



# Westerly – Preliminary Plat No. 3 - 9<sup>th</sup> Review

## Planning & Development

To: Heidi Majerik, Erie Land Company  
 From: Aly Burkhalter, Planner  
 Date: April 24, 2024  
 Re: PP-001297-2023 Westerly Preliminary Plat No. 3 – 9<sup>th</sup> Review  
 cc: Kelly Driscoll, David Pasic, Jonathan Williams, Luke Bolinger, Kathy Kron, Jesse Ascunce, Ryley Gross, David Frank

### Development Review Team & Referral Comments

Town staff has reviewed the applications for the Westerly Preliminary Plat No. 3 for conformance with Municipal Code, Title 10. Town of Erie – Planning, Parks (DNS), and GIS (Addressing) staff have commented. Referral comments received by the Town after the date of this memo shall be forwarded on to the applicant. These comments do not require written response from the applicant at this time. A written response will be required with the Final Plat submittal. The Final Plat will not be accepted if the comments have not been addressed.

The next step for the application is Planning Commission - Public Hearing.

### Planning Comments

Planning comments are organized by submittal requirements per the Town’s User Guide. New review comments are indicated in red.

1. **Land Use Application** – no comment
2. **Application Fee** – no comment
3. **Narrative** – all comments resolved
4. **Proof of Ownership** – no comment
5. **Notarized Letter of Authorization** – no comment
6. **Special Agreements** – no comment
7. **ALTA** – no comment
8. **Engineered cost estimates for public improvements** – please provide with Final Plat
9. **Preliminary Plat Exhibit** –

- a. See DNS Comment "The Tract Summary Chart on Sheet 2 of the Preliminary Plat has a Use of Open Space for Tract AA. This needs to be changed to School or Future Development.

Y	7204	SF	0.17	AC	BUFFER/LANDSCAPE
Z	16713	SF	0.38	AC	BUFFER/LANDSCAPE
AA	1645576	SF	37.78	AC	OPEN SPACE
BB	2223333	SF	51.04	AC	OPEN SPACE
CC	26365	SF	0.61	AC	OPEN SPACE

Future Development (School)

### 10. Development Plan –

- a. **Phase II Drainage Report and Plans** – no comment
- b. **Preliminary Erosion and Sediment Control Plans** – no comment
- c. **Preliminary Area Grading Plan** – no comment
- d. **Preliminary Utility Plan and Utility Report** – no comment
- e. **Preliminary Road Construction Plan** – to be addressed at Final Plat

- i. On Sheet 4, RESIDENTIAL COLLECTOR w/ON-STREET PARKING (PEACH AVENUE), please indicate on street parking as separate from travel lanes.
- f. **Threatened and Endangered Species, Habitat, and Wetlands report** – no comment
- g. **Cultural, Archaeological, and Historical Resource Report and Protection Plan** – no comment
- h. **Native Tree and Vegetation Survey and Protection Plan** – no comment
- i. **Preliminary Landscape Plans** – all comments resolved
- j. **Geological Report** – no comment
- k. **Environmental Hazards Report** – no comment
- l. **Soils Report** – no comment
- m. **Traffic Impact Study** – to be addressed at Final Plat
  - i. Phase/Filing 5, which is the area of Preliminary Plat no. 3, is indicated as having 276 residential units, 18 live work units, 750 students. Please remove indication of live-work units. Please confirm student estimation with SVVSD.

**11. Additional**

- a. **Existing Zoning Map**– all comments resolved
- b. **Credited Open Space Exhibit** – See DNS comments
- c. **Block Length Exhibit** – no comment
- d. **Parking Exhibit** – no comment
- e. **Oil and Gas Setback Exhibit** – The Director of Energy and Environmental Services, David Frank, after meeting with the applicant Heidi Majerik, requests that the following item be included in the Development Agreement at Final Plat:  
*"The Town and the Developer shall agree, in the interest of public health and safety, that the Town shall not issue certificates of occupancy for buildings located on the Lots listed in Table 1 before one of following items are satisfied, whichever occurs first:*
  - a. *First Production is reported by Civitas on the last of up to 26 wells approved on the Draco Pad*
  - b. *Expiration of the Form 2A approved by ECMC for operations at the Draco Pad**Table 1. List of Blocks and Lots a distance less than 2,000ft from the Draco Pad, as measured from the Working Pad Surface to the exterior lot line"*

**12. Street Naming & Addressing Exhibit** –Please address GIS comments at Final Plat.

**Informational Comments**

The following comments are informational in nature and do not require a response at this time:

1. The next step is a Planning Commission public hearing. This is tentatively scheduled for June 5, 2024 which would have the following deadlines:
  - a. Applicant Materials Due: 5/6/2024
  - b. Notice to Paper - Hometown: 5/9/2024
  - c. Publication in Paper: 5/15/2024
  - d. Letters Sent Out: 5/17/2024
  - e. Property/TH Posted: 5/17/2024

2. This application requires a neighborhood meeting before a recommendation by planning commission and decision by Town Council. At time of this review, a neighborhood meeting was scheduled for April 30, 2024 with all affidavits and neighborhood meeting summary due by May 6, 2024 per deadlines above.
3. The next submittal will be a Final Plat submittal with a one-week completeness review, four week referral review, and comments out on the sixth week. All subsequent referral reviews may be shortened dependent on the quality of submittal materials and response to comments.

Please contact me at 303-981-5985 or [aburkhalter@erieco.gov](mailto:aburkhalter@erieco.gov) for further clarification.

Sincerely,  
Aly Burkhalter  
Planner

ATTACHMENTS:

- a. Engineering
- b. DNS
- c. GIS (Addressing)



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**Internal Memo**

To: Aly Burkhalter, Planner

From: Kathy Kron, Senior Parks Planner

Luke Bolinger, Development & Neighborhood Services Manager

Date: April 23, 2024

**Subject: Westerly Preliminary Plat No. 3 (PP-001297-2021) – Parks & Recreation, Development & Neighborhood Services – 9<sup>th</sup> Review**

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Below are comments for the eighth overall Parks & Recreation, Development & Neighborhood Services review of the Westerly Preliminary Plat No. 3 submittal dated **2/16/24**.

**9<sup>th</sup> Review** - 4/23/24 (New comments & changes in red)

8<sup>th</sup> Review - 3/25/24 (applicant responses in blue)

7<sup>th</sup> Review - 12/27/23

6<sup>th</sup> Review - 11/8/23

5<sup>th</sup> Review - 8/9/23

4<sup>th</sup> Review - 2/28/23

3<sup>rd</sup> Review - 8/30/22

2<sup>nd</sup> Review - 1/11/22

1<sup>st</sup> Review - 8/16/21

The Westerly Preliminary Plat No. 3 submittal includes +/- 149.93 acres and 33 tracts. 1 tract in this filing is a pocket park and 4 tracts are public open space. The number of lots and type of units is unclear in the current submittal, so staff is unable to estimate the public dedication requirements below.

TOE: Requirements below are based on 264 single family units (attached & detached) utilizing a 2.89 PPDU (persons per dwelling unit) estimate.

Response: Plat and Park & Open Space Exhibit have been updated to include the information below.

TOE: Calculations in the chart on the Credited Open Space Exhibit are not understandable due to the inconsistencies between the map, which identifies Preliminary Plat tracts, and the Chart which references Final Plat Filings. The exhibit needs to accurately reflect existing and proposed Filing boundaries and which Filings are associated with which Preliminary Plats. For example, if Preliminary Plat 3 is going to be Filing 5, that needs to be clear on both the map exhibit and the chart.

Response: Additional labels have been added to specify which plats which plats each tract belongs to. Please be aware that Preliminary Plat 2 will be filed under separate final plats. This exhibit attempts to provide as much detail as we have at this moment in time. We will continue to update this exhibit as more final plats are submitted.

TOE: Acknowledged.

Public Dedications	Required by UDC (acres)	Proposed for Westerly PP3 (acres)
Pocket Parks (.5 ac/1000 res)	0.38	0.906 (Tract H)
Neighborhood Park (3 ac/1000 res)	2.29	To be satisfied with future filings
Community Park (5 ac/1000 res)	1.66	Collected via Impact Fees
Open Space (17 ac/1000 res)	5.65	53.56 (Tracts BB, CC, FF & HH)

1. **Development Summary: +/-149.93 acres, 264 lots, and 33 tracts**

PW: Summary above has been revised to match current submittal

Response: Acknowledged

Response: There will be 39 tracts.

