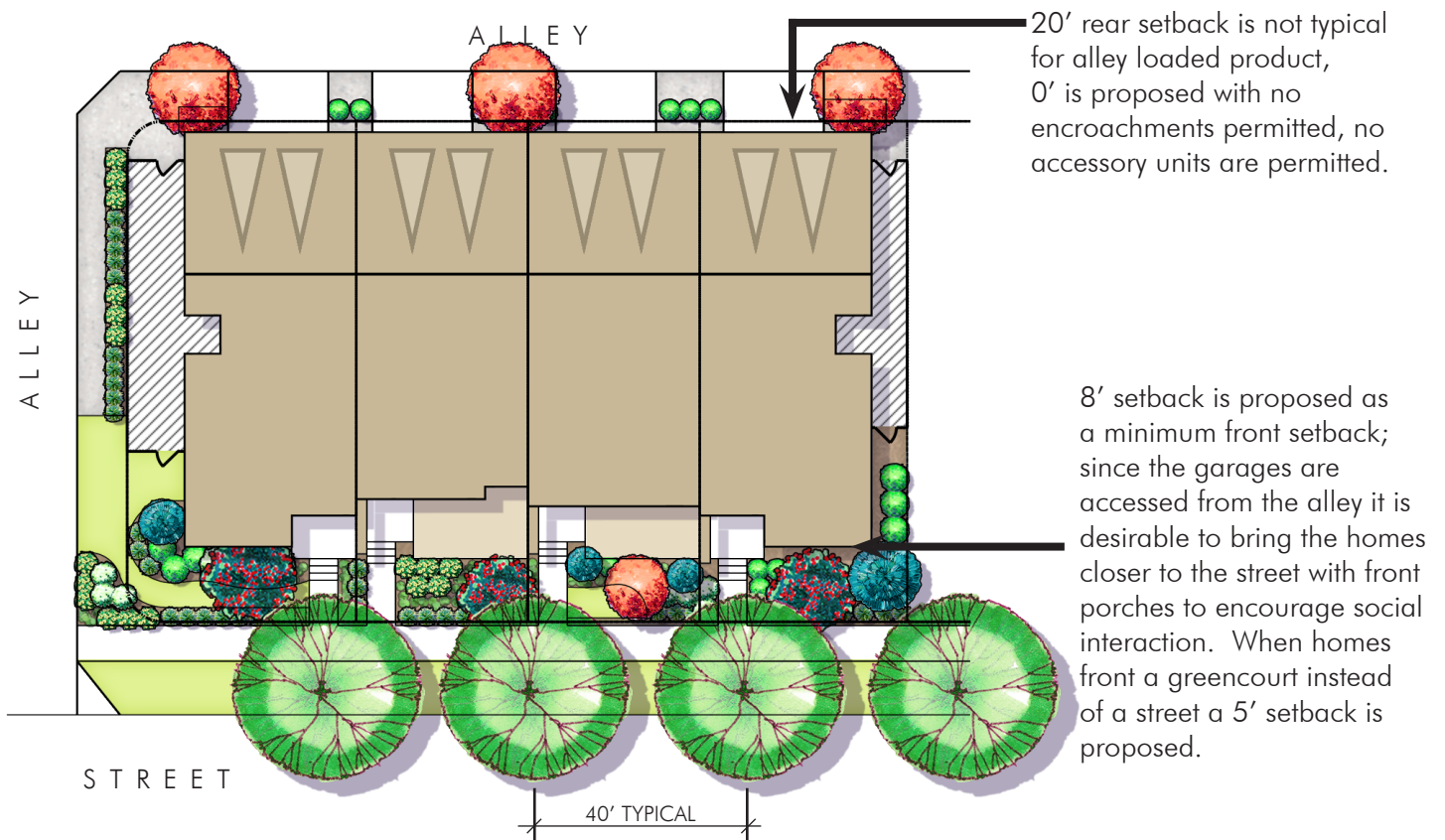
SINGLE FAMILY ALLEY LOAD - TYPICAL



20' rear setback is not typical for alley loaded product, 0' is proposed with no encroachments permitted, no accessory units are permitted.

