Posted _____
Remove 11/30/17

Town of New Castle **Administration Department**
450 W. Main Street **Phone:** (970) 984-2311
PO Box 90 **Fax:** (970) 984-2716
New Castle, CO 81647 www.newcastlecolorado.org

Agenda

New Castle Planning & Zoning Commission Special Meeting
Wednesday, November 29, 2017, 7:00 p.m., Town Hall

Call to Order, Roll Call, Meeting Notice

Conflicts of Interest (Disclosures are on file with Town Clerk & Secretary of State)

Citizen Comments on Items NOT on Agenda

Public Hearing

A. Brief description of application: zoning of a property to be annexed into the Town of New Castle

Applicant: Garfield County, Colorado

Owner: Garfield County, Colorado

Legal Description: A parcel of land situated in the SW1/4 of Section 32, Township 5 South, Range 90 West of the 6th P.M., and also in the NE1/4 of Section 2, Township 6 South, Range 91 West of the 6th P.M., County of Garfield, State of Colorado, said parcel being more fully described as follows:
Beginning at the Southwest Corner of that parcel of land described and shown on that Annexation Plat, recorded as Reception No. 431501 of the Garfield County records from which the Southwest Corner of said Section 32 bears S.04°11'47"E. a distance of 1315.98 feet;
thence 667.37 feet along the Southerly Line of said parcel, along a non-tangent curve to the right, having a radius of 2138.39 feet, a central angle of 17°52'53", the chord of which bears S 63°11'11" E a distance of 664.66 feet;
thence S 54°14'45" E along said Southerly Line, a distance of 579.81 to the Southeast Corner of said parcel;
thence S 54°14'45" E a distance of 331.99 feet along an offset line being 50.00 feet Northeasterly of, and parallel to, the road surface centerline of the existing County Road No. 335;
thence continuing along said offset line the following three (3) courses;
1) 430.98 feet along a curve to the left, having a radius of 3628.46 feet, a central angle of 6°48'19", the chord of which bears S 57°38'54" E, a distance of 430.72 feet;
2) S 61°03'15" E a distance of 484.41 feet;
3) 299.28 feet along a curve to the left, having a radius of 1786.15 feet, a central angle of 9°36'02", the chord of which bears S 65°51'16" E, a distance of 298.93 feet to the Westerly Line of Lot 1 of Riverside Park, as shown on the Plat thereof, recorded as Reception No. 548663;
thence S 13°22'59" W following said Westerly Line, and said Westerly Line extended, a

distance of 100.51 feet;
thence along a line being 50.00 feet Southwesterly of, and parallel to the road surface centerline of the existing County Road No. 335 the following three (3) courses;

1) 326.48 feet along a non-tangent curve to the right, having a radius of 1886.15 feet, a central angle of 9°55'03", the chord of which bears N 66°00'46" W a distance of 326.07 feet;
2) N 61°03'15" W a distance of 484.42 feet;
3) 350.74 feet along a curve to the right, having a radius of 3726.87 feet, a central angle of 5°23'32", the chord of which bears N 58°21'23" W a distance of 350.61 feet to the easterly most corner of Coal Ridge Industrial Subdivision, as shown on the Plat thereof, recorded as Reception No. 571484;
thence along the Northeasterly Line of said Subdivision, the following three (3) courses:
1) 92.11 feet along a non-tangent curve to the right, having a radius of 3726.87 feet, a central angle of 1°24'58", the chord of which bears N 54°57'09" W a distance of 92.11 feet;
2) N 54°14'45" W a distance of 911.80 feet;
3) 595.45 feet along a non-tangent curve to the left, having a radius of 2038.39 feet, a central angle of 16°44'14", the chord of which bears N 62°36'51" W, a distance of 593.34 feet to the Northwest Corner of Tract A of said Coal Ridge Industrial Subdivision, also being at the Westerly Line of said Section 32;
thence N 04°11'47" W along said Westerly Line, a distance of 108.35 feet to the point of beginning, said parcel containing 6.376 acres (277747 square feet), more or less.

Common address: TBD, New Castle

B. Proposed zoning: Industrial

C. Consider Resolution PZ-2017-05: A Resolution of the Town of New Castle Planning and Zoning Commission Making Recommendations Regarding Zoning of Certain Real Property Proposed for Annexation into the Town of New Castle, Colorado

Items for Discussion

D. Referral from Garfield County (GARCO) – Land Use Change Permit
E. Colorado Department of Transportation (CDOT) Wayfaring Sign System
F. Delivery of Draft Comprehensive Plan Requesting Chair to set date for review of Draft Comprehensive Plan
G. Consider Appointing Commissioner to Historic Preservation Commission (HPC)
H. Consider Appointing Commission Vice-Chair

Comments/Reports

I. Items for Next Planning and Zoning Agenda
J. Commission Comments/Reports
K. Staff Reports

Review Minutes of Previous Meetings

L. June 14, 2017 Minutes

Adjournment

IMPROVEMENT SURVEY PLAT

A PARCEL OF LAND SITUATED IN THE SW1/4NW1/4 AND SW1/4 OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M. COUNTY OF GARFIELD, STATE OF COLORADO

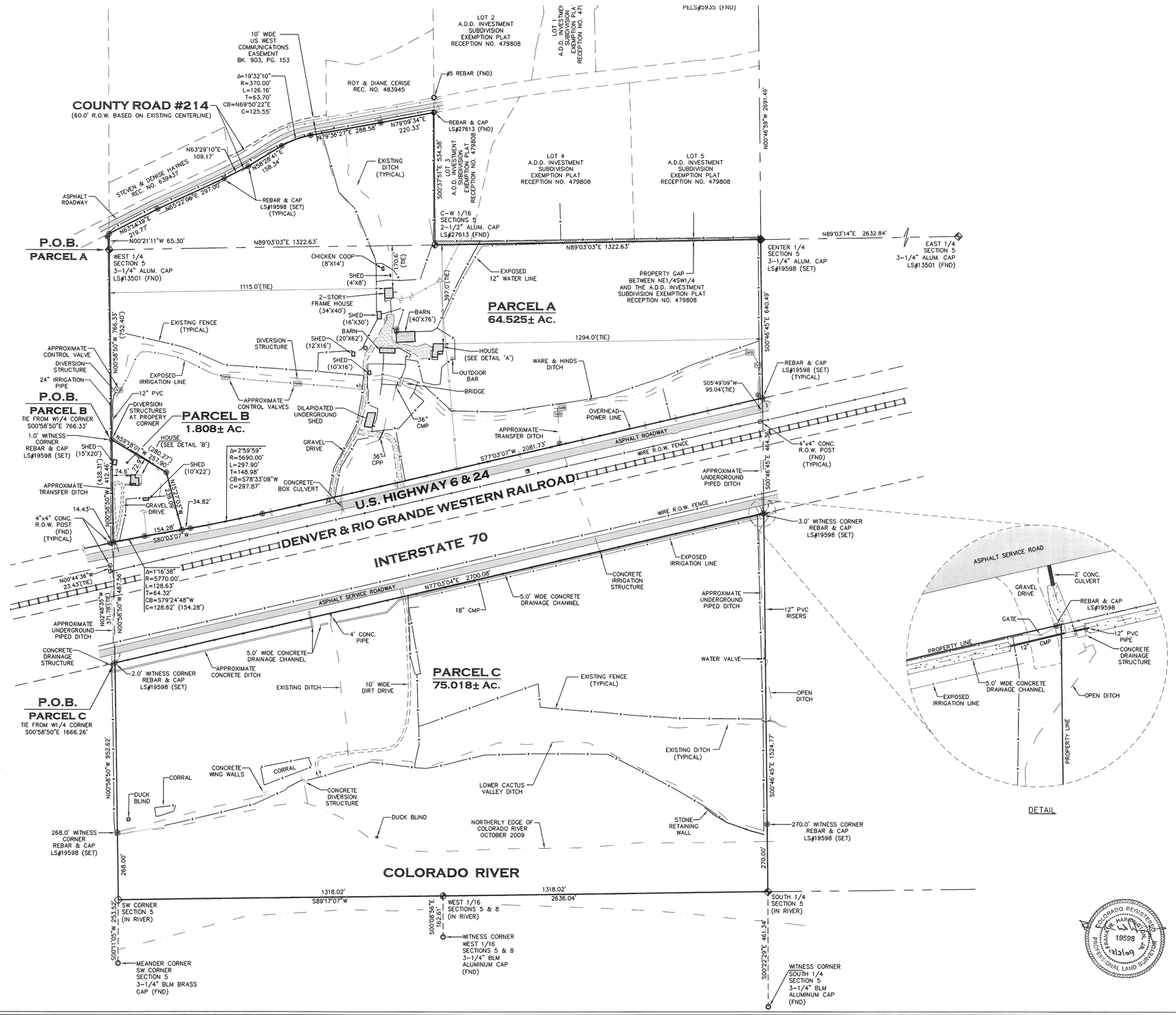
GRAPHIC SCALE

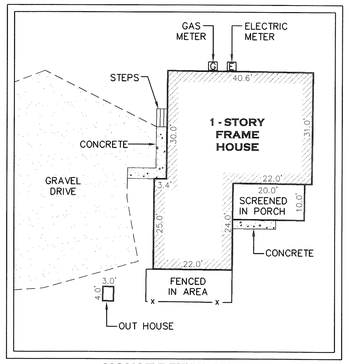
200 0 100 200 400 800

(IN FEET)
1 inch = 200 ft.

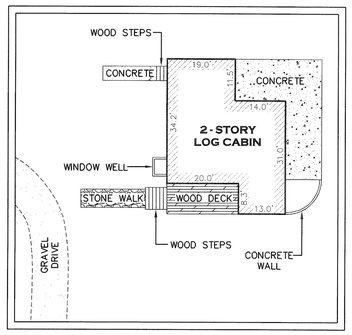
LEGEND

- CATV PEDESTAL
- TELEPHONE PEDESTAL
- WELL
- WATER SHUT-OFF
- POWER POLE
- GUY ANCHOR
- IVB — IRRIGATION CONTROL BOX
- OE — OVERHEAD POWER POLE
- W — WATER LINE
- X — FENCE
- (154.28') — RECORD MEASUREMENT





HOUSE DETAIL 'A'
SCALE: 1" = 20'



HOUSE DETAIL 'B'
SCALE: 1" = 20'

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.

CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
OR 534-6700 IN METRO DENVER
CALL 2 BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

NO.	DATE	REVISION	BY
1	11-16-09	ADDITIONAL DITCH LOCATIONS PER CLIENT REDLINES.	RPK
2	11-19-09	ADDED GRAVEL DRIVE & DRAINAGE DITCHES ON PARCEL C.	RPK
3	12-3-09	ADDED IRRIGATION CONTROL VALVES PER CLIENT REDLINES.	RPK

DRAWN BY: RPK
CHECKED BY: FWH
DATE: 10-29-09
FILE: 1652.00

HIGH COUNTRY ENGINEERING, INC.
1517 BLAKE AVENUE, STE 101,
GLENWOOD SPRINGS, CO 81601
PHONE (970) 945-8676 - FAX (970) 945-2555
WWW.HCENG.COM

TOM & BARBARA LAIDLAW
NEW CASTLE, COLORADO

IMPROVEMENT SURVEY
SECTION 5, T. 6 S., R. 91 W.,
GARFIELD COUNTY, COLORADO

PROJECT NO.
2091652.00

COLORADO REGISTERED PROFESSIONAL LAND SURVEYOR FRANK W. HARDING JR. 19598 12/16/09

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

Building, Planning and Code Administration Department
Phone: (970) 984-2311
Fax: (970) 984-2716

Memo

To: Chairman Chuck Apostolik & PNZ Commissioners
From: Tim Cain
Date: November 16, 2017
RE: Annexation of CR 335

Background:
The Town approved of several parcel annexations many years ago that included the Coal Ridge Industrial Subdivision, Riverside Industrial Park, Talbot Subdivision, Frank Breslin Park, Town Open Space and industrial lots on the northwest and southwest side of CR 335. However, a portion of CR 335 was never annexed into the Town. This portion extends from the east near the new Talbot trail to the entrance of Mr. T's.

Discussion:
For quite some time the Town has been in discussion with GARCO Commissioners about annexing this portion of CR 335. It was agreed that the Town would annex the road and take over the maintenance and repair.

Recommendation:
Staff recommends annexing a portion of CR 335

TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. PZ 2017-5

A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING COMMISSION MAKING RECOMMENDATIONS REGARDING ZONING OF CERTAIN REAL PROPERTY PROPOSED FOR ANNEXATION INTO THE TOWN.

WHEREAS, on or about October 12, 2017, Garfield County ("Applicant") filed with the Town Clerk of the Town of New Castle, Colorado ("Town"), an annexation petition ("Petition") and request that the Town Council commence proceedings to annex into the Town pursuant to C.R.S. § 31-21-104 that portion of County Road 335 located in unincorporated Garfield county, Colorado, described in **Exhibit "A"** hereto ("Property"); and

WHEREAS, the Municipal Annexation Act of 1965 governs the Town's annexation process; and

WHEREAS, pursuant to C.R.S. § 31-12-115(1), the Town may initiate its procedures to zone property proposed for annexation at any time after an annexation petition has been found to be in substantial compliance with C.R.S. § 31-12-107; and

WHEREAS, at its duly noticed public meeting held October 17, 2017, the New Castle Town Council found Applicant's annexation petition to be in substantial compliance with the requirements set forth in C.R.S. § 31-12-107 and set a public hearing regarding the annexation for December 5, 2017; and

WHEREAS, pursuant to Section 16.08.050 of the Town Code, the Town Planning and Zoning Commission ("Commission") is required to hold a duly-noticed public hearing to consider the proper zoning designation for the Property upon annexation thereof; and

WHEREAS, such a hearing was noticed for and held on November 29, 2017; and

WHEREAS, under the Municipal Annexation Act and the Town Code, the zoning designation for the Property must comply with the Town's 2009 Comprehensive Plan ("Comp Plan"); and

WHEREAS, based on the Comp Plan and testimony presented by Applicant, Town staff, and the general public, the Commission makes the following recommendation regarding a zoning designation for the Property upon annexation.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the Commission.

2. Recommendation. The Planning and Zoning Commission hereby recommends that the Town Council Town Council zone the Property as Industrial upon annexation. The Commission finds that an Industrial zoning designation is consistent with and furthers the Town's comprehensive zoning plan and is the appropriate designation considering the Comp Plan and anticipated use of the Property.

THIS RESOLUTION PZ 2017-5 was adopted by the New Castle Planning and Zoning Commission by a vote of ____ to _____ on the 29th day of November, 2017.

NEW CASTLE PLANNING AND ZONING COMMISSION

By: _____
Chuck Apostolik, Chairman

ATTEST:

_____
Mindy Andis, Deputy Town Clerk

EXHIBIT A

Legal Description

The Property that is the subject of this Resolution No. PZ 2017-5 is fully described as:

A parcel of land situated in the SW1/4 of Section 32, Township 5 South, Range 90 West of the 6th P.M., and also in the NE1/4 of Section 2, Township 6 South, Range 91 West of the 6th P.M., County of Garfield, State of Colorado, said parcel being more fully described as follows:

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Memo

To: Chairman Chuck Apostolik & PNZ Commissioners
From: Tim Cain
Date: November 16, 2017
RE: GARCO Land Use Referral

Purpose:
The purpose of this memo is to describe the Garfield County (GARCO) land use process and discuss an application referred to the Town of New Castle by Garfield County. The County Commissioners will conduct a hearing on December 4, 2017 to decide upon the outcome of this application.

Background:
GARCO Community Planning Dept. refers land use applications to cities and towns when the application impacts either within their three mile area of influence. Also, other agencies like Colorado Parks and Wildlife, CDOT, Army Corp of Engineers and Colorado River Fire & Rescue receive referral applications as well.

The application referred to New Castle is a request submitted by Tom & Naomi Laidlaw for a **Land Use Change Permit** for Public Gathering that include Public Concerts, Public Festivals, Vender and Concession Facilities, large scale parking areas, shuttlebus drop off area, performance stage, production area, sound and light systems, boat landing area, nature park area, restroom facilities, large scale camping in the common parking area, etc. This is a music event somewhat like Country Jam in Mack, CO.

Events hosting 2000 -3000 people, or potentially much larger are anticipated to be scheduled between the months of May to Oct. Events may include on-site camping of up to 3,000 people on a portion of the 79-acre parcel which is located 3.5 miles west of New Castle along River Frontage Rd and the Colorado River. The Laidlaw's are represented by Jason Segal, General Manager for Peach Valley River Park, LLC. The application calls for the 79-acre parcel to be converted into a park, "Peach Valley River Park", which along with hosting public events would serve as a low traffic fishing and nature park with a focus on wildlife.

The event site area is zoned by the county as "rural". The parcel is by definition a "park", which is a use-by-right, however, public gatherings of this magnitude are somewhat unusual. As such, the GARCO Community Development Director issued a "call-up" which requires a hearing with the County Commissioners.

In order to host large public events, the applicants intend to use public transportation as much as possible. Part of their plan is to have concert goers park on private vacant property within New Castle town limits, and utilize a RFTA Park N Ride system / Shuttle Bus system.

Staff Comment:

The application request, which asks for Peach Valley River Park to be developed as a Public Use low

traffic fishing and nature park seems to be in extreme conflict with the developers desire to have an ongoing funding source provided by very large-scale Festival and Concert events.

The application must therefore be considered by the Town of New Castle more as a permanent concert and festival venue, and less as a public access fishing and nature park.

It is the opinion of staff that, although there may be the possibility of increased sales tax revenue to the Town during the large events hosted by PVRP, the application and development of such a venue is not consistent with the rural nature of the Town of New Castle, or with the desire of the Town and Garfield County to maintain the historically agricultural and natural feel of the Colorado River Basin along the valley between New Castle and Silt.

It is also noted that without the addition of the required building and infrastructure to the site, it is not feasible to host such large events on a regular basis. The foreseeable needed infrastructure would most likely include stages, parking lots, transit bus lots, park and ride shelters, ticket booths, security booths, camping facilities, production facilities, lighting, and sound equipment, handicap parking and facilities, restroom facilities, concession facilities, offices, waste facilities, roads, sidewalks, and so on.

The addition of the infrastructure needed in order to properly and safely host such events would certainly mark a permanent change to the desired rural and agricultural feel of this area along Hwy. 6, I-70, and the Colorado River frontage Rd..

It is also noted that the applicant desires to use land within the Town of New Castle as a commuter park and ride / shuttle location to serve concert and festival goers. It is unclear how having the Town act as a staging area for a venue outside of Town will benefit the Town. In fact, it is possible that most all the revenue generated during such events will remain outside of Town limits and will not act to benefit the Town.

Staff Recommendation:

The long-range goals of both the Town and the County do not appear well served by this application when viewed in light of more than just a nature park. It is apparent that with this application comes permanent changes to this area of the valley that will have a serious impact on the planned agricultural and rural nature of this area.

An entertainment venue for thousands of people requires urban services that only a metropolitan area is capable of providing. A venue of this nature is out of place in a rural and small-town environment.

Such a large and permanent public event venue must come with great consideration to all affected, including the neighboring towns, property owners, master plans, future development, and property values.

Agricultural land uses are our heritage and are part of our identity. New Castle “Authentically Colorado” created this tag line to identify that New Castle was a true western small town surrounded by ranching and farming.

Taking the Laidlaw and Logan properties out of ranching and haying operations and turning it into an entertainment venue is contrary to the goals of New Castle. This change will also cause stress to adjacent and area agricultural uses and be used as a reason to change from existing agricultural uses to suburban land uses both commercial and residential, which will further degrade our agricultural heritage and make it more difficult for existing ranches and farms to maintain their operations.

Based on the information available in this application, and the lack of conformity to Town considerations for this area, it is staff’s recommendation that the applicant’s proposal as presented is not in the best interest of the Town of New Castle.

