

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. PZ-2020-9**

**A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING
COMMISSION APPROVING A PRELIMINARY PUD DEVELOPMENT PLAN
FOR CASTLE VALLEY RANCH FILING 11, BEING A PORTION OF PA 17
AND PA 19.**

WHEREAS, CVR Investors, Inc. (“Applicant”) is the owner of certain real property within the Town of New Castle described in the attached Exhibit A, which property as part of Planning Areas 17 and 19 of the Castle Valley Ranch Master Plan (the “Property,” or Filing 11); and

WHEREAS, the Applicant has submitted an application requesting approval of a combined Preliminary/Final PUD Development Plan and a Preliminary/Final Plat for the first phase of the development, which application is further defined in Section 2 of this Resolution (the “Application”); and

WHEREAS, the Applicant proposes to construct a total of 91 residential units in 28 multi-family buildings on 27 lots on 13.538 acres; and

WHEREAS, the PA 19 portion of the Property is zoned Residential (R), and the PA 17 portion is zoned Mixed Use (MU); and

WHEREAS, the Applicant intends to develop and plat the Property in phases, with the first phase including ten (10) lots, ten (10) multi-family buildings, and 32 residential units and the public improvements associated with the same; and

WHEREAS, the Town of New Castle Planning & Zoning Commission (“Commission”) held a duly noticed public hearing on May 13, 2020 that was continued to May 27, 2020, to consider the Application; and

WHEREAS, the Commission listened to testimony from Staff, the Applicant, and members of the public concerning the Application; and

WHEREAS, after the public hearing was closed on May 27, 2020, the Commission voted to deny the Application in its entirety and adopted Resolution PZ 2020-6 effective as of August 7, 2020 to document its decision; and

WHEREAS, pursuant to Section 17.100.070(D) of the Town Municipal Code, Applicant took the Commission’s decision regarding the preliminary PUD portion of the Application (the “Preliminary Application”) to Town Council for review; and

WHEREAS, on July 21, 2020, Town Council reviewed the Commission’s decision regarding the Preliminary Application and decided to refer the Preliminary Application back to the Commission for reassessment; and

WHEREAS, at its August 26, 2020 meeting, the Commission reconsidered the Preliminary Application based on the information and evidence presented during the public hearings; and

WHEREAS, subject to compliance with the terms and conditions of this Resolution, the Commission finds:

1. that the Preliminary Application is generally compatible with adjacent land uses;
2. that the Preliminary Application is consistent with the Town's Comprehensive Plan;
3. that the Town has the capacity to serve the proposed uses with water, sewer, fire and police protection;
4. that the uses proposed within the PUD are uses permitted outright within the zoning district contained within the PUD;
5. the number of dwelling units permitted by the underlying zone district is not exceeded by the PUD plan;
6. the PUD utilizes the natural character of the land, includes compatible land uses, provides for fire and police protection, off-street parking, vehicular, pedestrian, and bicycle circulation, outdoor recreation, is of overall compatible architectural design, achieved adequate screening, buffering and aesthetic landscaping, avoids development of areas of potential hazard, ensures compliance with performance standards, and meets all other provisions of the applicable ordinances of the Town; and

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals. The foregoing recitals are incorporated by reference as findings and determinations of the Planning and Zoning Commission.
2. Definition of the Application. The "Application" consists of the documents and information identified by the Town Clerk on Exhibit B, plus all representations of and other documents presented by the Applicant reflected in the minutes of the Planning and Zoning Commission public hearing on May 13, 2020 that was continued to May 27, 2020, the Town Council review held on July 21, 2020, and the Commission reassessment review conducted on August 26, 2020.
3. Action regarding Preliminary Application: The Preliminary Application proposes:
 - a. The construction of ninety-one (91) residential units in twenty-eight (28) multi-family buildings on twenty-seven (27) lots, with the lots, roads, and open space to be platted and developed in accordance with the site/phasing plan dated May 27, 2020, that is included in the Application;

- b. That the first phase of Filing 11 will include ten (10) lots, eleven (11) multi-family buildings, and 33 residential units and the public improvements associated with the same; and
- c. That the platting of future phases of Filing 11, including subdividing the Property into lots and amending final plats as the multi-family buildings are constructed, be approved at a the staff level, provided that the future phase plats and amended final plats are in substantial conformance with the Application.

The Planning Commission hereby approves the Preliminary Application subject to reducing the number of units by 19 as explained in Section 6 of this Resolution and subject to compliance with all other conditions set forth in Section 6 of this Resolution.

5. Zoning. The development and use of the Property shall be subject to the restrictions and requirements of the MF-1 Zone District of the Castle Valley Ranch PUD Zoning Regulations, Section 17.104.080 of the Code (Zone District), as may be modified by the final plats for the Property; all other applicable provisions of the Code; and all applicable Ordinances of the Town. In the event of any conflict between the Zone District text and the final plats for the Property, the final plats shall control.

6. Conditions. Approval of the Preliminary Application is subject to and contingent up on satisfaction of the following conditions:

- a. Soften the transition between single family homes along South Wildhorse Dr. and the multifamily homes proposed in the Application by:
 - Converting the buildings on Lots 2 & 8 to triplexes
 - Converting the buildings on Lots 3, 4, 5, & 7 to duplexes
 - Retaining the two duplex buildings on Lot 6
 - Integrate single-family home architectural features into the duplex design.
- b. Eliminate, reorient, or reduce the following two buildings that adversely impact the natural character of the land pursuant to approval criteria 17.100.090(A.6):
 - Reduce the building on Lot 10 to a duplex because of the aesthetic impacts of a 18' grade cut
 - Reduce the building on Lot 11 to a duplex because of the aesthetic impacts of a 14' grade cut
- c. Design duplex units on Eagle Ridge Rd. with garages which can accommodate two vehicles to improve the housing diversity, snow storage, and on-street parking issues.
- d. Upgrade Open Space C as a central "green" with useable park space by eliminating Falcon Ridge Court and buildings 18, 19 & 20. Add off-street parking between buildings 17 & 21 for Open Space C. Open Space C shall include flat space for activities, playground equipment, or shade structures.