8' setback is proposed as a minimum front setback; since the garages are accessed from the alley it is desirable to bring the homes closer to the street with front porches to encourage social interaction. When homes front a greencourt instead of a street a 5' setback is proposed.

DUPLEX ALLEY LOAD - TYPICAL



TOWNHOME ALLEY LOAD - TYPICAL

Summary:

- The Westerly PUD proposes a reduction in the rear setback to accommodate typical alley accessed homes.
- The PUD also requests a reduction in the lot width from 50' to 45' for Single Family Front Load homes, which represents a typical width now being built in the home building community, and is consistent with many communities in Erie. Consistent with the 45' lot width the lot area is proposed to be 4,500 sq.ft., and not the current 5,000 sq.ft. in the UDC.
- The PUD requests a front setback of 15' for Single Family Front Load, but the garage will always be set back a minimum of 20' between the garage and the ROW to ensure vehicles parked in the driveway will not extend beyond the ROW - an important element in the design of this community is getting the front porches close to the street to encourage social interaction.
- The PUD requests a side to abutting street setback of 8', which is consistent with many communities in Erie.
- For alley loaded/rear loaded homes the PUD requests a minimum rear setback of 0', with no encroachments allowed, which is typical for this style of home.
- For alley loaded/rear loaded homes the PUD requests a minimum front setback of 8' which is typical for this style of home and is supported in a mixed use walkable community as a way to encourage social interaction.
- The PUD requests a minimum lot width of 34' for alley loaded/rear loaded single family homes.
- The PUD establishes minimum lot widths for Duplex and Townhome lots where the UDC does not establish a minimum, and requests a minimum lot area of 1,700 sq.ft. for Duplex lots, and 1,200 sq.ft. for Townhome lots.

Public Benefits

There are many public benefits to this style of community design. The design of Westerly is composed of a well-connected street network that disperses traffic and increases pedestrian connections. Pedestrian friendly street design includes buildings close to the street, with front porches promoting interaction between neighbors, as well as providing “eyes on the street”, higher quality windows and doors, tree lined streets, and many homes having the garages in the rear. This high-quality pedestrian network and public realm makes walking pleasurable. The design of this community includes a wide mix of housing, providing a range of housing types, sizes and prices mixed throughout the community. This style of design and community crafting brings the potential for shops/restaurants and services closer to residents, which enables a more efficient use of services and resources, and creates a more convenient, enjoyable place to live. The wide variation and integration in housing types and styles also promotes a more well-knit community, many homes front on to park or green space areas rather than backing on to them.

Development Timeline

The project is likely to be constructed in multiple phases. The first phases will be centered around the northernmost proposed community amenity and NMU area and subsequent phases will be built to the south of that area. The timing of initial construction efforts is difficult to anticipate given the complexities of entitlements. The development team would like to begin grading activities in early 2021.

Utilities and Service Providers

The property will be served by Town Water and Sewer, and all services are in close proximity to the project. We have confirmed that the property will be served by United Power for electricity, Xcel for Gas, Comcast and Century Link for Internet and cable, and Waste Connection for Trash disposal.

Relationship to Existing Land Uses

The Westerly property is bounded by WCR 5 on the west side, Erie Parkway to the north, WCR 7 on the east, and the FRICO ditch on the south. WCR 5 and Erie Parkway provide significant boundaries to the adjacent properties. To the north is the Erie High School and Soaring Heights PK-8, to the west is the Erie Highlands master planned community, as well as a small out parcel that has Blake’s Small Car Salvage. Homes in the Westerly community along both WCR5 and Erie Parkway will meet the required 30’ landscape buffer setback to ensure compatibility. The southern boundary of the property includes a wide 300’ minimum open space corridor, which preserves the highest point of elevation in the Town.