2018 Peach Valley River Park Festival (May/June 2018) Administrative Review

Submitted to Garfield County BOCC

Table of Contents

1. General Application Materials (4-203.B)
2. Vicinity map (4-203.C)
3. Site Plan and Survey(4-203.D)
4. Grading and Drainage Plan (4-203.E)
5. Landscape Plan (4-203.F)
6. Impact Analysis (4-203.G)
7. Development Agreement (4-203.J)
8. Improvements Agreement (4-203.K)
9. Traffic Study (4-203.L)
10. Water Supply Plan (4-203.M)
11. Wastewater Plan (4-203.N)
12. Article 7 Standards Divisions 1,2 and 3 County LUDC
13. Additional Event Mitigation Information PVRP 2018
14. Letters of Support
    a. Marianne Virgili, GWS Chamber President and CEO
    b. Michael Shook, local publisher, river guide and industry expert
15. Supporting Full Size Documents:
    a. Event Site Plan and Road Grade Diagram
    b. Parcel Survey

LAND USE CHANGE PERMIT APPLICATION FORM SIGNED PDF

Garfield County

Community Development Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601
(970) 945-8212
www.garfield-county.com

LAND USE CHANGE PERMIT APPLICATION FORM

TYPE OF APPLICATION

■ Administrative Review	☐ Development in 100-Year Floodplain
☐ Limited Impact Review	☐ Development in 100-Year Floodplain Variance
☐ Major Impact Review	☐ Code Text Amendment
☐ Amendments to an Approved LUCP ☐ LIR ☐ MIR ☐ SUP	☐ Rezoning ☐ Zone District ☐ PUD ☐ PUD Amendment
☐ Minor Temporary Housing Facility	☐ Administrative Interpretation
☐ Vacation of a County Road/Public ROW	☐ Appeal of Administrative Interpretation
☐ Location and Extent Review	☐ Areas and Activities of State Interest
☐ Comprehensive Plan Amendment	☐ Accommodation Pursuant to Fair Housing Act
☐ Pipeline Development	☐ Variance
☐ Time Extension (also check type of original application)	

INVOLVED PARTIES

Owner/Applicant

Name: Tom and Naomi Laidlaw Phone: (970) 379-4355

Mailing Address: 234 County Rd 236

City: Silt State: CO Zip Code: 81652

E-mail: h2olandman@gmail.com

Representative (Authorization Required)

Name: Jason Jacob Segal Phone: (970) 618-6972

Mailing Address: 73 Cherry Lane

City: Basalt State: CO Zip Code: 81621

E-mail: segaldevelopment@gmail.com

PROJECT NAME AND LOCATION

Project Name:

Peach Valley River Park

Assessor's Parcel Number: 2181 - 053 - 00 - 294

Physical/Street Address: TBD River Frontage Road New Castle, CO

Legal Description: Quarter:SW Section: 3 Township:5 Range: 91 A Parcel in SW Lying Southerly of I-70

Zone District: Property Size (acres): 79 Acres

OVERVIEW

Peach Valley River Park LLC (PVRP) and its managing partners plan to open a new open space park for the community this year. Our parcel per Garfield County Zoning has by-right use in the rural zone district to allow 79 acres of land on the Colorado River to serve as a park. The park shall serve as a low-traffic fishing and nature park with a focus on wildlife. Peach Valley River Park would contain the only public riparian and river access river north between New Castle and Rifle, nearly 15 miles.

This application requests an administrative review for a temporary Public Gathering space over two back-to-back weekends in May/June 2018. This approval allows the park a revenue stream amd the opportunity to serve the public as stated. We have decided to eliminate ability for the parcel to operate year round as a commercial Community Meeting Facility. Such ongoing meeting facility would be best served as a future PUD, addressing ongoing traffic, utilities and facilities issues. We have researched the Garfield County Conservation Development Process and feel it could lead the property to more amenities down the road.

PVRP has reached out to referral agencies in order to mitigate the temporary event impacts. Our Public Gathering use outlined in this application has been presented to the requested agencies with primarily positive feedback on logistics and planning. The Colorado State Patrol has been added to the referral list by our planners as a vital part of traffic control. Their input and assistance with travel and traffic will be instrumental with a successful event plan and limiting impacts to neighbors. The weekend event schedule would consist of an abundance of public transportation options from Rifle to Glenwood Springs.

The 79-acre property is located on the river frontage road 3.5 miles west of New Castle and 3.5 miles east of Silt. Access to the site is accomplished by road on HWY 6 along with the river frontage road to Silt. A great asset to the site is the ability to travel from both Silt and New Castle without having to use I-70. This creates easy and safe logistics for getting people to the park and shuttles for events. Roads to and from the park are cycle-friendly with a larger-than-typical shoulder. The property sits just one mile and a river crossing from the proposed LOVA trail, which would make travel by cycle in the area substantially better for all if completed.

PVRP is looking to gain special event approvals for a 14-day period (two back-to-back weekends in May/June 2018) for gatherings of around 2-3,000 attendees. The Park, along with neighboring communities, farm lands and Coal Ridge High School offer plenty of infrastructure for parking, temporary camping and amenities for a festival many times this size.

Our plan is to use the shoulder seasons of May/early June or late September/October in order to drive the local economies in what is a typically slow period. This time of year utilizes the site's warm temperatures in Spring and Fall as a lure from those in colder mountain locations. Local business people have applauded the idea outside of the heart of summer. Events would be geared toward the daytime hours, finishing by 9pm, allowing the surrounding towns to

PROJECT DESCRIPTION

Existing Use: Agriculture, fishing and hunting

Proposed Use (From Use Table 3-403): Assembly Community Gathering Place

Description of Project: Peach Valley River Park, LLC shall provide a plan for gatherings of over 200 people for recreation and entertainment. Such gatherings shall be planned in times of economic need (spring and fall) and shall allow the property to remain open for recreation and public enjoyment the remainder of the year.

REQUEST FOR WAIVERS

Submission Requirements

☐ The Applicant requesting a Waiver of Submission Requirements per Section 4-202. List:

Section: _____ Section: _____

Section: _____ Section: _____

Waiver of Standards

☐ The Applicant is requesting a Waiver of Standards per Section 4-118. List:

Section: _____ Section: _____

Section: _____ Section: _____

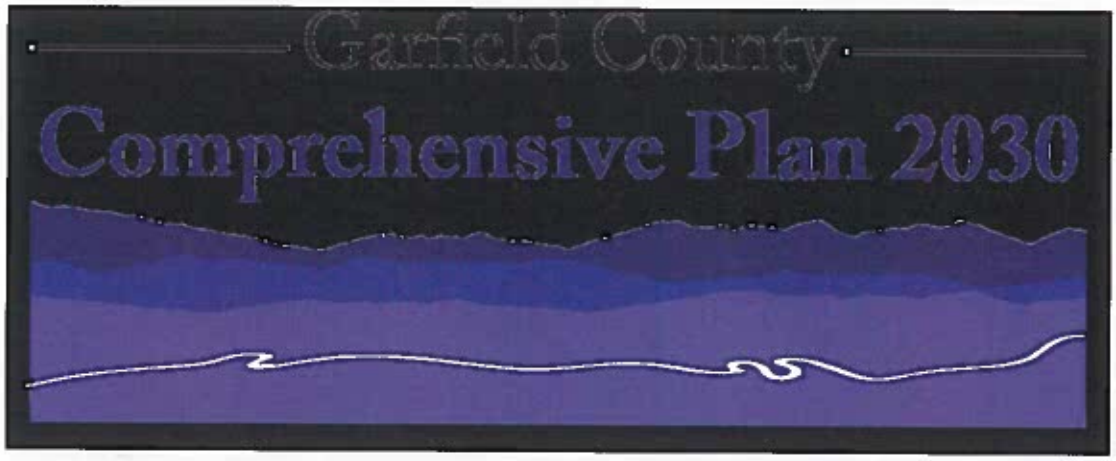
I have read the statements above and have provided the required attached information which is correct and accurate to the best of my knowledge.

Signature of Property Owner — Date: 9-26-17

OFFICIAL USE ONLY

File Number: ___ ___ - ___ ___ ___ ___ Fee Paid: $_____

Garfield County Comprehensive Plan 2030
Peach Valley River Park Planning Analysis



The applicants have reviewed the Garfield Comprehensive Plan and understand the direction it is leading for the community. Our future use as a park falls squarely in the comprehensive plan guidelines and follows the direction of the Garfield County Community Development, economic and tourism goals.

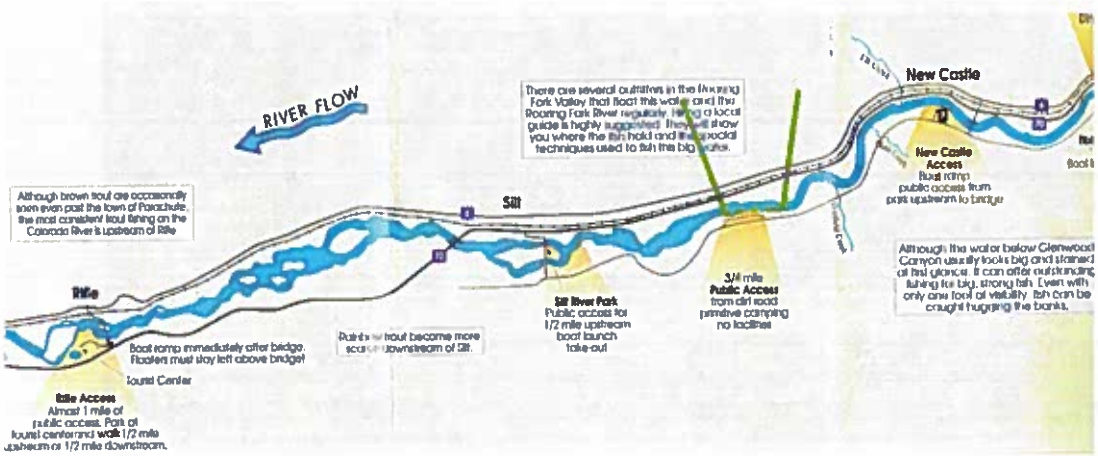
In Chapter One page 12 "Overview", the second paragraph states:
"The county generally benefits significantly from a large natural resource industry in terms of jobs as well as a significant property tax base. The underlying economy of tourism services, government, regional retail and health care make this a truly diverse economy."

Also in the 2030 Comp Plan Chapter 3 page 51 in regards to Strategies and Actions, the document states:
"5.Where appropriate, encourage diverse tourism related development in order to sustain it as an economic and employment base in Garfield County."

The 2008 Garfield County Community Survey was the driving force of community input for the Comp. Plan. Preservation or creation of riverfront and open space was consistently high on the lists of resident priority regarding land and the local economy.

The emergence of new water and natural resources for public use is consistent with much of the Garfield County Comp. Plan 2030 direction. How shall an economy exist if the natural resources it is promoting are not available for public or tourism traffic? We hope PVRP can assist in making Garfield County premier river destination.

benefit from an "after dark" town scene.



*Excerpt from Shook Publishing Coloroado River guide highlighting public access, fishing and boating opportunities. No current legal access on the North side of the CO River from New Castle to Rifle. The shaded areas to the South of the CO River represent 4 public use areas. The green lines represent Peach Valley River Park, potentially the only to the North.

Pre-Application Conference Summery:

Garfield County
Community Development Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601
(970) 945-8212
www.garfield-county.com

PRE-APPLICATION CONFERENCE SUMMARY

TAX PARCEL NUMBER: 218105300294 **DATE:** June 12, 2017

PROJECT: Peach Valley River Park Festival

OWNERS/APPLICANT: Tom and Naomi Laidlaw – Jason Segal

REPRESENTATIVE: Jason Segal

PRACTICAL LOCATION: Directly south of I-70 between New Castle and Silt

ZONING: Rural

TYPE OF APPLICATION: Administrative Land Use Change Permit - Community Meeting Facility and Public Gathering

I. GENERAL PROJECT DESCRIPTION

The applicant would like to apply for Two Land Use Change Permit's for a Community Meeting Facility and Public Gathering on an approximately 75 acre parcel located on the River Frontage Road, 3.5 miles west of New Castle and 3.5 miles east of Silt. Access will be from the CDOT maintained frontage road. As part of this application, there is no proposal for a permanent water supply or a permanent onsite wastewater treatment system. The applicant plans to use portable toilets and to truck in water for the use.

The Public Gathering use is a request for the Peach Valley River Park Festival, an event over two back-to-back weekends in May/June of 2018. The applicant represented that he anticipates over 5,000 people to attend the inaugural festival, with possibilities to increase attendance in later years up to 30,000 attendees. The applicant has represented that events would finish by 9 pm. As part of the festival, the applicant is requesting approval for festival attendees to be able to camp on the premisis during the two weekends.

During non-festival times, staff understands that the parcel will be a park, open to public use and small gatherings. A park is a by-right use in the rural zone district.

The Applicant would also like to apply for a Community Meeting Facility Land Use Change Permit. The Applicant plans on possibly having commercial community events and small gatherings on the site throughout the year. The Applicant may apply for the Community Meeting Facility and Public Gathering use concurrently. Both are subject to Administrative Review in the Rural zone district.

Staff advised the applicant during the Pre-application conference that although Public Gathering and Community Meeting Facility Land Use Change Permit applications are subject to Administrative Review, because of the high proposed attendance at the Peach Valley River Park Festival, the Community Development Director will be "calling-up" the application to a Public Hearing in front of the Garfield County Board of County Commissioners.

II. REGULATORY PROVISIONS APPLICANT IS REQUIRED TO ADDRESS

- Garfield County Comprehensive Plan 2030
- Garfield County Land Use and Development Code
- Table 4-102, Common Review Procedures and Required Notice
- Table 4-201, Application Submittal Requirements
- Section 4-203 Description of Submittal Requirements

III. REVIEW PROCESS

The review process shall follow the steps as contained in Table 4-102 and Section 4-103. See the attached flow chart. Please note, the Community Development Director has determined that this application will be called-up to the Garfield County Board of County Commissioners.

SUBMITTAL REQUIREMENTS

Please refer directly to Table 4-201 and the Description of Submittal Requirements in section 4-203. These application materials are generally summarized below:

1) General Application Materials (4-203.B)

a) Application Form
b) General project description
c) Ownership Documentation (deed) and title information indicating if there are any lien holders and/or encumbrances (a title commitment may be necessary)
d) Statement of Authority or Letter of Authorization, as necessary
e) Fee Payment and Payment Agreement Form
f) Pre-Application Conference Summary
g) Names and addresses of all property owners within 200 feet of project site and all mineral owners of the subject parcels (demonstrated through a search of Clerk and Recorders database and/or Assessors database).

2) Vicinity Map (4-203.C)
3) Site Plan (4-203.D) – this should include all items as listed in 4-203.D as well as parking areas and locations where activities will take place
4) Grading and Drainage Plan (4-203.E)
5) Landscape Plan (4-203.F) - Waivers may be requested pursuant to Section 4-202 with appropriate supporting evidence
6) Impact Analysis (4.203.G) Please respond to the identified impacts in this section
7) Development Agreement (4-203.J) - may be waived upon request
8) Improvements Agreement (4-203.K) – if applicable
9) Traffic Study (4-203.L) – Current traffic counts may be available from the Colorado Department of Transportation
   a) The Applicant is advised to contact CDOT to discuss the proposal and to determine the current access permit.
10) Water Supply Plan (4.20-3.M) – Information about current water, including such things as well permits that indicate allowance for this type of use, water quality (if potable), or other means of providing water to the site for both current and future uses of the facility.
11) Wastewater Plan (4-203.N) – Information about existing sanitation facilities including such things as septic permit and information about capacity and/or other information about how wastewater is managed for the facility including current and future uses.
12) Article 7 Standards – Divsions 1, 2, and 3 as applicable
   a) Please respond specifically to Table 7-107 and address whether any internal roads and accesses meet County Roadway standards. If internal roads do not meet these standards the Applicant may apply for a Roadway Waiver provided you meet the standards in the County Roadway Policy attached to this pre-application.
13) See the land use code for additional information on submittal requirements.

The Application submittal needs to include 3 hard copies of the entire Application and 1 Digital PDF Copy of the entire Application (on a CD or USB Stick). Both the paper and digital copies should be split into individual sections. Please refer to the pre-application summary for submittal requirements that are appropriate for your Application.

WAIVERS

The Applicant may request waivers from submittal requirements in accordance with Section 4-202 and from Standards in accordance with Section 4-118. Both sections contain review criteria for approval of waivers which need to be addressed in the application submittals. A follow-up discussion with Staff on anticipated waiver requests can be scheduled.

IV. APPLICATION REVIEW

a. Review by:	Staff for completeness recommendation and referral agencies for additional technical review
b. Public Hearing:	_X_ (Director's Decision) __Planning Commission _X_ Board of County Commissioners (This application will be referred to the BOCC) __Board of Adjustment
c. Referral Agencies:	May include but is not limited to Garfield County Road and Bridge Department, Fire Protection District, Town of Silt, Town of New Castle, Colorado Parks and Wildlife, Garfield County Designated Engineer, and State of Colorado CDPHE, Colorado Division of Water Resources, Garfield County Sheriff, Garfield County Environmental Health, Garfield County Emergency Management, Colorado Department of Transportation.

V. APPLICATION REVIEW FEES

a. Planning Review Fees:	$ 250.00
b. Referral Agency Fees:	$ TBD – consulting engineer/civil engineer fees
c. Total Deposit:	$ 250.00 (additional hours are billed at $40.50 /hour)

General Application Processing

Planner reviews case for completeness and sends to referral agencies for comments. The case planner contacts applicant and sets up a site visit. Staff reviews application to determine if it meets standards of review and makes a recommendation of approval, approval with conditions, or denial to the Director of the Community Development Department. The Director's decision is subject to a 10-day call-up period. The pre-application meeting summary is only valid for six (6) months from the date of the written summary.

Disclaimer

The foregoing summary is advisory in nature only and is not binding on the County. The summary is based on current zoning, which is subject to change in the future, and upon factual representations that may or may not be accurate. This summary does not create a legal or vested right.

Application Submittal – Public Information

The Applicant is advised that the Application submittal once accepted by the County becomes public information and will be available (including electronically) for review by the public. Proprietary information can be redacted from documents prior to submittal.

