

Planning Department  
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Town of New Castle  
PO Box 90  
450 W. Main Street  
New Castle, CO 81647

## LAND DEVELOPMENT APPLICATION

Note: All land use applications must be filed with the Town Clerk. Please consult the Town Planner for codes specific to the Land Development Application. All application materials are subject to the Colorado Open Records Act (CORA), C.R.S. §24-72-201 to 207.

<b>Applicant:</b> R2 Partners		
<b>Address:</b> 1009 Delta Ave, Cincinnati OH 45208		<b>Phone:</b> 614-266-7629 <b>E-mail:</b> Barry Rosenberg: b.rosenberg@r2partners.co
<b>Property Owner:</b> CTS Investments, LLC		
<b>Address:</b> 343 Dakota Boulevard, Boulder CO 90304		<b>Phone:</b> 720-626-2410 <b>E-mail:</b> Steve Craven: nowintomesee@me.com
<b>Contact Person:</b> Jason Jaynes, DHM Design		
<b>Address:</b> 225 Main Street, Suite 201		<b>Phone:</b> 970-963-6520 <b>E-mail:</b> jjaynes@dhmdesign.com
<b>Property Location/Address:</b> Castle Valley Ranch PUD		
<b>Legal Description:</b> Garfield County Parcel Number 212329300194		<b>Acres:</b> 59.07
<b>Existing Zone (e.g., Residential R-1, Commercial C-1):</b> Residential R-MF1		<b>Existing Land Use:</b> Vacant Lot (PUD)

### TYPE(S) OF LAND USE(S) REQUESTED

- |  |  |
|--|--|
| <input type="checkbox"/> Pre-Annexation Agreement  | <input type="checkbox"/> Conditional Use Permit or Special Review Use Permit |
| <input type="checkbox"/> Annexation  | <input type="checkbox"/> Lot Line Adjustment or Dissolution                  |
| <input type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) | <input type="checkbox"/> Site Specific Development Plan/Vested Rights        |
| <input type="checkbox"/> Amended Plat  | <input type="checkbox"/> Variance  |
| <input checked="" type="checkbox"/> Planned Unit Development (including PUD Sketch Plans, Preliminary PUD Development Plans, PUD Master Plans and Final PUD Development Plans)         | <input type="checkbox"/> Zoning  |
| <input type="checkbox"/> Master Plan Amendment   | <input type="checkbox"/> Zoning Amendment                                    |
|  | <input type="checkbox"/> Re-zoning   |
|  | <input type="checkbox"/> Watershed Permit                                    |

 Applicant Signature	03-21-24 Date
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## AGREEMENT TO PAY CONSULTING AND ADMINISTRATIVE COSTS

Pursuant to municipal code section 16.08.070, for any land use application, the applicant shall pay all costs incurred by the town for the preparation of plats, plans, other required data and documents, recording fees, publication costs, legal and engineering review and advice, planning review and advice, inspections and all other out-of-pocket costs incurred by the town in connection with the land use application. In the case of withdrawal or denial of a land use application, the applicant shall be responsible for all costs actually incurred by the town in connection with such application regardless of the state of the review process at which the application is withdrawn or denied.

To secure payment of costs incurred by the town, the owner of the land proposed for development (and the applicant, if different) shall be required to sign the following agreement:

*By signing below, the applicant and property owner hereby agree to reimburse the Town the actual costs to the Town for engineering, planning, surveying, legal services, and all other costs incurred by the Town in connection with the review and approval of the land use application. I also agree to reimburse the Town for the cost of making any correction or additions to the master copy of the official Town map and for any fees for recording any plats and accompanying documents with the County Clerk and Recorder of Garfield County. I agree that interest shall be imposed at the rate of 1.5% per month on all balances not paid within thirty (30) days of a statement. In the event the Town pursues collection of any amounts due and unpaid, the Town shall be entitled to collect attorney's fees and costs. In addition to all other remedies allowable by law, I agree that in the event any amounts remain due and unpaid for sixty (60) days the Town shall have the power and authority to certify such amounts, plus a ten percent penalty, to Garfield County to be imposed as a tax lien against the real property subject to the development application.*

SO AGREED this 21 day of MARCH, 2024

**Barry Rosenberg**

Applicant (Print Name)

**614-266-7629**

Telephone Number

**b.rosenberg@r2partners.co**

Email

**Steve Craven**

Property Owner

**Seller to Buyer**

Relationship of Owner to Applicant

  
Signature of Applicant

1009 Delta Avenue , Cincinnati OH

Mailing Address of Applicant

**b.rosenberg@r2partners.co**

Email Address of Applicant

  
Signature of Property Owner

**343 Dakota Boulevard, Boulder CO 90304**

Owner Mailing Address

Type of application: PUD PRELIMINARY PLAN

Property description: Vacant land in CVR PUD, Garfield County Parcel Number 212329300194  
Revised 3/2021

**Town of New Castle**

450 W. Main Street  
PO Box 90  
New Castle, CO 81647

**Planning & Code Administration  
Department****Phone:** (970) 984-2311**Fax:** (970) 984-2716

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**Staff Report**

**9 North Wild Horse  
Castle Valley Ranch PA 8 & 9 Preliminary Plan  
Resolution PZ #2024-4  
Planning & Zoning Commission – June 26<sup>th</sup>, 2024**