2. **Please include a chart tracking all lots, parks and open space across all Westerly filings. Clarify overall dedications made to Parks and Open Space as a total and per filing.**

Response: We have provided an exhibit with the resubmittal that outlines all platted open space dedication by filing. Overall, we are providing approximately 80 acres of dedicated open space, free of easement, ROW and O&G setbacks. This figure could support as many as 1,606 units.

PW: Please include park and open spaced dedications per filing/phase on the Credited Open Space exhibit.

Response: This has been provided

PW: Open space exhibit does not appear to be resubmitted. Review team is looking for this chart to be revised to be broken down by filing/phase.

*Response: A Platted Open Space exhibit has been provided with the landscape plans.*

TOE: Per the Town of Erie Preliminary Plat Development User's Guide, an Open Space & Park Chart is required on the Preliminary Plat exhibit. The chart should indicate the UDC requirement as well as what is proposed. If dedication requirements are being met with adjacent or future filings, or fee in lieu, this needs to be outlined in the chart. The Platted Open Space exhibit provided is insufficient due to being out of date and it also doesn't identify specific tracts (and their platted acreages) that are being counted toward each of the dedication requirements.

Response: The chart has been added as requested.

TOE: Complete.

TOE: Applicant needs to ensure the Park & Open Space Exhibit and Chart are updated and accurate with each submittal. See additional comments under Platted Open Space Exhibit.

TOE: The Park & Open Space Exhibit and Chart were not provided with submittal #7 and cannot be reviewed. Please provide with next submittal.

Response: Submittal #6 comments were not returned to us prior to our 7<sup>th</sup> submittal. A revised Park & Open Space Exhibit has been provided in this resubmittal.

TOE: See comment above dedication chart for clarifications on the Park & Open Space Exhibit and Chart.

**Response: Additional labels have been added to specify which plats which plats each tract belongs to. Please be aware that Preliminary Plat 2 will be filed under separate final plats. This exhibit attempts to provide as much detail as we have at this moment in time. We will continue to update this exhibit as more final plats are submitted.**

**TOE: Acknowledged.**

3. **Tract Summary Chart does not match plat. Please revise to reconcile whether tract Z is designated as neighborhood park.**

Response: Tract Z is not a neighborhood park or dedicated open space. It will remain being shown as buffer / landscape use in the tract summary chart and matches the plat.

PW: Completed

Response: Acknowledged

Response: Noted.

4. Park requirements do not meet code based upon Tract Summary Chart. Please clarify on landscape sheets if neighborhood park dedication requirements are met with adjacent filings.

Response: The neighborhood park dedication requirement of 9.77 acres has been provided as part of PP2. Additional park acreage will be re-dedicated by PROS department at a later date.

PW: Acknowledged

Response: Acknowledged

Response: Noted.

5. Identify dedicated open space on plans.

Response: Dedication open space has been labelled on landscape enlargement sheets for tracts AA and BB.

PW: Confirmed

Response: Acknowledged

Response: Noted.

6. Pocket Park location appears to meet ¼ mile radius. Please add additional information depicting a quarter mile buffer to Trails Plan to confirm.

Response: ¼ mile buffer has been incorporated to Trails Plan.

PW: Confirmed

Response: Acknowledged

Response: Noted.

7. Revise site acreage and proposed units in narrative to match plat and preliminary plan.

Response: The narrative has been updated to match the plat and preliminary plan.

PW: Confirmed

Response: Acknowledged

Response: Noted.

8. Tract Summary Chart on Sheet 2 of the Preliminary Plat should identify Town of Erie for Ownership and Maintenance of Tracts AA and BB.

TOE: This comment was not addressed in the resubmittal. Additionally, the Preliminary Plat has been updated to include the future school site as Tract AA, so the Tract Summary Chart needs to be updated accordingly. Tracts BB and CC will be dedicated to the Town as Open Space. Please ensure acreages on the Tract Summary Chart, the Preliminary Plat Detail Sheets, the Park & Open Space Dedication Chart and the Park & Open Space Exhibit all match. See Planning comments for direction on Tract Summary Chart content and location.

Response: Submittal #6 comments were not returned to us prior to our 7<sup>th</sup> submittal. Park & Open Space Exhibit and Landscape Plans have been updated to reflect the latest plat submittal.

TOE: See comment above dedication chart for clarification on the Park & Open Space Exhibit and Chart.

**Response: Public dedications chart has been updated to match platted tracts.**

**TOE: Complete.**

9. The Public Dedications Chart on Sheet 2 of the Preliminary Plat is not accurate. Please update according to the chart at the beginning of these comments and incorporate changes that occur in subsequent submittals.

Response: The Public Dedication Chart has been updated to reflect the figures provided by the reviewer.

TOE: The Open Space & Park Chart on Sheet 2 of the Preliminary Plat does not have accurate acreages. See dedication chart at the beginning of these comments for the Town's understanding of park and open space dedication requirements and credits.

[Response: Public dedications chart has been updated to match platted tracts.](#)

TOE: Complete.

10. **The Tract Summary Chart on Sheet 2 of the Preliminary Plat has a Use of Open Space for Tract AA. This needs to be changed to School or Future Development.**

#### GENERAL REVIEW:

1. **Only deciduous shade trees shall count toward street tree requirements. Ensure adequate street trees are proposed along Erie Parkway. The quantity is currently deficient.**  
Response: Thank you for clarifying - the deciduous shade tree count was 3 trees short of the requirement. Additional deciduous trees have been added to meet this street tree requirement. A note under the street tree calculations has been added that says "TREES QUANTITIES HAVE BEEN COUNTED WITHIN THE LANDSCAPE BUFFER WITHIN 30' OF ROW ALONG ERIE PARKWAY."  
PW: Confirmed. Shade trees have been located on either side of concrete trail/within 30' buffer.  
Response: Acknowledged  
Response: Noted.
2. **Confirm site triangles are shown at all intersections. Linework appears to be missing from landscape sheets.**  
Response: Sight distance triangles and labels are now on landscape plans.  
PW: Completed  
Response: Acknowledged  
Response: Noted.
3. **Show and label 'stop' signs on all landscape plans.**  
Response: The landscape plans rely on the Civil documents as a background for their work effort. The Civil documents do not include stop signs until the Final Construction documents.  
PW: Acknowledged. Please note for Final Plat submittals that stop signs will be required to be shown on landscape plans to ensure no trees are located within 35' of a stop sign upon approach.  
Response: Acknowledged  
Response: Noted.
4. **Street trees must be set back 55' from curb return where stop signs occur.**  
Response: Street trees will be set back 55' from curb return at stop sign locations in the final landscape plans.  
PW: As of 2022, trees may be located 35' from stop signs vs 55' from curb return.  
Response: Acknowledged  
Response: Noted.
5. **Increase the scale of symbols in the legend to be legible.**  
Response: The scale of the symbols have been increased.  
PW: Completed  
Response: Acknowledged  
Response: Noted.
6. **Ensure that the spine trail aligns with adjacent filings. It is unclear with which filing the spine trail directly to the west will be installed.**

Response: The portion of spine trail within this filing aligns with the adjacent filing to the west. This western filing, Filing 2, will construct just the portion of spine trail within its limits when this western phase is completed.

PW: Clearly identify on plans where spine trail connects to adjacent filing and timing of spine trail installation for each filing.

Response: The Final Landscape Plans for the Filing adjacent to Preliminary Plat 3 have not been submitted. It is expected that Filing 3 will contain the spine trail improvements adjacent to the PDP 3 plans. The note provided refers to the only landscape plans approved by the Town. An additional note has been added to define how the Spine trail plans are to align with future filing.

PW: Acknowledged

Response: Noted.

**7. Ensure trees are not located within sight triangles, typ.**

Response: Trees have been removed from sight triangles

PW: Completed

Response: Noted.

**8. No temporary irrigation will be required within the restored open space.**

PW: Comment not addressed in responses. Please acknowledge.