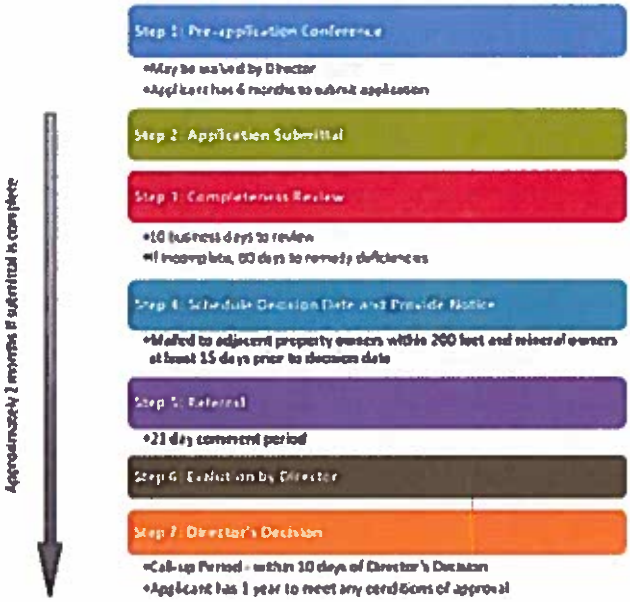
Pre-application Summary Prepared by:

Patrick Waller, Senior Planner

6-23-17
Date

Garfield County

Administrative Review Process
(Section 4-103)



3) **Site Plan and Survey(4-203.D)*:**
Rodney Kiser (RPK) was a surveyor on record for HCE in 2009. PVRP LLC had his new firm recently review the current title and survey work with the following comments:

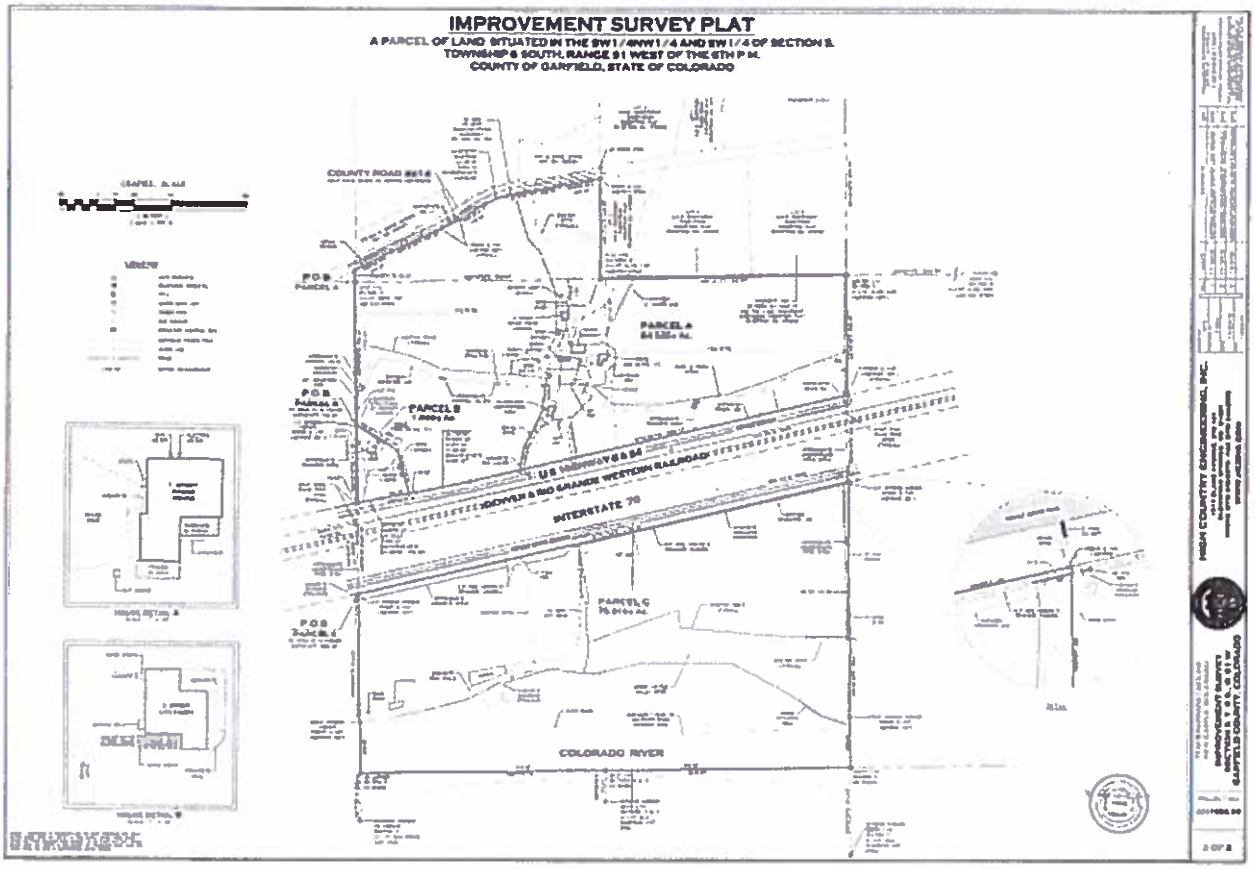
Jason,

I read through the title commitment exceptions and they are the same exceptions that are noted on Sheet 1 of the HCE Survey Frank & I did back in 2009. Nothing new except the minerals rights were conveyed in 2011 and 2014. All the easement that are able to be graphically shown on the survey are already shown on this survey from 2009, nothing new to show or note.

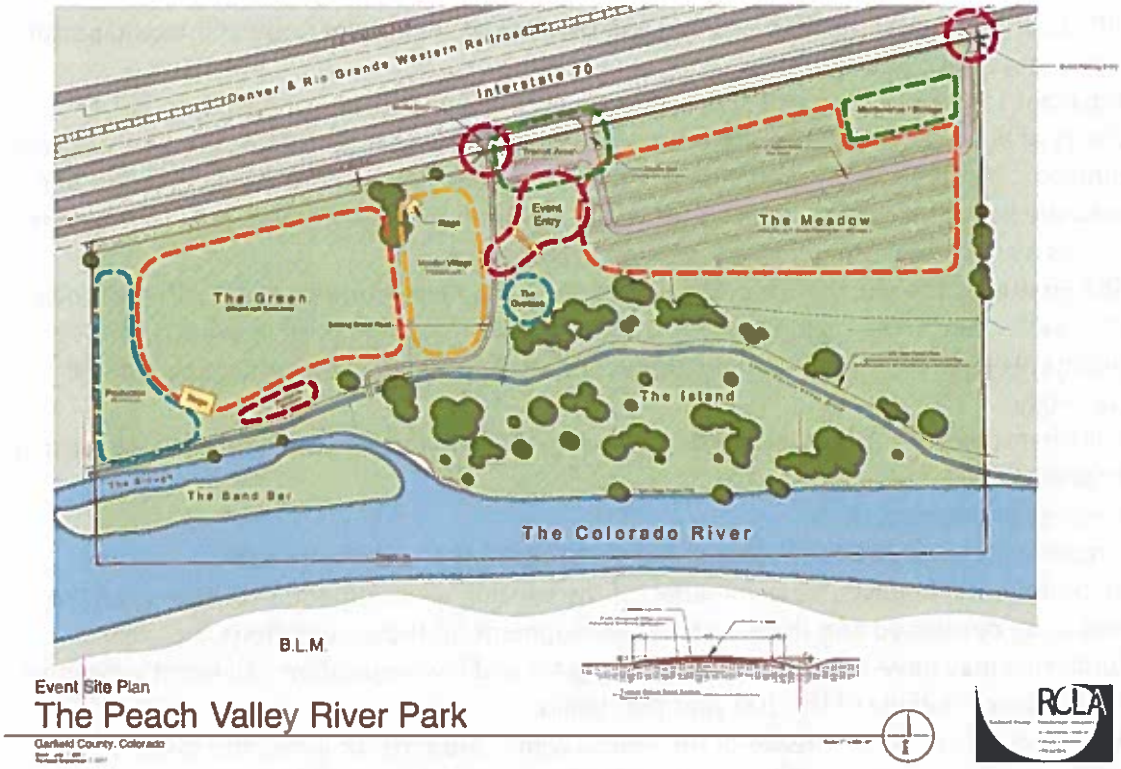
Rodney P. Kiser, PLS/Partner
True North Colorado, LLC
A Land Surveying and Mapping Company
Glenwood Springs, Colorado
970-945-1105
www.truenorthcolorado.com

Survey

*A 24"x 36" has been included with all hard copy submittals



SITE PLAN



*A 24"x 36" has been included with all hard copy submittals

4) Grading and Drainage Plan (4-203.E)

PVRP LLV has added a plan for grading a road base surface in our internal drive and parking areas. A road grading plan is located on the bottom of the Event Site Plan above. All existing internal roads shall be improved to these standards. The Vendor Village are will also see raised road base surface for entry and exit of vehicles and also a high ground or path for pedestrians during events. Exact location TBD with placement in the middle third of the field.

Areas of foot traffic will be clearly marked and suitable for wet travel.

5) Landscape Plan (4-203.F)

PVRP LLV requests a Waiver of Submission requirement for a landscape plan as no new infrastructure or construction are associated with this temporary land use permit.

6) Impact Analysis (4-203.G)

PVRP LLC shall address Garfield County Land Use and Development Code as it would pertain to a temporary Public Gathering.

1. Adjacent Land Use. The PVRP plan is located in an area with diverse neighbor use. The majority of adjacent property owners are homes/ small ranches on 5-15 acre parcels. There is a commercial presence in the area with a regional commercial center to the east, which has served the heavy machinery industry for years. A greenhouse operation ¼ mile to the west operates a small retail stand but serves mostly bulk clients.

2. Site Features. The site includes .46 miles of Colorado River frontage along with the Lower Cactus Valley Ditch. The majority of the 79 acres lie on an upper bench, currently used for agricultural hay production. The hay production shall continue, with cuttings scheduled accordingly.

3. Soil Characteristics. The sub topsoil material is river gravel and was used in I-70 construction. Very stable.

4. Geology and Hazard. N/A

5. Groundwater and Aquifer Recharge Areas: All waste trucked off site N/A

6. Environmental Impacts. Determination of the existing environmental conditions on the parcel to be developed and the effects of development on those conditions, including:

a. Gathering may have a short term effect on grass and low vegetation. All event amenities shall take place outside of the 100 year floodplain.

b. Events shall take place outside of the typical winter grounds for game and fowl.

c. Gatherings and events shall take place late spring through early fall, before typical migration to lower elevations by large game.

d. Evaluation of any potential radiation hazard that may have been identified by the State or County Health Departments. N/A

7. Nuisance. The majority of impacts from amplified events would come from sound. Sound is a constant for all inhabitants in the area, due to its location adjacent to both I-70 and the Colorado River. The train, heavy machinery and HWY 6 and 24 also impact current noise levels. Our plan for mostly daytime amplification with events ending by 9pm shall not create a nuisance for local residents or travelers.

8. Hours of Operation. Our plan is to use the shoulder seasons of May/early June or late September/October in order to drive the local economies in a typical slow period. This time of year utilizes the sites warm temperatures in Spring and Fall as a lure from those in colder

mountain locations. Local business people have applauded the idea outside of the heart of summer.

The grounds will be open to the public beginning two hours prior to show time (4 PM on Fri. 1 PM on Sat. and Sun.). Events would be geared toward the day time hours finishing by 9pm, allowing the surrounding towns to benefit from an "after dark" town scene.

7) Development Agreement (4-203.J)

PVRP LLV requests a Waiver of Submission requirement for a Development Agreement as no new infrastructure or construction will be performed with this temporary land use permit.

8) Improvements Agreement (4-203.L)

PVRP LLV requests a Waiver of Submission requirement for an Improvements Agreement as no new infrastructure or construction will be performed with this temporary land use permit.

9) Traffic Study (4-203.L)

PVRP LLV requests a Waiver of Submission requirement for a Traffic Study as no new infrastructure or construction will be performed with this land use permit.

Our site has existing adequate access points (3) to River Frontage Road which have historically been used for heavy machinery and ranching. All are in use and working condition. One will serve as our basic park entrance throughout the year with the addition two for emergency and events. The property once was the gravel pit for I-70 construction with machinery in and out for years.

The Properties three exits then are services by three different County Roads to interstate I-70 (3.5 miles each way). Access to I-70 in Silt is accommodated by two different routes with little or no cross traffic, town interference or interruption to local businesses. The New Castle route does require a route through Main St. with a bit more congestion and pedestrian concerns. Our plan will have attendees parked before entering town and travel by bus to the event site to limit downtown traffic.

The property's right by use as a park per rural Garfield County Zoning will create an estimated daily vehicle count of plus 20. This increase will not produce more than the 20% increase of traffic on State or Local Highways or County roads. The increase will also be less than the 30% increase allowed for any road segment or municipal street within a one mile radius.

Below is the traffic count totals for the roads impacted from the land use change:

Location	Traffic Volume Count 24 hrs. (both directions)

HWY 6 and 24 near PVRP River Frontage Rd. connection	2862
HWY 6 and 24 between New Castle and I-70	6079
Silt I-70 Overpass	8841
I-70 @ New Castle	33642

For our Event weekends, our group has made a point to limited day parking on site, with a full commitment to public transportation. The transportation goals outlined have been designed to also keep at or under traffic thresholds and allowances. Surrounding Community Town leaders commend our plan to end event main festivities at 9pm and allow buses to get people to and from their communities. Our buses will run frequent loops to and from the towns Silt and New Castle, along with designated areas from Glenwood Springs and Rifle. As the event matures, our transportation solutions will also. We anticipate around 500 car spaces will be needed within ½ of a mile of the I-70 interchanges in New Castle and Silt.
Feedback from RFTA:

RFTA - John Hocker:
• Memorial Day target date is good for available inventory since Summer season doesn't kick-off until mid June - target 4 buses to service event.
• We discussed - park and ride hubs in both New Castle and Silt with direct service to event site from each. Location of each will be verified this Fall. We will work together on site/area visits.
• FTA guidelines for all special events with shuttle service component need to be posted on "charter website" 60 days prior to event where private sector has the right to bid on charter service contract. Selection of partner is at 30 days prior to event. All bids go through RFTA and then to promoter.
• Also - very supportive of event for Garfield County that has positive impact on New Castle and Silt communities.

Richard Duran and the Colorado State Patrol will assist with the event. Recent meeting with CSP produced the following feedback:

CSP - Captain Richard Duran:
• Supportive of a signature special event for Garfield County
• Agrees the event site/location is ideal in minimal impact for surrounding communities.
• We discussed a Jan 15th target date for an agreed upon mitigation plan as opposed to the 90 day prior to event date (March) current deadline for CSP sign-off to ensure all participating parties are confident in plan.
• Made e-introduction to Alan Clubb @ CDOT to review signage needs.

The Garfield County Sheriff's Office has been notified of the plan. Walt Stowe of Garfield Community Relations shall serve as our point of contact for communication and planning.

Our "Meadow" size is suitable for 1,400 parking spaces. Of those, about 400 event day parking spaces shall be reserved for handicap attendees, sponsors, and VIP. The remaining 1,000 spaces will serve as our on-site RV/Camp spaces. We will offer about 350 of these passes with each camping vehicle using two-three times the area of the traditional parking space allotment. Overnight camping and RV guests will not be permitted to re-enter the camping grounds once initially parked. This will help eliminate traffic to and from the site during the heart of the event on Saturdays and Sundays. Also - please note site can handle on-site parking for estimated event staff/volunteers (50), vendors (30), and performers (12-20).

Buses will make Peach Valley River Park Events a success. By utilizing abundant available permitted parking space at and near the Silt and New Castle I-70 interchanges, our buses can transport guests with ease the less than 4 mile route from locations near either town. These parking areas are located within a ¼ of the Silt and I-70 interchange and within a ½ in New Castle. Traffic should easily flow on and off I-70 into these lots if managed correctly.
PVRP LLC plans on supplying one parking space for every 5 attendees of our festivals. With an estimated attendance of 3,000 people per day, PVRP LLV will submit a parking plan to Garfield County Community Development and the BOCC outlining the 1,000 required parking spaces as a requirement for the event no more than 90 days prior to the event.

Our site will accommodate over half of our parking needs with the remaining in or around the Towns of New Castle and Silt. Sites have currently been improved for the bridge project and shall be utilized as available for events. Pictures of these parking areas are included in section 7-302. It is our goal to work with the adjacent towns to dictate what their role can be for a positive outcome with supporting services such as parking, food, before and after event activities, etc.

The site was chosen for ability to utilize existing infrastructure for weekend events. Silt Community Development Director Janet Aluise has mentioned an influx of temporary parking area permits due to the Grand Avenue Bridge closure. Those spaces and others are primarily used Monday through Friday, potentially opening up space in existing parking lots to minimize impacts of building new facilities. Tim Cain, Town Planner of New Castle, has met with our group and really had positive thoughts of the plan, even with his downtown potentially most affected by traffic from a large event. Coal Ridge High School may also realistically become an active supporter and fit for economic support when the school grounds are quiet (parking, off-site amenities such as shelter and showers).

In the event of an outdoor or river event, PVRP buses will shuttle attendees to New Castle Boat Ramp for consistent river shuttles throughout the day. It is a great idea for a river demo day where ease of travel (no I-70) and class 2 rated whitewater is desired. Each shuttle to and from the New Castle Boat ramp would pass through downtown, giving local businesses a boost even during events. No current river park, festival, event, or town in the state has the ability like New Castle and PVRP LLC to start a true user friendly river festival.

10) Water Supply Plan (4-203.M)

Fresh water shall be supplied to visitors of the park only during event times. Water supplied by the event shall only be for drinking. Water will be trucked in and available at multiple locations for free. There will be no outdoor showers located on site unless fully contained, such as the port-a-potties.

Shall PVRP LLC move forward with a Conservation PUD Plan, all the needed utilities are located at Coal Ridge High School (one mile). It would be ideal to service the site with public utilities. We have had preliminary discussions with the Town of Silt Utilities about extensions and gained positive feedback.

11) Wastewater Plan (4-203.N)

The equivalent of 100 regular access (+ up to 15 ancillary units "outside of the site) including 4 handicap toilets will be provided on the festival grounds for the general public and serviced daily (based on capacity increase adjustment). Also, we will have a service truck on-site at all times throughout the event ensuring service to units when needed as well as fresh supplies when needed. Future PUD work would most likely include a connection to the Town of Silt Wastewater which is located on mile and downhill to the west.

During non-festival hours, the park will have one portable toilet to service the public. This plan mimics the upstream boat ramp at the Dino Rest stop on I-70.

12) Garfield County LUDC 2013

ARTICLE 7: STANDARDS
DIVISION 1. GENERAL APPROVAL STANDARDS.
The following standards apply to all proposed Land Use Changes, including divisions of land, unless elsewhere in this Code a use is explicitly exempt from one or more standards.
7-101. ZONE DISTRICT USE REGULATIONS.
The Land Use Change shall comply with Article 3, Zoning, including any applicable zone district use restrictions and regulations. YES

7-102. COMPREHENSIVE PLAN AND INTERGOVERNMENTAL AGREEMENTS.
The Land Use Change is in general conformance with the Garfield County Comprehensive Plan and complies with any applicable intergovernmental agreement.YES
7-103. COMPATIBILITY.
The PVRP plan is located in an area with diverse neighbor use. The majority of adjacent property owners are homes/ small ranches on 5-15 acre parcels. There is a commercial presence in the area with an industrial park to the east, which has served the heavy machinery industry for years. A greenhouse operation ¼ mile to the west operates a small retail stand but serves mostly bulk clients. Our plan to secure private land for public use is compatible with the State of Colorado and local municipalities to secure use of riverfront
7-104. SOURCE OF WATER.
Temporary Facilities served by a licensed water hauler.
7-105. CENTRAL WATER DISTRIBUTION AND WASTEWATER SYSTEMS.
The equivalent of 100 regular access (+ up to 15 ancillary units "outside of the site) including 4 handicap toilets will be provided on the festival grounds for the general public and serviced daily (based on capacity increase adjustment). Also, we will have a service truck on-site at all times throughout the event ensuring service to units when needed as well as fresh supplies when needed.
7-106. PUBLIC UTILITIES.
PVRP future Conservation PUD plans include connecting to the Town of Silt Utilities at Coal Ridge High School. For now, pre-PUD events, power will be supplied through generators contracted through PVRP.

7-107. ACCESS AND ROADWAYS.
The PVRP Park Plan will utilize the Main Access with a secondary one 100 yards to the East to act a public transit loop and exit. Event Plan shall utilize the existing three road access points on River Frontage Road. One shall be for dedicated Public transportation entrance and the other two as both entrances and exits for cars and buses. The main parking area is designated by our Transit Area Loop on the event plan.

Property access meets Garfield County Regulations for Accesses in Rural Areas. Our culvert and main access is 26"ft wide at the narrowest point and nearly 30' at road connection. There is adequate room for two lane and large vehicle traffic. There is an existing parking area at this access which is used by semi-trailers and tractors with a gravel surface. There are adequate parking spaces for a few fisherman and dog walkers (estimate current parking area at 20 plus spaces). The one internal road to our production area shall be only by private contractors and safety vehicles. Road has a solid gravel base and has been used for years in farming and, as noted before, gravel extraction.

CDOT and Dan Rousin have been notified about the plan. The lack of development of the parcel prohibits any documentation for access. Our plan to use the existing access points did not seem to be a problem with CDOT. CDOT is in the referral list to comment as needed.

Before/during events, hay fields and gravel paths shall be watered to mitigate dust.

Park Main Access

Culvert at Main Access

East Access

7-108. USE OF LAND SUBJECT TO NATURAL HAZARDS.

Land in use has not natural hazards except the 100 year flood plain. Our application is void of any change of this area.

7-109. FIRE PROTECTION.

There will be no divergence from the plan that is pre approved with all local Fire Protection District/Departments, police and Sheriff's departments. This will include:

- 6' Walkways will be constructed with a combination of "bike-rack barricades and snowfence posts, to be kept clear at all times by PVRP security.
- Fire/emergency lanes to provide access to the grounds, backstage, concession areas and the Patron area.
- All tents will have flameproof certificates, and will meet uniform fire code.
- Fire extinguishers will be in all appropriate structures (tents), on stage, backstage and in all vending areas
- The field entrances and exits are marked on the site plan
- First-Aid stations and paramedics will be hired. PVRP will provide a 20'x20' tent which will be highly visible on-site for the EMT group with premium toilet units.