Report Compiled: 6/20/2024

**Project Information**

<b>Name of Applicant:</b>	R2 Partners
<b>Applicant's Mailing Address:</b>	1009 Delta Avenue Cincinnati, OH 45208
<b>Phone/Email:</b>	614-266-7629/b.rosenberg@r2partners
<b>Property Owner:</b>	CTS Investments, LLC
<b>Owner Mailing Address</b>	343 Dakota Blvd. Boulder, CO 90304
<b>Proposed Use:</b>	130 rental townhomes/apartments in 16 buildings
<b>Approximate Residents:</b>	~ 310-340
<b>Bulk Density:</b>	2.73 units/acre
<b>Open Space:</b>	34 acres passive open space; 9.6 acres developed open space;
<b>Proposed Zoning:</b>	MF-2 per the Castle Valley Ranch PUD
<b>Surrounding Zoning:</b>	Single family residential homes (N Wildhorse Dr.) Open Space (VIX Park, LCR Golf Course) Mixed Use/Commercial zoning (TC Midwest, LLC) Residential zoning (CVRI & LCR)

## **I Introductory Summary**

R2 Partners has been both a developer and owner of multifamily projects for over the past 60 years. Based in Cincinnati and serving various areas in Colorado, R2 is rethinking multifamily residential living. Their current application in Castle Valley Ranch (CVR), Planning Areas 8 & 9, embraces the quality of life prized by all New Castle residents. The proposal contemplates 130 multi-family rental units with three distinct floorplans:

- Model 1: “Empty-nester” targets retirees valuing convenience and practicality (~765-1,365sf);
- Model 2: “Live/Work” focuses on professionals looking for adaptive designs and multi-functional space focused on a work-from-home end user (~690-960sf);
- Model 3: “Townhomes” are conventional urban/suburban concepts available for starters or those looking to downsize (~1,420sf);

Dispersed over approximately 47.6 total acres, the proposal contemplates 43.6 acres of passive & active open space (91.6% of total acreage) and includes the completion of the N Wild Horse Dr. connector and VIX parking. The Applicant will maintain and allow public access to several existing single track trails that traverse the property from VIX park to the BLM property. Prior to the current preliminary hearing, the Applicant convened for public meetings on the following dates:

- October 25<sup>th</sup>, 2023 – P&Z Sketch Plan
- November 7<sup>th</sup>, 2023 – Council Sketch Plan
- December 7<sup>th</sup>, 2023 – Community Open House Meeting
- January 24<sup>th</sup>, 2024 – P&Z Sketch Plan Revised Site Plan

The preliminary plan submittal was completed on May 3<sup>rd</sup>, 2024 as the second of three application steps required for new planned unit developments (“PUD”) & subdivisions. At this step the plan shall demonstrate zoning conformance, compliance with the Town code, provisions for utilities and infrastructure, compatibility with the comprehensive plan, and address any adverse impacts to the Town. Unlike the sketch plan, the preliminary plan is assessed through a public hearing, culminating with an approval decision by the Planning & Zoning Commission (P&Z).

Within thirty (30) days after the close of the public hearing, or within such time as is mutually agreed by P&Z and the Applicant, P&Z shall make one of three decisions regarding the application: 1) approve the application unconditionally; 2) approve the application with conditions; 3) deny the application. A continuance may be granted pursuant to Section 16.08.040(G) of the code.

## **II Changes from October, 2023 Sketch Plan**

At the January 24<sup>th</sup> P&Z meeting, the Commissioners unanimously endorsed the Applicant’s revisions to site plan. Key changes included (**See Exhibit AB**):

- Reconfiguration and shortening of the main ring-road;
- Relocation of two live/work buildings, reducing five total buildings to four;

- Increasing two, two-story live/work buildings to three stories;
- Reorientation of the two empty-nester buildings;
- Redesigned parking area for the live/work buildings;
- Townhomes altered to duplexes and triplexes from triplexes and fourplexes (increasing townhome building total from 8 to 10);

The table below previews essential updates made since the Community Open House Meeting on December 7<sup>th</sup>, 2023:

<b>Sketch Plan</b>	<b>Preliminary Plan</b>
• 130 residential rental units: 26townh, 80 apartments, 24 empty nesters	• No change
• 2.73 units/acre	• No change
• 91.6% gross area open space	• No change
• 229 off-street residential parking spaces	• No change
• Netzero construction: discussed/intended	• No change
• 15 buildings including triplexes and quads	• 16 buildings including duplexes & triplexes
• 5 apartment buildings; 8 townh buildings	• 4 apartment buildings; 10 townh buildings
• All buildings two story or less	• Apartments B-3 & B-4 are three story
• Two active open space areas	• Replaced with passive open space areas
• MF-1 zoning; 35' building height	• MF-2 zoning; 40' building height
• Tallest building: Empty Nesters @ 33'	• Tallest building: B3/B4 (Live/Work) @ 38.1'
• 2,200 sf minimum lot area	• 1,600 minimum lot area
• Snow storage: discussed	• Snow Storage: 20.5% of road area;
• Live/Work units balconies included	• Live/Work units balconies removed
• Open space: Town owned & maintained	• Open space: Applicant owned & maintained
• Parking on both sides of N Wild Horse @ VIX Park	• Parking on one side of N Wild Horse @ VIX Park
• Townhomes: two-story, three and four-plexes	• Townhomes: two-story duplexes and triplexes
• Workforce housing: 2 live/work units	• Workforce housing: 5 live/work @ 75% FMV

## **II Staff Review:**

Throughout the application process, application documents will be reviewed pursuant to the criteria outlined in the Municipal Code (MC) for planned unit developments (PUDs) and subdivisions. At the preliminary plan stage, an application shall show conformity to the following criteria (MC 17.100.050(H)):

1. Consistency with the comprehensive plan;
2. Compliance with zoning and density requirements;
3. Compatibility to neighboring land uses;
4. Availability of town services from public works (including water and sewer services), fire, and police;
5. Adequacy of off-street parking and vehicle, bicycle, and pedestrian circulation;
6. The extent to which any required open space or parks are designed for active or passive use by residents of the subdivision or the public; and
7. Development consistent with the natural character, contours, and viewsheds of the land.