- e. Widen the natural buffer along C Avenue to greater than 120 feet *or* heavily landscape with trees to obscure the line-of-site between adjacent homes along South Wildhorse Dr. and those in Filing 11.
- f. Identify all permanent snow storage easements on the final plat and any temporary locations on the phasing drawings. A snow storage easement shall be designated between each building structure and confined to an area 15' wide by 10' deep beyond the sidewalk. Additionally, snow storage easements in aggregate shall total no less than 15% of the plowable street area. Snow storage shall be free of all obstructions including, but not limited to, boulders, shrubs, trees, and fences.
- g. Install street signage stating, **NO PARKING ON STREETS 48 HOURS AFTER A SNOWFALL EVENT OF 2" OR MORE**".
- h. Prohibit on-street parking along the outer radial lane of Eagle Ridge Drive to improve snow removal, safety, and traffic flow. Prohibit parking adjacent to any snow storage easement identified on the plat.
- i. Provide 5' landscape ("green") buffers between the road and sidewalks along both sides of Bear Canyon Dr. and the inner radial lane of Eagle Ridge Dr. All green buffers shall be lined with trees except in designated easements.
- j. At the developer's sole expense, mitigate potential fuel hazards for wildland fires in areas identified as threats by Colorado River Fire & Rescue.
- k. Construct and dedicate for public use a single-track hiking and biking easement at the base of Ganley Hill as a trail connector between Mount Medaris and Prendergast Hill as shown on Exhibit C or dedicate as Public Open Space a portion of the land bordering properties to the south of Eagle Ridge Rd.
- l. Improve trail connectors with areas gained by downsizing to duplexes as shown on Exhibit C by providing a north-south connector trail from the C Ave switchback (at Castle Valley Boulevard), continuing between Lots 2 & 3 and 22 & 23 to Open Space C. The north-south connector will continue between Lots 15 & 16 to the south end of Eagle Ridge Rd. An additional east-west connector will extend from Open Space C between Lots 25 & 26 to Bear Canyon Drive and beyond. All such connectors shall be paved or concrete.
- m. Design Bear Canyon Dr. as a collector street as defined in the Municipal Code to channel traffic from residential areas to arterial streets. The minimum right-of-way shall be 60' including two 12' wide travel lanes, two 8' wide parking lanes, two 5' wide landscape buffers, and two 5' sidewalks.
- n. Provide water and sewer service stub-outs for future development east of Bear Canyon Drive prior to the installation of road infrastructure.

- o. Provide verification that the Castle Valley Blvd right-of-way can accommodate standard turn lanes and through lanes.
- p. Specify on the plat that Open Spaces A, B, and C shall be maintained by the HOA.
- q. Provide a construction phasing plan. Identify, at minimum, each of the following components:
 - Buildout phases;
 - 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)
- r. Request approval of street names through Garfield County Communications to avoid any duplication of names in the county dispatch area.
- s. Demonstrate that all exterior illumination shall comply with acceptable International Dark-sky Association (IDA) standards.
- t. Designate locations of mailbox kiosks with written authorization from the local postmaster.
- u. Submit an exhibit and conveyance document(s) in a form acceptable to the Town Attorney outlining the necessary water rights (potable and/or raw) required for Filing 11.
- v. Prior to the recordation of any Filing 11 phase plat, the Applicant shall enter into a subdivision improvements agreement with the Town for each phase of the development in a form acceptable to the Town Attorney.
- w. The sale of individual units within Filing 11 may not occur until a plat creating the unit is recorded with Garfield County.
- x. 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.
- y. The Applicant shall comply with all applicable building, residential, electrical and municipal code requirements, including all sign code regulations, when developing the Property according to the Plan, as amended;
- z. 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.

- aa. Submit a new combined preliminary/final subdivision application to be considered concurrently with a revised final PUD application that takes into account the conditions set forth in this Resolution.

7. Action on final PUD portion of Application. The Commission hereby continues its decision on the final PUD portion of the Application until Applicant submits a revised final PUD development application that addresses the conditions set forth in Section 6 of this Resolution. The revised final application will be considered at a public hearing noticed as set forth in Section 16.08 of the Town Municipal Code.

8. Effect of Resolution. This Resolution PZ 2020-9 shall repeal and supersede Resolution PZ 2020-6 only with respect to the Preliminary Application. Resolution PZ 2020-6 remains in effect for all other portions of the original Application. The preliminary/final subdivision application has been previously denied but may be re-submitted for further review in conformity with the approved Preliminary PUD Development Plan and may be considered simultaneously with the hearing on any Final PUD Development Plan.

SO RESOLVED this 26th day of August, 2020, by a vote of ____ to ____.

TOWN OF NEW CASTLE
PLANNING & ZONING
COMMISSION

Chuck Apostolik, Chairman

ATTEST:

Mindy Andis, Deputy Town Clerk

Exhibits:

- Exhibit A: Legal Description
- Exhibit B: List of Application materials
- Exhibit C: Annotated Site Plan

EXHIBIT A
Legal Description

Parcel A: A PARCEL OF LAND SITUATE IN THE NE1/4 SECTION 31 AND THE NW1/4 SECTION 32, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M., COUNTY OF GARFIELD, STATE OF COLORADO, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/16 CORNER BETWEEN SAID SECTIONS 29 AND 32 A REBAR AND ALUMINUM CAP LS NO. 36572 SET IN PLACE; THENCE S 01° 19' 34" E 1570.62 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY OF LINE CASTLE VALLEY BOULEVARD, AS FILED WITH THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE RECORDED JANUARY 9, 2001 UNDER RECEPTION NO. 574735, ALSO BEING A POINT ON THE EASTERLY BOUNDARY LINE OF CASTLE VALLEY RANCH PUD AS FILED WITH THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE RECORDED AUGUST 10, 1983 UNDER RECEPTION NO. 344590 THE TRUE POINT OF BEGINNING; THENCE DEPARTING SAID RIGHT OF WAYS 01°19' 34" E AND ALONG SAID EASTERLY BOUNDARY LINE 1066.16 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF SAID CASTLE VALLEY RANCH, P.U.D.; THENCE ALONG SAID SOUTHERLY BOUNDARY LINE THE FOLLOWING FOUR (4) COURSES: 1. N 89° 40' 24" W 1195.15 FEET; 2. N 00° 19' 36" E 120.00 FEET; 3. N 89° 40' 24" W 180.00 FEET; 4. N 00° 05'00" W 210.20 FEET; THENCE DEPARTING SAID SOUTHERLY BOUNDARY LINE N 00° 05'00" W 983.59 FEET; THENCE S 89° 56' 5" W 552.43 FEET TO A POINT ON THE EASTERLY BOUNDARY LINE OF CASTLE VALLEY RANCH, PA19A AND PA19B AS FILED WITH THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE RECORDED NOVEMBER 29, 2005 UNDER RECEPTION NO. 687288; THENCE N 40° 33' 51" E ALONG SAID EASTERLY BOUNDARY LINE 283.40 FEET; THENCE CONTINUING ALONG SAID EASTERLY BOUNDARY LINE N 55° 43' 05" E 455.98 FEET TO A POINT ON SAID SOUTHERLY RIGHT OF WAY LINE OF CASTLE VALLEY BOULEVARD; THENCE DEPARTING SAID EASTERLY BOUNDARY LINE AND ALONG SAID SOUTHERLY RIGHT OF WAY LINE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 862.01 FEET; AN ARC LENGTH OF 591.51 FEET (CHORD BEARS S61° 39' 09" E 579.98 FEET); THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING SEVEN (7) COURSES: 1.S 81° 18' 39" E 261.25 FEET; 2. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 719.98 FEET, AN ARC LENGTH OF 342.58 FEET (CHORD BEARS S 67° 40' 47" E 339.36 FEET); 3. ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT HAVING A RADIUS OF 115.42 FEET, AN ARC LENGTH OF 19.02 FEET (CHORD BEARS S 14° 30' 47" E 19.00 FEET); 4. ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 82.00 FEET, AN ARC LENGTH OF 110.68 FEET (CHORD BEARS S 48° 27' 33" E 102.47 FEET); 5. ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS OF 115.42 FEET, AN ARC LENGTH OF 20.06 FEET (CHORD BEARS S 82° 08' 49" E 20.03 FEET); 6. ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 719.98 FEET, AN ARC LENGTH OF 57.30 FEET (CHORD BEARS S 41° 01' 02" E 57.29 FEET); 7. S 38° 44' 14" E 193.94 FEET TO THE POINT OF BEGINNING.