- Site walk-through will be scheduled with all appropriate entities prior to event start for safety approval.

DIVISION 2. GENERAL RESOURCE PROTECTION STANDARDS.
The following resource protection standards apply to all proposed Land Use Changes, including divisions of land unless elsewhere in this Code a use is explicitly exempt from 1 or more standards.
7-201. AGRICULTURAL LANDS.

A. PVRP shall have no effect on hay operations on our property. Accommodations shall be made to plan agricultural activities in coordinated with events

.

B. Domestic Animal Controls.
Dogs and other domestic animals that are not service animals shall not be permitted on the PVRP grounds during events.
C. Fences. Security
Access to the site will be monitored by paid security hired and managed by PVRP. This security force will be visibly present within the site itself, monitoring bag checks at entrances, patrolling the perimeter, and any (and all) relevant areas that require monitoring to insure the integrity and safety of the site. We estimate 50-70 security/traffic/parking personnel will be staffed throughout each festival day. We will also have four (4) overnight security to patrol the grounds. For continuity, PVRP is also utilizing paid staff all parking areas. PVRP will work with Garfield County Sheriff's department to create a plan which provides safety and best experience to all patrons.

D. Roads. No new roads shall be constructed

E. Ditches. Ditches located on the property shall be fenced in areas of safety concerns and operations. Land Use Change does not affect ditch operations.

7-202. WILDLIFE HABITAT AREAS.
PVRP shall contact CPW for feedback on wildlife mitigation for events. CPW was approached initially on this project as a possible supporter in 2014 but funds and staffing would not allow. No major development taking place. Said property sees increased wildlife use in winter months.
7-203. PROTECTION OF WATERBODIES.
A. Minimum Setback. PVRP shall place all temporary structures to comply with county setback regulations.
7-204 DRAINAGE AND EROSION. N/A. No development. Property is fairly flat and has little drainage or erosion issues.
7-205. ENVIRONMENTAL QUALITY.
A. Air Quality.

N/A
B. Water Quality.
N/A
7-206. WILDFIRE HAZARDS. Low fuel property, mostly hay fields. Surrounding BLM hillside across the river burned recently and has little fuel.
7-207. NATURAL AND GEOLOGIC HAZARDS. N/A
7-208. RECLAMATION. N/A

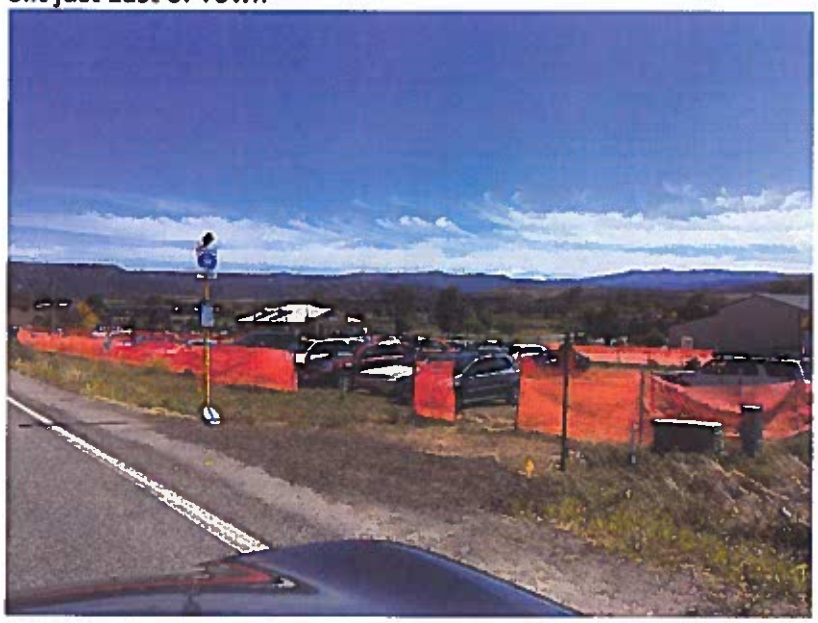
DIVISION 3. SITE PLANNING AND DEVELOPMENT STANDARDS.
Unless a use is explicitly identified elsewhere in this Code as being exempt from 1 or more standards, the following standards shall apply to all uses, divisions of land and PUDs. Single-family dwelling units, are specifically exempt from these Division 3 standards.
7-301. COMPATIBLE DESIGN.
PVRP through the Garfield County Administrative Review will develop a temporary plan for events and while planning for permanent PUD in the future. Without a suitable river launch between New Castle and Silt, the location lends itself well for river and biking midpoint between the two towns.
A. Site Organization.
A full site plan has been submitted with the relevant information
B. Operational Characteristics.
The operations of activities on the site shall be primarily a day time activity. The property is located next to I-70, with local industrial park, river rapids and truck traffic. Our operations ending by 9pm shall not negatively affect the area.
1. Dust mitigation shall be in place if needed.
2. Noise: The property is located next to I-70, with local industrial park, river rapids and truck traffic.
3. Hours of operation: The grounds will be open to the public beginning two hours prior to show time (4 PM on Fri. 1 PM on Sat. and Sun. The Festival site will be fenced off with hard and snow fencing, completely enclosing the concert area. The addition of 6' high chain-link fence at the following areas will assist in overall security: backstage, main entrance, village side entrance, vending area.

C. Buffering.
Buffering shall consist of production trucks on the west and parking to the east. The majority of the PRVP event production shall occur in the middle portion of the property.
D. Materials. N/A
7-302. OFF-STREET PARKING AND LOADING STANDARDS.
We are looking to utilize "The Meadow" Parcel C (see attached site plan) which can accommodate 1000+ spaces.
Parking hubs especially designed for the bridge project this year have been set up in both New Castle and Silt. We have contacted the towns and owners about use with a very positive response. Our weekend based events can easily use the weekday based park and ride spaces.

New Castle above McDonalds

New Castle across from City Market

Silt just East of Town



RFTA and/or local private shuttle partner will provide the free shuttle service to the festival site. PVRP will provide written approval for each parking area from respective owner/operator. PVRP will be responsible for the operation of all parking areas with adequate staff. A "supervisor" for each parking area will be assigned and will maintain contact with the supervisor at all times to ensure proper traffic direction.

7-303. LANDSCAPING STANDARDS. N/A

7-304. LIGHTING STANDARDS.
Power will be supplied through generators contracted through PVRP. Through closing each night, the area surrounding the site will be appropriately lit via
light towers in order to avoid confusion and mishap. An overnight security team will be on-site throughout the festival weekend.

7-305. SNOW STORAGE STANDARDS. N/A
7-306. TRAIL AND WALKWAY STANDARDS.
Nearly the entire 79-acre parcel shall be dedicated to Parks and recreation access throughout our Event Permit Period. The natural landscape along existing soft gravel paths and trails shall be maintained solely by the PRVP LLC.

13) Additional Mitigation for 2018 PVRP Festival

1. FOOD & VENDORS

All will secure necessary health and food permits through Garfield County Health Department.

All Food vendors will be commissioned and managed through PVRP Vending Area Coordinator. All appropriate health and food permits, business licenses, and Certificates of Insurance will be secured by the individual respective vendors, and provided to PVRP and the Garfield County Health Dept. prior to the event. All food areas will be kept especially clean with no exposed trash to avoid attracting bear/wildlife.

2. PRIVATE HOSPITALITY TENTS

PVRP will provide private hospitality tents that are commissioned and coordinated through staff. Daily capacity for the private tents will range from 20-300 persons per day. A roster will be provided prior to event.

3. LIQUOR

A special use liquor license will be applied for by PVRP for the Festival. PVRP will provide TIPS trained bartenders for service. Identification will be checked at the entrance gate. All persons over the age of 21 will be given a colored wristband. These wristbands are not removable, nor are they transferable. No one appearing intoxicated will be served. We intend to keep very strict control on the sale of alcohol at this event. Concert-goers will not be allowed to bring alcohol or glass containers in to the festival site. The only exception would be for special dietary needs (e.g. diabetics and infants).

4. ALCOHOL & DRUG MITIGATION

In a continuing effort to keep the safety of our attendees the top priority, PVRP will continue to promote the problems associated with intoxication in our PSA campaign and stage announcements. "DON'T DRIVE INTOXICATED" signage will be posted in all festival parking lots. Vehicles that are left in designated parking lots for this reason will be tolerated with no fine. Bus transportation to neighboring towns will be included for patrons at no charge.

5. PVRP TRANSPORTATION MANAGEMENT PLAN

The following elements of parking, traffic control, egress, and transportation are critical to the success of an effective Transportation Management Plan. With years of "hands-on" experience and modification with other local events, we are confident that through the expertise and cooperation of the local police, sheriff's departments Police, RFTA, AES Security and PVRP Production, this event will prove to be an example of large scale special event execution.

A. PARKING

We are looking to utilize "The Meadow" Parcel C (see attached site plan) which can accommodate 1000+ spaces.

Parking hubs will be established (i.e. Coal Ridge HS, New Castle, Silt, Rifle and Glenwood Springs.

RFTA and/or local private shuttle partner will provide the free shuttle service to the festival site.

PVRP will provide written approval for each parking area from respective owner/operator.

PVRP will be responsible for the operation of all parking areas with adequate staff. A "supervisor" for each parking area will be assigned and will maintain contact with the supervisor at all times to ensure proper traffic direction.

B. TRAFFIC CONTROL

In review with all participating parties, we will finalize #'s of traffic control team (through AES Security and A-1 Traffic).

C. EGRESS

The egress is one element in which most of our challenges have always occurred. PVRP realizes the importance of getting it right the first time. The points are:

- Well designed Staging Areas & Cuing Lines
- Personnel
- Equipment – buses & barricades
- Signage

D. TRANSPORTATION

PVRP will provide a complete and thorough transportation plan for review by all appropriate parties. Specific scheduling will be submitted prior to the event.

PVRP should have accurate estimates of the expected number of attendees through advanced ticket sales and timely reporting to Sheriff's and Police departments.

SUMMATION:

Peach Valley River Park once completed would serve as the largest venue on the western slope of Colorado for events. Its proximity to I-70 and the Colorado River make festival logistics and marketing a dream. Jeep Jamboree, BMW and other traveling festivals have turned down Garfield County for its lack of suitable event space. We're excited for this new chapter to be

realized.

14) Letters of Support

July 11, 2017

To Garfield County Board of Commissioners
RE: Peach Valley River Park

Dear Commissioners,

I am writing in support of Peach Valley River Park and the proposed festival planned for May/June 2018. While this project is not located within Glenwood Springs city limits, it promises to provide economic benefit to our neighboring communities of Silt and New Castle. The festival itself should benefit Glenwood Springs lodging, attraction and restaurant businesses as well as those of our Western neighbors. The proposed boat launch and special events center would be major enhancements to regional tourism.

While the special event venue itself is very enticing, during non-event times, the ability of Peach Valley River Park to provide fishing, trails, picnic areas and hopefully camping is very beneficial to a County trying to diversify and capitalize on recreational offerings. The shoulder seasons targeted (May/early June and September/October) would be enhanced as festivals are being proposed for those time frames.

Finally, the proposed location affords access on the river frontage road and visitors would be able to travel between Silt and New Castle to and from the property with limited impact on I-70.

For all these reasons, the Glenwood Springs Chamber Resort Association lends its support to this economic development effort.

Sincerely,

Marianne Virgili

Marianne Virgili, IOM, CCE
President & CEO

July 11, 2017

To Garfield County Board of Commissioners
RE: Peach Valley River Park

Dear Commissioners,

It's about time a smart community-oriented project like the Peach Valley River Park is proposed for the area. Not only will it have tremendous economic benefits for the neighboring communities of Rifle, Silt, New Castle and Glenwood Spring (tourism, lodging, restaurants, recreation, etc), but it will also provide essential public access to the Colorado River for both sportsman and recreationists.

As both a fly-fishing guide, president of Home Waters Real Estate and founder of Shook Book Publishing, which produces river maps throughout the west offering detailed access points for both fisherman and boaters, I am a huge supporter of any new riverfront public access. The Peach Valley River Park will offer the general public much needed access to the Colorado River in a section of river that is notoriously private. The lower Colorado River (Glenwood Springs to Rifle) is becoming well-known as one of the premier destinations in Colorado for fly fishing and like most rivers in the state, is in desperate need of more public access.

Furthermore, the Colorado River offers incredible fly fishing opportunities during the spring (pre-runoff) months of March-May and again in the fall months of Sept-Nov. Fly fisherman around the country visit the area during this time which provides a much needed economic boost during these "off-months."

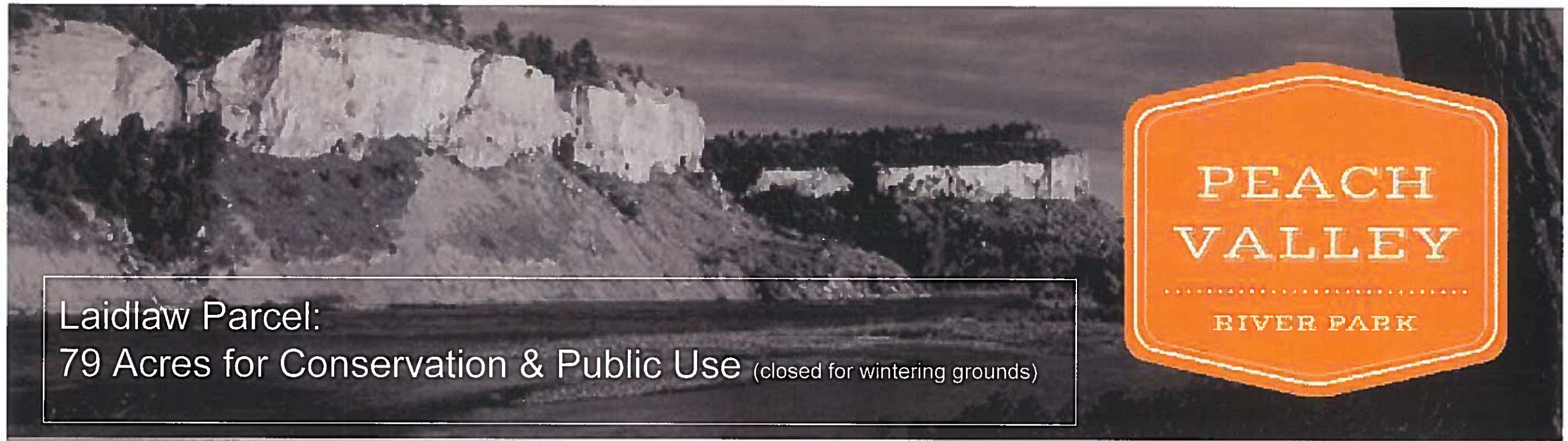
For the stated reasons, I can safely say that the fishing community stands behind the proposed Peach Valley River Park and looks forward to one day accessing the river from its' beautiful banks.

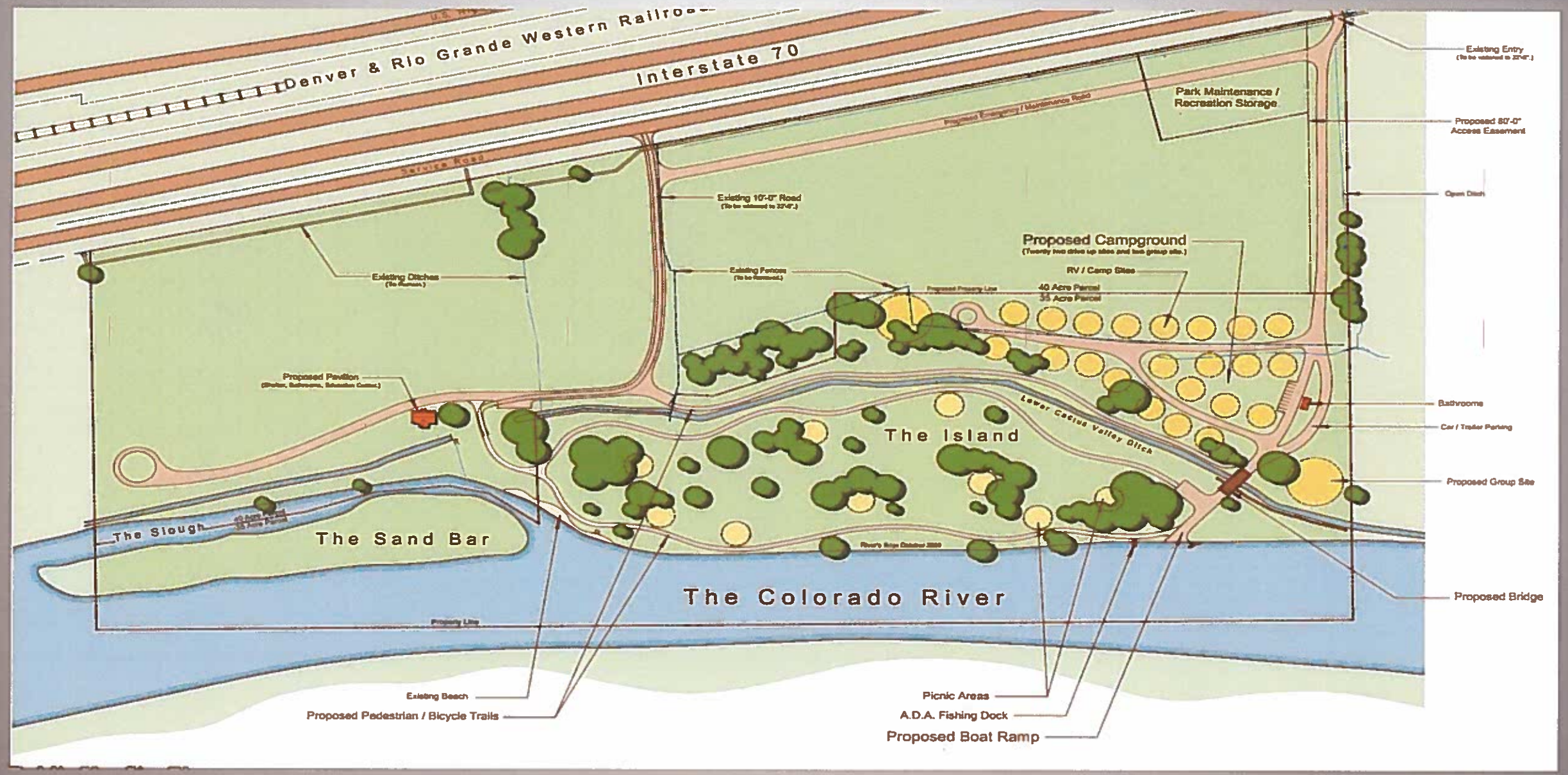
Sincerely,

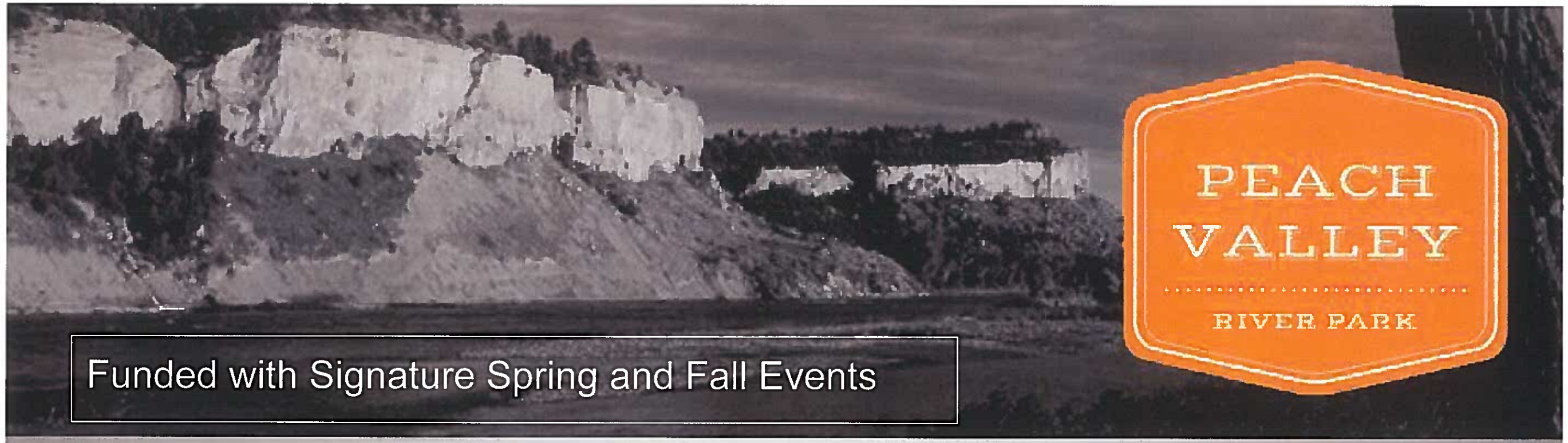
Michael Shook
Shook Book Publishing
Home Water Real Estate
Proudline Fly Fishing
345 Colorado Ave Unit 105
Carbondale, CO 81623
970-618-6795

