

Administration Department  
 (970) 984-2311  
 Fax: (970) 984-2716  
[www.newcastlecolorado.org](http://www.newcastlecolorado.org)



Town of New Castle  
 PO Box 90  
 450 W. Main Street  
 New Castle, Co 81647

### DEVELOPMENT APPLICATION

Applicant: CVR Investors, Inc. and its assigns			
Address: 1038 Country Club Estates Dr., Castle Rock, CO 80108	Phone: 303-549-1916 FAX: E-mail: <a href="mailto:aa@hackstafflaw.com">aa@hackstafflaw.com</a>		
Property Owner: CVR Investors, Inc.			
Address:	Phone: FAX: E-mail:		
Contact Person: Aaron Atkinson			
Address:	Phone: FAX: E-mail:		
Property Location/Address: Castle Valley Ranch, New Castle, CO			
Legal Description: Planning Areas 17 & 19, Filing 11	Acres: 14.958		
Existing Zone ( <u>Not sure? Click here for help</u> ): M/U2			
Existing Land Use: Vacant Land			
<b>TYPE(S) OF LAND USE(S) REQUESTED</b>			
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Pre-Annexation Agreement  <input type="checkbox"/> Annexation  <input checked="" type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, &amp; Condominiumizations)  <input type="checkbox"/> Amended Plat  <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"/> Floodplain Development Permit         </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Lot Line Adjustment or Dissolution  <input type="checkbox"/> Site Specific Development Plan/Vested Rights  <input type="checkbox"/> Variance  <input type="checkbox"/> Zoning  <input type="checkbox"/> Zoning Amendment  <input type="checkbox"/> Re-zoning  <input type="checkbox"/> R-1-HC Identification  <input type="checkbox"/> Conditional Use Permit or Special Review Use Permit  <input type="checkbox"/> Other         </td> </tr> </table>		<input type="checkbox"/> Pre-Annexation Agreement <input type="checkbox"/> Annexation <input checked="" type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) <input type="checkbox"/> Amended Plat <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"/> Floodplain Development Permit	<input type="checkbox"/> Lot Line Adjustment or Dissolution <input type="checkbox"/> Site Specific Development Plan/Vested Rights <input type="checkbox"/> Variance <input type="checkbox"/> Zoning <input type="checkbox"/> Zoning Amendment <input type="checkbox"/> Re-zoning <input type="checkbox"/> R-1-HC Identification <input type="checkbox"/> Conditional Use Permit or Special Review Use Permit <input type="checkbox"/> Other
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This development would create <u>10696</u> residences and <u>N/A</u> square feet of commercial space.			
Applicant must also complete and submit the appropriate <a href="#">checklist</a> for the type of land use requested. Both the applicant and the property owner must sign this application.			
Applicants are encouraged to schedule a pre-application meeting with the Town Administrator and/or Town Consultants prior to submitting this application.			



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## Memorandum

**To:** Mayor Riddile & Town Council  
**From:** Dave Reynolds  
**Subject:** Agenda Item – CVR Investors Sketch Plan Review  
**Date:** Oct. 1, 2019

**Purpose:**

The purpose of this agenda item is present, review, and comment on a Sketch Plan which is being presented by CVR Investors. This Sketch Plan will be in connection with a proposed development along the south side of Castle Valley Blvd just east of South Wildhorse Drive.

Council will have the opportunity to hear from Staff and review a Staff report which incorporates observations from the Planning, Engineering, Public Works, and Legal Departments. Council will also be informed as to the findings of the Planning and Zoning Commission.

Council will have the opportunity to hear a presentation by the applicant and may interact with the applicant in order to address any questions that Council may have.

At the conclusion of the presentation and conversation, Council may make recommendations and share observations with the applicant and Staff.



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**AGREEMENT TO PAY CONSULTING FEES AND EXPENSES**

It is the policy of the Town of New Castle that all land use applications must be filed in the Office of the Town Clerk to receive formal consideration. Please refer to the Town Clerk's Office for all applicable procedures.

However, the Town encourages land use applicants to consult informally with members of the Town Staff, including outside consultants, prior to filing applications if the applicant has questions regarding areas within Staff members' particular expertise; PROVIDED THAT THE POTENTIAL APPLICANT AGREES TO REIMBURSE THE TOWN FOR ALL FEES AND EXPENSES RELATING TO SUCH INFORMAL MEETINGS.