Parcel B: A PARCEL OF LAND SITUATE IN THE NE1/4 SECTION 31, TOWNSHIP 5 SOUTH, RANGE 90 WEST OF THE 6TH P.M. COUNTY OF GARFIELD, STATE OF COLORADO, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE WEST 1/16 CORNER BETWEEN SAID SECTIONS 29 AND 32, A REBAR AND ALUMINUM CAP LS NO. 36572 SET IN PLACE; THENCE S29° 45' 20" W 2647.04 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF CASTLE VALLEY RANCH, P.U.D. AS FILED WITH THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE RECORDED AUGUST 10, 1983 UNDER RECEPTION NO. 344590, THE TRUE POINT OF BEGINNING; THENCE ALONG SAID SOUTHERLY BOUNDARY LINE THE FOLLOWING FOUR (4) COURSES: 1. N 89° 50' 34" W 450.00 FEET; 2. N 00° 09' 26" E 75.00 FEET; 3, N 89° 50' 34" W 275.00 FEET; 4, N 00° 09' 26" E 150.00 FEET; THENCE DEPARTING SAID SOUTHERLY BOUNDARY LINE N00° 47' 28" W 548.03 FEET TO A POINT ON THE SOUTHERLY BOUNDARY LINE OF CASTLE VALLEY RANCH, PA 19A & WITH THE GARFIELD COUNTY CLERK AND RECORDER'S OFFICE RECORDED NOVEMBER 29, 2005 UNDER RECEPTION NO. 687288; THENCE ALONG SAID SOUTHERLY BOUNDARY LINE N 40° 33' 51" E 273.86 FEET; THENCE DEPARTING SAID SOUTHERLY BOUNDARY LINE N 89° 56' 25" E 552.43 FEET; THENCE S 00° 05'00" E 983.59 FEET TO THE POINT OF BEGINNING

EXHIBIT B
Application Materials

- 1) PUD & Subdivision Combination Applications
- 2) Application Narrative
- 3) Applicant Response to Referrals - SGM
- 4) Referral - Colorado Parks & Wildlife
- 5) Referral - Colorado Fire River Fire and Rescue
- 6) Referral - Town of New Castle Public Works
- 7) Referral - Town Engineer
- 8) Referral + Redlined Plat -Town Attorney
- 9) Referral - Town of New Castle Police Chief
- 10) Referral - Garfield RE-2 School District
- 11) Will Serve Letter - Xcel
- 12) Public Notice
- 13) List of Property owners within 250' of Development
- 14) Affidavit as to Notice of Public Hearing
- 15) Agreement to Pay Consulting Fees & Expenses, February 15th, 2019
- 16) Title Commitment + Legal Description
- 17) Soils Report - A.G. Wassenaar
- 18) Drainage Calculations - SGM
- 19) Utility Report - SGM
- 20) Traffic Impact Study - SGM
- 21) Construction Drawings
- 22) Architectural Floorplans
- 23) Updated site/phasing plan dated May 27, 2020

EXHIBIT C
Annotated Site Plan
(to be attached)



**Town of New
Castle**

450 W. Main Street
PO Box 90

**Planning & Code Administration
Department**

Phone: (970) 984-2311

Fax: (970) 984-2716

Staff Report

**Castle Valley Ranch - Filing 11//Portion of PA17 & Remaining PA19
Preliminary PUD Development
Planning Commission – August, 26 2020**

Report Compiled: 8/21/2020

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 Owner: CVR Investors, Inc. (Aaron Atkinson)

Owner Mailing Address Same as applicant

Proposed Use: *Originally* proposed 27 Multifamily Lots (MF1), 3-plexes and 4-plexes; 91 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 Application Exhibits:

(New exhibits since May 27th, 2020)

- A. Memorandum from Town Attorney, August, 20, 2020
- B. Updated applicant narrative
- C. Original site plan from May 13, 2020 public hearing
- D. Staff report from May 13, 2020 public hearing
- E. Annotated Staff site plan, August 20, 2020
- F. Town Council minutes from July 21, 2020

II Sketch Plan:

Sketch Plan

A sketch plan application for Filing 11 was reviewed by the Planning Commission on September 11, 2019 and by Council on October 1, 2019. At that time the development proposal contemplated 96 multi-family dwelling units comprised entirely of tri-plexes and four-plexes similar in style to existing units along Redstone Dr. and Foxwood Ln. in Castle Valley Ranch (CVR). The 15 acre proposal spanned both mixed-use and residential zones south of Castle Valley Blvd (CVB) and east of S Whitehorse Dr. The general concept of the sketch plan – lot sizes, open space, trails, & roads – tracked closely with a prior application submitted by Village Homes, Inc. in 2008. The 2008 application was for 62 single-family homes and was ultimately withdrawn.

At both meetings it was noted by the Applicant that the sketch plan demonstrated substantial compliance with the municipal code, adopted model codes, public works manual, and the Comprehensive Plan (*CP*). Staff acknowledged that the overall *design* conformance was substantial, however, it disputed the degree of continuity with the *CP* and aspects of the CVR Master Plan. Staff maintained that though strict compliance with the *CP* may not be practical in some cases, the *CP* is intended to provide qualitative and quantitative guidance for future land use and is made binding by virtue of its inclusion of the approval criteria for land development applications pursuant to C.R.S. 31-23-206.

The sketch plan process produced points of consensus and debate. Those included:

Points of Consensus:

- For a preliminary/final application, all submittal components need to be thorough and complete prior to meeting with Council.
- The Applicant's product – triplexes on Redstone Dr and Foxwood Ln – has generally been well received by buyers. The units are energy efficient with various modern amenities.
- The typical price-point has been competitive with Lower Valley multi-family development.
- High density residential is better suited along and south of Castle Valley Blvd. (CVB) rather than in the vacant parcels to the north of CVB.
- Land use proposals should prioritize the health and well-being of the community.
- The developer is currently party to a restrictive covenant committing them to no more than 303 additional residential units and no commercial development.

- An east-west connector trail should be integrated into the design.
- A looped raw water system is best practice for landscape irrigation.
- View planes should be preserved as much as feasible.