Project Objectives

- *To obtain, preserve and allow public use on two private Colorado River ranches between New Castle and Silt.*
- *The conversion of the parcels shall serve as an asset and resource for tourism, residents and wildlife for generations to come.*


Laidlaw Parcel:
79 Acres for Conservation & Public Use (closed for wintering grounds)

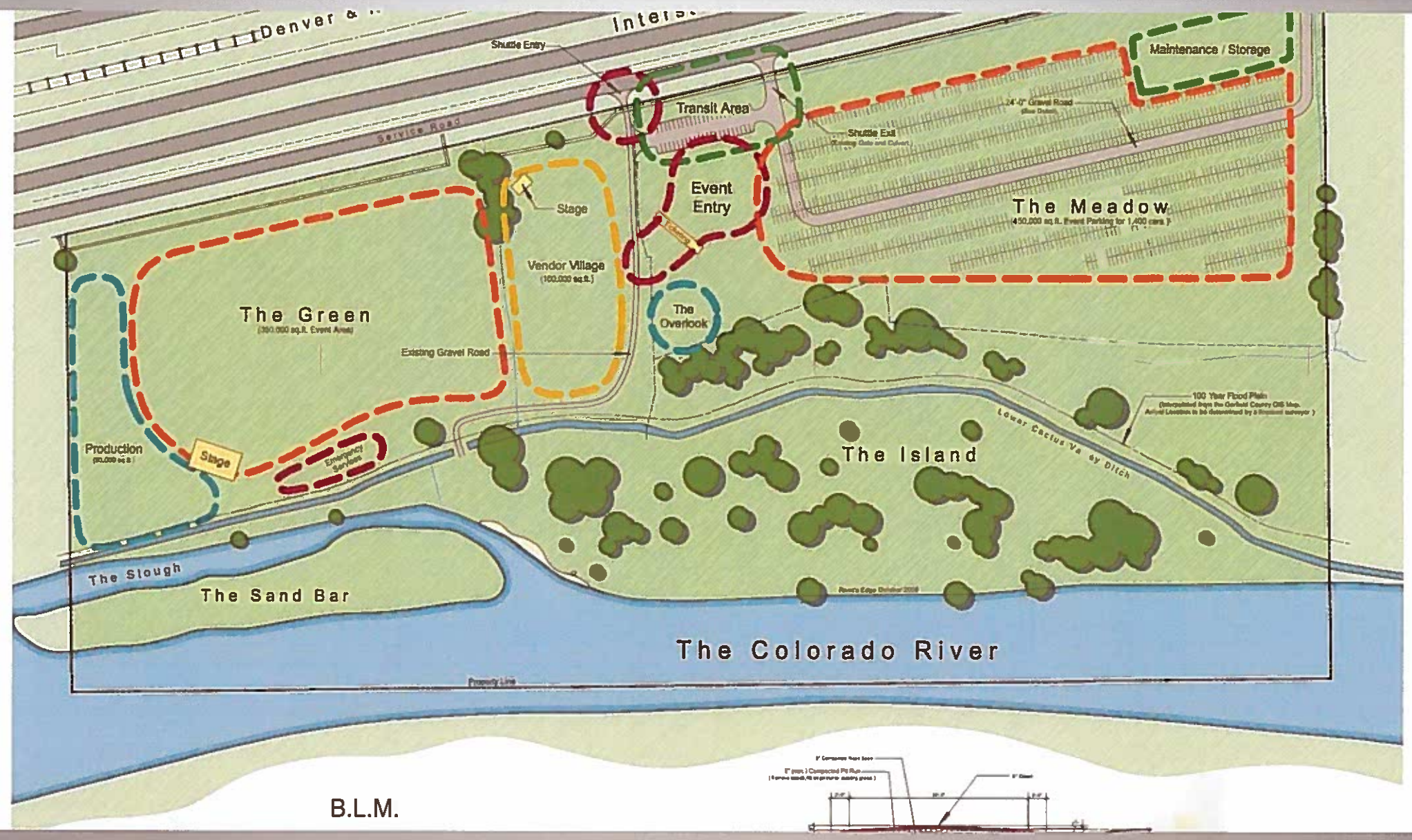




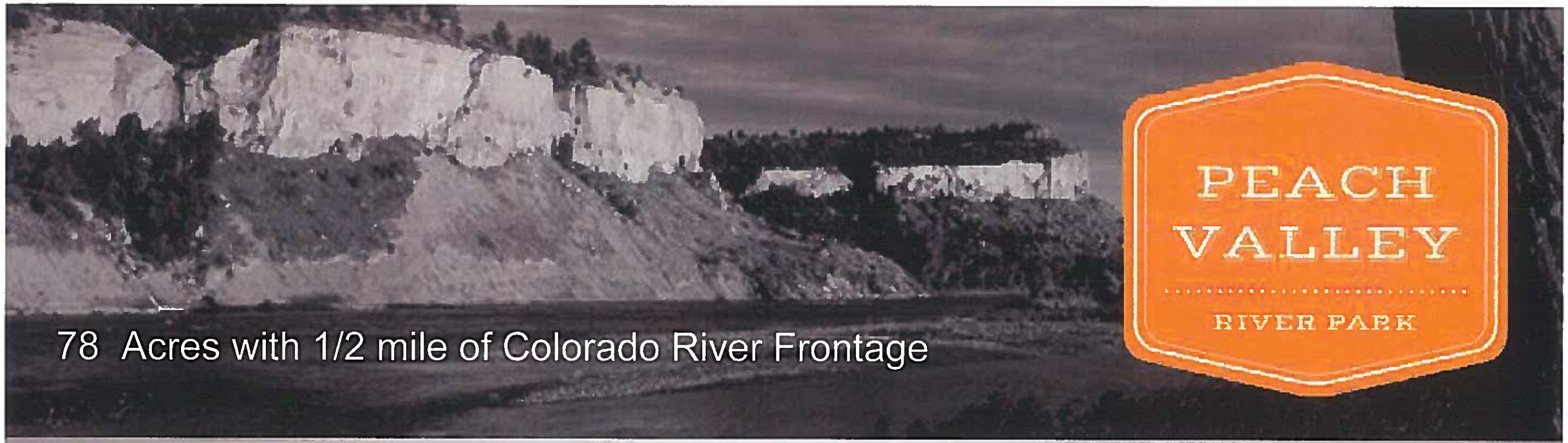
PEACH VALLEY

RIVER PARK

Funded with Signature Spring and Fall Events

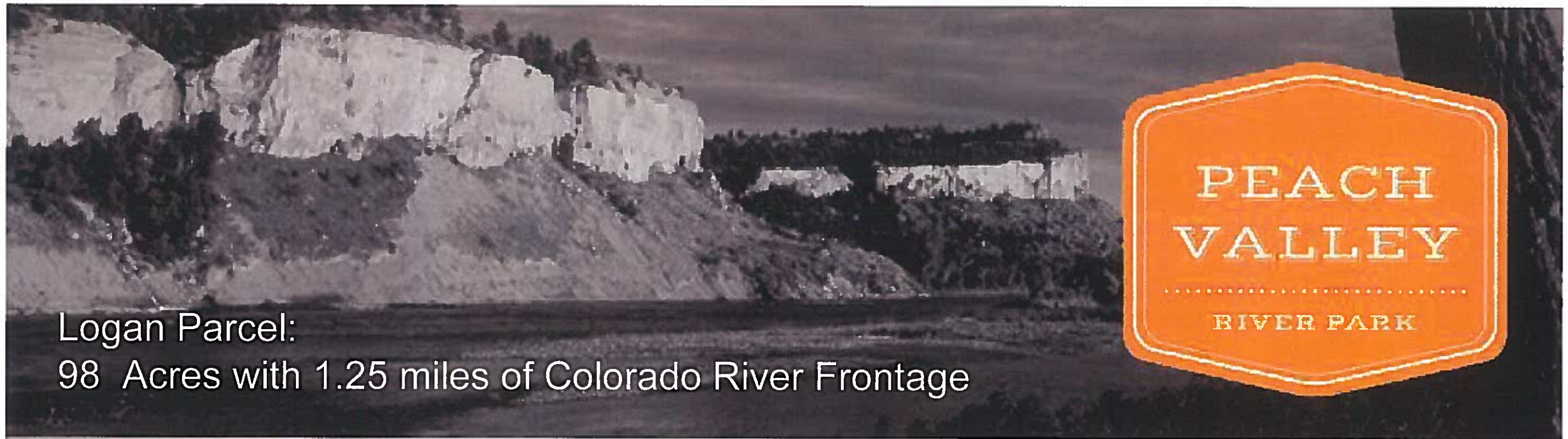


B.L.M.



Laidlaw Property 78 acres

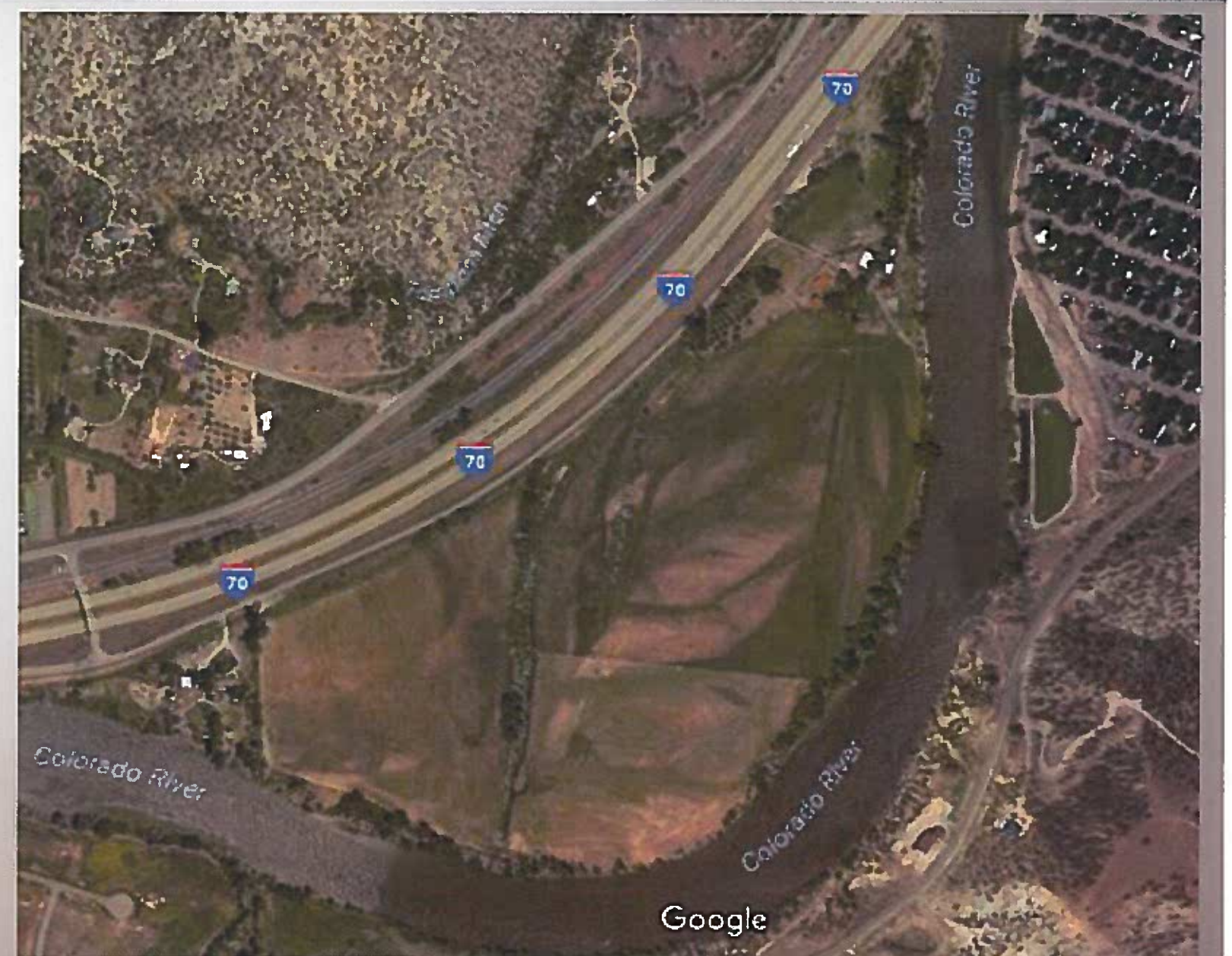
- Midway between New Castle and Silt
- Great topography with waterways, island and diverse landscape
- Ideal for boat ramp, camping, etc.
- Event Space
- Full conservation potential

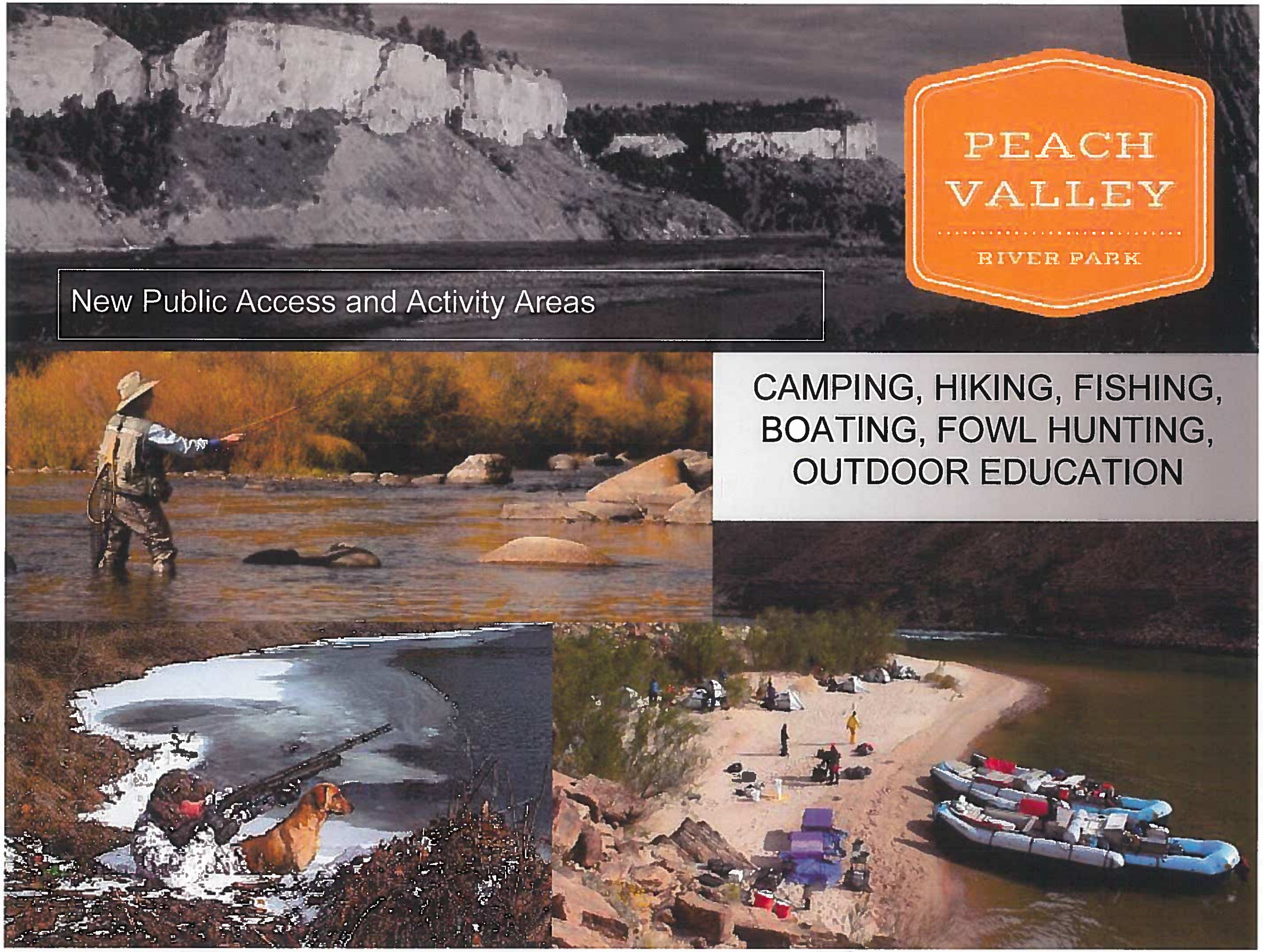


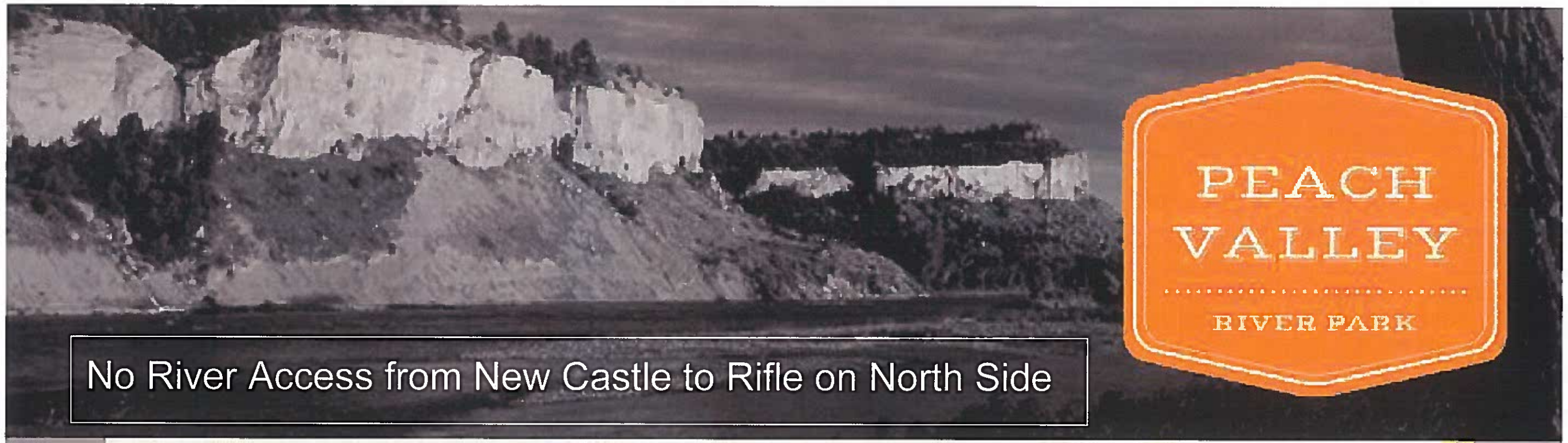
Logan Parcel:
98 Acres with 1.25 miles of Colorado River Frontage