The Town employs outside consultants for engineering, surveying, planning, and legal advice. These consultants bill the Town on an hourly basis as well as for expenses including but not limited to copies, facsimile transmissions, and long distance telephone calls.

It is the Town's policy that all persons wishing to hold informal meetings with members of the Town Staff acknowledge responsibility for all fees and expenses charged by outside consultants by signing this Agreement below.

I acknowledge and agree to pay the Town of New Castle all actual costs incurred by the Town in relation to legal, engineering, surveying, planning, or other services performed by consultants to the Town as a result of such consultants' review and comment upon, or other services related to, land use proposals and/or applications proposed by me or on my behalf, regardless of whether or not such application is formally filed with the Town. Interest shall be paid at the rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect all costs of collection in addition to the amount due and unpaid, including but not limited to reasonable attorney's fees and costs.

SO AGREED this 2nd day of August, 2019.

J. Aaron Atkinson

Applicant (Print Name)

*J. Atkinson*  
Signature

303-549-1916

Telephone

1038 Country Club Estates Dr., Castle Rock, CO 80108

Mailing Address

CVR Investors, Inc.

Property Owner

Mailing Address If Different From Above

Authorized Representative

Relationship to Applicant or Potential Applicant

Type of application: Subdivision Application

Property description: Planning Areas 17 & 19, Filing 11





**Town of New  
Castle**  
450 W. Main Street  
PO Box 90

**Planning & Code Administration  
Department**  
**Phone:** (970) 984-2311  
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**Staff Report**

**Castle Valley Ranch - Filing 11//Portion of PA17 & Remaining PA19  
PUD & Subdivision Sketch Plans  
Council – October 1<sup>st</sup>, 2019**

Report Compiled: 9/27/2019

**Project Information**

**Name of Applicant:** CVR Investors, Inc and its assigns

**Applicant's Mailing Address:** 1038 Country Club Estates Dr., Castle Rock, CO

**Phone/Email:** 303-549-1916; aa@hackstafflaw.com

**Property Address:** TBD

**Property Owner:** CVR Investors, Inc. (Aaron Atkinson)

**Owner Mailing Address** Same as Applicant

**Proposed Use:** 31 Multifamily Lots (MF1), 3-plexes and 4-plexes; 96 total residential units;

**Legal Description:** Section: 32 Township: 5 Range: 90 A PCL IN THE NE4 OF SEC 31 & NW4 OF SEC 32 CONT 48.695 AC AKA PARCEL 2  
Section: 31 Township: 5 Range: 90 A PARCEL OF LAND SITUATE IN THE N1/2 SEC 31 CONT 15.505 AC AKA PARCEL 5

**Street Frontage:** North – Castle Valley Blvd;

**Existing Zoning:** Residential (R) & Mixed Use (MU)

**Surrounding Zoning:** Single Family (SF2) – North & South Wildhorse Dr, Mixed Use (MU1) & Multifamily (MF1) – Redstone Dr,

## **I Introduction – Sketch Plan**

On August 2nd, 2019 the Applicant submitted a combined PUD & Subdivision sketch plan for Filing 11 in Castle Valley Ranch. After several alterations and clarifications, the application was considered complete on August 27<sup>th</sup>, 2019. Per Municipal Code sections 16.16.010 (Subdivisions) and 17.100.040 (PUDs), a development sketch plan is a visual and conceptual model showing site specific zoning, general utility & infrastructure requirements, circulation patterns, and expected density. These components demonstrate the extent of compliance with Town codes and the Comprehensive Plan (CP). At this initial phase, the sketch plan gives the Applicant preliminary, nonbinding feedback from Staff, Planning Commission, and Council before significant expenses are incurred. No formal approval decisions are made on the application at this stage. However, recommendations, endorsements, or criticism based on the application approval criteria can be expected.