## 1) *Is the proposal consistent with the comprehensive plan?*

Applicants are expected to clearly demonstrate substantial conformity with the CP in all applications (**Policy CG-1B**). The checklist below, though not exhaustive, provides a tool for reviewers to assess conformance to the CP:

- ☐ Foster distinctive, attractive communities with a strong sense of place and quality of life.
- ☐ Demonstrate that individual project fits into a fully-balanced community land use structure.
- ☐ Ensure a mix of uses that complement the existing New Castle land-use patterns.
- ☐ Create walkable communities with non-vehicular interconnection between use areas.
- ☐ Guarantee a balance of housing types that support a range of affordability.
- ☐ Preserve open space, farmland, natural beauty, critical environmental areas, and wildlife habitat.
- ☐ Encourage economic development and supporting hard & soft infrastructure.
- ☐ Concentrate development in ways which provide efficient and cost-effective services.

**Quality of Life:** According to the application packet (**Exhibit A, page 3**), the proposal aligns with numerous New Castle goals and values favorable for Smart Growth and a high standard of living (**Goal CG-5**). The proposal focuses on conservation of the natural environment (**Goals EN-1 thru EN-8**), sensitivity to architectural aesthetics, and an active lifestyle (**Goal RT-1**) that together support community and sustainability.

As part of a Smart Growth strategy, policy **Goal CG-4** expects large residential development (greater than 50 units) to integrate commercial services and conveniences. Though not planned within this application, commercial development is anticipated on the vacant parcel south of VIX Park. To meet Smart Growth objectives, the Planning Commission should consider how the current application will balance with the adjoining commercial venture. Though independently owned, the Town should be mindful as to how these two developments can mutually complement each other.

**Trails/Open Space/Recreation:** The trails shown on **Exhibit A, page 12**, align with currently existing use-trails and trail agreements. Two trails will originate from VIX Park and lead east towards the locally dubbed “Sunset Trail” that terminates with public lands to the north. The goal is for a seamless trail experience with trails already prized by residents (**Goal POST-3**). Preservation of these trail corridors should also be supportive of existing wildlife habitat (**Goal POST-4**). Other walking trails are dispersed within the development’s interior. Taken together the trail network will be conducive to recreational opportunities and non-vehicular access to adjoining developments.

**Environmental Impact:** New Castle is committed to stewardship of the natural environment and recognizes the potential negative impacts of new development. The Town partners with Colorado Parks and Wildlife (CPW) to identify and protect critical environmental resources (**Goal EN-1**). CPW has provided referral comment in **Exhibit L**. Jake Stanton, the District Wildlife Manager, recommends the following best management

practices:

1. Bear-resistant trash containers with regular trash disposal during construction;
2. Bear-resistant dumpsters and/or trash bins for all resident refuse;
3. Wildlife friendly fencing per CPW specifications;
4. Use of non-fruiting trees, shrubs, and flowers for landscaping;
5. Prohibition of at-large and outdoor feeding of pets;
6. Prohibition of feeding wildlife;

For its part, the Town regulates off-leash dogs, excessive light trespass, preservation of native vegetation, and/or limiting fences in certain areas. In some development applications, the Town has encouraged additional landscape buffers to neutralize the effects of an urban setting on wildlife habitat.

New Castle has also made progress in terms of energy conservation. The current building codes require sustainable building practices, that reduce fuel consumption and promote use of renewable energy (**Goal EN-7**). All buildings will comply with the state of Colorado's solar and electrical readiness provisions. Moreover, the Applicant has expressed a commitment to Netzero construction. A Netzero building is one that is optimally efficient and generates energy onsite using clean renewable resources in a quantity equal to or greater than the total amount of energy consumed onsite. Net-zero/all-electric appliances paired with solar PV or ground source heating are feasible methods to exploit especially considering the multitude of local, state, and federal incentives currently available.

At Sketch Plan, the Applicant proposed raw water as the means to irrigate landscaping. Raw water is non-potable water which bypasses the town's treatment facility thereby eliminating the processing step. The Applicant also receive a 25% reduction in water tap fees as a result of implementation. Opting for raw water is ultimately an economical and sustainability win for all.

**Affordability:** The rental aspect of the proposed community is a unique attribute. Rental communities provide a fully managed property for tenants who do not have the time nor inclination to fuss with general repairs and upkeep. Rental communities also provide a way for retirees to downsize in communities dominated by larger single-family homes and a way for younger families to participate in communities in which they may otherwise be priced-out. The proposal also offers units for professionals seeking adaptable space that serves dual functions as a home and work area. The live/work units, for example, have adjustable dividers to repurpose space as needed. In sum, the diversity of housing works to stratify rent prices and makes housing attainable for varying income demographics.

9 North Wild Horse offers a community promoting quality of life. Price points will vary with unit type and should track the market rates of New Castle and Glenwood Springs. Of the 130 total units (**Exhibit A, page 33**), the types include 80 live/work units; 24 empty nester units, and 26 conventional townhome units. Live/work & Empty Nester units will consist of 1-2 bedroom units with the townhomes all at 3-bedroom. For context, Garfield County "Fair Market Rent" for 2023 is \$1,357 for 1-bedroom, \$1,861 for 2-bedroom, and \$2,275 for 3-bedroom. Locally, a Staff search has found asking prices ranging from \$1,650 (850sf) to \$4,000 (2,000sf) with an average two-bedroom asking price of \$2,600.