Points of Debate:

- Two-thirds of the proposed development consists within a mixed-use zone as specified by the CVR Master Plan. Areas of strategic, small-scale commercial development should be considered in fidelity with the vision of mixed-use in the *CP*.
- Pedestrian circulation should be improved to provide direct access to open space, parks, and other areas throughout the CVR PUD.
- Diversity of dwelling units should be included into the design rather than the same style throughout.
- The density and design of multi-family homes seemed misplaced when directly bordering larger single-family homes on S Wildhorse Dr. Transitions should be more subtle.
- Trail connectivity was limited. The proposed Open Space C was not useful. A park amenity would be a better use of that location.
- Off-street parking, though compliant with codes, would create ongoing challenges for traffic flow and snow storage given the density, road widths, attached sidewalks, and propensity of residents to have more than two cars per household or using their garages as storage.
- Snow storage was not adequately specified on the site plan.
- C Ave might be considered for a future emergency access road, in hindsight to the small fire that broke out on Mt. Medaris in the summer of 2019.
- There should be separation between the curb and sidewalk for pedestrian safety and snow storage.
- The proposal did not sufficiently represent the Smart-Growth model endorsed by the *CP*. Smart-Growth promotes sustainable communities with compact residential mixed with commercial amenities and services, all reasonably accessible without vehicles.
- There was dissatisfaction with not knowing the development plan with the neighboring parcels. Without visibility it would be difficult to assess the appropriateness of the current proposal with the overall community. A master plan amendment was recommended to flesh-out those details.

Per Council request, the Applicant presented the conceptual plan to the general public at an open house. The meeting unfortunately was not well attended, but the few attendees did provide feedback based on their perception of Redstone Dr. & Foxwood Ln. and their recollection of the original application for Filing 11 in 2008. The units have generally been well-built and at an attractive price-point to a variety of consumers. However there was comment that the build-out could have better planned for parking, traffic flow, and non-vehicular movement.

III Preliminary/Final Hearing – Planning Commission Denial

On May 13, 2020, the New Castle Planning Commission opened the hearing for Resolution PZ 2020-06 on a preliminary PUD application for Filing 11 in Castle Valley Ranch. The application consisted of 91 duplex, triplex, and four-plex units on approximately 13.5 acres. At

the continuance on May 27, 2020, the Commission – as the approval body for preliminary PUD applications – unanimously denied the application because of noncompliance with the Comprehensive Plan, Section 17.100.090(A)(6) of the municipal code, and other grounds as reflected in the record of the public hearing pursuant to the approval criteria for PUD applications in Section 17.100.090. Specifically, the application:

- ***Is NOT generally compatible with adjacent land uses***
 - Development in the vacant parcels to the north and east remained undetermined. A master plan amendment, introduced by the applicant on February 12, 2020, intended to rezone all land in CVR owned by the applicant from mixed use to residential, which would clarify the nature of development of those parcels in the future. However, the master plan amendment was deferred by the applicant until August 26, 2020. Therefore, the application’s compatibility with the neighboring parcels remained difficult to ascertain.
 - The proposed style and density of multifamily units was deemed to be out of balance with the large, single-family residential homes on South Wildhorse. Adverse impacts on aesthetics and property values would be likely.

- ***Is NOT consistent with the comprehensive plan***
 - Residential or commercial development of 50 lots/units or greater shall include a mix of land-use types that “provide effectively integrated convenience retail, employment, services, parks/open space/trails, public transit, and non-motorized access (*Goal CG-4A*). Proposed amenities are used sparingly.
 - A large-scale, multifamily development would challenge the livability of the community. Shortcomings with parking, usable open space, non-vehicular circulation, and snow storage will generate a more utilitarian experience rather than one hospitable to quality places that people want to live, work, play, and learn in (*Goal CG-5*).
 - Mixed-use zoning, as defined in the master plan, Town code, and the comprehensive plan, signifies a mixture of residential and non-residential development. Mixed-use affords a community the possibility for local amenities, services, and possible employment (*Goals CG-4A thru E*);
 - Existing wildlife corridors would be displaced with little attention given to relocation habitat (*Goal EN-1*). Sensitive environmental areas will be preserved, and open space corridors will be used to break up continuous areas of development (*Goal POST-4A-B*).
 - Though marketed as competitively priced, the multifamily units would likely sell at price points at or above \$400k similarly to other townhomes in CVR. New development should embrace aspects of genuine affordability with a diversity of densities, types, and unit sizes (*Goal HO-2A*).
 - Sidewalks and trails could go further in generating connectivity between neighboring parks, open space, and other filings along CVB. Separated sidewalks and a trail easement between Ganley and Prendergast were recommended (*Goal T-1F*). The intent of the Commission is to encourage non-motorized trails and generous open space which promote recreational value (*Goal POST-3*).
 - Road designs do not adequately accommodate public safety access and will increase road maintenance. Single car garages mean owners will habitually default to using the garage as storage and at least one vehicle parked on the street. Mobility will be tight even in the best conditions. The resulting congestion, as already experienced on Redstone Dr. and Foxwood Ln., will lead to costly snow removal and at times generate obstacles for emergency equipment (*Goal T-1G*).

- ***The uses proposed are NOT permitted outright in all instances***
 - Roughly 2/3’s of the site plan spans mixed use zoning. While multifamily housing is a permitted use in the mixed-use zone district, the zone district is purposely designated for a mixture of uses in accordance with the adopted Smart-Growth model and is meant to complement residential areas by providing needed services and amenities. Developing only residential in the mixed-use zone does not comply with the purpose of the zone district.

- Due to obligations with a restrictive covenant, the applicant is compelled to develop only residential on the property. This obligation, however, does not mean the applicant is forced into exclusively multifamily townhome development. Staff and the Commission offered possible solutions for development which, though forfeited the commercial, offered diversity, amenities, and enhanced livability. Unfortunately, none were advanced.

IV Applicant Appeal

According to Section 17.100.070 § D, “the applicant may take a disputed decision of the planning commission to the town council for review. If, in the town council's sole discretion, the finding of the planning commission may have been in error, the town council shall refer the application back to the planning commission for reassessment.” On July 21, 2020, pursuant to this code provision, the applicant formally contested the Commission’s conclusion before Council. Specifically, the applicant maintained that:

- **The Commission’s decision is inconsistent with C.R.S. 29.22.03.**
 - The applicant argued that because the Comprehensive Plan is insufficiently specific and largely discretionary, the goals and policies identified in it could not be used as formal conditions of approval in a land use application. The statute reads, “(2) No local government shall impose any discretionary condition upon a land-use approval unless the condition is based upon duly adopted standards that are sufficiently specific to ensure that the condition is imposed in a rational and consistent manner.”
- **The Commission’s acted inequitably in consideration of the application**
 - Eagle’s Ridge Ranch (approved 2019) and Lakota Senior Housing (approved 2017) were both found to be compliant with the approval criteria though they were 2-3 times the density.
 - High density multi-family units in ERR and LSH also demonstrate a blunt transition across from large single-family homes north of CVB. Yet those applications were deemed compliant with the approval criteria.
 - Filing 9 townhomes on Redstone Dr and Foxwood Ln are merely replicated in the currently application. Again Filing 9 was deemed compliant while the current application was not.
- **MF-1 is a permitted use on the list of uses within the MU general zoning**
 - Irrespective of the definition of mixed-use in the Code and Comprehensive Plan as a mixture of residential and non-residential uses, the applicant argued any use-by-right listed in the MU zoning is an approved option for development whether in part or in whole. The Commission, therefore, was mistaken in its conclusion that the elected use was not permitted in the underlying zoning district by virtue of the absence of a non-residential or commercial use.
- **Compromises with the design were made at the Commission’s request**
 - Density was reduced to 91 units upon initial review from sketch plan
 - Greenbelts were added along Bear Canyon Dr per request of Public Works
 - Snow storage areas were specified per request of the Commission and Public Works
 - Off-street parking was added along Eagle Ridge Rd
 - An east-west trail connector was added from the C Avenue connector, along Eagle Ridge Rd, to Bear Canyon Rd

Upon review of all testimony, Town Council recommended that Staff, the Commission, and the applicant should reconvene on the preliminary PUD application and consider whether sufficient revisions could be made to warrant the Commission's approval.