In what follows, the application will be assessed according to the criteria outlined in Municipal Code 17.100.090. The intent of this exercise is merely to communicate the Staff's opinion of an application's level of conformance with code requirements and to forecast its success at future hearings. A development application will be assessed based on the following criteria:

1. Generally compatibility with adjacent land uses;
2. Consistency with the comprehensive plan;
3. Town's capacity to serve water and sewer and provide fire and police protection;
4. Whether land uses are permitted outright or by special review;
5. Whether number of dwelling units permitted by the underlying zoning districts is not exceeded by the PUD plan;
6. Whether the PUD utilizes:
  - the natural character of the land,
  - provides for off-street parking, vehicular, pedestrian and bicycle circulation, outdoor recreation,
  - is of overall compatible architectural design,
  - achieves adequate screening, buffering and aesthetic landscaping,
  - avoids development of areas of potential hazard, ensures compliance with the performance standards and meets all other provisions of this title.

The review with Staff comments follows in Section III.

## **II Sketch Plan Application Exhibits:**

- 1) PUD & Subdivision Combination Applications, August 2<sup>nd</sup>, 2019
- 2) Agreement to Pay Consulting Fees & Expenses, August 2<sup>nd</sup>, 2019
- 3) Subdivision Review Letter, August 2<sup>nd</sup>, 2019
- 4) Townhome Renderings, August 2<sup>nd</sup>, 2019
- 5) Response to Town Planner, August, 27<sup>th</sup>, 2019
- 6) Response to Public Works Director, August 27<sup>th</sup>, 2019
- 7) PA Sketch Site Plans, Sheets 1-4, Revised September 17<sup>th</sup>, 2019

### **III CVR Purpose and Approval Criteria:**

#### **A. Castle Valley Ranch PUD – Purpose**

According to Municipal Code section 17.104.010, the purpose and intent of the Castle Valley Ranch PUD zone district regulations are to:

1. Encourage variety in the physical development pattern of Castle Valley Ranch;
2. Provide a variety of housing densities greater than would be normally possible;
3. Encourage the use of a more creative approach to the development of land;
4. Encourage a more efficient, aesthetic and desirable use of open space;
5. Encourage a more efficient use of energy through solar orientation, native vegetation, and water conservation;
6. Provide a variety of dwelling and building designs;
7. Provide high standards of development and provide amenities appropriate to the densities involved in the project;
8. Provide an integrated open space system throughout areas as outlined on the Castle Valley Ranch PUD zoning plan as well as throughout individual districts;
9. Provide for a variety of housing types in order to best meet the housing demands of all age groups;
10. Maintain and preserve the general alignment of drainage ways for aesthetic, energy and functional purposes;
11. Provide pedestrian networks throughout the open space districts as well as throughout individual districts thereby providing an integrated network throughout the entire development;
12. Provide landscape areas and tree plantings throughout the entire development.

Staff will have these values and priorities in mind when considering an application's degree of conformance with the following criteria.

#### **B. Approval Criteria**

##### **1) Is the proposal generally compatible with adjacent land uses?**

The property is surrounded by mixed use and residential zones. Currently all surrounding development consists of either single family homes or multifamily dwellings. The proposed units are modelled after the tri-plexes located off of Redstone Drive – sized between 1,600sf – 1796sf – and include a comparable open space layout. In particular, the Avenue C corridor (Open Space A) is retained for pedestrian mobility as are the paths and easements along Castle Valley (Open Spaces C & D). A central pocket park is also envisioned (Open Space B).

**Staff Comment:** Staff has some concern with the blunt transition from large single family designs directly to the west (S Wildhorse Drive) to higher density 3 & 4-plexes. The CP expects a balance of land-uses and building designs, particularly with development over 50 lots (CP Goal CG-4), especially when the development lies within a mixed-use zone. A mixture of home designs, similar to what was endorsed in 2008, pairs better with desired aesthetics and overall housing needs identified in the Comprehensive Plan.

Another point of apprehension is the level of connectivity for non-vehicular traffic internal to the development (CP Goal T-1). Sidewalks detached from the street are encouraged for walkability as are off-street trail systems (CP Goal T-1F) linking other parks, trails, and Downtown per the CP. This style of connectivity is a hallmark of the

Castle Valley Master PUD and is exemplified by Hot Shot Park, S Wildhorse Trail, Alder Park, VIX Ranch, and the Colorow Trail. Designated trail connectors within the current filing would help establish future routes north towards the BLM, east towards Bear Dance Park, and south along Ganely and Prendergast hills.