Discussions around affordable housing in New Castle are bracketed by several features: 1) There are currently no price caps per vested rights required on rent (or sales) prices; 2)



the Comprehensive Plan indicates only that the town will create and preserve affordable housing as an **element** of all new development (**Goal HO-2**); 3) the comprehensive plan does not define “affordability” though the US Department of Housing and Urban Development (HUD) maintains that monthly housing expenses should not exceed 30% of household income. Market values aside, the Applicant has generously offered the town five, one-bedroom live/work units at 25% off the then-current market rate on a rolling availability (**Exhibit H** and **Exhibit X**). Furthermore, the Applicant has also agreed to a housing provision for an onsite property manager in response to the Town’s concerns with property oversight. To conclude, the Applicant has made significant adjustments to the site plan and building architecture to produce a more economically viable product that reduce costs and makes housing more attainable.

**Fiscal Impact:** A fiscal impact study (**Exhibit G**) was performed (Triple Point Strategic Consulting) comparing estimated revenues with costs associated with the new development. The study helps determine whether the Town can meet the new demand on services (**Policy CG-7B, CP pg. 54**). The analysis projects a population increase of 2,004 for the entire town of New Castle with approximately 313 associated specifically with the new development. The analysis then projects revenues and costs based off of the town’s budget averaged between the tax years of 2021 and 2024. The results, illustrated in **Exhibit A, page 5**, show an annual net benefit to the town of \$190,177. The cumulative net benefit by 2045 is estimated to be \$7 million with \$3.2 million coming in the initial two years of construction. The Town’s finance department has reviewed the assumptions and projected outcomes separately with consistent results. Based on the assumptions of the analysis, Staff is therefore confident that the development is fiscally viable.

## **2) Does the proposal demonstrate compliance with zoning and density requirements?**

**Zoning:** The applicant has elected Castle Valley Ranch **MF-2** zoning criteria. According to MC 17.104.080 MF-2 is a “multifamily district allowing higher density including apartments.” The following land uses are those permitted by right:

- Attached dwelling units in structures containing more than two units;
- Public parks, playgrounds and related accessory structures 5,000 sq. ft. or less;
- Parking facilities;
- Recreation facilities including, but not limited to health facilities, hobby rooms, activity rooms, meeting rooms, pools, gymnasiums, ball fields, tennis or basketball courts, volleyball courts, and any building of fields or play surfaces;
- Pedestrian and bicycle trails;
- Open space and parks

The main differences between MF-1 and MF-2 is that the former allows detached dwelling units, slightly lower density, and lower maximum building height (35'). All proposed uses are permitted by right.

The Master PUD allows for the following density standards:

- Minimum lot area of 2,200sf;
- Minimum lot area per dwelling unit of 1,600sf or 27.2 units per acre;
- Maximum building height of 40';
- Minimum front yard setback 18';



- Minimum side yard setback of 0’;
- Minimum rear yard setback of 10’;
- Minimum distance between buildings of 10’;

**Density:** As demonstrated in the submittal packet (**Exhibit A, page 10**) overall bulk density reaches 2.73 units per acre which is far below the 27.2 units per acre allowed. The live/work units have the highest localized density within the overall 46.7 acres. However, the live/work density is no more than 12.3 units/acre which is one unit/acre less than Eagle’s Ridge Ranch and five units/acre less than the Senior Housing. Setbacks for each building lot will be finalized at final application.

**Building Height:** The maximum building height for the three story live/work buildings (**Exhibit A, page 38**) was increased to 38.1 feet, which was a topic of interest at the amended site plan meeting on January 24<sup>th</sup>, 2024. At that meeting P&Z expressed concern with the visual impacts of the increased height on the views to the north and east and discussed ways to mitigate conflicts. At least two of these methods were explored in the updated design: 1) obscure east elevations using the 2-story Buildings B-1 & B-2. In this way building mass will step gradually with the grade from N Wild Horse to the east; 2) Blunting of roof pitches (compare Live/Work gables with sketch plan exhibits) With massing alternatives, structure orientation, and roof articulation, the Applicant feels that concerns with increased building height on the surrounding views will be alleviated.

### 3) ***Does the proposal demonstrate compatibility to neighboring land uses?***

The parcel lies in the vicinity of various land uses within CVR: larger SF homes on N. Wild Horse Dr, Buckskin Cir. & TBD Filing 12 to the south, VIX Park to the west, a commercial parcel (TC Midwest) to the southwest and two Garfield RE-2 schools within walking distance. BLM land and the Lakota Links Golf Course lie directly north of the parcel.

P&Z and Council have generally understood compatibility in terms of style and function. A use is considered more or less compatible in *style* to the degree it is similar in architecture, landscaping, and site planning (e.g. roads, trails, open space). A use is considered compatible in *function* to the degree its purpose serves the community similarly to surrounding uses. At times when compatibility is questionable, P&Z and Council have also been hospitable to adding transitional elements between uses to mute perceived incongruities in style or function. In such cases “buffering”, for example landscape screening and open space, can soften the juxtaposition between two architecturally dissimilar developments. Likewise, small scale retail, professional services uses, and open space can function to temper alleged incompatibility between a SF development and, say, an industrial zone.