*Response: Acknowledged, we do not anticipate providing temporary irrigation to areas that have been restored.*

TOE: Complete

Response: Noted.

**9. Remove 'Ownership' & 'Maintenance' columns from the tract summary table on all landscape and irrigation submittal sheets (applies to all future submittals).**

*Response: These columns have been removed from the tract summary chart.*

TOE: Complete

Response: Noted.

**10. All street trees need to be shown on the Landscape Plans.**

Response: Street trees have been provided.

TOE: Complete.

**11. Use a hatch for sod as opposed to leaving it blank or white.**

Response: Tree lawn landscape has been provided.

TOE: Complete.

**12. Landscape Plans – show and label ROW, property lines & easements on all sheets.**

Response: ROW, property lines and easements have been added to the Legend for all sheets.

TOE: For the Final Plat submittal, the easements will need to be labeled to indicate what the specific easement is.

**13. For Final Plat submit Civil Public Improvement Plans and Landscape & Irrigation Plans as one set of Public Improvement Plans as opposed to separate drawing sets.**

**SPECIFIC REVIEW:**

**1. Sheet L0.0: Remove redundant "shall" from item 5 in general landscape notes.**

Response: Redundant 'shall' has been removed from note 5.

PW: Completed

Response: Acknowledged

Response: Noted.

**2. Sheet L0.0: Remove "Overall Landscape &" from sheet index table title for sheet L0.2. This sheet only shows fencing and fencing details.**

Response: Sheet index has been updated for the Fencing Plan sheet.



- PW: Completed  
Response: Acknowledged  
Response: Noted.
3. **Sheet L0.0: Adjust spacing between “Litter Removal” title and Sod text in Material Specifications to match the rest of the text layout.**  
Response: Text has been updated.  
PW: Completed  
Response: Acknowledged  
Response: Noted.
4. **L0.0: remove ‘.’ Within the word ‘seams’ from Landscape Fabric note.**  
Response: Text has been updated.  
PW: Completed  
Response: Acknowledged  
Response: Noted.
5. **Sheet L0.1: On future submittals update plant schedule with percentages for each plant type.**  
Response: Percentages have been added to the plant schedule.  
PW: Revise column so percent reflects only the percentage of that category. I.e. AC = 13/277 (4.6% of deciduous shade trees).  
Response: We are providing plant calculations by plant type.  
PW: Completed  
Response: Noted.  
TOE: Note for Final Plat – species and quantities for all street trees, regardless of installation by developer or builder, will need to be included in the overall tree diversity calculation.  
Response: Noted. Current plant calculations reflect this requirement.
6. **Sheet L0.1: Provide a line item for each street in Street Tree Requirements Table.**  
Response: A line item for each street has been provided in the street tree calculations table.  
PW: Completed  
Response: Acknowledged  
Response: Noted.
7. **Sheet L0.1: Correct spelling of “pounds” in native grass mix note under westerly native seed mix table.**  
Response: Text has been updated with correct spelling.  
PW: Completed  
Response: Acknowledged  
Response: Noted.
8. **For Tree Mitigation, provide information pertaining to this Plat from the Tree Preservation Plan and demonstrate how removed trees will be or have been mitigated for. The reference to Preliminary Plat 1 is insufficient.**  
Response: Accounting for tree replacement has been provided on sheet L0.4.  
TOE: Per sheet L0.4 total tree mitigation required is 225 caliper inches. Final Plat will need to indicate how the mitigation requirement is being met. Trees required per the landscaping requirements in section 10.6.4 of the UDC cannot be utilized to meet the tree mitigation requirement.  
Response: Acknowledged.
9. **Sheet L0.2: Correct spelling of “finished” in finished grade callout of open rail fence detail.**  
Response: Text has been updated with correct spelling.  
PW: Completed  
Response: Acknowledged

Response: Noted.

**10. Sheet L0.2/3: Update detail callouts to reference corresponding details, typ.**

Response: Detail callouts have been updated.

PW: Concrete trail callout remains inaccurate

Response: This has been revised

PW: Completed

Response: Noted.

**11. Sheet L0.3: Revise spine trail detail to show an 8' clear zone on either side of the trail. Ensure no boulders or obstacles are shown within this 'clear zone'. A 6' shoulder is also required on each side of the spine trail, not to exceed a 6:1 slope.**

Response: Acknowledged, the revised spine trail detail has been provided on sheet L0.3 depicting no obstructions within the clear zone.

PW: Revise detail to clarify that an 8' clear zone is provided on EACH side of the spine trail

Response: It is our intention that notes apply to all conditions where applicable – for instance notes related to slope are intended to apply to both sides of the trail. We have included additional language to specify the clear zone shall apply to all edges of the trail.

PW: Completed.

Response: Noted.

**12. Sheet L1.1/2: Ornamental and evergreen trees do not count toward street tree requirement.**

Response: Plans have been updated to not include ornamental and evergreen trees to count towards street tree requirement.

PW: Confirmed. Shade trees have been located on either side of concrete trail/within 30' buffer.

Response: Acknowledged

Response: Noted.

**13. Sheet L1.1: Label and dimension east/west trail running through tract B.**

Response: Labels and dimension has been added to convey this 8ft wide concrete Erie Parkway ROW sidewalk running through Tract B.

PW: Reference detail 1/L.03 when calling out this trail.

Tract labels appear to have been removed from this set. Please include labels for all tracts with future submittals.

Response: Detail callout has been included. Tract labels have been included.

PW: Completed

Response: Noted.

**14. Sheet L1.1: Update intersection of Peach Ave and Alley in Tract I to conform with Town of Erie roadway construction standards per section 514 of Standards and Specifications.**

Response: Section 5:14 refers to overlay. That does not apply to this intersection. I think they made a mistake with this comment.

PW: This intersection appears to remain inconsistent with Town standards. This comment should read pg. 500-14 of the Standards and Specs- Section ~~514~~ 524 Horizontal Alignment

Response: For reference – Horizontal Alignment is found in Section 524.00 of the Town of Erie Street Construction Manual. This comment has been referred to the project engineer, who is responsible for road and alley alignment. We have not been included in all the discussions between the project engineer and the town engineer. We would expect this comment to come from the town engineer, on the engineering plans.

PW: Acknowledged

Response: Noted.

**15. Sheet L1.1: Reconcile any overlapping labels and callouts, typ.**

Response: Overlapping labels and callouts have been addressed.

PW: Completed

Response: Acknowledged

Response: Noted.

**16. Sheet L1.1: Ensure labels are not cut off, typ.**

Response: Labels have been updated per this comment.

PW: Confirmed

Response: Acknowledged

Response: Noted.

**17. Sheet L1.4: Label symbol within tract Z and clarify whether it is to remain.**

Response: Tract Z has been updated to identify plugged and abandoned well head.

PW: Completed. Labels provided.

Response: Acknowledged

**18. Sheet L1.4: Label or remove symbols north of intersection of Hawthorne Ave. and Chestnut Ave.**

Response: The symbols in this location will be removed during final.

PW: Completed. Symbols have been removed.

Response: Acknowledged

Response: Noted.

**19. Sheet L1.4: Clarify condition at sidewalk intersection at north side of Tract N. Trim linework where walks meet if a grade change does not occur.**

Response: Walks have been updated along north side of Tract N.

PW: Completed

Response: Acknowledged

Response: Noted.

**20. Sheet L1.4: Trim sod hatch conflicting with sewer inlet at intersection of Hawthorne Ave. and Chestnut Ave.**

Response: Sod hatch has been trimmed to not conflict with sewer inlet.

PW: Completed

Response: Acknowledged

Response: Noted.

**21. Sheet L1.7/8: Show spine trail as 10-foot concrete trail, remove unnecessary linework, typ.**

Response: Spine trail is labelled, and dimensions added.

PW: Completed

Response: Acknowledged

Response: Noted.

**22. Sheet L1.8: Clarify how spine trail connects to adjacent property.**

Response: Spine trail with terminate at WCR7 ROW.

PW: Further clarification is required to detail where/when this spine trail will connect to the adjacent PP.2 trail.

Response: The Preliminary Plat 1 trail is located to the west of the Swink property (on the Dearmin property) and the connection to this trail has been noted on Sheet Ll.11. It is anticipated Filing 3 plans will incorporate the spine trail up to the border of the Dearmin/Swink property.