At this time, Applicant has not communicated the expectation for the properties bordering to the north and east of Filing 11. To better comprehend the compatibility of this parcel with adjacent uses, it would be helpful to have a general indication of possible development with neighboring parcels which the Applicant owns. For instance, if the Applicant does not intend commercial in the mixed-use portion of Filing 11, will they have this intention in the adjacent property for Filing 12? If not, this might affect the current proposal.

Degree of Conformance: Moderate

**2) Is the proposal consistent with the comprehensive plan?**

The CP anticipates high growth potential in a relatively rural setting confined within the Urban Growth Boundary. To limit sprawl, communities are expected to be "compact" with a decidedly "urban edge". A balance of housing types, transit alternatives, recreational opportunities, and even commercial services are believed to help create attractive communities which are environmentally friendly and compatible with the community's needs (CP Goal CG-5). This concept is central to the "place-making" model. Place-making is a strategy promoting attractive, livable communities which, in turn, drive placed-based businesses and investment while discouraging economic outsourcing. The community's intrinsic strengths are primary to all development concepts. The approved zoning along Castle Valley Blvd purposely places mixed-use zones contiguous with residential zones to help create the space to achieve this end.

**Staff Comment:** The Applicant proposes higher density residences. This is a helpful first-step in restraining sprawl and resonates with the more urban sentiment defined by the CP. The Applicant speculates that higher density should furnish more affordable options for new residents (CP Goal HO-2) or those looking to downsize. Though this is not at the level of deed restricted housing, the units should match an attractive price-point for the Valley.

The Applicant will dedicate the minimum 10% of the developed 15 acres to open space. Other than space allocated to pedestrian paths only the central park area reserved for potential recreation (CP Goal POST-2).

A 2008 a Colorado Parks & Wildlife referral indicates that the current property is "heavily utilized" by deer and elk in the winter and spring. Further development will undermine the preservation of wildlife habitat (CP Goal EN-1; An updated CPW referral is pending).

A raw water option will decrease the development's dependence on potable water for landscaping and reduce the load on infrastructure (CP Goal I-1H). A raw water loop is currently proposed, extending from Castle Valley Blvd to the north and back to the south end of Filing 8.

Information on the preservation of view planes has yet to be provided (CP Goal EN-6).

Though the proposal does manage to meet some of the expectations of the CP, Staff

believes the proposal's emphasis on homogeneity and market driven outcomes may overlook the need for communities to be diverse, distinct, and offering a strong sense of place (CP Goal CG-5A). We feel various alternatives to the design are available to meet these expectations.

Degree of Conformance: Moderate

**3) Does the town have the capacity to serve the proposed use with water, sewer, fire and police protection?**

Per the 2002 Second Amended Castle Valley Ranch Annexation Agreement, the Castle Valley Ranch PUD is has been allocated a maximum of 1400 total units. Currently an estimated 530 lots remain vacant. Dedicated water rights are still available for the proposed development.

**Staff Comment:** Public works has confirmed that adequate water and sewer capacity are available for the number of lots proposed. According to the CP and the Castle Valley Master Plan, a raw water loop for all landscape hydration should be featured. This has been included in the design.

The fire marshal has noted the possibility of needing a 2<sup>nd</sup> access road for life safety measures per 2015 IFC, Section D106 if fire sprinkling is omitted. During completion review, the Applicant reduced the number of multifamily dwellings below 100 to be exempt from this requirement. However as the application progresses, any changes in the types or number of dwelling units may invalidate this exemption. Staff will monitor this matter as things progress.

The Police Department has not commented at this point in the application process.

Degree of Conformance: High

**4) Are the uses proposed within the PUD permitted outright or by special review?**

The proposal spans two distinct zones according to the CVR Updated Master Plan Map. The residential zone, colored in dijon, comprises the northern third of the development (5.1ac). The southern two-thirds, identified in red, is zoned mixed-use (8.8ac). The Applicant has indicated that the target site specific zoning is entirely multi-family MF-1, defined as a "multifamily townhouse and patio home district allowing for creative approaches to development with housing alternatives that are sensitive to existing and surrounding land uses" (17.104.080 A.3). In both residential and mixed-use zones, townhomes are permitted by right.

**Staff Comment:** Though the use intended is permitted by right, the commitment to only residential development in a zone dedicated to mixed-use has become an all too common practice for developers in New Castle. Understandably, the alternative – nonresidential/commercial development – comes with economic risk, for it is arguably a more thorny matter to sell or fill nonresidential development. However, as noted in a previous development application, the Town struggles to correct the current imbalance between residential and commercial, which has contributed to fiscal disparities.