9 North Wild Horse is a multifamily rental property located within a rural residential setting. As a higher density product, building structures will naturally have more mass and height than those surrounding it (**Exhibit A, page 9**). In anticipation of this, the Applicant includes open space buffering (~150’ separation) adjacent to homes along Buckskin Dr. Similar, if not more, distancing is expected to the east and south near future Silverado Dr and N Wild Horse homes. Architectural features derive articulation and texturing from neighboring home design. Townhomes units will have horizontal and vertical displacement (stepping) to better resemble the SF home look. Note, the Applicant has elected to substitute balconies with tall glass windows and two shared open spaces for all live/work

buildings as a matter of safety and aesthetics (See Application email April 17, 2024 (**Exhibit AC**). Compare site plan from January 24<sup>th</sup>, 2024 (**Exhibit AB**)). Residential buildings without balconies are uncharacteristic for New Castle, the Watts Building across from the Town library being the only exception. Roof pitches have also been reduced to better accommodate the revised building heights. In the end, community feedback has been mixed with respect to the more urban, block style multifamily buildings characteristic of developments in Denver and parts of the Roaring Fork mid-valley, a style that might be deemed less compatible than what was viewed originally at sketch plan.

On the other hand, with a more conventionally urban approach the Applicant successfully minimizes sprawl and champions the more rural side of CVR. Parking for the live/work lots is nested within the interior of the building site plan while Empty-Nester units obscure vehicle volume with covered parking spaces (**Exhibit A, page 11**). Parking is also restricted to one side of the street on Vista Loop to reduce on-street congestion. Landscaping will be used sparsely to minimize disruption to otherwise unspoiled terrain. All things considered, the Applicant has taken pains to preserve the overarching feel and function of CVR at N Wild Horse Dr. and attempts transitioning features to address instances where compatibility may be questionable.

**4) *Is there availability of town services from public works (including water and sewer services), fire, and police?***

**Police:** At Sketch Plan, the Applicant anticipated an increase of approximately 338 new residents at build-out. The Police Department currently consists of eleven FTEs which is ideal for a town the size of New Castle. Generally, additional FTEs are considered for every increase of 500 residents. Therefore, the Police Chief concludes that there would be no compromise with police service as a result of the expected population increase (**Exhibit O**).

**Fire:** In light of the current multi-year drought and the ongoing expansion of the wildland-urban interface, Colorado River Fire Rescue now stresses improving the resiliency of structures and expanding the surrounding defensible space (**Goal EN-8**). Replacing conventional materials with those of more robust fire resistance, particularly in buildings along the perimeter of the development, buys time for firefighters during a wildland fire incident and inhibits fires from spreading from the source. In 2024, the Town adopted standards for the requirement of fire resistant materials and improved defensible space requirements for new structures. To extend their firefighting potential, CRFR requests two-track roads for fire apparatus be designed along the periphery of the outer structures and a singular path extending towards the Lakota Links property. The Applicant has updated the site plan to address this concern **Exhibit A, page 9**. It is important that these routes be improved sufficiently enough to carry the weight of the necessary fire apparatus. These routes should also be permanently signed “Emergency Access Only”.

**Public Works:** The CVR PUD is approved for 1,400 residential units and 100,000sf of commercial space. These totals were primarily the result of calculations performed on the basis of water dedicated from Elk Creek. At present the PUD has approximately 895 built units and no commercial development. With 130 proposed units in this Application, the PUD remains well short of the 1,400 total rooftops allocated for CVR. The current sewer treatment plant is also sufficiently sized to process the full build-out of both CVR and Lakota.

**Streets:** The Town contemplates maintenance of Vista Loop and the N. Wildhorse

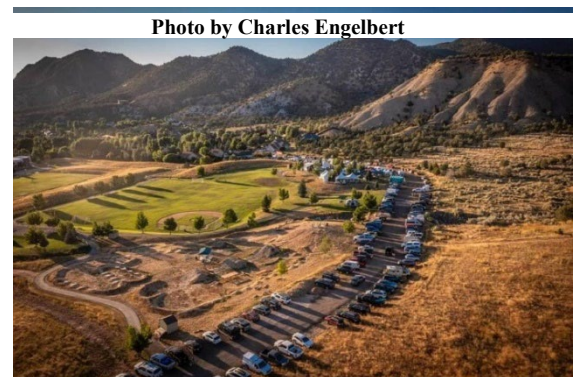
connector once all public improvements are accepted. Remaining streets will be private. Public Works agrees that speed, safety, and costs are priorities in road design. On-street parking serves to accommodate overflow vehicle parking for guests, deliveries, trash collection, extra resident vehicles, and emergency vehicles. Staff's preferred road design (58' ROW) is provided in **Exhibit A, page 17**, in juxtaposition with the Applicant's proposed cross-sections. Public Works has been considering the Applicant's street design alternatives and provides the following recommendations:

#### ***Vista Loop***

<i>Applicant: ~52.5' ROW</i>	<i>Town: ~52' ROW</i>
• 5' sidewalks	• 6' sidewalks
• 6' green belts	• 5.5' green belts
• 10' drive lanes	• 10' drive lanes
• 8' parking lane inner radius	• 8' parking lane inner radius

Similarly, Public Works is motivated to provide extra parking on N Wild Horse Dr to meet parking demand during larger park events. Staff believes that N Wild Horse Dr. adjacent to VIX park needs as much parking as possible. The picture exemplifies the demand swell during annual events such as Rides-and-Reggae.

The proposed ROW from the plat shows 67.5' from edge of sidewalk. This ROW is inconsistent with the design illustration on **Exhibit A, page 17**, and wider by 5.5'. Staff recommends the following design which, importantly, adds parallel parking on the east side of N Wild Horse:



#### ***N Wild Horse @ VIX***

<i>Applicant: ~62' ROW</i>	<i>Town: 66.5' ROW</i>
• 5' sidewalks	• 6' sidewalks
• 6' green belts	• 5.5' green belts
• 13' drive lanes	• 11' drive lanes
• 19' perpendicular parking @ VIX	• 19' perpendicular parking @ VIX
• No parking east side of NWH Dr.	• 8' parallel parking lane east side of NWH Dr.