Logan Property 98 acres

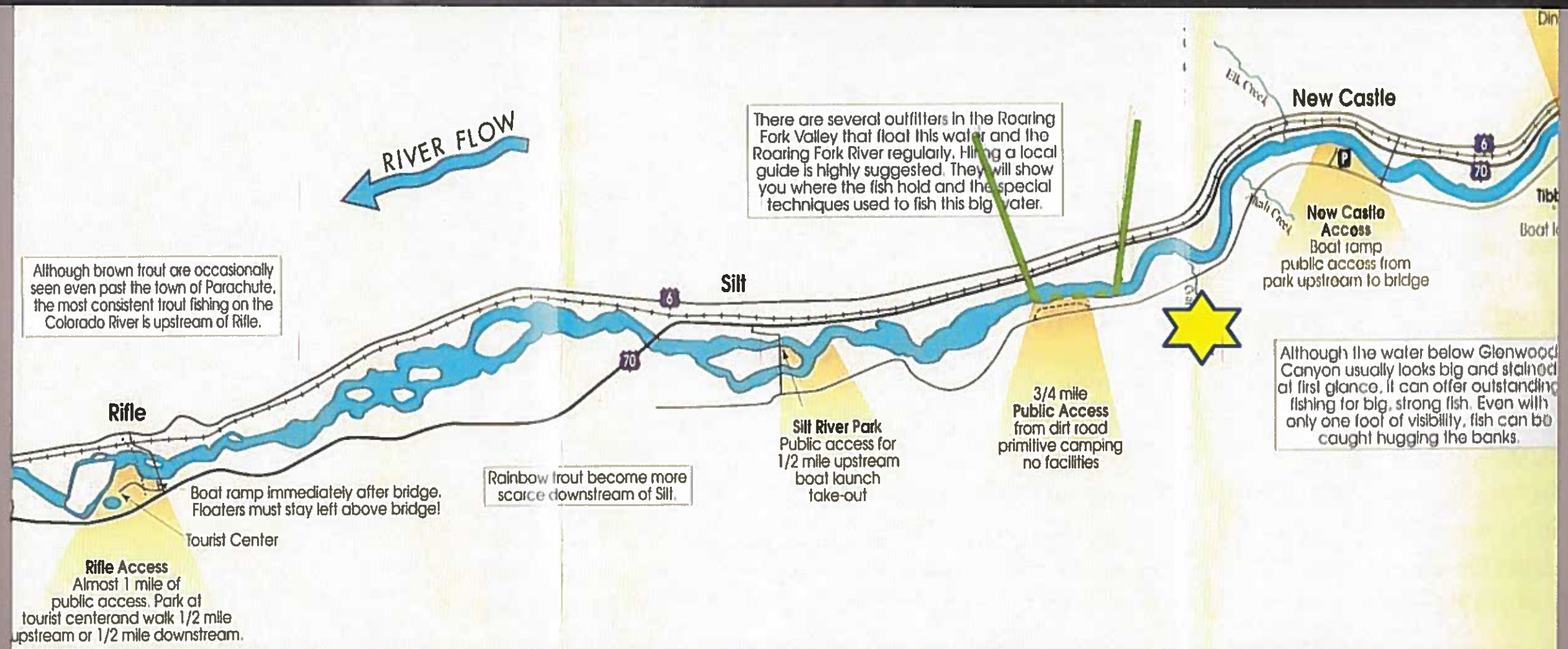
- One mile from New Castle
- Across from Apple Tree PUD and pedestrian path to town
- The location for trail extension for resident and tourist travel
- Ideal topography and location for RV park and river amenities



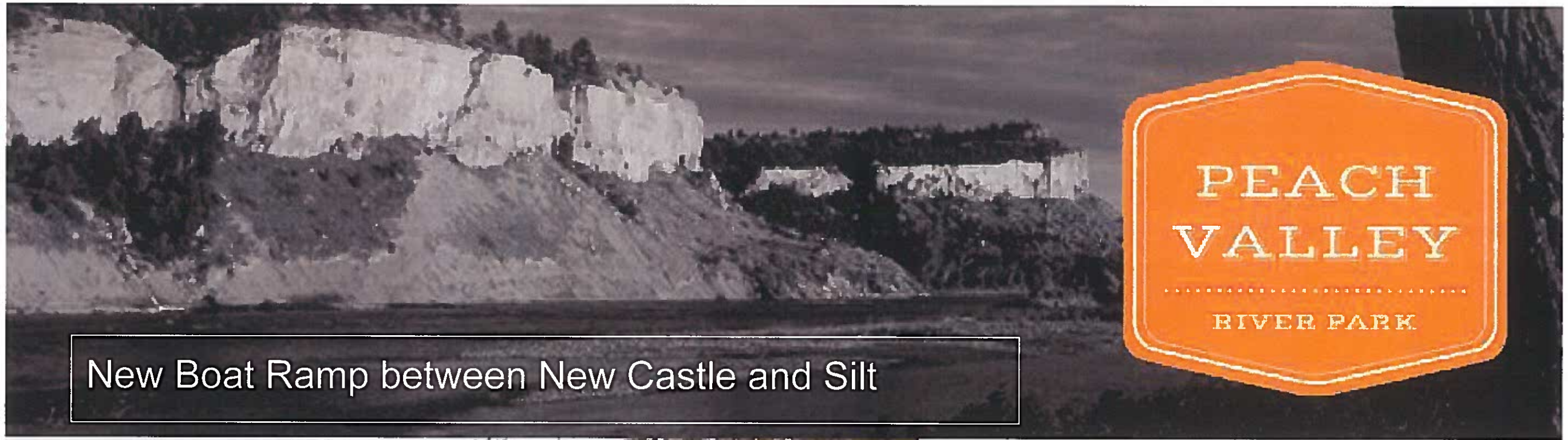

PEACH VALLEY
RIVER PARK
New Public Access and Activity Areas
CAMPING, HIKING, FISHING, BOATING, FOWL HUNTING, OUTDOOR EDUCATION



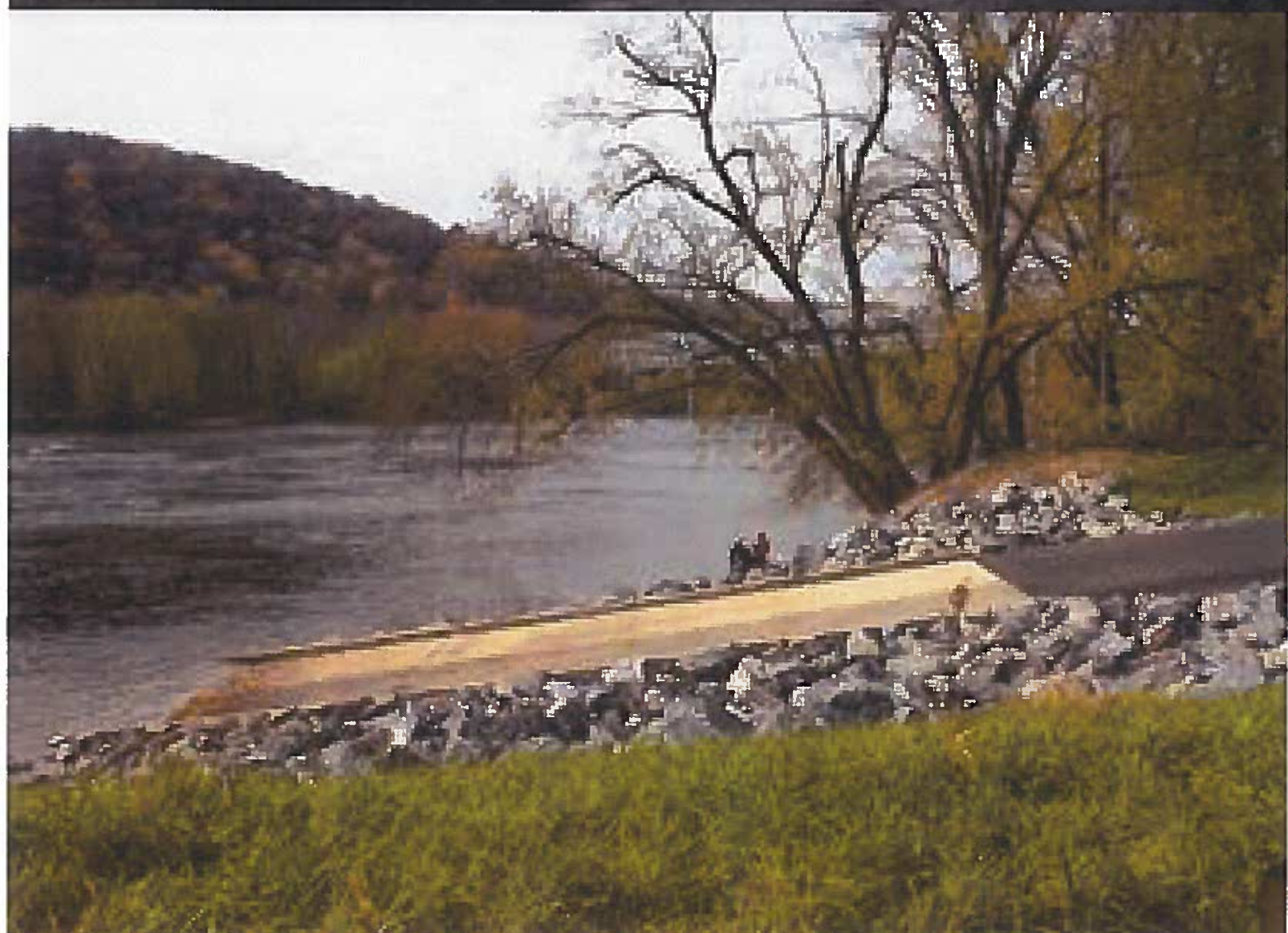
No River Access from New Castle to Rifle on North Side

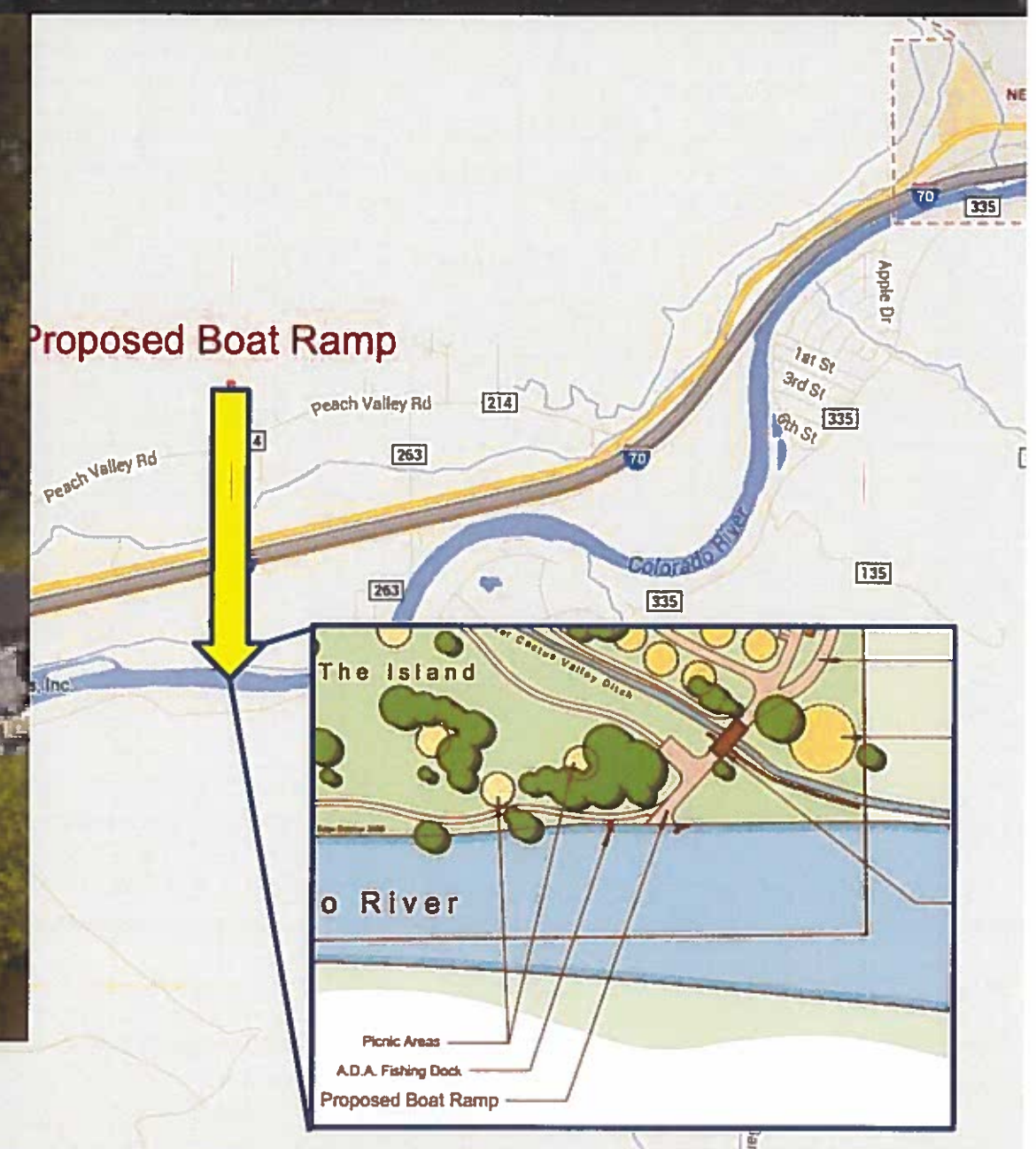


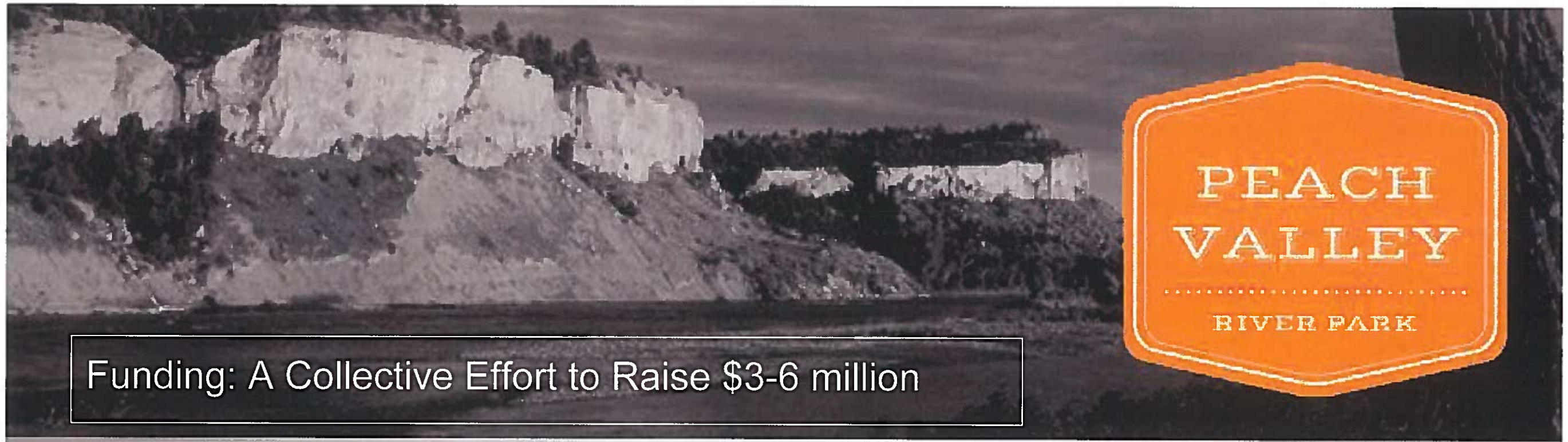
This map highlights the lack of *any* public property on the north side of the Colorado River. Local communities push the outdoors as a draw to their towns but lack suitable land and fishing water to attract tourism based visits. Green Area represents PVRP West; bend above the star PVRP East



New Boat Ramp between New Castle and Silt



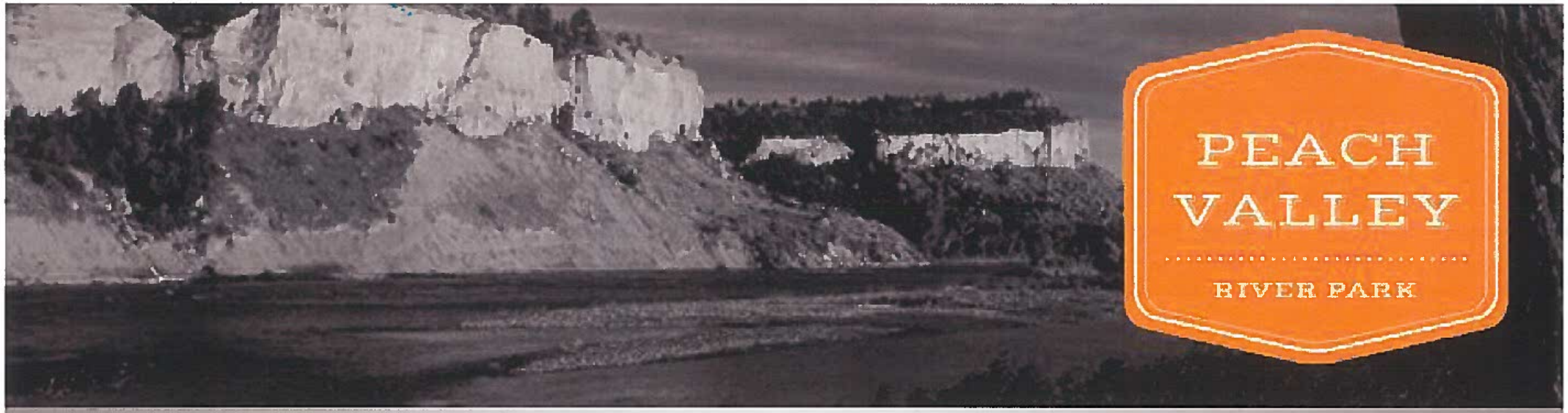




Funding: A Collective Effort to Raise $3-6 million

Funding Outreach:

- Local Municipalities
- Local Conservation
- State Wildlife and Recreation (CPW, DOW, etc)
- National Outdoor and Wildlife Agencies
- Philanthropy
- Private Investment
- Crowd Funding



Investment and Conservation Opportunities

The goal of PVRP is to secure <u>one</u> or <u>both</u> properties to increase public riverfront access and land conservation. The direction of the park shall follow the voice of those who help with funding.

Laidlaw Property = $3,000,000

$2,600,000 land
$250,000 planning and development
$150,000 operation costs

Logan Property = $3,000,000

$2,500,000 land
$250,000 planning and development
$250,000 operation costs

Investment or conservation opportunities are available at various levels. Please contact us for a complete business and financial plan. Now is the time for you to be a founder of this iconic Colorado River project.

Peach Valley River Park, LLC
3720 S. Dalia St
Denver, CO 80237
Peachvalleyriverpark@gmail.com
970-618-6972

PEACH VALLEY
RIVER PARK

Jason Segal, Managing Partner

Rebecca Segal, Assistant and Environmental Educator

Joe Lang, Event Consultant

Richard Camp, Landscape Architect

Adam Beal, Real Estate/Development

Eric Fullerton, Marketing Consultant

Memorandum

To: **Tim Cain and Dave Reynolds**

From: **Tom Baker**

Date: **November 27, 2017**

Re: **Summary of Development Workshop**

On November 21st Council invited David McConaughy and Jeff Simonson to provide Council with a summary of VCR and LCR development information: land ownership, buildout potential (residential and commercial), open space obligations and infrastructure improvement obligations.

The following documents were provided by David and Jeff. Council wanted P&Z to have these documents and, if desired, to invite these gentlemen to make the presentation to P&Z.