PW: Acknowledged

Response: Noted.

**23. Sheet L1.10/11: Label preliminary plat boundary, typ.**

Response: Boundary labels have been added to these two sheets.

PW: Completed

Response: Acknowledged

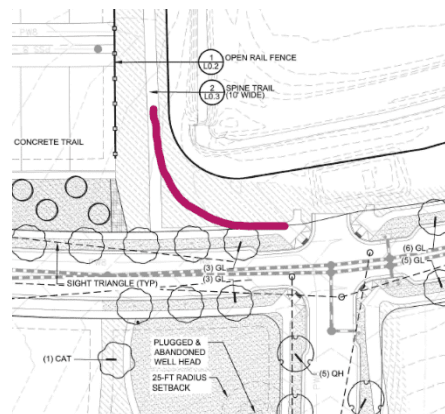
Response: Noted.

#### TRAIL REVIEW:

1. Per the annexation agreement, more discussion with the Town is required to finalize the location of the spine trail(s).
  - a. A spine trail connection is proposed farther north along County Road 7.
  - b. An additional leg of the spine trail will be required running to the north along the eastern boundary of Westerly No. 3, to connect to the underpass at Erie Parkway. See Figure 15 (PROST Master Plan Update, 2016) for general locations.

Response: Spine trail alignment has been coordinated with the Town and revised with these changes.

PW: This leg of the spine trail requires further coordination. The current configuration with multiple crossings is not acceptable. Please provide sketches for Staff review before the next formal submittal. Ramps will be required to be 10' at spine trail street crossings. The segment of spine trail north of Chestnut Ave. is drawn at 8' rather than 10' - please revise. Where the spine trail is shown intersecting the widened sidewalk, use the 40' intersecting detail below, or a wider radius as depicted here:



Response: Revisions to spine trail, in this location, have been incorporated as requested  
PW: Completed.

Response: Noted.

2. Waysides are required along the spine trail at least every ½ mile and along each segment.

Response: Waysides will be provided as detailed design on the final landscape plans per TOE spine trail requirements.

PW: Show wayside locations on Trails Plan and clearly denote distance between each wayside. An additional wayside is required in the vicinity of the intersection of Hawthorne Ave and Chestnut Ave. Please note that these locations will be required at time of Final Plat.

Response: Waysides are being shown on the trails plan

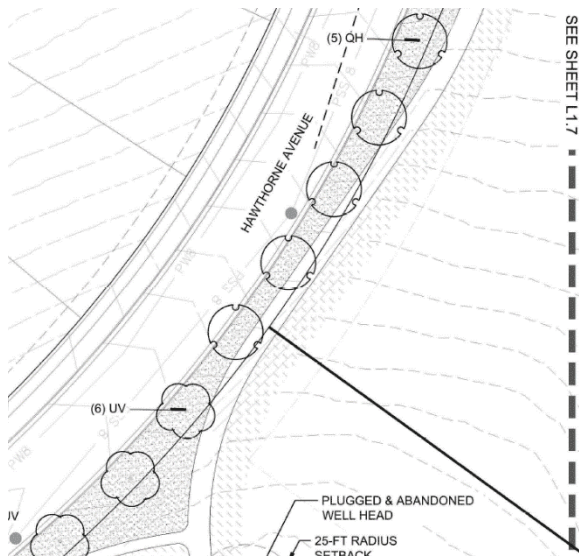
PW: Completed. Ensure wayside located near Chestnut and Hawthorne does not conflict with school site. The north side of Chestnut may be a more appropriate location.

Response: Wayside has been moved north of Chestnut.

TOE: Complete.

Response: Noted.

3. New Comment: Sheet L1.7: Ensure grade along spine trail does not exceed 5% with a 2% cross slope. Further refinement appears to be required here:



Response: Final grading to be provided with final plans

PW: It is important to ensure that adequate grading throughout the extents of the spine trail will be feasible in order to approve this phase of the site plan/preliminary plat.

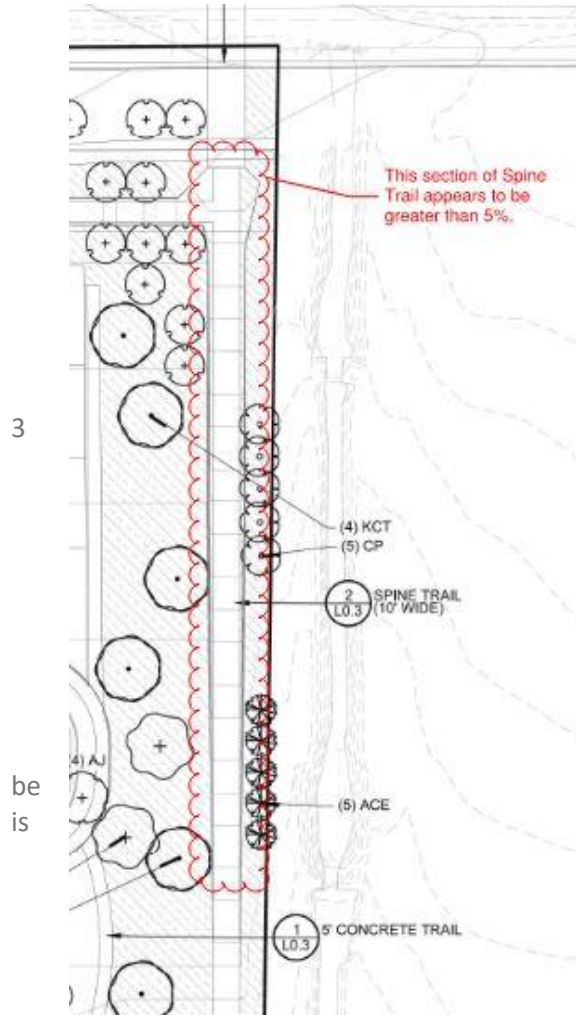
*Response: Spine trail grading has been incorporated.*

TOE: Incomplete. Areas that appear to be out of compliance or not show grading are:

**The Spine Trail appears to have a running slope of greater than 5% in the NE corner of the development, just South of Erie Parkway. See below.**

Response: the intent of the grading is to show that ADA can be met and we believe we have done so. Final Grading and design for this will occur with the construction Documents and will meet Town and ADA grading requirements.

TOE: Acknowledged.



There appear to be grading issues in the SW corner of Sheet L1.6. See below.

TOE: Even though the sidewalk connection segment has been removed, the grading needs to be corrected to allow for an ADA compliant connection to be made when the property to the west (the future park site) develops.

Response: The construction of the land within Preliminary Development Plan No. will be contingent on the design and construction of adjacent properties to the west. During the final design of this area the existing contours will be different and will allow us to grade at a 4:1 max slope. If for some reason the parcels to the west are not developed before final design, a wall may be added to the western edge to accommodate maximum grades.

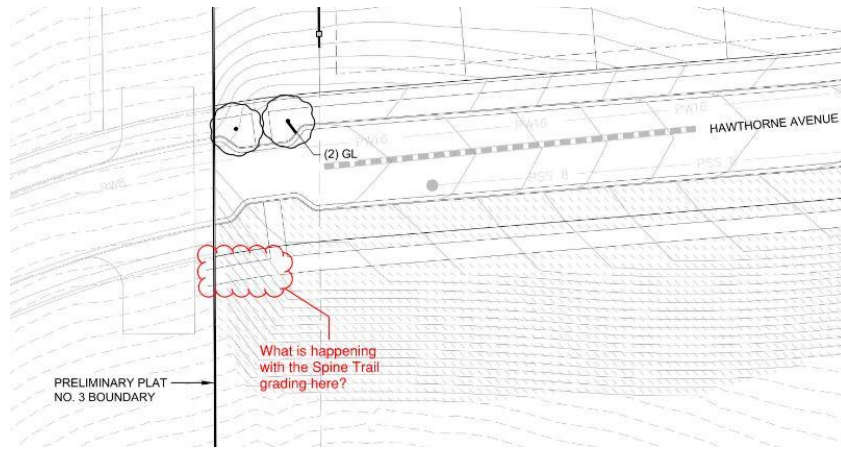
TOE: The grading at this location needs to be designed based on existing grades. There is no timeline for improvements to adjacent properties. Grading needs to accommodate a connection without the need for significant changes on either parcel.