The Town alternative would result in a 66.5' ROW with an additional 35-40 parking stalls. Further south on N Wild Horse, road design should revert back to the Town standard of 58'.

**Snow Storage:** Snow removal is located on the site plan (**Exhibit A, page 14**). 20.5% of total roadway area has been designated for snow storage which is 4.5% more than required. Ample snow storage is demonstrated on all separated sidewalks, Staff's preferred storage location. Though snow removal on private roads and parking lots will be managed by the property owners, private storage areas should be illustrated on the site plan.

**Raw Water:** Raw water is available at the north end of VIX Park and is expected to

irrigate all common areas within the new PUD. The raw water infrastructure will need to be extended and looped with the installation of the N Wild Horse road connection.

**5) Is there adequate off-street parking and vehicle, bicycle, and pedestrian circulation?**

**Parking:** The purpose of off-street parking in the PUD “is to ensure that safe and convenient off-street parking is provided to serve the requirements of all land uses in the Castle Valley Ranch PUD and to avoid congestion in the streets” (MC 17.104.100). As shown on **Exhibit A, page 11**, the following Town standards apply:

- Duplex, tri-plex or four-plex – Two spaces per dwelling unit;
- Five or more dwelling units in one structure – One and one-half spaces per dwelling unit + 1 recreational vehicle parking space for every 5 units in a 5-plex or greater;

**Off-Street Parking:** Per the standards, required off-street parking totals 229 spaces. The distribution is as follows: The *Townhome* models provide for a mix of one and two car garages. Regardless of garage size, all units will include two-car driveways (**Exhibit A, page 11**), or 3-4 off-street parking spaces where only two are required. This provision solves for issues related to garages used as miscellaneous storage rather than vehicles. The Code reduces parking to 1.5 spaces per unit for *Empty Nester* and *Live/Work* models. The Applicant, familiar with the complications of high density residential parking, has offered at least two spaces per unit for the *Empty Nester* models and has exceeded the parking for the *Live/Work* units. Based on P&Z input, no differentiation will be made between seasonal/RV parking and other parking, but seasonal spaces will be included in the over parking count. One dilemma to the parking total will be the requirements for EV charging equipment. Approximately eight spaces in the live/work parking area will require charging equipment, designated solely for EV use per state statute. These spaces may only be occupied by electric vehicles which may result in less overall parking for tenants. Fortunately, there appears to be an overage of eight units on the site plan. Nonetheless, the Applicant is considering how to address the matter. Staff recommends a parking plan be added to the covenants prior to final application with provisions for reserved parking in shared lots and prohibitions on overnight parking along N Wildhorse Dr adjacent to VIX park.

**Vehicular Circulation:** Road, sidewalk, and trail design is a critical component to any new development in New Castle. To optimize circulation, the applicant is committed to connecting N Wild Horse Dr. completing the underdeveloped section between Alder Ave. and Castle Valley Blvd. Of note, nearly 1/5th of this new road section is outside the applicant’s property boundary. However, because of the importance of circulation and public safety, the applicant has agreed to work with the neighboring property owners, particularly CVR Investors, to complete this link. Staff anticipates that the connector will match the 58’ Town standard ROW, including detached sidewalks with landscaping.

**Nonvehicular Circulation:** The applicant has made a point not to disrupt the general trail alignment between VIX Park and the BLM land. Separated sidewalks allow easy circulation to all inhabited portions of the property with additional soft trails extending to the periphery for easier interface with surrounding neighborhoods (**Exhibit A, page 12**). To meet pedestrian safety concerns, high visibility crosswalks with bump outs were added per

P&Z request.

**6) *Are the required open space or parks designed for active or passive use by residents of the subdivision or the public?***

As previously discussed, 91.6% of the property will remain as open space. Within that area, the Applicant has preserved existing public use trails with various connecting trails added (**Exhibit A, page 12**). To reduce the overall development footprint, small, active parks have been replaced with passive open space and two small sitting areas (**Exhibit A, page 13**). Since the open space requirements for CVR have already been met, no open space will be dedicated to the Town. However, the Applicant contemplates ongoing public access to all residents with an easement agreement.

**7) *Is the development consistent with the natural character, contours, and viewsheds of the land?***

The site plan (**Exhibit A, page 12**) follows the sloping topography downhill from northeast to southwest. Each unit or block of units generally steps gradually with the slope (**Exhibit A, pages 44-52**). Displacement between units helps to limit cut-and-fill and reduce the need for extensive landscape retention. Terracing of grade and structure softens the blunt, “blocky” appearance, and is a preferred fit with rolling terrain. The lot designs appear to maintain existing drainage features such as that found on the central single-track trail which bisects the development.

The ridgeline associated with Sunset Trail to the west is a prominent geologic feature enjoyed by New Castle residents. Per Policy EN-6B, visual access to the ridgeline is anticipated and illustrated by the Applicant in **Exhibit A, pages 48-50**. To mitigate building mass at the southwest elevation, modestly sized berms and drought resistant trees or shrubs could provide sustainable and more organic screening methods. It is relevant that the development slated for the parcel owned by TC Midwest will likely impact views from CVB to the east to such an extent that the buildings contemplated with this application will be obscured.

To conserve water and limit landscape maintenance such as mowing, Staff requests the applicant consider drought resistant vegetation and seeding with native grasses to restore disturbed areas to their original state. Sod and landscape irrigation, likewise, should be used sparingly to limit the need for landscape maintenance. Modestly mowed buffers and borders can provide a satisfying manicured look needing little maintenance.