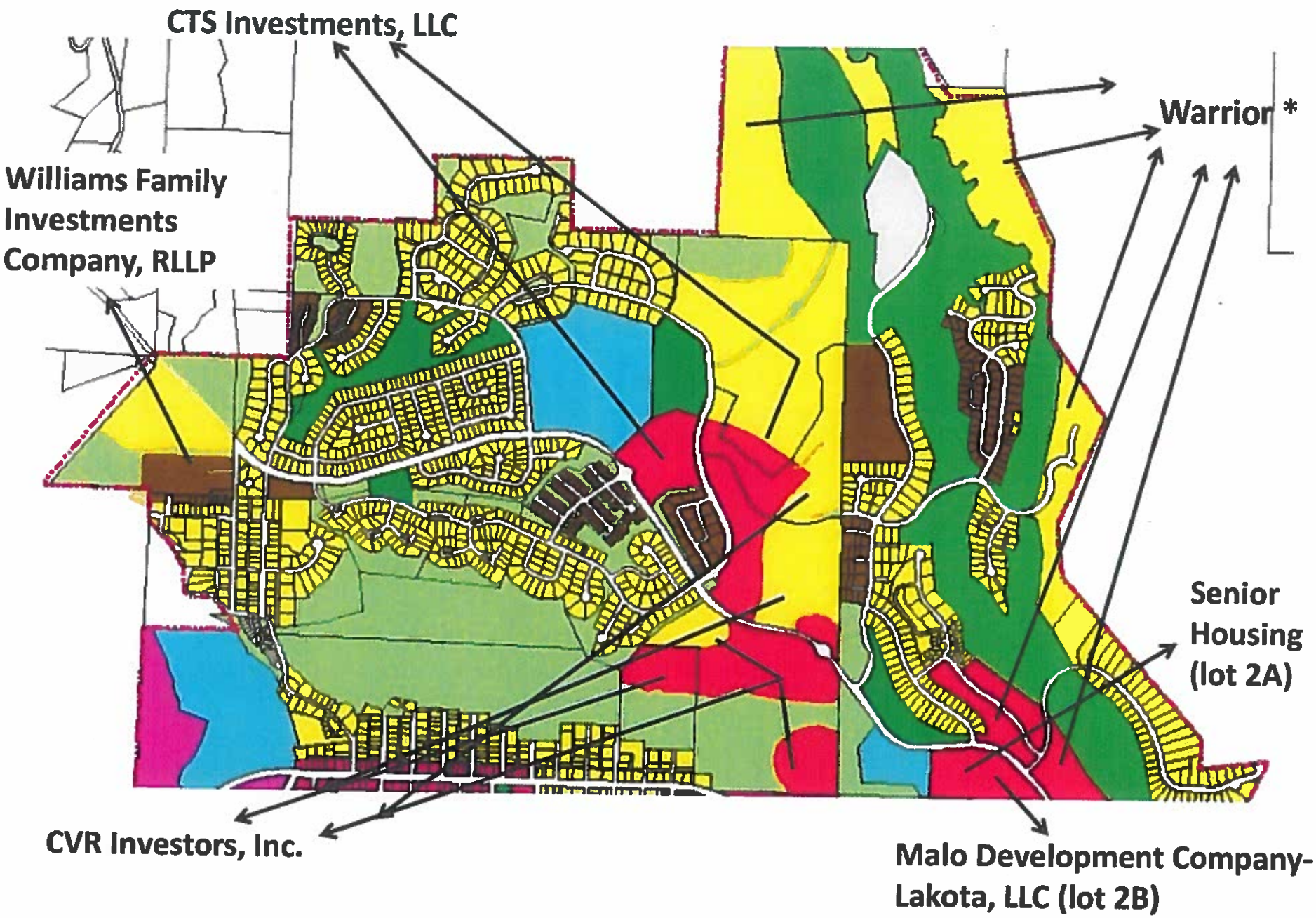
New Castle Developer Workshop

November 21, 2017

David McConaughy, Town Attorney
GARFIELD & HECHT, P.C.

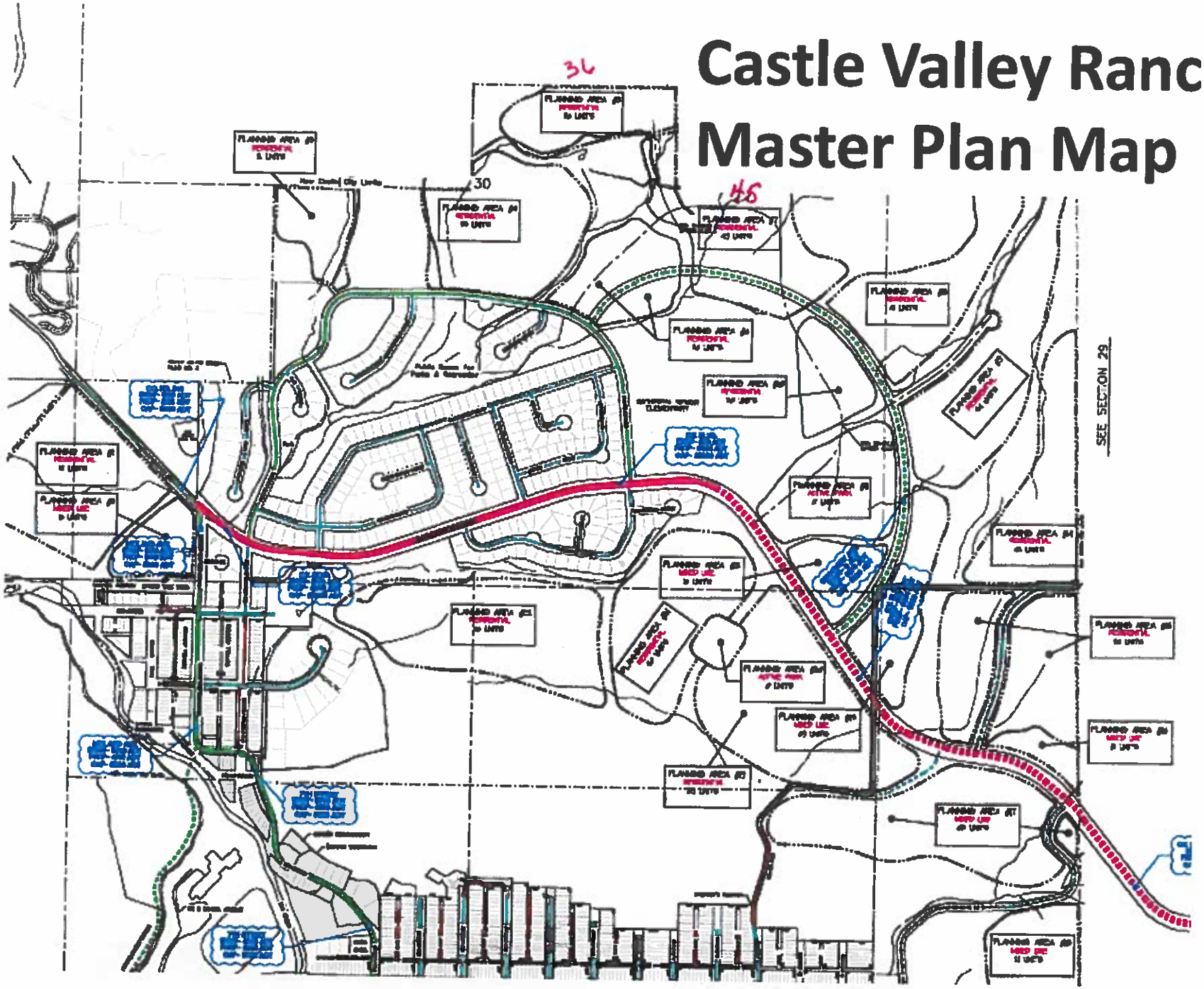
Topics Addressed

- Current owners of undeveloped parcels in Castle Valley Ranch and Lakota Canyon Ranch
- Remaining residential and commercial development allowed in CVR and LCR
- Remaining open space obligations
- Castle Valley Boulevard improvement obligations



*Includes both Warrior entities (Warrior Golf Assets, LLC & Warrior Acquisitions, LLC)

Castle Valley Ranch Master Plan Map



Platted CVR Units

Filing	Planning Area (PA)	Units	EQRs	Total Water Rights Conveyed
F1		397 units (323 SF; 50 MF; 24 Sr. Housing)	See below	See below
F2 (amended F1)	N/A	N/A	N/A	N/A
F3	PA 4 & 5	66 units (50 SF; 16 SF)	See below	See below
F4	PA 3	29 units (all SF)	See below	See below
F5	PA 6 & 7	53 units (all SF)	See below	See below
F6	PA 21A & 21B	115 units (31 SF, 84 MF)	See below	See below
Elementary School	N/A	N/A	See below	See below
Total for F1-F6 & Elementary School (including public and private irrigation)			636.67	3.5016 c.f.s.
F7A – E	PA 22, Phases 1-5	65 units (all SF)	90.98	.5003 c.f.s
F8	PA 19A & 19B	78 units (all MF)	69	.38 c.f.s
F9	PA 12	57 units (all MF)	20.88	.1149 c.f.s
F10	PA 13	17 units (all SF)	7.65	.042 c.f.s
F11*	PA 17 & 19*	62 units (53 SF; 9 MF)*	21.22*	.01167 c.f.s*
Middle School	N/A	N/A	22.4	.154 c.f.s
TOTAL		877	847.58	4.6928 c.f.s.

*It appears that the F11 plat was never recorded and the water rights allocated to F11 have not yet been dedicated, so the F11 approval is not reflected in the totals.

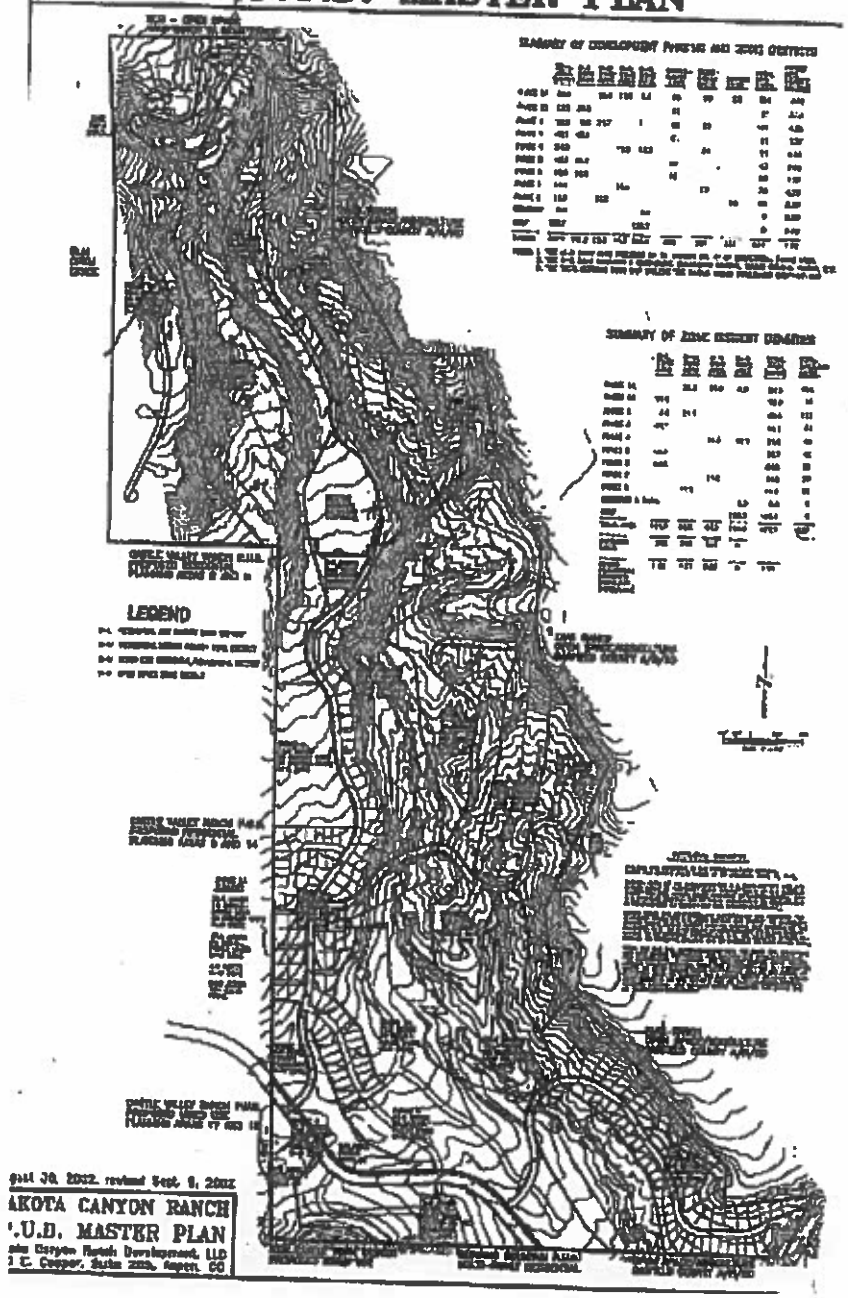
Remaining CVR Development

	Residential	Commercial	EQRs
Total allowed under PUD	1,400 units	100,000 sq. ft.	1,400
Approved to Date	877**	0 sq. ft.	847.58**
Remaining Development	**523 units**	**100,000 sq. ft.**	**531.2**

What is the town's obligation regarding

**Utility records reflect 830 "rooftops" (including 171 townhomes, senior housing, and schools) and 880.6 EQR in CVR

LAKOTA CANYON RANCH
P.U.D. MASTER PLAN



Platted LCR Units

Filing	Units	Acres
F1 (including Whitehorse)	192 units (78 SF; 26 duplex units; 88 Whitehorse units*)	84.062
F2 (Faas Road)	60 units (all SF)	28.8 (24.659 developed)
F3 (Blackhawk)	22 units (all SF)	17.869
F4 (Spur)	34 units (all SF)	10.015
F5 (Deer Valley)	72 units (38 SF, 34 MF)	16.160
F6 (Deer Valley Phase 2)	81 units (all SF)	34.714 (Remaining C3 parcel = 17.242)
F7	50 units (Sr. Housing)	2.87 (Lot 2A; Lot 2B vacant)
F8	N/A	11.8

*Whitehorse Village was approved for 90 multi-family units. Ordinance No. 2004-8 increased the zoning and density of the Village to 102 high-density, single-family units. Whitehorse Village Phase 1 was originally platted to include 30 lots, which was reduced to 29 by Ordinance No. 2008-13. Whitehorse Village Phase 2 was approved for 69 single-family homes on 69 lots, which was reduced by the Planning & Zoning Commission to 59 lots pursuant to Resolution No. PZ 2011-4. Whitehorse Village is therefore currently approved for 88 lots, 29 of which have been developed.

Remaining LCR Development

	Residential	Commercial
Total allowed under PUD Plan	827 units*	100,000 sq. ft.
Development approved to date	511	0 sq. ft.
Remaining Development	316	100,000 sq. ft.

Notes regarding remaining development:

- Density provided for in PUD plan for each phase can be adjusted by up to 10%
- To avoid the 10% cap, developers can amend the LCR PUD plan to move density from one area to another
- Increasing density in one area reduces the number of available units in the rest of Lakota
- Warrior's vested rights expire January 8, 2018

*Utility records reflect 216 "rooftops" (including 37 townhomes, the club house, recreation center, and fire station) amounting to 242.2 EQRs (9 inactive taps) in LCR

Open Space Obligations

- Castle Valley Ranch
  - 10% of each CVR plat must be dedicated as open space
  - Prior CVR developers have donated multiple parks to the Town
  - Required to pay recreation development fee at time of building permit

- Lakota Canyon Ranch
  - All parkland and open space dedication requirements satisfied
  - Remaining Park No. 2 obligations satisfied
  - Required to pay recreation development fee at time of building permit

Castle Valley Boulevard

- *Castle Valley Ranch*
  - All obligations satisfied
  - Road impact fee of $1,000/residential or equivalent commercial unit collected when LCR property and property "above" intersection of CR 245 & North Midland Avenue is subdivided
  - Impact fees collected up to $400,000 or December 31, 2020

- *Lakota Canyon Ranch*
  - Payment of traffic impact fee at time of building permit (funds held in Town account to fund future improvements)
  - No obligation to construct or contribute to funding of improvements at intersection of CVB and Clubhouse Dr.
  - CVB cost recovery complete

- *Town of New Castle*
  - construct a 3rd and 4th lane of CVB once use of CVB reaches the "D" service level (not yet occurred)
  - At the Town's discretion to determine when improvements at CVB and Hwy 6 & 24 and CVB and Clubhouse Dr. are "actually required"

Anticipated Improvements
to Accommodate Build Out of Lakota and CVR

Date: 11-21-17

Roads:

Castle Valley Boulevard will eventually need several improvements. As the Level of Service wains from it's current level of A down to D, the eventuality is that we will need to add two exterior lanes from KSE to the intersection of CVBLVD and HWY 6.

> Castle Valley Ranch has no specific obligations for construction of any of this.
> Lakota Canyon is providing a "per unit" funding.

A signal light will likely be necessary (or roundabout) at Clubhouse Drive and CVBLVD.

The roundabout improvements will be necessary at CVBLVD and HWY 6. One at that intersection and an additional one at the Walters Lane/City Market/CVBLVD intersection.

Water:

Castle Valley.. no additional needs for potable water other than continuing to build the infrastructure in support of the proposed development.

Castle Valley... new development will need to install a non-potable irrigation line from North Wildhorse, east to the Lakota Ranch Property. This will serve outside irrigation needs for the properties south of CVBLVD. New development north of CVBLVD will also need to install the non-potable irrigation line to support future development.

In order to accommodate the new non-potable water system, two projects need to be implemented. The first is the pond and pump station north of North Wildhorse and south of the current pond (end of Red Rock Ditch). The second is piping the remainder of the Red Rock Ditch to capture the 1 ½ cfs of the 3 cfs that we divert. (We currently lose 1 ½ cfs to seepage, theft and outright lack of capacity).

Lakota will not be able to subdivide any more units above the cemetery without dedication and construction of a tank.

If master plan densities are not exceeded in either CVR or Lakota and the non-potable irrigation system is constructed, the water plant will have adequate capacity for build out. Any development further up Elk Creek or east of Lakota and City Market will require both Legal and Physical water to support.

Sewer:

Castle Valley... no additional needs for sewer other than constructing sewer down the old "C" Avenue route to tie into the North Alley Sewer Main.

Lakota will tip the capacity on the South Town Intercept. Thus prior to development reaching 85% capacity the design of additional capacity needs to be completed. In 2007, instantaneous flow measurement on the South Town reached 60% capacity. No recent measurements have been performed... however planning for funding of at least design should ensue.

Development of both Lakota and CVR will ultimately trip the capacity of the WWTP (it is already 7 years old) to require additional capacity be constructed. This would be another clarifier, duplicative Kaldness basins and expanded outlet works. A capacity analysis of where we are at now would be helpful. Last check was that we were bouncing between 40-50 percent of capacity.

November 29, 2017

To: Planning and Zoning Commission

At the request of Tim Cain who has headed up the New Castle signage program, attached please find the recommendation of the Branding and Marketing Group.