TOE: This comment has not been

addressed. Proposed grading is not currently shown at this location.

Response: Submittal #6 comments were not returned to us prior to our 7<sup>th</sup> submittal. Grades have been updated to show the improvements within this submittal are ADA compliant. Additional information shall be provided at final plat.

TOE: Complete.



Grading for the Spine Trail appears to be incomplete on Sheet L1.8.

Response: The grading for the open space is correct, however the trail does not continue into Tract Z of Preliminary Plat 2. At the Town’s request the trail adjacent to Hawthorne in Tract Z was removed from the Landscape Plans. These plans have been revised to end the trail at the pedestrian crossing.

TOE: Acknowledged. See response to previous bullet regarding grading in SW corner of Sheet L1.6.

Response: Noted. See above for response.

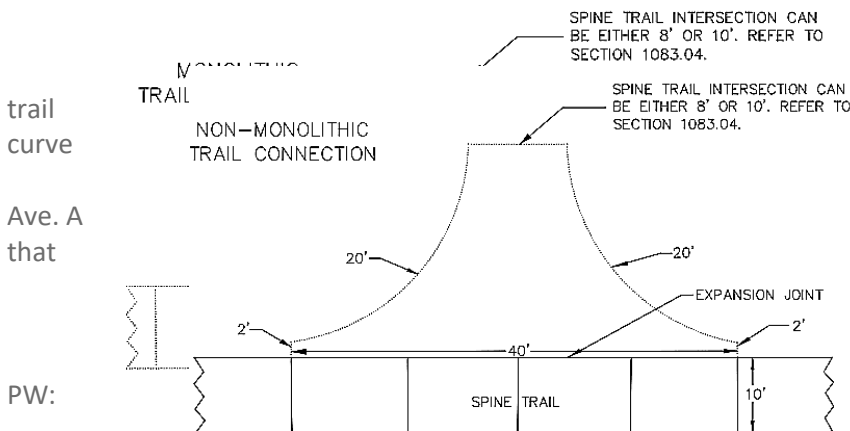
- 4. **New Comment:** Ensure an 8’ clear zone is provided along the entire length of the spine trail, including where the trail runs parallel to Hawthorne Ave. Turf and street trees are not permitted within the 8’ clear zone.

Response: Clear zone has been provided

PW: Completed.

Response: Noted.

- 5. **New Comment:** Ensure adequate turn radii are provided along the spine trail.
  - a. The following intersection detail is required where the spine trail intersects the widened sidewalk along Chestnut Ave. unless the configuration is revised to incorporate a curve.
  - b. Please include a note where the spine trail-to-spine trail intersections occur to clarify that the monolithic intersection is present when the trails are poured at the same time. If the trails are to be poured at different times, use the non-monolithic detail, and ensure that bump outs are 2’ wide rather than 1’ wide as currently shown.

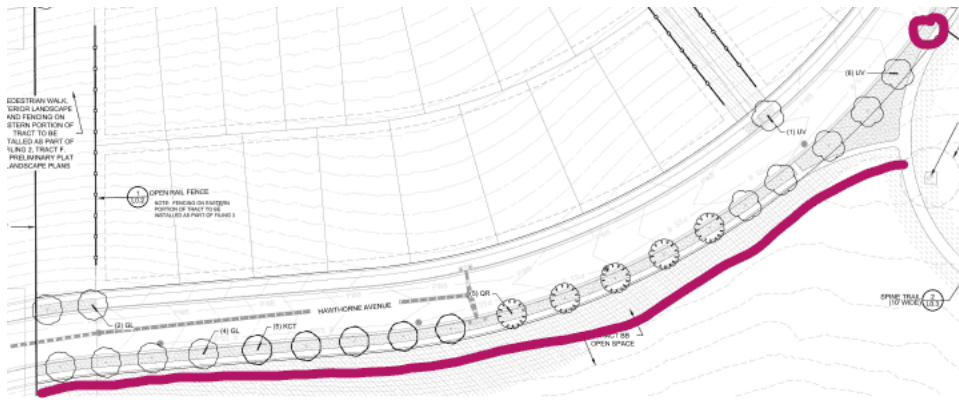


Response: The spine has been made to at the location adjacent to Chestnut note has been added identifies the treatment of trail intersections, where applicable.  
Completed  
Response: Noted.

6. Increase the size of the trail between the school to the east and the park to the west to an 8' local trail.

PW: Completed

- a. A SW4A ramp is required just to the west of the property line  
 Response: It is our understanding the engineer will provide this level of detail at final plat  
 PW: Acknowledged. Please note comment for implementation with final plat.
- b. This 8' trail may be located slight farther south to provide a wider buffer between the street and the trail.  
 Response: The local trail has been moved south  
 PW: Completed  
*Response: Grading in the trail as shown would produce a lengthy steep slope. We have moved the trail to 20' from back of curb and providing grading for reference.*  
 TOE: Complete.
- c. Remove the trees and sod between street and the trail  
 Response: Trees and sod have been removed adjacent to open space  
 PW: Completed
- d. Provide irrigation main line, lateral lines and spray heads as necessary and stub out on the park side for future tie in with the park site.  
 Response: Irrigation anticipated to be provided at final plat  
 PW: Acknowledged. Please note comment for implementation with final plat.
- e. Use the 40' intersection where the 8' local trail meets the spine trail  
 Response: 40' intersection provided at this location  
 PW: Completed
- f. Consider widening the stub between the 8' local trail and Hawthorne Ave. to 8'  
 Response: An 8' stub has been provided to connect across Hawthorne Ave at the central trail between Preliminary Plat 2 & 3  
 PW: Completed



Response: Noted.

7. Further coordination with the Town will be required regarding the north-south leg of the spine trail.
  - a. Will this trail be located with a separately dedicated tract?
  - b. Is it to be within an easement or the right-of-way?
  - c. Since tract AA is a future school site, there will need to be clarification on how this trail will run through or adjacent to the school tract.





*Response: We will continue to work with the Town regarding spine trail alignments, requirements, etc...*

TOE: Spine trail that is currently running through Tract the school site, needs to be in a separate tract. Tract needs to be a minimum of 30' wide and wide enough accommodate development of an ADA compliant trail.  
 Response: The spine trail has been placed in separate tracts as requested.

TOE: Tract AA, which now encompasses the Open Space Dedication as well as the trail corridors adjacent

to the school site, is acceptable

- a. Please note, the trail south of the school should be designated as an 8' wide local trail connection and not spine trail. This trail is not to be constructed at this time due to lack of pedestrian facilities on Hwy. 7. Fees in lieu will be collected. These drawings should show the trail connection in gray and labeled "by others".

Response: Acknowledged. The plan revisions have been made as requested.

The north/south section of Spine Trail north of Chestnut Avenue needs to be on a separate tract. This spine trail tract is to be dedicated to the Town as Open Space.

