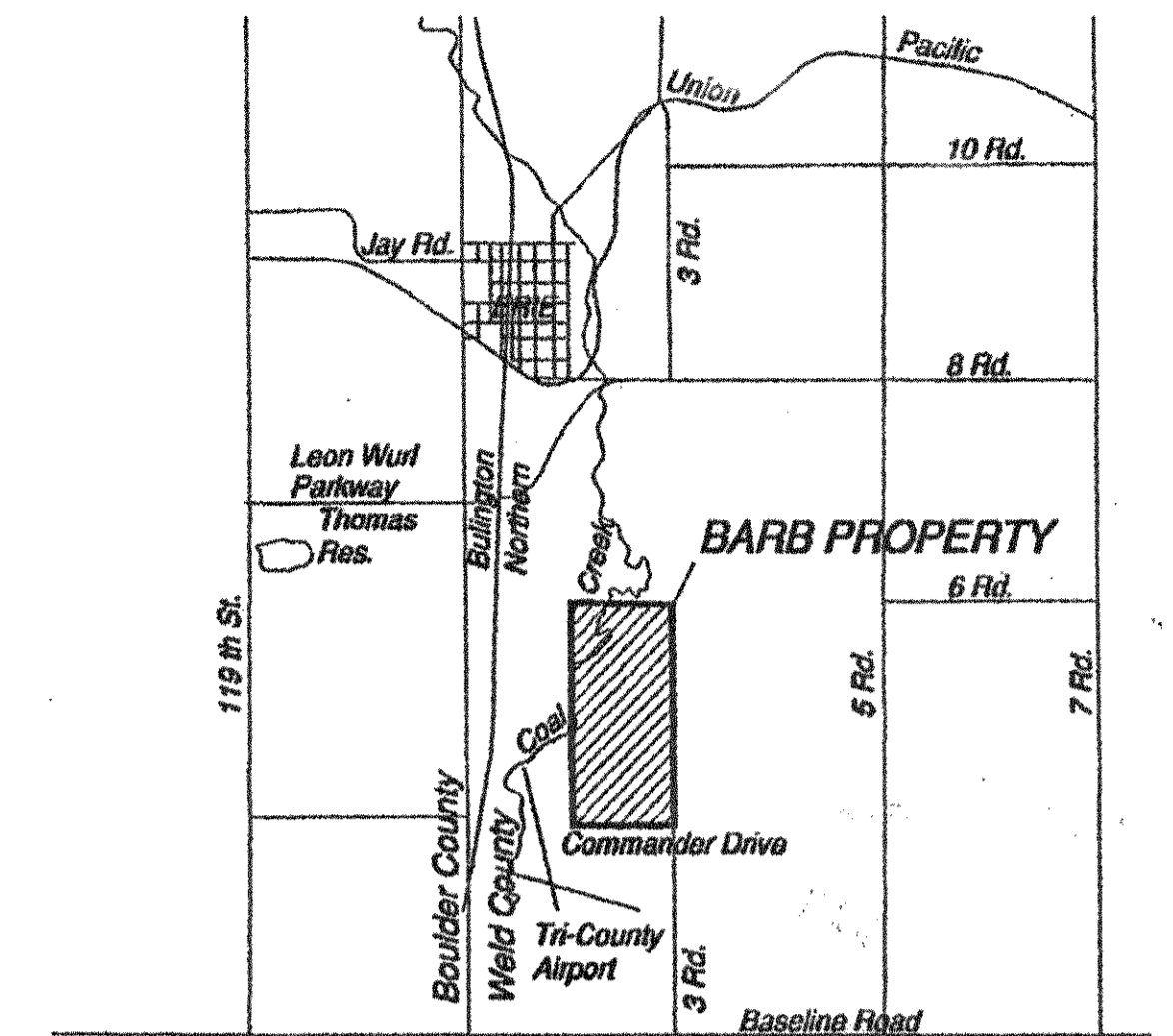


Barb Property

AMENDMENT NO. 1 General Development Plan Being a part of the East Half of Section 30, Township 1 North, Range 68 West of the 6th P.M., County of Weld, State of Colorado



Vicinity Map

I. GENERAL PROVISIONS

1. Authority

This Development Plan is authorized by Chapter 5 - Planned Development District of the Town of Erie Zoning Ordinance adopted pursuant to the Colorado Planned Unit Development Act of 1972.

2. Applicability

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

3. Adaption

The adoption of this Development Plan shall evidence the findings and decision of the Town Board of Trustees that this Development Plan for Barb Property is in general conformity with the Town of Erie Comprehensive Plan; is authorized by the provision of Chapter 5 of the Town of Erie Ordinance; and that such Chapter 5 and the Development Plan comply with the Colorado Planned Unit Development Act of 1972, as amended.