V. Revised Preliminary PUD Application and Approval Process

As a result of the Council's decision, both Staff and the applicant have provided alternatives to the original preliminary PUD application for the Commission's consideration. Resolution PZ 2020-9 shall repeal and supersede Resolution PZ 2020-6 only with respect to the Preliminary Application. Resolution PZ 2020-6 remains in effect for all other portions of the original Application. The preliminary/final subdivision application has been previously denied but may be re-submitted for further review in conformity with the approved Preliminary PUD Development Plan and may be considered simultaneously with the hearing on any Final PUD Development Plan.

The Commission will be charged with deciding whether any recommended revisions or combination of revisions to the application will favor approval based on the criteria in MC 17.100.090. An application shall demonstrate:

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:
 - i. the natural character of the land,
 - ii. provides for off-street parking, vehicular, pedestrian and bicycle circulation, outdoor recreation,
 - iii. is of overall compatible architectural design,
 - iv. achieves adequate screening, buffering and aesthetic landscaping,
 - v. avoids development of areas of potential hazard, ensures compliance with the performance standards and meets all other provisions of this title.

VI. Staff Recommendations:

Staff recommends the Planning Commission explore the following alternatives to the Filing 11 preliminary PUD application prior to deciding on Resolution 2020-09.

1. Soften the transition between single family homes along S Wildhorse Dr. and the multifamily homes of this proposal by:
 - Converting lots 2 & 8 from quadplexes to triplexes. **(Less 2 units)**
 - Converting lots 3, 4, 5, & 7 to duplexes. **(Less 5 units)**
 - Retaining lot 6 as two duplex buildings.
 - Integrate single-family home architectural features into the duplex design.
2. Eliminate, reorient, or reduce the following two buildings that adversely impact the natural character of the land pursuant to approval criteria 17.100.090(A.6):

- Reduce building 10 to a duplex because of the aesthetic impacts of an 18' grade cut; **(Less 2 units)**
 - Reduce building 11 to a duplex because of the aesthetic impacts of a 14' grade cut; **(Less 1 unit)**
3. Widen the natural buffer along C Avenue to greater than 120 feet or heavily landscape with trees to obscure the line-of-site between adjacent homes along S Wildhorse Dr. and those in Filing 11. An improved natural buffer will also function to protect the wildlife habitat identified in the referral from the District Wildlife Manager of Colorado Parks & Wildlife.
 4. Identify all permanent snow storage easements on the final plat and any temporary locations on the phasing drawings. A snow storage easement shall be designated between each building structure and confined to an area 15' wide by 10' deep beyond the sidewalk. Additionally, snow storage easements in aggregate shall total no less than 15% of the plowable street area. Snow storage shall be free of all obstructions including, but not limited to, boulders, shrubs, trees, and fences.
 5. Install street signage stating, NO PARKING ON STREETS 48 HOURS AFTER A SNOWFALL EVENT OF 2" OR MORE".
 6. Prohibit on-street parking along the outer radial lane of Eagle Ridge Dr to improve snow removal, safety, and traffic flow. Prohibit parking adjacent to any snow storage easement identified on the plat.
 7. Require 5' landscape ("green") buffers between the road and sidewalks along both sides of Bear Canyon Dr. and the inner radial lane of Eagle Ridge Dr. All green buffers shall be lined with trees except in designated easements.
 8. Design duplex units on Eagle Ridge Rd. with garages which can accommodate two vehicles to improve the housing diversity, snow storage, and on-street parking issues.
 9. At the developer's sole expense, mitigate potential fuel hazards for wildland fires in areas identified as threats by Colorado River Fire & Rescue.
 10. Construct and dedicate for public use a single-track hiking and biking easement at the base of Ganley Hill as a trail connector between Mount Medaris and Prendergast Hill. Alternatively, dedicate as Public Open Space land bordering properties to the south of Eagle Ridge Rd.
 11. Upgrade Open Space C as a central "green" with useable park space by eliminating Falcon Ridge Court and buildings 18, 19 & 20. Add off-street parking between buildings 17 & 21 for Open Space C. Open Space C shall include flat space for activities, playground equipment, or shade structures. **(Less 9 units)**
 12. Improve trail connectors with areas gained by downsizing to duplexes as shown in the Exhibit by providing a north-south connector from the C Ave switchback (at CVB), continuing between lots 2 & 3 and 22 & 23 to Open Space C. The north-south connector will continue between lots 15 & 16 to the south end of Eagle Ridge Rd. An additional east-west connector will extend from Open Space C between lots 25 & 26 to Bear

Canyon Dr and beyond. All such connectors shall be paved or concrete.

13. Design Bear Canyon Dr. as a collector street as defined in the Municipal Code to channel traffic from residential areas to arterial streets. The minimum right-of-way shall be 60' including two 12' wide travel lanes, two 8' wide parking lanes, two 5' wide landscape buffers, and two 5' sidewalks.
14. Provide water and sewer service stub-outs for future development east of Bear Canyon Drive prior to the installation of road infrastructure.
15. Provide verification that the Castle Valley Blvd right-of-way can accommodate standard turn lanes and through lanes.
16. Specify on the plat that Open Spaces A, B, and C shall be maintained by the HOA.
17. Provide a construction phasing plan. Identify, at minimum, each of the following components:
 - Buildout phases,
 - 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)
18. Request approval of street names through Garfield County Communications to avoid any duplication of names in the county dispatch area.
19. Demonstrate that all exterior illumination shall comply with acceptable International Dark-sky Association (IDA) standards.
20. Designate locations of mailbox kiosks with written authorization from the local postmaster.
21. Submit an exhibit and conveyance document(s) in a form acceptable to the Town Attorney outlining the necessary water rights (potable and/or raw) required for Filing 11.
22. Prior to the recordation of any Filing 11 phase plat, the applicant shall enter into a subdivision improvements agreement with the Town for each phase of the development in a form acceptable to the Town Attorney.
23. The sale of individual units within Filing 11 may not occur until a plat creating the unit is recorded with Garfield County.
24. All representations of the applicant in written and verbal presentations submitted to the Town or made at public hearings before the Commission or Town Council and reflected in the minutes of such hearings shall be considered part of the Application and binding on the applicant.
25. The applicant shall comply with all applicable building, residential, electrical and municipal code requirements, including all sign code regulations, when developing the

Property according to the Plan, as amended.