Staff contends that demand from the community plus demand from business interests makes provisions for commercial services and vendors more viable than in

years past. The current Capital Deli and the former veterinary clinic on 7<sup>th</sup> Street are testaments to successful business approaches integrated within predominantly residential areas. Fourmile Mountain Market in Glenwood Springs, Southside Drive in Basalt, and Eagle Ranch in Eagle are further instances of discrete commercial ventures in the heart of established neighborhoods.

Staff maintains, then, that the developer consider strategic locations for smart commercial options in their development plans. One suggestion might be to negotiate a zoning change which dedicates specific locations and/or functions that are deemed viable commercial areas. To move forward without any considerations means the permanent loss of another eight acres of the Town's limited mixed-use land.

Degree of Conformance: Low/Moderate

**5) Is the number of dwelling units permitted by the underlying zoning districts exceeded by the PUD plan?**

The number of dwelling units in Castle Valley Ranch is restricted two ways: 1) total number of units for all of Castle Valley and 2) minimum lot area per dwelling unit. Currently there is approximately 530 vacant lots in the Castle Valley PUD. With approximately 186.5 usable acres remaining, the average density would approach 2.8 units per acre. Furthermore the Applicant has elected the MF-1 zoning designation which limits the lot size for residential units to no smaller than 2,200sf. The Castle Valley mixed-use zones are also allocated up to 100,000 aggregate square feet of commercial space which, like Lakota Canyon Ranch, has yet to be developed.

**Staff Comment:** The present application represents 96 units on 15ac for a density of 6.4 units per acre or more than double the average density remaining in Castle Valley. As future parcels are built out, this figure may have a small impact on the average density allowed for future developers. In other words, subtracting the current proposal from the overall figures, the remaining average density would increase only to 2.4 units/ac. Staff believes this is negligible. Finally the average lot size for this proposal reaches 6,800sf per lot. This is over three times the minimum requirements.

In sum, though the density is significantly higher than many parts of the overall PUD, it would not affect the build-out of other parcels too adversely. For this application the issue will not be density, strictly speaking, but whether the amount and type of dwelling units undermines the general scope and vision of the CP (see #2 above).

Degree of Conformance: High

**6) Does the PUD proposal:**

- **Provide off-street parking** – Castle Valley requires two off-street parking spaces per unit (17.104.100). The proposed design advocates for single-vehicle garages, with the driveway providing the second off-street parking space. But, as observed on Redstone Drive, the Riverpark Condos, and the Pyramid Peak Townhomes, this design is less than optimal. In practice, these garages are used for storage, the driveway used for one vehicle, and the Town right-of-way is used for all remaining vehicles. Together with sidewalks without green buffers, garbage bins, and cars at the curb the congestion makes for an unpleasant pedestrian

experience. Staff encourages green space between curb and sidewalk, overflow parking areas in strategic locations, and potentially some units designed with two-vehicle garages.

- **Utilize the natural character of the land** – Due to the early stage of the development application, the Applicant has yet to include a description of certain grading aspects. However to remain below an 8% road grade the natural land contours will require alteration. At some point significant fill dirt will likely need to be moved or imported to the future Filing 12 to match the eastern grade with Filing 11. Several retaining walls will be required to successfully stabilize soils at steeper topographies. Soil stabilizing measures such as these should be kept to a minimum.
- **Provide pedestrian and bicycle circulation** – Proposed sidewalks help to provide safe egress from the street-to-home or from home-to-home. The CP envisions more for pedestrian circulation. Specifically non-vehicular trail systems should contribute to locale recreation. Staff feels the current design has a solid start with 8' paths included to the north and to the west of the development. Staff maintains that trail connectivity could be increased internal to the development with small modifications to the development plan. A connecting 8' trail at the south end of Filing 11 and one that bisects the development is advised.
- **Provide outdoor recreation** – Other than the existing Avenue C trail and a small centrally located pocket park, there is no component of outdoor recreation to this proposal. The 2008 concept included a central one acre lot that was accessible from two streets. Staff encourages the development to have more useful open space than currently proposed.
- **Is of overall compatible architectural design** – Undetermined, but will generally follow the design aspects of the approved townhomes located on Redstone Drive and also built by the Applicant (see packet).
- **Achieves adequate screening** – Undetermined
- **Ensures compliance with performance standards** – Undetermined