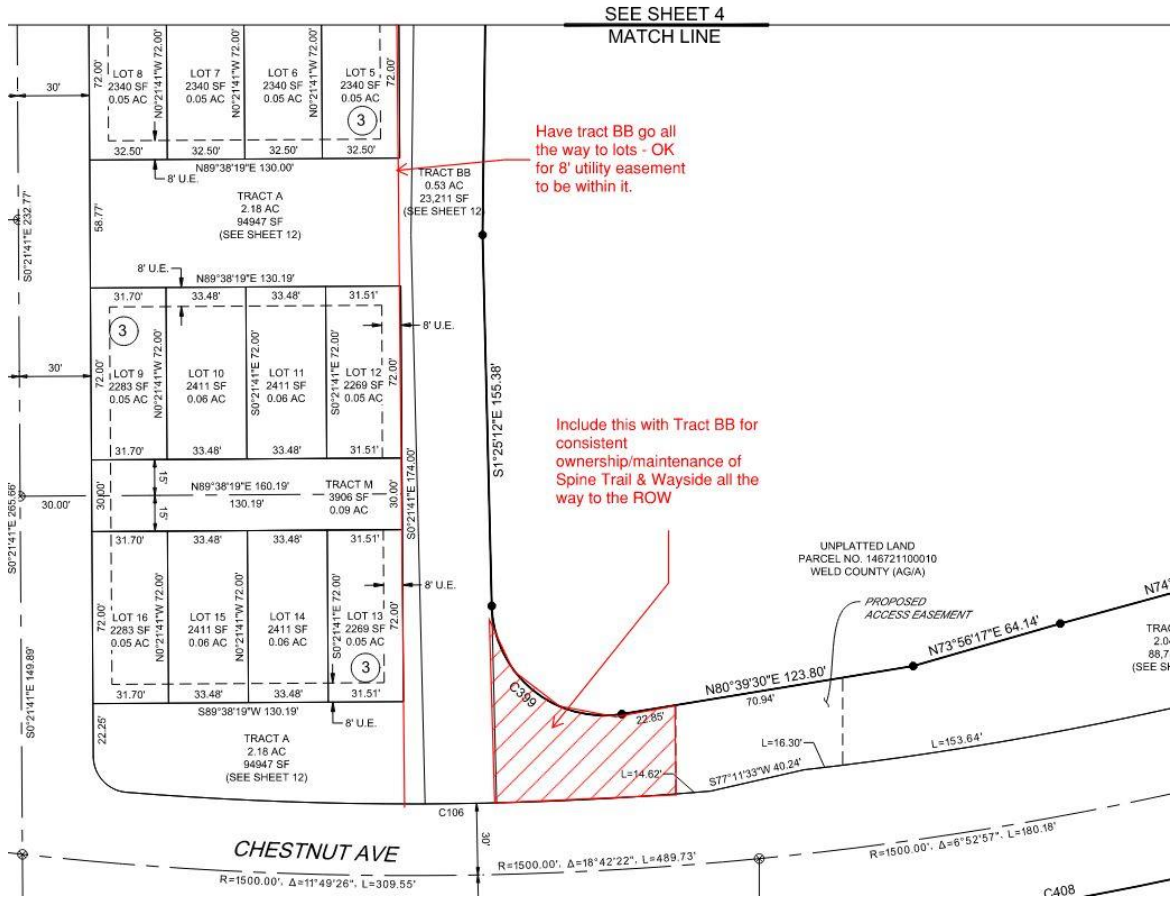
Response: Separate tract has been created as requested.

TOE: See edits to tract below. Also indicate Maintenance and Ownership as Town of Erie on the Tract Summary Chart on Sheet 2 of the Preliminary Plat.

TOE: This comment has not been addressed.

Response: Submittal #6 comments were not returned to us prior to our 7<sup>th</sup> submittal. Tract summary chart and ownership and maintenance have been updated in landscape plans to reflect the latest plat.

**TOE: This is acceptable as shown for the Preliminary Plat, however final tract boundaries and access easements will be further reviewed when irrigation plans are provided with the Final Plat.**



- Provide further design for the underpass at Erie Parkway and clarify intent to construct with this project.

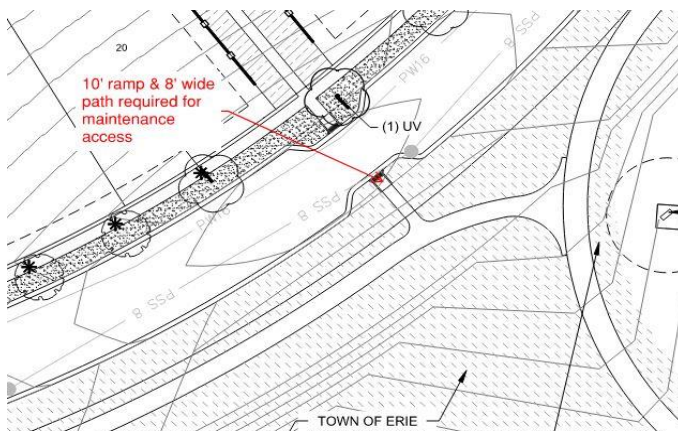
Response: Grading in this area has been revised. Final details will be provided with the construction documents.

TOE: Acknowledged.

- Provide a 10' ramp and 8' wide path connection from Hawthorne Drive to Open Space and spine trail. See below.

Response: Trail connection has been revised as requested.

TOE: Complete.



10. Provide pedestrian connections to the spine trail north of Chestnut Avenue. See locations below.

Response: As discussed with staff, the grading in these locations makes walk connections prohibitively difficult. In one case 8' of grade must be accommodated. To avoid social trails, developing to the spine trail we have screened the greencourts with evergreen plant material, which will also provide screening from the adjacent future commercial.

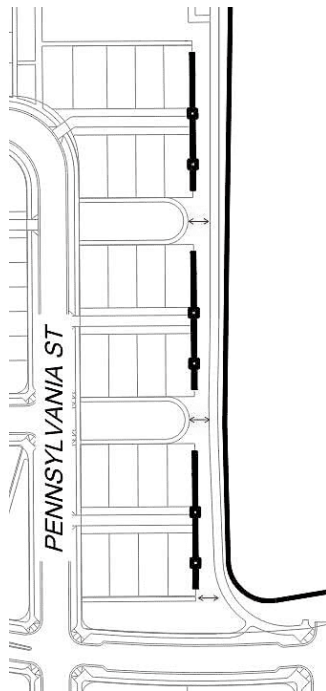
TOE: Acknowledged.

11. For the section of spine trail between the school site and Hawthorne Avenue, meander trail slightly and provide groupings of trees in lieu of street trees. Native seeding for tract AA may have temporary irrigation, however, permanent drip irrigation is required for the trees.

Response: We have accommodated this design request.

TOE: Complete.

PARKS  
Pocket



REVIEW:

Park (Tract H):

1. Refine park design with future submittals.

Response: Acknowledged.

PW: Acknowledged

Response: Acknowledged

Response: Noted.

2. Open Turf area should be clear of trees and furniture. Dashed line may be edited to remove these features. Confirm the 3,000 SF minimum is met.

Response: Open turf areas only shows furniture and trees on edges of turf panels where they will not obstruct activity. All three larger turf panels are between 7,000 and 11,000 sf in area.

PW: Acknowledged

Response: Acknowledged

Response: Noted.

3. Consider orientation of shade structure and picnic tables. They may fit better rotated or focused toward a viewshed or design element.

Response: Acknowledged, these park designs will be refined at the time of a detailed site plan.

PW: Acknowledged

Response: Acknowledged

Response: Noted.

4. Expand upon 'natural area' design. This feature must include plantings in addition to boulders.

Response: This natural area design, per Erie's pocket park requirements, will have more detail at the time a final site plan is submitted.

PW: Acknowledged

Response: Acknowledged

Response: Noted.

5. Clarify material within playground. Is this Fibar, as shown in details?

Response: Correct, this is engineered wood fiber safety surfacing within the playground.

PW: Confirmed

Response: Acknowledged

Response: Noted.

6. **Where does daylighting apply to playground? Show on plans.**

Response: Playground drainage and daylighting details will be provided at the time a final site plan is submitted.

PW: Further clarification is requested with this Preliminary Plat set.

Response: Drainage has been included in this plan set

PW: Completed

Response: Noted.

**PLATTED OPEN SPACE EXHIBIT:**

TOE: The comments below were provided with the 6<sup>th</sup> submittal. The Platted Open Space Exhibit was not provided with submittal #7, so the following comments remain.

Response: Submittal #6 comments were not returned to us prior to our 7<sup>th</sup> submittal.

1. **Update exhibit to reflect final plats for filings that have been executed with actual tracts and acreages.**

Response: Exhibit has been updated with plat tract names and acreages.

TOE: Continue to update with subsequent submittals.

Response: We will continue to update with future submittals.

TOE: See comment above dedication chart for clarification on the Park & Open Space Exhibit and Chart.

**Response: Additional labels have been added to specify which plats which plats each tract belongs to. Please be aware that Preliminary Plat 2 will be filed under separate final plats. This exhibit attempts to provide as much detail as we have at this moment in time. We will continue to update this exhibit as more final plats are submitted.**

**TOE: Acknowledged.**

2. **Update school site boundary and dedicated open space acreage for Preliminary Plat 3.**

Response Boundaries have been updated to match Preliminary Plat 3.