Comprehensive Plan and Approval Criteria

The Westerly plan is consistent with the Town of Erie Comprehensive Plan.

1. The PUD Rezoning is consistent with the purpose of the PUD overlay district in Section 2.7.D.2 of Municipal Code, Title 10, Unified Development Code;

As described in this narrative the proposal for Westerly is to create a traditional neighborhood designed community, this style of design incorporates a wide variety of housing types in close proximity to one another thereby avoiding the monotony that can be found in communities with less variety. The PUD provides a mechanism for mixing the housing types and the mix of uses proposed in this style of high-quality urban design. Additionally, the PUD proposes a large greenway connecting the Mixed Use Village area to the Neighborhood Park, and proposes common maintenance of that area as well as the various district/hoa maintained Open Space and Pocket Park areas found throughout the Westerly community.

2. The PUD Rezoning will promote the public health, safety, and general welfare;

The PUD proposal promotes public health, safety and general welfare by proposing standards that allow for the creation of a complete community that can host a mix of uses that provide residents of Westerly the opportunity to live, work, play and interact. The highly connected street network makes Westerly walkable, drivable and bike-able. The provision of many sizes and types of open space common areas creates places for residents to be able to linger, interact with each other and live a healthy lifestyle for mind and body.

3. The PUD Rezoning is consistent with the Town's Comprehensive Plan and the purposes of the Municipal Code, Title 10, Unified Development Code;

The PUD proposal is consistent with the Town's Comprehensive Plan and the purposes of the UDC.

4. Adequate facilities and services (including roads and transportation, water, gas, electric, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;

Adequate facilities and services will be available for the Westerly community.

5. The PUD Rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;

The PUD proposal will not result in adverse impacts.

6. The PUD Rezoning is not likely to result in significant adverse impacts to significant scenic and historic features as identified in plans adopted by the Town;

The PUD proposal will not result in adverse impacts, the proposal incorporates the high points of the property as part of the Park and Open Space network.

7. The PUD Rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject property;

The PUD proposal will not result in adverse impacts.

8. Proposed uses on the subject property will be compatible in scale with uses on other properties in the vicinity of the subject;

The PUD proposal is compatible with the surrounding properties.

9. The proposed phasing of the development is appropriate and the development can be substantially completed within the time period specified in the schedule of development or Development Agreement submitted by the applicant; and

The PUD proposal includes anticipated phasing based on starting at the north end of the community. The time period will ultimately be specified in the Development Agreement that is drafted by the Town of Erie at a future time in the entitlement process.

10. The PUD Plan provides public benefit(s).

The PUD proposal allows for the creation of a complete, connected, and complex community. The livability and social connections that this style of community design affords is what creates the ability for Westerly to endure and thrive culturally. It's this PUD that will ultimately allow Westerly to build a sense of place, a sense of safety, and opportunities for enjoyment for residents, and provide a unique new neighborhood to the Town of Erie.

Open Space, Parks & Schools

The provision for a Community Park is not required due to the population anticipated from this proposal not generating the minimum acreage requirement of a Community Park. The requirements for a Town Neighborhood Park and Town Open Space will be met and dedicated to the Town and maintained by the Town, in total the project will be dedicating approximately 100 acres of Open Space. The requirements for Pocket Parks and the remaining open space will be maintained by the HOA or Metro District. The project proposes community amenity areas that will be maintained by the HOA or Metro District.

St. Vrain Valley School District provides service to this parcel. The District has identified this general area for a future school with the requirement of 25 acres, this is being provided in the land that is zoned PLI property in close proximity to the Neighborhood Park.

Mineral Rights

A surface agreement has been executed with Occidental for the western portion of the property and has been included with this PUD submittal. A surface agreement has been negotiated with Occidental for the eastern portion of the property and is awaiting signature. These agreements assures that there are no future drilling sites located within this community.

Thank you for your consideration of the project and we look forward to reviewing the plans with the Town of Erie.

Sincerely,

Erie Land Company, LLC

Heidi Majerik
Vice President and General Manager