4. Relationship to Town Regulations

The provisions of this Development Plan shall prevail and govern the development of Barb Property, provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the Town of Erie Zoning Ordinance, as amended, or any other applicable ordinance or regulations of the Town of Erie as of the date of the rezoning of this Planned Development, shall be applicable.

5. Enforcement

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

6. Conflict

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

7. Maximum Level of Development

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

8. Projects Tracking

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

II. Statement of Commitments

1. Dedication

Park Land Dedication

Local Park - The developer shall be responsible for the construction and equipping of the lot lot or neighborhood park in accordance with the standard established in the Town of Erie, Parks, Recreation, Trails and Open Space Master Plan dated December 1997.

Community Park - A minimum of fifty-nine (59.8) acres of flood plain along Coal Creek shall be dedicated to the Town of Erie.

Community Park Dedication = 59.8 Acres

2. On and Off-Site Improvements

On-site and off-site improvements shall be constructed in accordance with the property annexation agreement.

3. Wildlife Preservation Plan

Wildlife preservation shall be completed by preserving the Coal Creek flood plain from residential development.

4. Wetlands/Riparian Preservation Plan

All required State and Federal wetland and riparian permits shall be processed with the development of this subdivision. Wetland and riparian areas of the project are focused along the Coal Creek flood plain and shall be preserved and/or enhanced.

5. Project Phasing

The project is currently planned to be developed as a single phase over a three to five year period. Future phasing of improvements may be required and shall be disclosed to the Town as developed.

6. Fire Protection

The subdivision shall provide fire protection by the Mountain View Fire Protection District.

III. District Standards

A. Designation of Separate Planning Areas

Barb Property Planned Development district includes the following planning area designation
Planning Area PA-1: Low Residential (LR)
Planning Area PA-2: Low Residential (LR)
Planning Area PA-3: Estate Residential (ER)
Planning Area PA-4: Estate Residential (ER)

B. Estate Residential (ER)

1. Yard, Lot and Space Regulations
 - a. Front yard setbacks from public or private streets (Principal use)
 1. Face of garage - 30'
 2. Face of home - 30'
 3. Side loaded garage - 30'
 4. Building setback from Commander Drive - 75'
 5. Building setback from westerly boundary - 125'
 - b. Front yard setbacks from public or private streets (Accessory use) - 40'
 - c. Side yard setback (Principal use) - 10'
 - d. Side yard setback (Accessory use) - 10'
 - e. Rear side yard setback - 30'
 - f. Rear yard setback (Principal use) - 30'
 - g. Rear yard setback (Accessory use) - 10' minimum
2. Dwelling Unit Density
 - a. Maximum density per gross acre - 1.0 Unit/Acre.
3. Minimum Lot Size
 - a. 40,000 square feet
4. Maximum Lot Coverage
 - a. 30 %
5. Additional Provisions
 - a. Minimum frontage shall be 50'. Minimum lot width at the front of the home shall meet the typical lot width standard per the plat.
 - b. Flag lots are allowed. The front of the home can be no more than 150' from the street R.O.W.
 - c. Private streets, shared drives and alleys are allowed.
 - d. Shared drives will serve no more than four homes.
 - e. Off street parking required - 2 garage spaces
6. Maximum height (Principal and Accessory use) - 35'
7. Average lot width - 100'
8. Minimum lot width as measured at the setback line - 100'
9. Use regulations per the Town of Erie Zoning Ordinance
 - a. Use by Right
 1. Open space and Parks
 2. Publicly Owned Facility, Erie
 3. Residential, Single Family, Detached
 - b. Use by Review
 1. Athletic Field
 2. Bed and Breakfast
 3. Botanical Garden
 4. Child Care Center, Small
 5. Church or Synagogue
 6. Horse Stable, Private
 7. Mining and Mineral Extraction
 8. Museum
 9. Nursery
 10. Publicly Owned Facility, Other
 11. Telecommunications Facility
 12. Tennis Club
 13. Utility, Private

C. Low Residential (LR)

1. Yard, Lot and Space Requirements
 - a. Front yard setbacks (Principal use)
 1. Front of home - 20'
 2. Front of garage - 20'
 3. Side loaded garage - 20'
 - b. adjacent homes shall have a minimum 2' difference from each other for front yard setbacks
- b. Front yard setbacks (Accessory use) - 30'
- c. Side yard setbacks (Principal and Accessory use) - 7'
- d. Corner side yard setbacks from public street R.O.W. - 20'
- e. Rear yard setback (Principal use) - 20'
- f. Rear yard setback (Accessory use) - 5'
2. Maximum lot coverage - 35 %
3. Maximum height
 - a. Principal Use - 35'
 - b. Accessory Use - 25'
4. Dwelling Unit Density
 - a. Maximum density per gross acre 3.0 units/acre
5. Minimum Lot Size
 - a. 7,500 square feet
6. Additional Provisions
 - a. Off street parking - 2 at garages.
 - b. Minimum front shall be 35' minimum lot width at the front of the home.
 - c. Flag lots are allowed. The front of the home can be no more than 100' from the R.O.W.
 - d. Private streets, shared private drives and alleys are allowed.
 - e. Shared drives will serve a maximum of four homes.
7. Use regulations per the Town of Erie Zoning Ordinance
 - a. Use by Right
 1. Open space and Parks
 2. Publicly Owned Facility, Erie
 3. Residential, Single Family, Detached
 - b. Use by Review
 1. Athletic Field
 2. Bed and Breakfast
 3. Child Care Center, Small
 4. Church or Synagogue
 5. Club or Lodge
 6. Community Center
 7. Mining and Mineral Extraction
 8. Museum
 9. Publicly Owned Facility, Other
 10. Telecommunications Facility
 11. Tennis Club
 12. Utility, Private