TOE: Complete.

3. **Label all pocket park, open space and neighborhood park tracts with tract letter (if known).**

Response: Labels have been added.

TOE: Continue to update with subsequent submittals.

Response: We will continue to update with subsequent submittals.

TOE: See comment above dedication chart for clarification on the Park & Open Space Exhibit and Chart.

**Response: Additional labels have been added to specify which plats which plats each tract belongs to. Please be aware that Preliminary Plat 2 will be filed under separate final plats. This exhibit attempts to provide as much detail as we have at this moment in time. We will continue to update this exhibit as more final plats are submitted.**

**TOE: Acknowledged.**

4. **Update chart with actuals to date. See below.**

Response: Updated as requested. Filing 1, including Amendment 1, totals 304 units: 238 SFD, 66 SFA. Filing 2 totals 221 units: 66 SFD, 155 SFA. Filing 3 is based on plans that are not yet approved, and currently totals 238 units: 194 SFD, 44 SFA. Filings 4 and 5 are based on preliminary plans that have not been approved and are subject to change – numbers provided are based on current planning/preliminary estimates.

TOE: Continue to update with subsequent submittals. If filings are preliminary, it is OK to note numbers as estimates.

Response: We will continue to update with future submittals.

TOE: See comment above dedication chart for clarification on the Park & Open Space Exhibit and Chart.

Response: Additional labels have been added to specify which plats which plats each tract belongs to. Please be aware that Preliminary Plat 2 will be filed under separate final plats. This exhibit attempts to provide as much detail as we have at this moment in time. We will continue to update this exhibit as more final plats are submitted.

**TOE: Acknowledged.**

5. Only include Sheet 6 of the Platted Open Space Exhibit with future submittals.

Response: We will only include this sheet with future submittals.

TOE: Complete.

6. Map needs to be updated with accurate tract labels & associated filing numbers.

Response: We will continue to update with future submittals.

TOE: See comment above dedication chart for clarification on the Park & Open Space Exhibit and Chart.

Response: Additional labels have been added to specify which plats which plats each tract belongs to. Please be aware that Preliminary Plat 2 will be filed under separate final plats. This exhibit attempts to provide as much detail as we have at this moment in time. We will continue to update this exhibit as more final plats are submitted.

**TOE: Acknowledged.**

7. If a filing has gone to Final Plat, references to Preliminary Plats need to be updated.

Response: We will continue to update with future submittals.

TOE: See comment above dedication chart for clarification on the Park & Open Space Exhibit and Chart.

Response: Additional labels have been added to specify which plats which plats each tract belongs to. Please be aware that Preliminary Plat 2 will be filed under separate final plats. This exhibit attempts to provide as much detail as we have at this moment in time. We will continue to update this exhibit as more final plats are submitted.

**TOE: Acknowledged.**

8. Exhibit title should be Park & Open Space Exhibit and may be incorporated into the Landscape Plans.

Response: We will provide as a separate exhibit where required in future submittals.

TOE: Not complete for Preliminary Plat.

Response: Additional labels have been added to specify which plats which plats each tract belongs to. Please be aware that Preliminary Plat 2 will be filed under separate final plats. This exhibit attempts to provide as much detail as we have at this moment in time. We will continue to update this exhibit as more final plats are submitted.

**TOE: Acknowledged.**



# WESTERLY - OVERALL PROPERTY

The Open Space dedication area available for the entire property is 86.44 acres once the area of easements, ROW, O&G setback, etc. are removed and the current AG/OS zoning boundary remains in place. This equates to enough Open Space to satisfy approximately 1,759 units.

335 units with amendment (262 single-family, 73 multi-family)

FILING 1 PARKS AND OPEN SPACE DEDICATIONS				
TYPE	REQUIREMENT	REQUIRED (AC)	PROVIDED (AC)	CREDITED (AC)
POCKET PARKS	0.5 AC / 1,000 residents	<del>0.44</del> 0.45	0.81	0.81
NEIGHBORHOOD PARKS	3 AC / 1,000 residents	<del>2.64</del> 2.73	0.00	-
COMMUNITY PARKS	5 AC / 1,000 residents	<del>4.39</del> 4.55	0.00	-
OPEN SPACE	17 AC / 1,000 residents	<del>14.94</del> 15.48	26.01	<del>19.84</del> 26.01

221 units (66 single-family, 155 multi-family)

FILING 2 PARKS AND OPEN SPACE DEDICATIONS				
TYPE	REQUIREMENT	REQUIRED (AC)	PROVIDED (AC)	CREDITED (AC)
POCKET PARKS	0.5 AC / 1,000 residents	<del>0.92</del> 0.26	0.00	-
NEIGHBORHOOD PARKS	3 AC / 1,000 residents	<del>1.92</del> 1.55	0.00	-
COMMUNITY PARKS	5 AC / 1,000 residents	<del>3.19</del> 2.68	0.00	-
OPEN SPACE	17 AC / 1,000 residents	<del>10.86</del> 8.78	<del>11.02</del> 11.01	<del>10.69</del> 11.01

258 units (143 single-family, 115 multi-family)

ANTICIPATED FILING 3 PARKS AND OPEN SPACE DEDICATIONS				
TYPE	REQUIREMENT	REQUIRED (AC)	PROVIDED (AC)	CREDITED (AC)
POCKET PARKS	0.5 AC / 1,000 residents	<del>0.48</del> 0.37	<del>1.02</del> 0.83	0.83
NEIGHBORHOOD PARKS	3 AC / 1,000 residents	<del>2.80</del> 2.22	0.00	-
COMMUNITY PARKS	5 AC / 1,000 residents	<del>4.80</del> 3.68	0.00	-
OPEN SPACE	17 AC / 1,000 residents	<del>16.01</del> 12.56	<del>18.36</del> 12.96	<del>16.52</del> 12.96

These acreages will need to be updated as the Open Space tracts are finalized.

### ANTICIPATED FILING 4 PARKS AND OPEN SPACE DEDICATIONS

TYPE	REQUIREMENT	REQUIRED (AC)	PROVIDED (AC)	CREDITED (AC)
POCKET PARKS	0.5 AC / 1,000 residents	0.09	0.00	-
NEIGHBORHOOD PARKS	3 AC / 1,000 residents	0.56	9.77	9.21
COMMUNITY PARKS	5 AC / 1,000 residents	0.94	0.00	-
OPEN SPACE	17 AC / 1,000 residents	3.19	4.59	4.40

### ANTICIPATED FILING 5 PARKS AND OPEN SPACE DEDICATIONS

TYPE	REQUIREMENT	REQUIRED (AC)	PROVIDED (AC)	CREDITED (AC)
POCKET PARKS	0.5 AC / 1,000 residents	0.40	0.84	-
NEIGHBORHOOD PARKS	3 AC / 1,000 residents	2.39	0.00	-
COMMUNITY PARKS	5 AC / 1,000 residents	3.99	0.00	-
OPEN SPACE	17 AC / 1,000 residents	13.56	49.93	34.66

### ANTICIPATED TOTAL PARKS AND OPEN SPACE DEDICATIONS

TYPE	REQUIREMENT	REQUIRED (AC)	PROVIDED (AC)	CREDITED (AC)
POCKET PARKS	0.5 AC / 1,000 residents	1.73	2.67	-
NEIGHBORHOOD PARKS	3 AC / 1,000 residents	10.39	9.77	9.21
COMMUNITY PARKS	5 AC / 1,000 residents	17.31	0.00	-
OPEN SPACE	17 AC / 1,000 residents	58.86	109.91	86.11

Update totals based on actuals



WESTERLY

11  
12  
13  
14  
15  
16  
DATE: \_\_\_\_\_  
PROJECT # \_\_\_\_\_

## PROPOSED NON-POTABLE IRRIGATION AREAS EXHIBIT:

TOE: The comments below were provided with the 6<sup>th</sup> submittal. A Non-Potable Irrigation Areas Exhibit was not provided with submittal #7, so the following comments remain.

- Exhibit needs to show non-potable service to Tract BB as well as the narrow strip of Tract AA between the school property and Hawthorne Ave.

Response: The non-potable service area was defined during Filing 1 and is how the non-pot irrigation pond and piping system built with Filing 1 was designed.