Degree of Conformance: Moderate

### ***C. Subdivision Approval***

A subdivision application will be approved by Town Council only if it is found to be compliant with the criteria set forth in MC 16.16.030. A subdivision plat will be provided at the preliminary stage of the application and will be reviewed by the Town attorney and engineer for compliance. Per PZ 2019-5, "One or more amended plats to define the boundaries of the individual units within each building shall be prepared for each building envelope based on as-built surveys after construction, which may be approved on staff level." Sale of individual units may not occur until the amended plat is recorded with Garfield County.

#### **IV Staff Suggestions:**

Staff recommends that Council consider the following suggestions in its review of the sketch plan:

1. Areas of strategic commercial development be integrated into the design of the mixed-use area or specific areas be rezoned for commercial in fidelity with vision of mixed-use in the CP.
2. Pedestrian circulation be improved to provide direct access to open space, parks, and other areas of Castle Valley Ranch.
3. Diversity of dwelling units be included into the development design per the CP and similar to the 2008 design.
4. The Application provide an open house to community members after receiving feedback from Council, but prior to submitting a preliminary applications.

#### **V Planning & Zoning Recommendations from September 11<sup>th</sup>, 2019 Meeting:**

1. Define what need this development serves. The CP is an effort to identify needs, present and future, and recommends ways to meet those needs. Generally the CP endorses elements of "place-making" as the development strategy for New Castle.
2. Diversify housing typologies such as single-family with multi-family. The development is too constrained by one type of model and monochromatic architecture/colors.
3. Provide a general plan for the vacant parcels east of the development. This will guide considerations for how best to use the mixed-use zone, trail routing, and road configuration.
4. An agreement with CTS Investments potentially prohibits the Applicant from developing commercial use within the mixed-use section of Filing 11. Clarify whether this commitment is fixed or negotiable.
5. Identify locations for possible strategic commercial development within the mixed-use zone per the code and master plan. Consider rezoning if necessary.
6. Consider thru-street instead of cul-de-sac to provide better road accessibility for the interior units and Open Space B.
7. Create greater trail connectivity. Possibly add an east-to-west trail corridor throughout development and along the southern property border.
8. Open space should provide recreation possibilities and be accessible for everyone in Filing 11. Enlarge central park and place it in a more accessible location with connecting trails. Open spaces C & D are not beneficial. Redistribute some of this landscape buffer to other locations
9. Design Avenue C for future road ROW, rather than merely a paved trail. A connector street direct to Downtown might be needed at some future time. An additional connector to Downtown may also assist in emergencies.
10. Improve the parking arrangement for properties by alleviating congestion. Consider



overflow parking areas and/or two-car garages to get some cars off the streets.

11. Redesign streets with detached sidewalks (i.e. grass buffers) for safer egress near the street and additional snow storage.
12. Clarify whether a traffic study will be required and what alternations might be anticipated for Castle Valley Blvd.
13. Remove Building 30. Otherwise this unit may possibly anchor or fix the design concept of Filing 12 to the east.
14. Describe how will drainage be handled down Avenue C?
15. Define who will maintain Open Space A? Currently open space B, C, & D will be serviced by the HOA according to the sketch plan.

**Public Works Department**  
(970) 984-0669 ex200  
[iwenzel@newcastlecolorado.org](mailto:iwenzel@newcastlecolorado.org)



**Town of New Castle**  
801 W Main Street  
New Castle, CO 81647

August 15, 2019

Paul,

The Public Works Department has had the opportunity to review the Castle Valley Ranch Planning Area 17 & 19 Sketch Application and has the following comments:

**Raw Water**

Our expectation is that the subdivision's outdoor landscaping will be irrigated with raw water. This will require the extension of our raw water mainline and installation of lateral lines required to service each property. The expansion of the raw water system is a strategic goal set by Town Council in 2008. **Response:** Raw water irrigation, as well as other utilities, are shown on Sheet 2.