D. Planning Area Boundaries

The Planning Area boundaries within the various Parcels are the boundaries as shown in the GD Plan. Modifications to the Planning Areas and collector street modifications may be accomplished by the developer at the time of site specific plan review without any amendment to the PD Guide or to the GD Plan itself.

E. Road Alignment

The GD Plan is intended to depict general locations of roads and individual Planning Areas. In granting preliminary plat approval, the Community Development Department of Erie Town Board shall allow modifications for the purpose of establishing:

1. Final road alignments.
2. Final configuration of planning areas, provided that the size of a planning area does not increase by more than 25 %.
3. Final access and parking location.
4. Landscaping adjustments and drainage improvements/ layout.

Legal Description

THAT PORTION OF THE EAST HALF OF SECTION 30, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6TH P.M., COUNTY OF WELD, STATE OF COLORADO DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 30 FROM WHENCE THE NORTH QUARTER CORNER BEARS S 89°56'58" W 2885.40 FEET;

THENCE S 01°38'27" E 15.00 FEET ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 30 TO THE POINT OF BEGINNING;

THENCE N 89°56'58" E 30.00 FEET TO A POINT ON THE LINE OF THE COUNTY RIGHT-OF-WAY RESERVED IN BOOK 80, PAGE 273;

THENCE S 01°09'27" E 2621.94 FEET ALONG SAID COUNTY RIGHT-OF-WAY LINE;

THENCE S 01°04'48" E 2810.38 FEET ALONG SAID COUNTY RIGHT-OF-WAY LINE;

THENCE N 89°57'18" W 2826.17 FEET ON A LINE PARALLEL WITH AND 30.00 FEET NORTHERLY THE SOUTH LINE OF THE SOUTHEAST QUARTER, TO THE WEST LINE OF THE SOUTHEAST QUARTER OF SECTION 30;

THENCE N 00°58'08" W 20.00 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER;

THENCE S 89°57'18" E 100.00 FEET ON A LINE PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER;

THENCE N 00°58'08" W 100.00 FEET ON A LINE PARALLEL WITH THE WEST LINE OF THE SOUTHEAST QUARTER;

THENCE N 89°57'18" W 100.00 FEET ON A LINE PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER TO A POINT ON THE WEST LINE OF THE SOUTHEAST QUARTER;

THENCE N 00°58'08" W 2469.97 FEET ALONG THE WEST LINE OF THE SOUTHEAST QUARTER TO THE CENTER QUARTER CORNER OF SECTION 30;

THENCE N 00°58'08" W 2640.77 FEET ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF SECTION 30 TO THE NORTH LINE OF SAID NORTHEAST QUARTER;

THENCE N 89°56'58" E 2526.41 FEET ALONG THE NORTH LINE OF SAID NORTHEAST QUARTER TO THE POINT OF BEGINNING, CONTAINING 314.49 ACRES.

Planning & Zoning Commission Certificate.

Approved by the Erie Planning & Zoning Commission this 29 day of April, 2007.

Chairman
Planning & Zoning Commission Secretary

Board of Trustees Certificate.

Approved by the Erie Board of Trustees This 10 day of April, 2007.

Attest:
Twp Clerk

Mayor
SEAL
COLORADO
Twp Clerk

Recorder's Certificate

This Development Plan was filed for record in the office of the County Clerk and Recorder of Weld County at _____ o'clock, _____ M., on the _____ day of _____ A.D., 19____, in the book _____ page, _____ map _____, reception no. _____

Weld County Clerk and Recorder

Deputy
by:

General Notes

1. The purpose of this amendment is to remove the "10' minimum between structures" setback requirement of III.C.1.c.

Barb Property
General Development Plan

Prepared by: NORRIS DESIGN
Planning & Landscape Architecture
1101 Barnock Street
Denver, Colorado 80204
P 303.852.1166
F 303.852.1168
www.norris-design.com

Prepared for:
Simeon Residential Properties
6312 Fiddler's Green Circle, Suite 340
Englewood, CO 80111
Phone: 303 850 9700
Fax: 303 850 9797