26. 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.
27. Submit a new combined preliminary/final subdivision application to be considered concurrently with a revised final PUD application that takes into account the conditions set forth in this Resolution.

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MEMORANDUM

TO: New Castle Planning & Zoning Commission

FROM: Haley Carmer, Assistant Town Attorney

DATE: August 20, 2020

RE: Castle Valley Ranch Filing 11 Reassessment

In February 2020, CVR Investors, Inc. (“CVRI”) submitted a combined preliminary/final subdivision and preliminary/final PUD development plan application (“Application”) to the Town concerning development of Filing 11 in Castle Valley Ranch. The Planning and Zoning Commission (“Commission”) considered the Application at a public hearing held on May 13, 2020, that was continued to May 27, 2020. After the public hearing was closed on May 27th, the Commission unanimously voted to deny the Application. Because the Commission is the approving body for preliminary subdivision and PUD applications and because a final subdivision/PUD application cannot be considered unless a preliminary application has been previously approved, the Application did not proceed to Town Council for review and decision.

Section 17.100.070(D) of the Town Municipal Code allows an applicant to take a disputed preliminary PUD decision made by the Commission to Town Council for review. CVRI exercised this option, and Council reviewed the Commission’s decision regarding the Application at its July 21, 2020 meeting. At the meeting, Town staff summarized the Application, the information presented at the public hearings, the issues the Commission identified regarding the Application, and the basis for the Commission’s decision to deny the Application. CVRI then presented its argument to Council as to why the Commission erred in denying the Application. After hearing both presentations—and without taking additional public comment or new evidence from staff or CVRI—Council decided to refer the Application back to the Commission for reassessment. Specifically, Council directed the Commission to consider whether one or more conditions proposed by Town staff to address the Commission’s concerns would justify conditional approval of the preliminary PUD portion of the Application (the “Preliminary Application”) rather than an outright denial.

Based on the direction from Council, the Commission will be reconsidering the Preliminary Application at its August 26, 2020 meeting. CVRI did not appeal the Commission’s denial of the preliminary subdivision plat application, and the final subdivision application cannot be acted on until a preliminary plat is approved, so there is nothing more for the Commission to do with respect to the subdivision portion of the original Application. Similarly,

the final PUD application cannot move forward unless and until the Preliminary Application has been approved. Thus, as explained below, the Commission's reassessment of the Preliminary Application will dictate what happens with the final PUD application portion of the original Application.

In reassessing the Preliminary Application, the Commission must decide whether the Preliminary Application (a) unconditionally satisfies the approval criteria set forth in Section 17.100.090(A); (b) can satisfy the approval criteria if one or more conditions are imposed; or (c) cannot satisfy the approval criteria regardless of whether conditions are imposed. The Commission must make its decision based on the information and evidence presented during the May 13 and May 27 public hearings; no new information or public comment will be taken at the August 26th meeting.

Considering the reasons for the Commissions' initial decision to deny the Application, Staff has developed a number of conditions for the Commission to review. Those are presented in the staff report and Resolution PZ 2020-9. If adopted, Resolution PZ 2020-9 would replace and supersede Resolution PZ 2020-6, the resolution that formally denied the Application, as to the Preliminary Application only. The conditions proposed by staff are not an exhaustive list. The Commission may decide that some conditions should be removed and others added in order for the Preliminary Application to satisfy the PUD approval criteria. Of course, the Commission may also decide that no amount of conditions will bring the Preliminary application in line with the approval criteria, in which case the Commission's previous decision will stand.

If, after its reassessment, the Commission decides to conditionally or unconditionally approve the Preliminary Application, the Commission must decide whether or not to act on the final PUD portion of the Application. As presented in Resolution PZ 2020-9, staff recommends that the Commission continue its decision on the final PUD application until CVRI submits a revised, final PUD application and combined preliminary/final subdivision application that addresses all conditions that may be imposed on the Preliminary Application. If the Commission goes this route, the Application would come back to the Commission for a new public hearing on the revised, final PUD application and preliminary/final subdivision application.

Alternatively, the Commission may approve the preliminary PUD application (with or without conditions) and recommend approval of the final PUD application subject to the same conditions, if any. In that event, the final PUD application would go to Council for review and decision at a public meeting, but there would be no additional public hearings regarding the PUD portion of the Application. CVRI would also need to submit a new combined preliminary/final subdivision application that would go to the Commission for review at a public hearing, although the scope of that hearing would be limited to issues related to the subdivision plat only.

To summarize, the Commission has the following options with respect to the Preliminary Application:

1. Approve the preliminary PUD application without conditions and recommend approval of the final PUD application without conditions;

2. Approve the Application with conditions and recommend approval of the final PUD application with those same conditions;
3. Approve the Application with conditions and continue a decision on the final PUD application pending submission of a revised final PUD application and a combined preliminary/final subdivision application; or
4. Maintain the Commission's original denial of the Application.

We will be present at the August 26th meeting to discuss the Application and applicable procedures and answer any questions you may have. Thank you.

CVR INVESTORS, INC.

5282 Red Pass Way
Castle Rock, CO 80108
303.549.1916

August 20, 2020

Via Electronic Mail

Town of New Castle
Attn: Planning & Zoning Commission
P.O. Box 90
New Castle, CO 81647

Re: *Application for Preliminary Plat Approval for Filing 11*
Parcel: Portion of PA17 and remaining PA19
Hearing: August 26, 2020

Dear Commissioners:

I am writing in regards to the upcoming hearing on our Filing 11 application. As you know, the City Council has asked the Commission and CVR Investors, Inc. to re-visit the application. Specifically, the Council has directed us to attempt to convert the objections noted during the previous hearings into conditions to the approval of the preliminary plat.

By the following, on behalf of CVR Investors, Inc. (“CVR”), I would like to submit our thoughts on the status of the application, and to point out several suggested conditions to the preliminary approval of our plat that we feel would address many of the most significant concerns expressed during the hearings. By way of introduction, the following list of proposed conditions track those concerns and, we believe, offers unique opportunities to resolve them in the interest of moving this plat forward.

DUPLEXES ON WEST SIDE OF DEVELOPMENT

Prior to the last hearing, we submitted a plat that illustrated two duplexes along the western border of the development. We did this to begin to address the concern for transitions from the South Wildhorse single-family homes to our multi-family development. At that time, we looked into this proposition had only recently discovered that the plat allowed for this change to be made without exorbitant costs or other obstacle. Unfortunately, despite our best efforts, we were unable to marshal our resources in time to submit the plat to the Commission earlier for thorough review and analysis (although we had in-depth discussions with Staff prior to the meeting during which time the concepts of the revision were thoroughly discussed).