**Streets and Sidewalks**

Our Municipal Code requires that residential streets are 50' from flow line to flow line. **Response:** The interpretation of New Cast Municipal Code no. 16.28.050 suggests that residential streets are 50' right-of-ways. This Development right-of-ways have been labelled as 50'. Our plans show 36' from flow line to flow line. (2) 10 Ft. travel ways and (2) 8 Ft. parallel parking spaces.

Sidewalks should be a minimum of 5' wide. **Response:** Sidewalks are 5' throughout the development.

A 5' "green belt" should also be constructed between the back of curb and sidewalk. **Response:** "Green belt" was omitted in favor of a wider paving section that allows for on street parking with minimal impact to thru traffic and is consistent with existing neighboring developments.

Full width acceleration and deceleration lanes/turn lanes should be designed for entering and exiting Castle Valley Boulevard. **Response:** Full width accel/decel lanes are designed for traffic into or out of the development.

**Asphalt Trails**

At a minimum, the asphalt trails should be designed to be 8 feet wide, 2 inches thick, with 6 inches of structural subgrade. **Response:** Trail is designed to be 8' wide asphalt. Typical section for trail will be included at Preliminary Design submittal

### **Snow Storage**

High density subdivisions make snow removal more difficult and time consuming. We would like to see several dedicated snow storage areas, which are permanently marked with signage. We would also like the developer to consider off street parking areas. *Response: There are several Open space areas, Areas between buildings along the streets and Additional CVR land that can be utilized for snow storage and off-street parking areas. During Preliminary approval process, as we create a grading plan, we can define and identify these areas in more detail. We have indicated the current amount of parking spaces on drawings Sheet 2, Note #4, this does not include any off-street parking spaces that may be generated.*

### **Street Lights**

Street lights should be placed at intersections for pedestrian safety. The design/style should be the same as adjacent neighborhoods. *Response: Street lights throughout the development are now shown on Sheet 2.*

### **Open Space**

All the open space with the exception of Open Space A, should be maintained by the HOA. *Response: As we have done in the past, we will institute a homeowners sub association that will govern this filing. The sub association will maintain the open space within this filing, with the exception of "Open Space A" on our plat.*

### **Buffer Zone**

It is possible that the neighbors in PA-19 might object to having such a high density development directly adjacent to their homes. A buffer zone of lower density should be considered. *Response: Parcel A is an open space for the asphalt trail which provides a buffer between Pa19 (existing homes) and Pa17 (Proposed). The distance between property lines vary from 59 Ft. to 72 Ft+/-, The distance between buildings should vary from 100 Ft. to 114 Ft. +/- Pa19 is the higher in elevation to Pa17. Preliminary elevations differences for Pa17 vary from 3 Ft. to 15 Ft. lower than Pa19 on the adjacent lots. We feel that this is a sufficient buffer between the Planning Areas. See Drawing sheet #2 for depiction.*

July 31, 2019

Paul Smith  
Town Planner  
New Castle Town Hall  
450 West Main Street  
PO Box 90  
New Castle, Colorado 81647

**Re: Sketch Plan submittal, Planning Area 17 & 19, Filing 11**

Dear Paul:

The purpose of this letter is to transmit a Subdivision Sketch Plan for the above referenced Planning Areas of Castle Valley Ranch, New Castle, Colorado. Per the Town checklist, we have included the following items with this submittal:

- Development Application
- Sketch Plan
- \$400 Non-refundable Application Fee
- Renderings from similar project

We are requesting a subdivision plat review for a multi-family development that will consist of 106 three-bedroom units. Based upon the Town municipal code, the water usage and sewage loading rates are as follows:

- Water Usage – 106 units at 1 EQR/unit = 106 EQR x 350 gpd (3.5 persons x 100 gpd/person) = 36,750 gpd
- Sewage Loading - 106 units at 1 EQR/unit = 106 EQR x 280 gpd (3.5 persons x 100 gpd/person x 80% non-consumptive use) = 29,680 gpd

We look forward to working with you on this development application. Please contact me with any questions or if additional information is required.

Sincerely,

SGM Inc.

  
Dan Cokley, PE  
Project Engineer

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## Filing 11 – Town Sketch Review Comments w/ CVR Responses: (In Blue)

The current application is for a PUD/Subdivision sketch plan for Castle Valley Filing 11. The application materials submitted on August 2<sup>nd</sup>, 2019, fulfill the minimal checklist requirements per 16.16.010 & 17.100.040. The checklist items are necessary for a complete application. However, the sketch plan is also reviewed by Staff for general conformance with relevant codes and the Comprehensive Plan. Early identification of non-conforming items which could influence the design are better off resolved early in the application.