TOE: Acknowledged.

- Exhibit needs to show non-potable service to future neighborhood park site west of Tract AA. The neighborhood park site will also require potable back-up.

Response: The non-potable service area was defined during Filing 1 and is how the non-pot irrigation pond and piping system built with Filing 1 was designed.

TOE: Acknowledged.

3. State permit documents for non-potable water delivery will need to be updated with added areas.

Response: Please see responses above.

TOE: Acknowledged.

**PARKS AND OPEN SPACE DEAL POINTS FOR THE DEVELOPMENT AGREEMENT (DA):**

1. Tracts AA and BB, CC, HH & FF will be dedicated to the Town of Erie as public open space upon final acceptance of all public improvements and restoration efforts. The Developer will be fully responsible for construction of the spine trail, restoration, establishment and maintenance of the tracts until final acceptance is obtained and the deeds have been transferred to the Town of Erie.

Response: Noted.

2. The Park Impact Fee for community park development will be collected with issuance of building permits.

Response: Noted.

3. The Tree Impact Fee will be collected with issuance of building permits.

Response: Noted.

4. If existing trees slated for removal cannot be replaced on-site per the Tree Preservation section of the UDC, fees-in-lieu will need to be collected.

Response: Noted.

End of Comments

**From:** Ryley Gross  
**Sent:** Thursday, April 11, 2024 4:14 PM  
**To:** Development Referral  
**Cc:** Lee Mathis; Mike Haefele; GIS Request  
**Subject:** RE: 9th Referral Review - Westerly Preliminary Plat #3  
**Attachments:** [Swink Address Plat- Comments.pdf](#)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hello,

Attached are our addressing comments for Westerly Prelim Plat #3, we are also asking that the applicant include arrows indicating primary street access in their next submittal.

We have been discussing our internal GIS process for preliminary plats and for this project (and projects similar to this), we are fine with only focusing on street naming during the preliminary plat stages and then moving on to address numbers during the final plat stages.

Please send any questions to [gis@erieco.gov](mailto:gis@erieco.gov).

Thank you,

**Ryley Gross** | GIS Analyst

Town of Erie | Public Works

[www.erieco.gov](http://www.erieco.gov) | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

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**From:** Melinda Helmer <[mhelmer@erieco.gov](mailto:mhelmer@erieco.gov)>

**Sent:** Tuesday, April 9, 2024 2:33 PM

**To:** Jonathan Williams <[jwilliams@erieco.gov](mailto:jwilliams@erieco.gov)>; Kathy Kron <[kkron@erieco.gov](mailto:kkron@erieco.gov)>; GIS Request <[gis@erieco.gov](mailto:gis@erieco.gov)>

**Cc:** Aly Burkhalter <[aburkhalter@erieco.gov](mailto:aburkhalter@erieco.gov)>

**Subject:** 9th Referral Review - Westerly Preliminary Plat #3

Good Afternoon,

Please see the 9<sup>th</sup> referral review submittal link for the above noted project:

<https://portal.laserfiche.com/Portal/Browse.aspx?id=128068&repo=r-a69d230a>

Referral review comments are due April 16, 2024. Staff DRT is scheduled for April 18, 2024.

Please forward referral comments to [developmentreferral@erieco.gov](mailto:developmentreferral@erieco.gov)

Please let me know if you have any questions.

Regards,

**Melinda Helmer, CMC** | Business Operations Coordinator



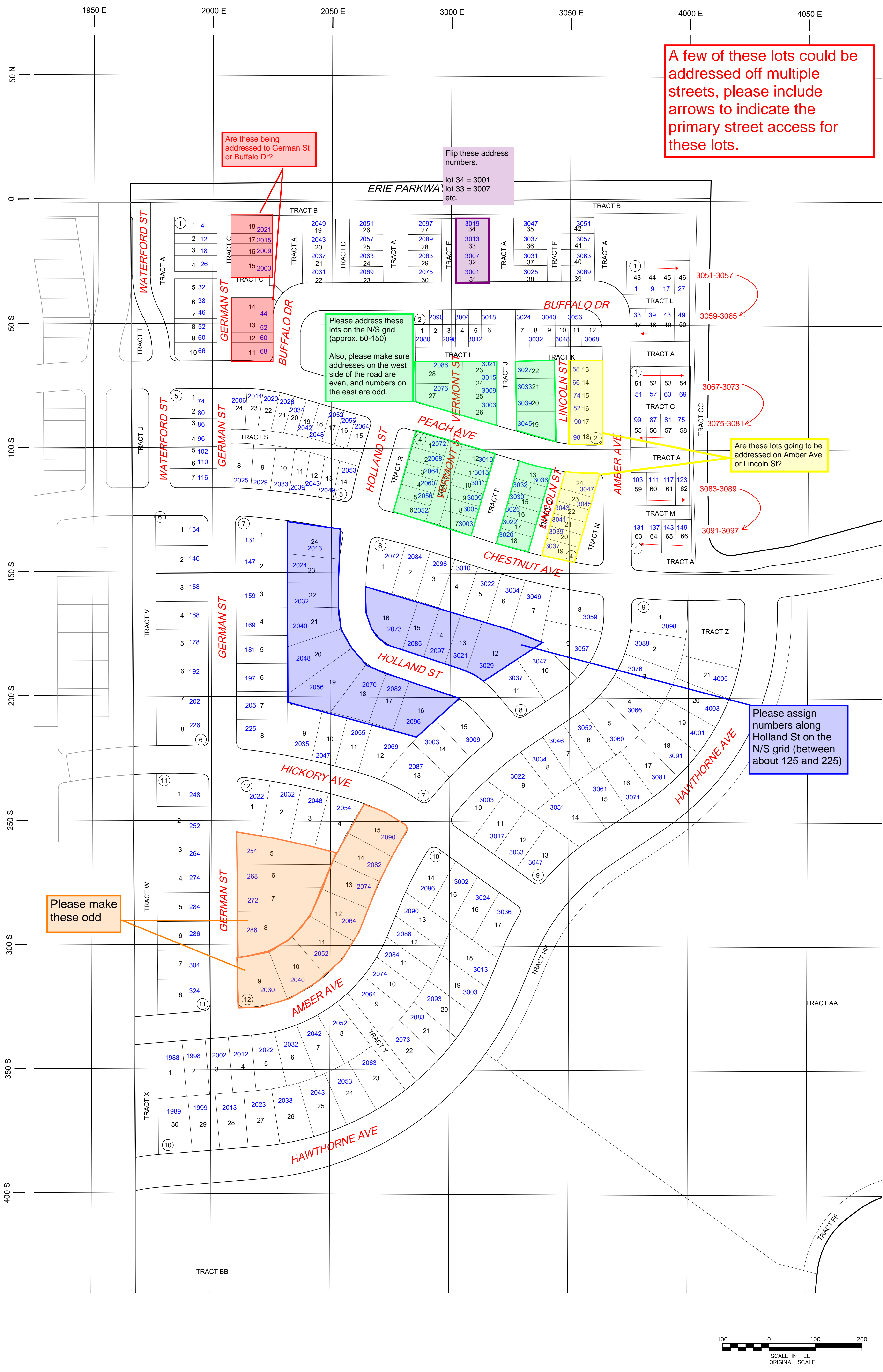


Town of Erie | Planning & Development  
645 Holbrook Street | P.O. Box 750 | Erie, CO 80516  
Cell: 720.745.1062  
[www.erieco.gov/planning](http://www.erieco.gov/planning)

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A few of these lots could be addressed off multiple streets, please include arrows to indicate the primary street access for these lots.

Are these being addressed to German St or Buffalo Dr?

Flip these address numbers.  
lot 34 = 3001  
lot 33 = 3007  
etc.

Please address these lots on the N/S grid (approx. 50-150).  
Also, please make sure addresses on the west side of the road are even, and numbers on the east are odd.

Are these lots going to be addressed on Amber Ave or Lincoln St?

Please assign numbers along Holland St on the N/S grid (between about 125 and 225)

Please make these odd



# SWINK - ADDRESS PLAT

WESTERLY - SWINK PARCEL

APRIL 10, 2024

SHEET No. 1 of 1