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MEMORANDUM

TO: New Castle Town Council

FROM: Garfield & Hecht, P.C.

DATE: November 25, 2025

RE: Wildhorse Village Phase 2 SIA

On August 28, 2025, SC Roundup, LLC (“Developer”) applied for a multiple lot line adjustment for Phase 2 of the Whitehorse Village at Lakota (“WHV”) within the Lakota Canyon Ranch PUD. The purpose of the lot line adjustment was to reconfigure the existing block lines of the remaining A-Blocks of WHV Phase 2. Doing so made it feasible to further subdivide those blocks into individual lots that will accommodate a more traditional, single-family residential product. Pursuant to Section 16.40.080, the Planning & Zoning Commission approved the multiple lot line adjustment application at its October 8, 2025, meeting.

WHV was originally part of Lakota Canyon Ranch PUD Filing 1 approved in 2003. In 2004, the Town approved WHV Phase 1, which included the cluster homes (5-6 pack units) observed today along White Horse Dr., Lakota Dr., and Roundup Dr. WHV Phase 2 was later approved in 2007 to include 13 total blocks and 69 clustered style units. This configuration was further amended in 2011 with at least two important provisions: 1) the density within the remaining B-Blocks along the golf course were reduced to 19 conventional rectangular lots; and 2) the density of the remaining A-Blocks was approved for up to 40 total units, provided that the lot configuration in the A-Blocks was consistent with the B-Block configuration (i.e., conventional, rectangular lots). These rectangular lots are the type Developer intends to develop and create in the remaining A-Blocks and B-Blocks in Phase 2.

Developer is the successor owner of the remaining undeveloped lots and blocks in WHV Phase 2. The prior developer of WHV Phase 2 entered into a subdivision improvements agreement (“SIA”) with the Town when Phase 2 was approved in 2007. The public improvements called for in that agreement were completed some time in 2009 or after. New public improvements are required to complete the development of Phase 2 as proposed by Developer. Accordingly, one of the conditions of approval of the multiple lot line adjustment application was that Developer enter into a new SIA with the Town.

Included in the packet for the December 2nd Council meeting is a draft SIA and related cost estimate for WHV Phase 2 and a resolution approving the same. The form of the SIA is the Town’s standard form. Town staff has reviewed and is comfortable with the scope and amount of the cost

estimate. The only outstanding question regarding the SIA is the timeline for completion of the public improvements required under the SIA. Typically, public improvements must be completed within one year to 18 months after commencement of construction. However, considering the limited scope of utilities and public improvements, Developer is proposing to install utilities on a lot-by-lot basis as they are developed and chip seal the public road once all utilities are installed. It will take longer than a year or 18 months for Developer to complete this process.

We will be available at the December 2nd meeting to discuss the completion timeline and any other questions regarding the SIA.