#### **IV P&Z Comments from October 25<sup>th</sup>, 2023 Sketch Plan Meeting:**

The Applicant introduced the proposal to the Planning Commission on October 25<sup>th</sup>, 2023. The Commissioners provided constructive feedback, some of which is summarized below:

##### **A. P&Z Questions/Applicant Answers**

- Do leases restrict units types to certain tenant demographic (e.g. Are only retirees able to rent “empty nester” units)? **No; Unit types are open to anyone, but each is better suited for a certain type of tenant through unit layout and/or price-points.**
- Will lease agreements cap the number of occupants who can live in a unit at one time? **Yes**
- Will there be onsite management? **Not sure yet on property management provider.**
- Are you open to rent reduced units for local employees (i.e. teachers, first responders, etc.)? **We are open to a discussion. It is not offered on our other properties.**
- Do you have other developments in the state of Colorado? **We have developed in other others in the state but nothing to this level.**
- Have you used this type of niche specific development (i.e. three different models on one property) successfully? **Yes, outside the state.**
- Who is responsible for the infrastructure improvements? **Staff answer: The developer. N Wildhorse and the ring road will be conveyed to the Town.**
- Are you considering passive and/or active solar capacity? **All is on the table. We start with making units efficient. Then, solar production is considered for every project we do. Net zero is a priority.**
- Are the empty nesters single level? **Yes, they are flats...some open from lower floor, the others from the upper floor in the rear.**
- What are the projected rental prices? **Still early on this, but perhaps \$4,000-\$5,000 for the empty nesters and townhomes. \$2000-\$3000 for live/work units.**
- Who will manage the trails? **Still being decided.**
- What are the trail surfaces? **Still early but considering a more primitive type surface.**
- Are you considering more native, drought resistant vegetation? **Yes, native/natural landscaping is becoming standard in the Valley as a matter of water conservation.**
- Is there a private clubhouse amenity for residents similar to other developments you’ve built? **Outdoor space is not fully designed yet. Priority will be to “amenitize” the outdoor space versus indoor type recreation. Outdoor lifestyle is a New Castle value, but community gathering areas will be considered.**
- Is snow storage shown on the site plan? **Staff response: No fully addressed at this time, however separated sidewalk buffers will be main areas for storage. N Wildhorse storage will need to be clarified.**
- Why does Staff want a 58’ ROW near the townhomes? **Staff response: it provides for better quality of life and was the preferred cross-section for recently approved street design. Residents tend to expect parking on the street in front of homes. Speeding will be addressed with narrower drive and parking lanes.**

##### **B. Recommendations**

- Provide way for fulltime property management to live onsite (as necessary).
- N Wildhorse at VIX park looks busy and potentially congested. Partner with town for traffic calming strategies such as bump outs near trail access points. Provide N Wildhorse cross-section in plan set.

- Consider fire resistant materials and defensible space around buildings.
- Show which trails are public (town maintained) and which are private.
- Provide hi-visibility crosswalk at N Wildhorse towards central trail and at the central trail where it crosses the ring road, towards BLM.
- The mix of unit types and site planning is commendable.
- Provide building heights on plan set.
- 1300-1400sf for three bedroom unit is a tight space. Could be difficult from a livability/practicity perspective.
- Projected price points seem competitive with home ownership prices.
- Be clear on public and private open space so the public can know that trails will still be accessible to the entire Town.
- During grading, consider salvaging as many existing plants and trees (junipers, pinyons, shrub oak, rabbit brush, etc.) as possible, in light of their age and history in New Castle.
- Work hard to make sure roof lines do not exceed ridge lines such as Sunset Trail.
- Provide viewshed image looking from Sunlight Trail back west.
- 52' ROW of ring road should be reconsidered by Staff in order to limit further sprawl.
- RV space requirement does not seem pertinent to this development.

### **V Staff Recommendations**

Staff suggests that P&Z explore the following recommendations to the preliminary PUD application prior to deciding on Resolution *PZ 2024-4*:

A. Staff recommends the following road designs for proposed public rights-of-way:

#### **Vista Loop: ~52' ROW**

- 6' sidewalks
- 5.5' green belts
- 10' drive lanes
- 8' parking lane inner radius (as illustrated in Exhibit A site plan)

#### **N Wild Horse Dr adjacent to VIX Park: ~66.5' ROW**

- 6' sidewalks
- 5.5' green belts
- 11' drive lanes
- 19' perpendicular parking @ VIX
- 8' parallel parking lane east side of NWH Dr.

#### **N Wild Horse Dr south of VIX Park: ~58' Town standard**

- 6' sidewalks
- 5.5' green belts
- 11' drive lanes
- 8' parallel parking lane

B. The Applicant shall comply with all currently adopted building code and municipal code requirements, including all sign code regulations in effect at the time of building permit application. All site specific development applications subject to the provisions of the International Fire Code or matters requiring fire alarms and/or fire suppression shall be



submitted to the Fire Marshal for review and comment.