The review detected certain issues that Staff believes may potentially change the proposal as it stands and thus should be addressed prior to a PnZ meeting. We conclude that the present sketch plan application is incomplete, based on the following issues:

- Castle Valley zoning classification(s) needs to be designated to understand the scope and possible density of the PUD. MF-1, MF-2, MU-1, MU-2, etc. (See 17.104.080)? *Response: MF-1*
- At 106 units the fire code requires a two access roads (2015 IFC D106). This was not required in the 2008 application because it was SF homes (see D107). *Response: Developer has chosen to revise the area of the development. The resulting area shows 96 units instead of the originally proposed design of 106. As per Section D106, a single access for the fire department should be adequate.*
- The development will span two distinct general zoning areas (R & MU) as mapped in the Updated Master Plan. Eventually an approved site specific PUD would likely modify this zoning. However, until then, we will need to differentiate the general zoning in order for PnZ to understand the degree to which the proposal complies with the Master Plan and the Comprehensive Plan. An overlay sheet will make this more obvious. *Response: See sheet #4 which shows the designated zoning related to the proposed development.*
- Per Public Works review, a looped raw water line should be designated on the site plan. *Response: Raw water irrigation, as well as other utilities, are shown on Sheet 2.*
- Compliance with Comprehensive Plan – The approval criteria (attached) requires substantial compliance with the comp plan. These are general guidelines, but it works in the developers favor to be compliant with these expectations as much as possible. Relevant areas of non-conformance include:
  - Goal CG-4: Mixed/balanced use is desirable for sustainability...especially in a MU designated zone; *Response: We have been very candid with the Town over the past few years that we did not see any opportunities for commercial development in the near-term; we have never in our tenure with CVR been approached by anyone for purposes of commercial development. We have also been candid with the Town about the fact that we are restricted from commercial development by virtue of an agreement, which we inherited, that was executed between Village Homes and Mr. Steve Craven. Most importantly, we are confident that the Town requires more citizens (who require housing) before there are enough people to justify commercial development in Castle Valley Ranch. In the almost 20 years our group has been*

*involved with Castle Valley Ranch or Lakota, we have never fielded a single request by a commercial developer to purchase or lease any of our properties. As conscientious developers, we do not want to try and force something on the Town that will inevitably fail. Should the need for commercial development arise with respect to our future development, we are very open to that conversation with the Town.*

- Policy CG-4A: residential development (>50lots) shall include a mix of land-use types; Response: See above.
- Policy I-1I: New development will design raw water irrigation; Response: Raw water irrigation, as well as other utilities, are shown on Sheet 2.
- Policy T-1F: Connectivity, specifically trails east-to-west, should be considered; Response: *We understand the interest and benefits brought by more trails in the Town. To that end, we have been working with Steve Craven to produce a workable agreement with the Town for trails on our real property. With respect to this particular filing, for context, there will be a north-south trail extending from Castle Valley Boulevard south to C. Avenue. Also, our understanding is that Castle Valley Boulevard incorporates a trail, which extends east-to-west at this location. So, given that there will be two trails immediately abutting this filing, we felt as though this was sufficient for trail connectivity*
- Goal EN-6: New Castle will protect ridgelines and viewsheds; A rendering from CV Boulevard looking south over the development would help to identify whether viewplanes are preserved. This was very useful for the last developer in “selling” his proposal to Council and the community. Response: *Along the same lines as the bullet point below, this would seem like a cost that we are not comfortable with at the sketch plan phase of this filing. Should the filing be well received and move on to preliminary and final hearings, we welcome the discussion regarding this endeavor to help answer questions regarding the development.*
- Floor plan sheet? It would be helpful to reproduce a model floor plan, perhaps from the Redstone lots. Response: *As our filing is presently in sketch plan, it is premature to produce floor plans for units that may ultimately be constructed on this land. While we are anticipating the same townhome product that we have been successfully building in Filing 9, this is by no means certain. We also don't feel that the floor plans are material to the P&Z focus in the sketch plan phase, which is compliance with the codes, ordinances and comprehensive plan.*