Having looked more closely at the plat, we have concluded that we can feasibly build duplexes *all* along the stretch of Eagle Ridge Drive that borders the single-family homes on South Wildhorse Drive. While this will incur a cost to us, we are willing to do this to address the concerns on the transition. The duplexes—like the triplexes—will be designed to emulate a single-family home as much as possible.

We feel that this addresses the concern iterated by Town Staff regarding a “softer” transition from the homes on South Wildhorse Drive to the Filing 11 product. (9/9/19 Staff Report at 3.) Although still a multi-family product, the viewscape from South Wildhorse will not be of large, multi-family structures, but of smaller structures, which should substantially “soften” that transition.

SNOW MANAGEMENT PROTOCOLS

Now that the Public Works Department has had more time to review the last plat we submitted, we have spoken with Town Staff regarding concerns with the snow management protocols expressed therein. Staff has requested that we look at earmarking smaller zones for snow placement during the winter months, instead of larger sections. In particular, Staff has requested that we attempt to locate those locations on the outside edges of Eagle Ridge Road rather than on the inside corners, for ease of plowing.

We feel that we can devise a new configuration of smaller zones for snow storage at the outside corners around Eagle Ridge Drive, which should allow the snow plows to move snow more easily. This is another condition we feel is reasonable for an approval of the preliminary plat, and which we can meet prior to seeking final approval of the plat.

RECONFIGURATION OF LOTS/ENLARGED OPEN SPACE

One of the concerns expressed during the hearings was that there was insufficient open space that is usable and engenders a sense of place in residents. (9/9/19 Staff Report at 4.) We have looked critically at the revised plat to determine whether we can augment Open Space C to provide a more livable, usable community.

We have also heard the criticism that some would like to see less units in this particular development.

In this evaluation, we have also been putting together an outlay of the remaining units we have across the balance of our developable land in New Castle. We have been doing this because, as you know, we have a predefined number of units allocated by the Master Plan, which we have to reasonably disperse across our land. In looking at a possible allocation of units across the land, we discovered a possible problem that had been eluding us—there may be too many units to exhaust them across the balance of our acreage in New Castle.

In allocating the remaining density across the balance of the land using single-family homes (which has been our intent), there does not seem to be much of a problem north of

Castle Vally Boulevard. However, when you look south of the Boulevard and to the east of Filing 11, there is a portion of this vacant land that appears not to be buildable due to grade and terrain.

I offer this explanation because we are operating under certain restrictions: on the one hand, we want to offer a comfortable, livable community, and, on the other, we must use all the units that have been entitled to us. To the extent we reduce the density in Filing 11, that will have negative repercussions on what we are able to do east of Filing 11—which right now is likely going to be the last acreage in time which we develop in Castle Valley Ranch. We certainly want to avoid over-building that area in order to exhaust our units.

Finally, Staff has expressed a concern for the aesthetics and viability of the structures at the southern portion of the lots, namely, that they may have to be build upon a large amount of fill and upon piers. The suspicion is that these units will not be financially feasible to build, and they would be unsightly if they were constructed on so much fill.

To bring this around full circle, we are working on a concept that we feel addresses all of the foregoing concerns. The concept involves totally eliminating the central Falcon Ridge Court, along with the interior units surrounding the cul de sac, which will greatly open up the the open space. It drastically enlarges Open Space C, which we anticipate being a very community-friendly parcel in Filing 11 accessible by pedestrian pathways around the exterior.

With this in mind, we suggest that a plausible condition to the approval of the plat would be that we reconfigure the central area to increase the usable area of Open Space C.

WILDFIRE MITIGATION

During the last hearing on our application, Chief Moon spoke about the wildfire mitigation efforts he recommends for this area. He mentioned one area in particular near the C Avenue connection, where both the Town and CVR should engage in some mitigation efforts including clumping.

I have spoken at length with Chief Moon, who has explained to me the process of address this. He has confirmed that this must be done on the Town property as well as upon our property. The processes he described should be easily accomplished with several days of work, and will not dramatically affect the aesthetic of the area. In short, according to Chief Moon this mitigation is not a “show-stopper” for this application, but is something we can easily do in the process of construction working together with the Town.

COMPLIANCE WITH COMPREHENSIVE PLAN

The Comprehensive Plan outlined the very same problem this development is targeting: “lack of affordable housing is a persistent and growing problem in and around New Castle.” (Comp. Plan at 20.) While it is true that these units are not at the far end of the affordability spectrum, they nonetheless comprise the most modestly priced home in

relationship to the quality of the homes. This is the exact premise and goal outlined in section 5 “Housing” in the Comprehensive Plan, particularly given the “lack of affordable housing is a persistent and growing problem in and around New Castle.” (Comp. Plan at 20.)

The plat we’re proposing further complies with the following policies outlined in the Comprehensive Plan:

Policy HO-2A: New development will be required to provide a variety of housing densities, types and sizes to ensure a diversity of unit availability and unit pricing.

Policy HO-2B: The Town will favor developments with higher building densities and smaller home sizes that serve middle- and lower-income homebuyers.

Policy CG-2A: The general policy is to concentrate higher densities in and around the geographic center of New Castle.

Policy T-1G: New Castle supports concepts of traditional neighborhood design and smart growth that includes appropriately designed and compatible narrower street sections that incorporate pedestrian-friendly crossings, traffic-calming techniques, landscaping and lighting.

Policy CG-4A: Mix of Land Use types (open space, trails, non-motorized access)

Policy CG-4E: Each individual project fits into a fully-balanced community land-use structure

Policy CG-4G: The New Castle Future Land Use Map is intended to allow flexibility

Policy CG-4I: The integrity of the use classifications on the map shall be maintained to ensure a mix and sustainable balance of use types

Policy CG-5A: ... B. Incorporate compact building design...C. Create a range of housing opportunities and choices...D. Create walkable communities...E. Foster distinctive attractive communities with a strong sense of place...I. Make development decisions predictable, fair and cost-effective...J. Encourage community and stakeholder collaboration in development decisions.

Policies I-1A, I-1B, I-1C, I-1G, and I-1H (Infrastructure)

Policy T-1F: New development will ensure a high level of connectivity in on-street and off-street trail/sidewalk systems throughout the community.

Policy T-1G: New Castle supports concepts of traditional neighborhood design and smart growth that includes appropriately designed and compatible narrower street sections that incorporate pedestrian friendly crossings...landscaping and lighting.

Policy CD-1B: New Development site design should incorporate high levels of connectivity with streets, non-motorized access and convenient walkable access to services.

Policy CD-1E: Narrower street section standards should be established that encourage slower traffic speeds, separated sidewalks, on-street parking and well-placed street trees/landscaping.

All in all we are very enthusiastic about our plans to build and develop in New Castle. It is important to us that we maintain close ties and work together with the Town in this and in all other facets of our development. Thank you.