- C. The applicant shall comply with all recommendations of the Town Engineer, Town Public Works Director, and Town Attorney provided in response to review of the Application.
- D. All exterior lighting to be dark-sky compliant per the comprehensive plan. Demonstrate that all exterior lighting will limit trespass. Parking lot lighting should be on timers to reduce the light duration at night while maintaining security lighting as needed.
- E. All outside parking areas facing residential-only use shall incorporate landscape buffers to obscure vehicles from view per Code Section 17.104.100. In event the aforementioned code section conflicts with the building code, the building code shall control.
- F. Pursuant to House Bill *HB22-1362*, specifically Section CV502.1 of the Colorado Model Electric Ready and Solar Ready Code, the Applicant shall collaborate with Public Works to site the required Electric Vehicle Supply Equipment (EVSE) within the N Wild Horse Dr. right of way adjacent to VIX Park. Public Works shall have the ultimate discretion of the EVSE supplier.
- G. Fire access routes should be semi-impervious (compacted road base), two-track roads permanently signed "Emergency Access Only". Extend an additional access road from Loop Rd. to Lakota Links property boundary to the north. Locations of fire access routes should be approved by the Fire Marshal.
- H. Extend raw water infrastructure from existing stub-outs into the new development with an extension along N Wildhorse Dr. Design plans to be approved by the Town Engineer.
- I. Minimize construction traffic along N Wild Horse Dr. with provisions for a temporary construction easement that includes an impervious road surface that accommodates construction vehicle circulation for the buildout of PA 8 & 9 (R2 Partners LLC) and PA 12 (TC Fuels Midwest LLC) until the completion of either PA 12 or PAs 8 & 9, whichever is first.
- J. All trash dumpsters shall be located within an approved trash enclosure that extends six feet high and includes a bear resistant latching mechanism.
- K. A declaration of covenants for the common interest community that are to the satisfaction of the Town Attorney.
- L. A parking plan shall be added to the covenants prior to final application with provisions for reserved parking in shared lots as necessary. Signage on both sides of N Wild Horse Dr adjacent to VIX park shall read "No Overnight Parking at Any time".
- M. The Applicant shall submit a memorandum proposing Netzero building strategies to be included with the development.
- N. A subdivision improvements agreement containing an engineer's stamped cost estimate of public improvements, to the satisfaction of the Town Attorney.
- O. Provide a construction phasing plan for inclusion in a subdivision improvements

agreement. Identify, at minimum, each of the following components:

- Buildout phases if necessary;
  - Schedule that identifies the sequencing of construction, sequencing of occupancy, traffic flow, and traffic control plans during construction;
  - Storage and staging areas for construction equipment and materials;
  - Illustrate drainage and erosion control best management practices (BMP's);
  - Conformance to all requirements and specifications approved by the fire marshal concerning temporary access to the project;
- P. Landscaping shall incorporate native grasses and plants that minimize maintenance, moving, and irrigating. The landscaping plan shall be approved by the Parks Department. Plans submitted to obtain a building permit for any building shall demonstrate no more than 2,500 square feet of sod per dwelling unit as specified in 13.20.060 of the Municipal Code.
- Q. All disturbed areas in the project shall be revegetated and maintained in a predominantly weed free condition.
- R. Reach agreement with the Town about ownership and maintenance of roadways, trails and sidewalks.
- S. All representations of the Applicant made verbally or in written submittals presented to the Town in conjunction with the Application before the Commission or Town Council shall be considered part of the Application and binding on the Applicant.
- T. The Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including, without limitation, all costs incurred by the Town's outside consultants such as legal and engineering costs.
- U. Request approval of street names through Garfield County Communications to avoid any duplication of names in the county dispatch area.
- V. The sale of individual lots, parcels or units may not occur until a plat creating the lot, parcel or unit is recorded with Garfield County and security for the public improvements has been received by the Town.
- W. As part of its Final Application, Applicant shall include provisions for Applicant's plan for providing affordable or community housing units, together with covenants to be recorded in the public record.

## **VI Duration of Preliminary Plan Approval**

Preliminary plan approval granted pursuant to this Section 17.100.050 will remain in effect for one (1) year from the date of the P&Z's resolution. If the Applicant does not submit a final PUD plan application within said year or if the preliminary PUD plan application includes substantial changes (e.g., proposes new uses, higher density development, changed layout, new or additional variances, etc.) from the as-approved preliminary PUD plan, then, at the discretion of the Town Administrator, the applicant may be required to obtain approval of a new preliminary PUD plan application before filing a final PUD plan application.

**VI Preliminary Plan Exhibits:**

- A. Applicant Preliminary Plan Submittal – May 3, 2024
- B. Geotechnical Study – June 12, 2006
- C. Traffic Impact Study – April 4, 2024
- D. Easement Agreement for Wildhorse Drive – April 17, 2007
- E. Applicant Engineering Report – March 22, 2024
- F. Legal Water Supply – May 3, 2024
- G. Fiscal Impact Study – April 10, 2024
- H. Workforce Housing Proposal
- I. Brief Description of Proposed Covenants
- J. Adjacent Property Owners within 250 feet
- K. Land Title Commitment
- L. CPW Comments – May 8, 2024
- M. CRFR Fire Marshal Referral, Orrin Moon – Oct. 17, 2023
- N. Garfield County Road Name Comments – April 15, 2024
- O. Town Police Chief Referral, Chuck Burrows – May 29, 2024
- P. Town Public Works Director Referral, John Wenzel – May 31, 2024
- Q. Town Engineer Referral, Jeff Simonson – May 31, 2024
- R. Floodplain Updates, needed prior to Final – June 6, 2024
- S. Town Attorney Referral, Michael Sawyer – June 3, 2024
- T. CDOT Referral Letter – April 23, 2024
- U. CenturyLink/Lumen Will Serve Letter – July 11, 2023
- V. Comcast Will Serve Letter – April 17, 2024
- W. Xcel Will Serve Letter – July 13, 2023
- X. Strategic Multifamily Analysis – May 16, 2023
- Y. Net Zero Proposed – May 29, 2024
- Z. P&Z Public Hearing Notice for June 26, 2024, with Legal Description
- AA. Notarized Affidavit of Notice of Public Hearing – June 13, 2024
- AB. Pages from Sketch Plan, revised site plan – January 24, 2024
- AC. Applicant Explanation of Architectural Changes – April 17, 2024
- AD. Applicant Referral Comment Review Memo – June 19, 2024
- AE. Applicant Referral Comment Table – June 19, 2024