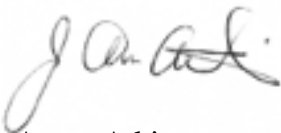
WILDLIFE DISTURBANCE

I have been exchanging voicemails with Mr. Brian Gray to get more information on his report on the wildlife disturbance. His explanation from his report indicates that vegetative barriers will alleviate the issues there, and my understanding from Staff is that this is not an obstacle to the approval of the preliminary plat. I will continue to try and speak with Mr. Gray to get a better understanding for the recommendations to minimize the impact.

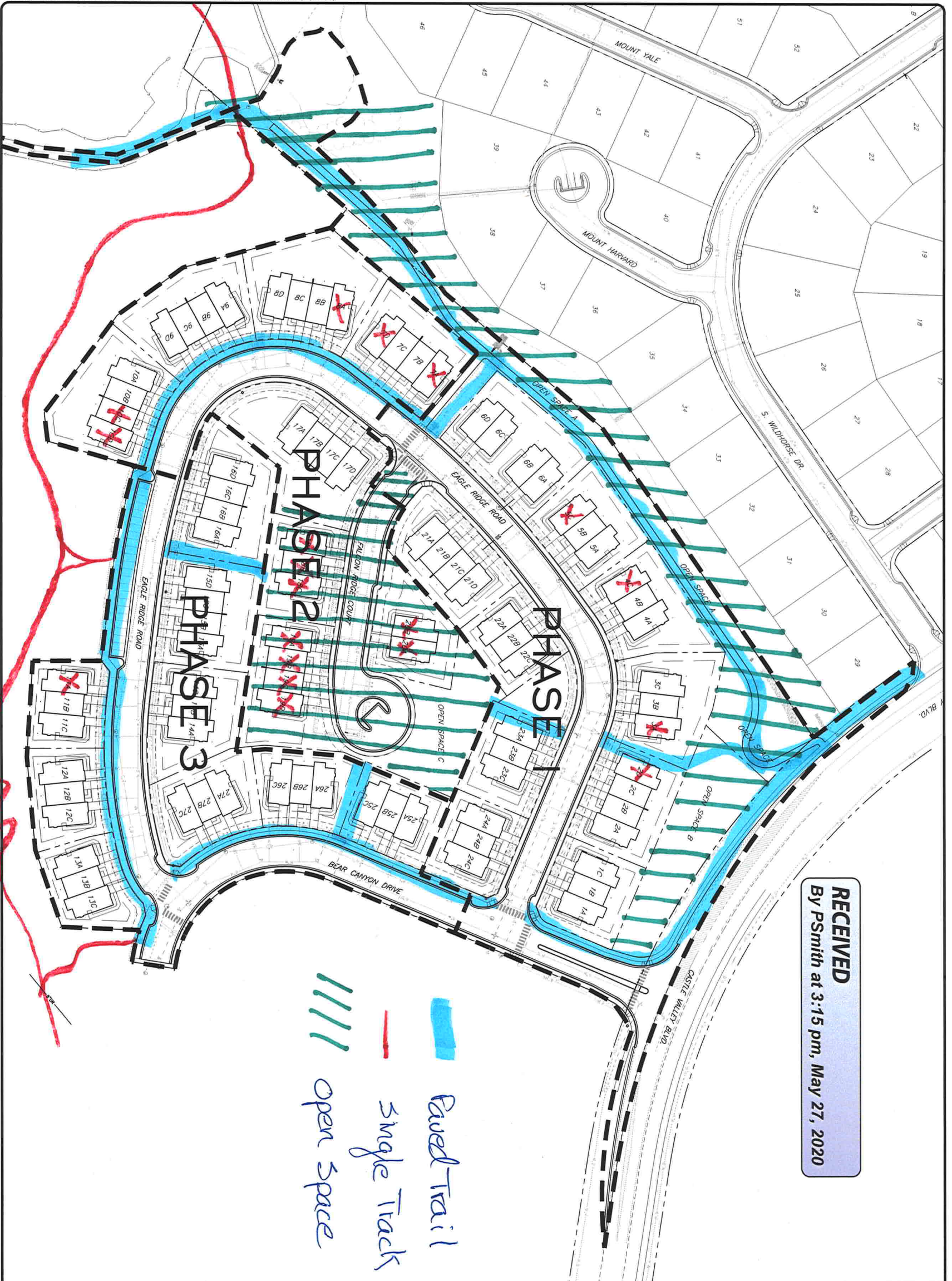
CONCLUSION

In conclusion, I appreciate the opportunity to re-convene with the Commission and to re-visit everyone's concerns (on all sides) to move this application forward for the betterment of the community as a whole.

Sincerely,



J. Aaron Atkinson
President
CVR Investors, Inc.

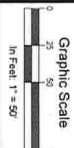


RECEIVED
By Psmith at 3:15 pm, May 27, 2020

 Paved Trail
 Single Track
 Open Space

Castle Valley Ranch
Preliminary/Final Plat and
Development Plan Set PA 17

SGM
118 West Sixth Street, Suite 200
Glenwood Springs, CO 81601
970.945.1004 www.sgm-inc.com



Revision	Date	By

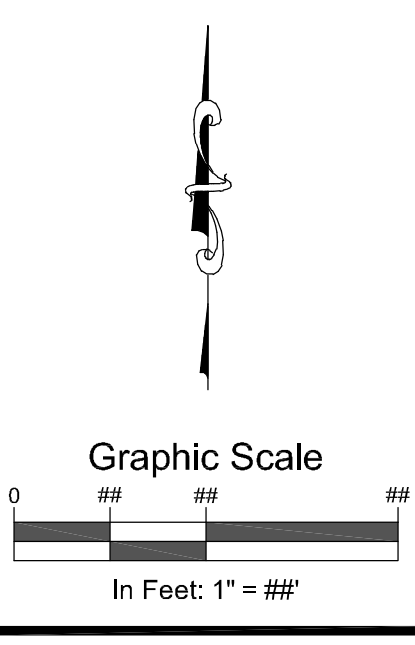
Project Milestone: Preliminary Not For Construction

Phasing Plan



SUMMARY OF EARTHWORK QUANTITIES	PROJECT TOTALS
UNCLASSIFIED EXCAVATION NET QUANTITY (COMPUTER)	139,400 CY
EMBANKMENT MATERIAL (COMPLETE IN PLACE) NET QUANTITY (COMPUTER)	120,500 CY
ASSUME 15% COMPACTION FACTOR FOR EXCAVATION NET EXCAVATION	138,600 CY
STRIP AND STOCKPILE TOPSOIL (6")	800 CY
	12,000 CY

FOR INFORMATION ONLY
 QUANTITIES CALCULATED FROM BOTTOM OF
 STRUCTURAL SECTION AND ASSUMING REMOVAL AND
 PLACEMENT OF 6" TOPSOIL



SGM
 118 West Sixth Street, Suite 200
 Glenwood Springs, CO 81601
 970.945.1004 www.sgm-inc.com

Castle Valley Ranch
 Preliminary/Final Plat and
 Development Plan Set PA 17

Project Milestone: Preliminary Not For Construction
2000-109.023
JM
2.12.20
QC: PE: DJC
CVR-Grads&DefPnd

Overall
 Grading Plan

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