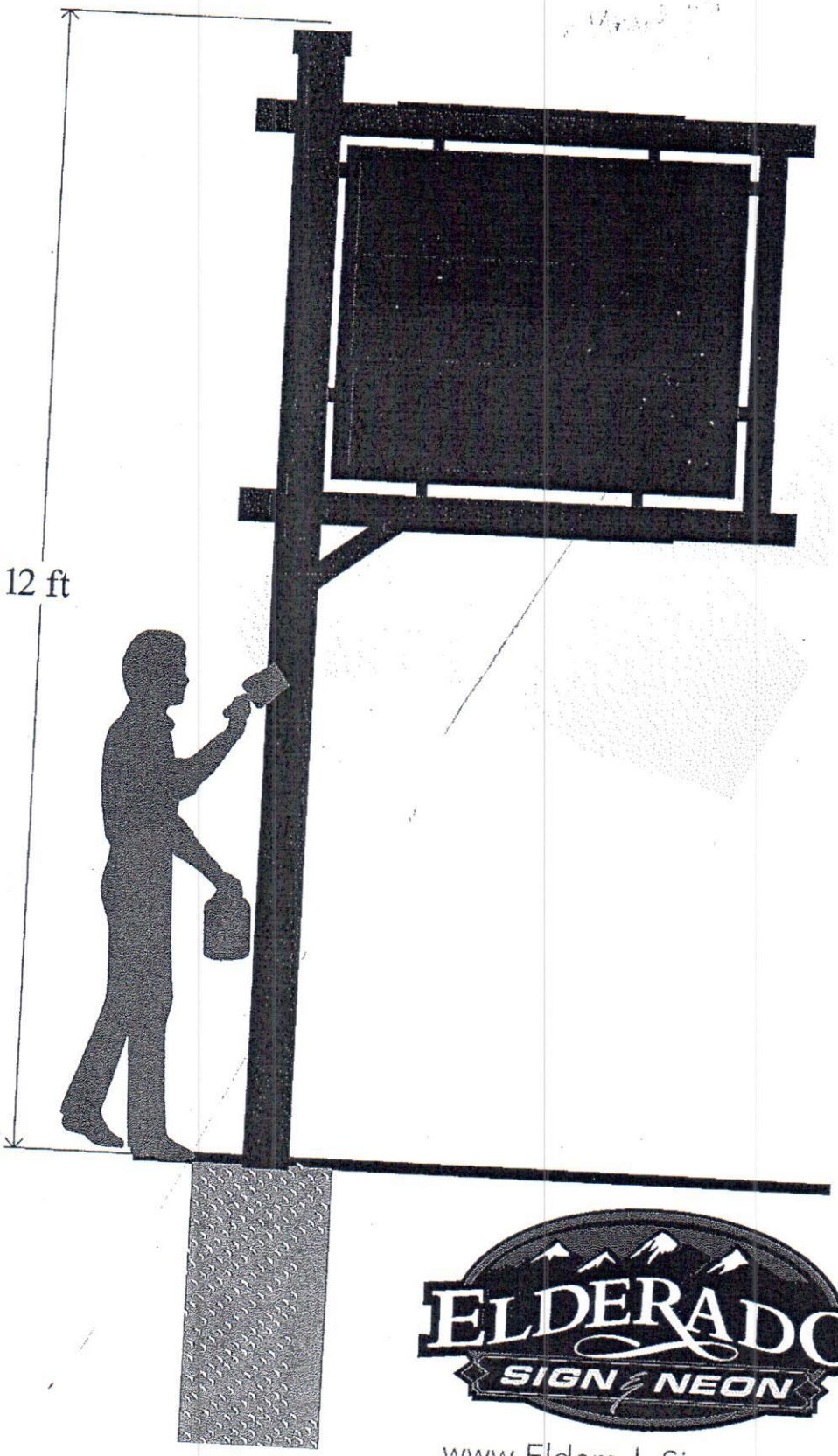
With regard to the wood structure, the only suggestion from the Group is could the structure be similar to the existing Museum on the Street sign structures. In addition, suggested wording for the three signs is attached.

Jerry Touslee

Bronwyn Rittner

Lauren Roper

Susane Ruggles

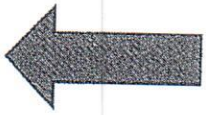


ELDERADO
SIGN & NEON

www.ElderadoSigns.com

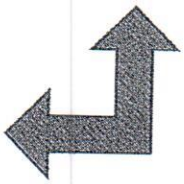
Sign A:

Traveling north towards Route 6 before intersection:



DOWNTOWN

New Castle



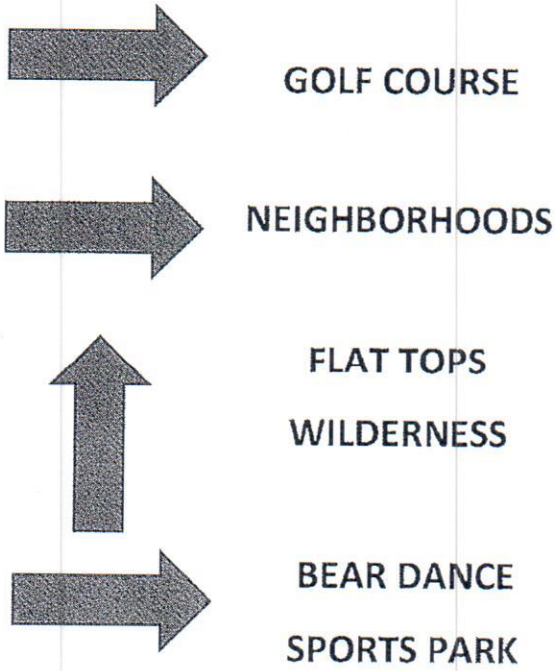
RESTAURANTS

SHOPS

TRAILS

Sign B:

Traveling west on Route 6 before intersection near yield sign to go right on Castle Valley Boulevard.



Sign C:

Going west on Route 6 thru intersection just before driveway up to McDonalds on your right.

LIBRARY

TOWN HALL

VISITOR'S CENTER

Sign A

WEST
EAST
6
6
Sign A

Sign A - Replace
STOP

WEST
EAST
6
6
SignA

Sign B

Alpine Bank
Sign B

STOP
ALL WAY
YIELD
Kum & Go
Sign B

RIGHT LANE
MUST
TURN RIGHT
Sign C →

conoco
Sign C

45'
45'
Sign C
CONOCO

Sign C
45'
45
STOP

NEW CASTLE
DOWNTOWN
New Castle
RESTAURANTS
SHOPS
TRAILS
AUTHENTICALLY COLORADO
12 ft
ELDERADO
SIGN & NEON
www.ElderadoSigns.com

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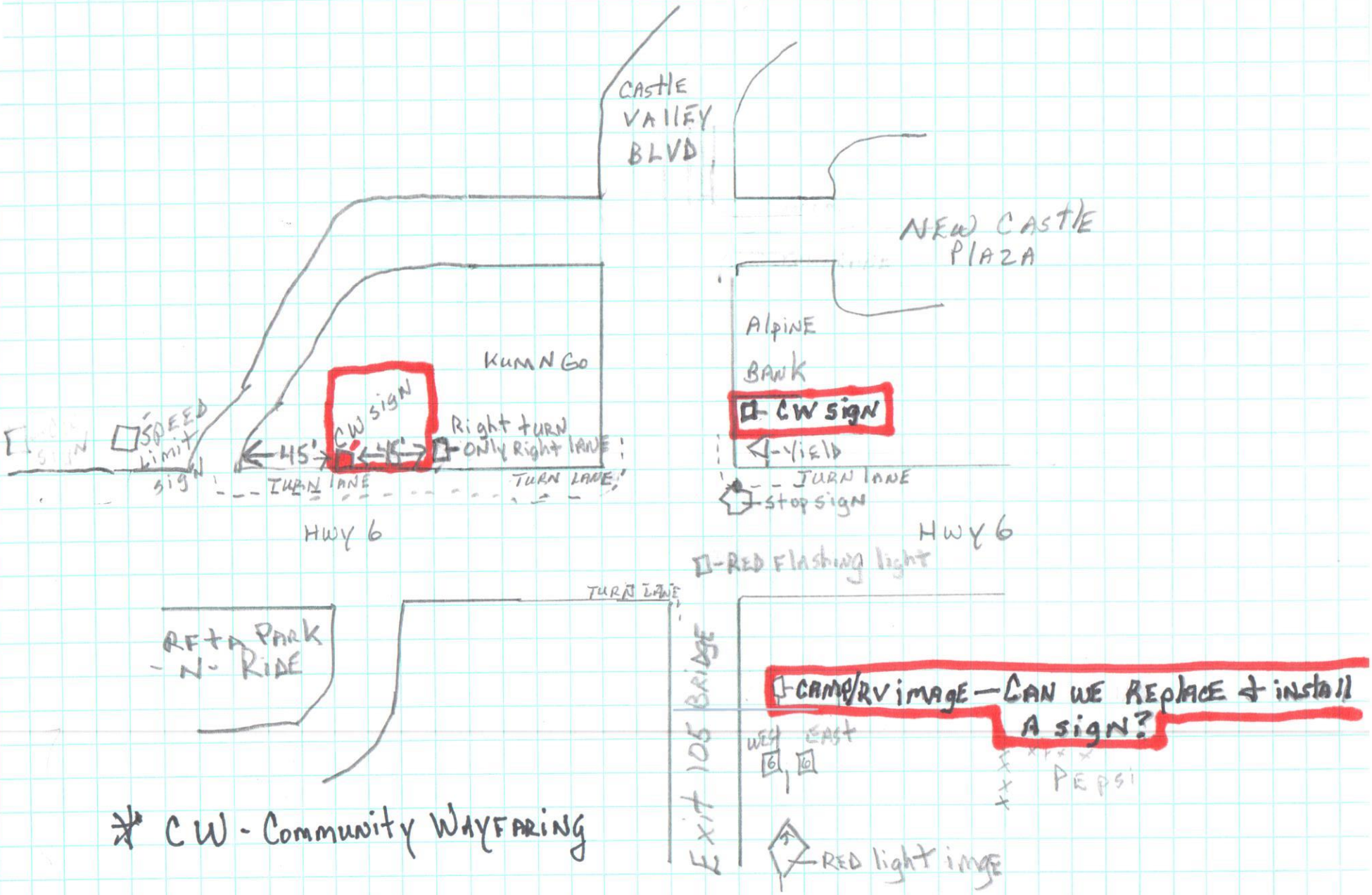
www.ElderadoSigns.com

ELDERADO SIGN & NEON

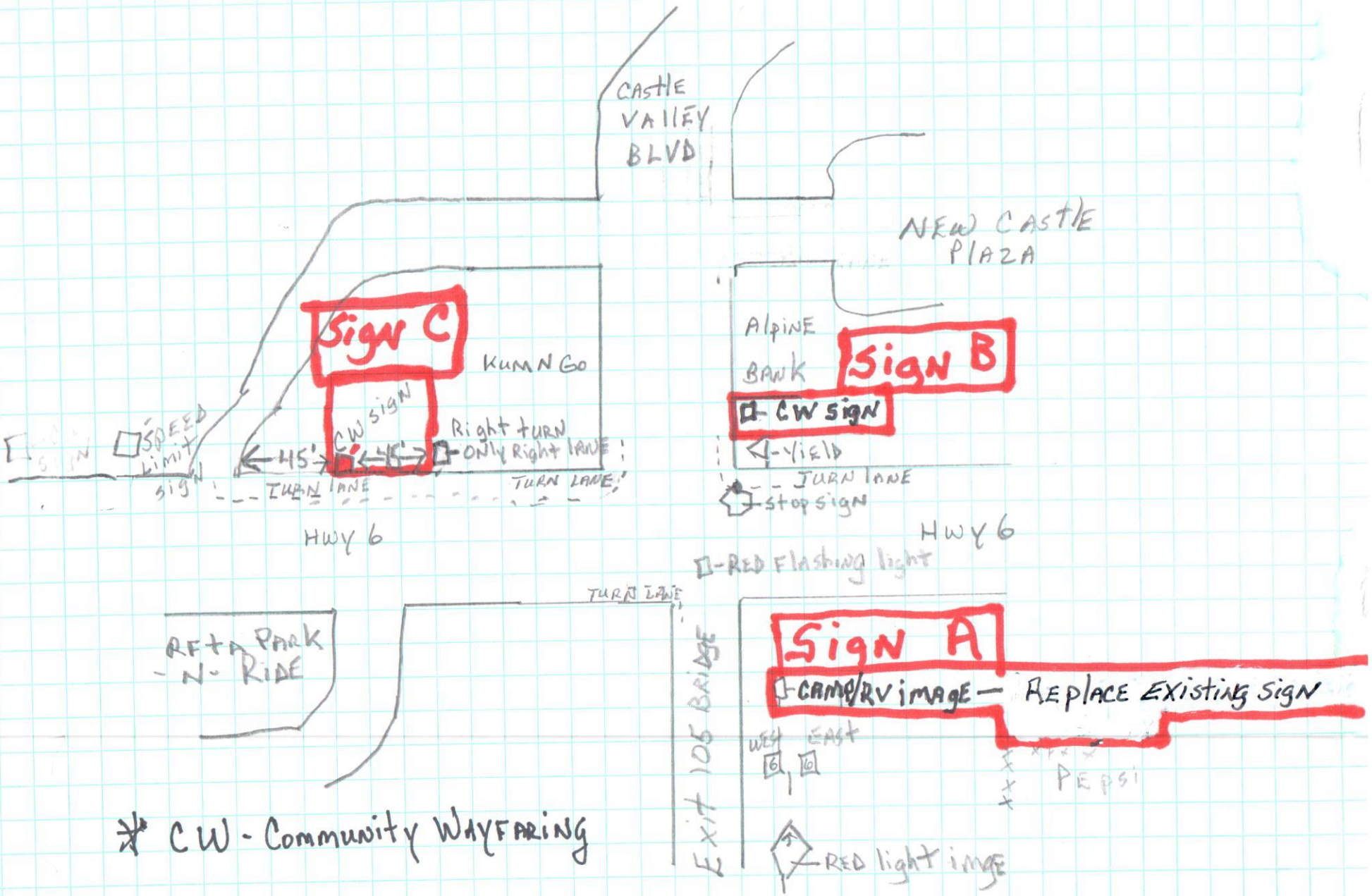
www.ElderadoSigns.com

CDOT Community Wayfaring Signs
PRELIMINARY



* CW - Community Wayfaring

CDOT Community Wayfaring Signs
PRELIMINARY



* CW - Community Wayfaring

2018 Peach Valley River Park Festival (May/June 2018) Administrative Review

Submitted to Garfield County BOCC

Table of Contents

1. General Application Materials (4-203.B)
2. Vicinity map (4-203.C)
3. Site Plan and Survey(4-203.D)
4. Grading and Drainage Plan (4-203.E)
5. Landscape Plan (4-203.F)
6. Impact Analysis (4-203.G)
7. Development Agreement (4-203.J)
8. Improvements Agreement (4-203.K)
9. Traffic Waiver Request and additional information (4-203.L)
10. Water Supply Plan (4-203.M)
11. Wastewater Plan (4-203.N)
12. Article 7 Standards Divisions 1,2 and 3 County LUDC
13. Additional Event Mitigation Information PVRP 2018
14. Letters of Support
    a. Marianne Virgili, GWS Chamber President and CEO
    b. Michael Shook, local publisher, river guide and industry expert
15. Supporting Full Size Documents:
    a. Event Site Plan and Road Grade Diagram
    b. Parcel Survey
16. NTC full submittal letter (info was added to pertinent sections)
17. Soils Map (as supplied by Garfield County)

LAND USE CHANGE PERMIT APPLICATION FORM SIGNED PDF

Garfield County

Community Development Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601
(970) 945-8212
www.garfield-county.com

LAND USE CHANGE PERMIT APPLICATION FORM

TYPE OF APPLICATION

■ Administrative Review	☐ Development in 100-Year Floodplain
☐ Limited Impact Review	☐ Development in 100-Year Floodplain Variance
☐ Major Impact Review	☐ Code Text Amendment
☐ Amendments to an Approved LUCP ☐ LIR ☐ MIR ☐ SUP	☐ Rezoning ☐ Zone District ☐ PUD ☐ PUD Amendment
☐ Minor Temporary Housing Facility	☐ Administrative Interpretation
☐ Vacation of a County Road/Public ROW	☐ Appeal of Administrative Interpretation
☐ Location and Extent Review	☐ Areas and Activities of State Interest
☐ Comprehensive Plan Amendment	☐ Accommodation Pursuant to Fair Housing Act
☐ Pipeline Development	☐ Variance
☐ Time Extension (also check type of original application)	

INVOLVED PARTIES

Owner/Applicant

Name: Tom and Naomi Laidlaw Phone: (970) 379-4355

Mailing Address: 234 County Rd 236

City: Silt State: CO Zip Code: 81652

E-mail: h2olandman@gmail.com

Representative (Authorization Required)

Name: Jason Jacob Segal Phone: (970) 618-6972

Mailing Address: 73 Cherry Lane

City: Basalt State: CO Zip Code: 81621

E-mail: segaldevelopment@gmail.com

PROJECT NAME AND LOCATION

Project Name:
Peach Valley River Park

Assessor's Parcel Number: 2181 - 053 - 00 - 294

Physical/Street Address: TBD River Frontage Road New Castle, CO

Legal Description: Quarter:SW Section: 3 Township:5 Range: 91 A Parcel in SW Lying Southerly of I-70

Zone District: Property Size (acres): 79 Acres

PROJECT DESCRIPTION

Existing Use: Agriculture, fishing, fowl hunting

Proposed Use (From Use Table 3-403): Assembly Community Gathering Place

Description of Project: Peach Valley River Park, LLC shall provide a plan for gatherings of over 250 people for recreation and entertainment. Such gatherings shall be planned in times of economic need (spring and fall) and shall allow the property to remain open for recreation and public enjoyment the remainder of the year.

REQUEST FOR WAIVERS

Submission Requirements

☐ The Applicant requesting a Waiver of Submission Requirements per Section 4-202. List:

Section: _____ Section: _____

Section: _____ Section: _____

Waiver of Standards

☐ The Applicant is requesting a Waiver of Standards per Section 4-118. List:

Section: _____ Section: _____

Section: _____ Section: _____

I have read the statements above and have provided the required attached information which is correct and accurate to the best of my knowledge.

9-26-17

Signature of Property Owner **Date**

OFFICIAL USE ONLY

File Number: ___ ___ ___ - ___ ___ ___ ___ **Fee Paid: $**_____

OVERVIEW

Peach Valley River Park LLC (PVRP) and its managing partners plan to open a new open space park for the community this year. Our parcel per Garfield County Zoning has by-right use in the rural zone district to allow 79 acres of land on the Colorado River to serve as a park. The park shall serve as a low--traffic fishing and nature park with a focus on wildlife. Peach Valley River Park would contain the only public riparian and river access river north between New Castle and Rifle, nearly 15 miles.

This application requests an administrative review for a temporary Public Gathering space over two back-to-back weekends in May/June 2018. This approval allows the park a revenue stream amd the opportunity to serve the public as stated. We have decided to eliminate ability for the parcel to operate year round as a commercial Community Meeting Facility. Such ongoing meeting facility would be best served as a future PUD, addressing ongoing traffic, utilities and facilities issues. We have researched the Garfield County Conservation Development Process and feel it could lead the property to more amenities down the road.

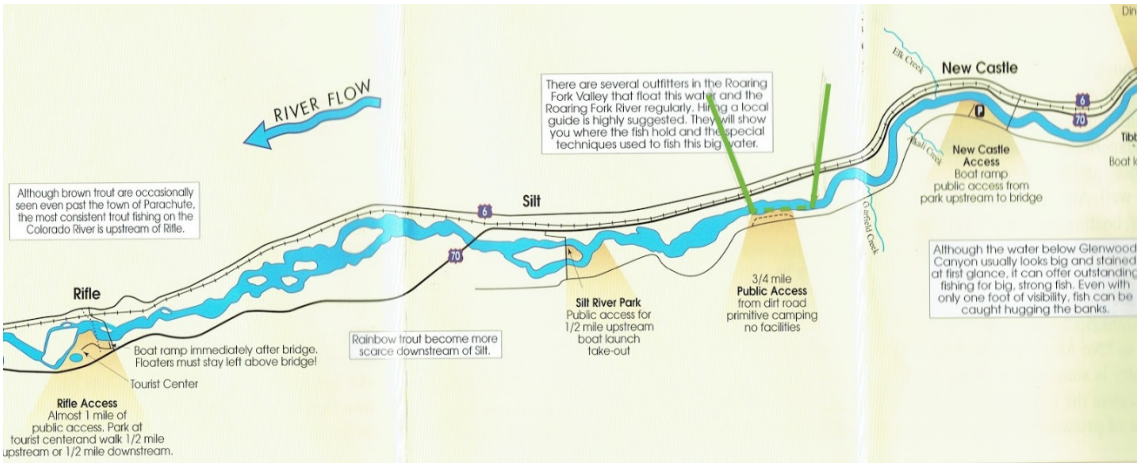
PVRP has reached out to referral agencies in order to mitigate the temporary event impacts. Our Public Gathering use outlined in this application has been presented to the requested agencies with primarily positive feedback on logistics and planning. The Colorado State Patrol has been added to the referral list by our planners as a vital part of traffic control. Their input and assistance with travel and traffic will be instrumental with a successful event plan and limiting impacts to neighbors. The weekend event schedule would consist of an abundance of public transportation options from Rifle to Glenwood Springs.

The 79-acre property is located on the river frontage road 3.5 miles west of New Castle and 3.5 miles east of Silt. Access to the site is accomplished by road on HWY 6 along with the river frontage road to Silt. A great asset to the site is the ability to travel from both Silt and New Castle without having to use I-70. This creates easy and safe logistics for getting people to the park and shuttles for events. Roads to and from the park are cycle-friendly with a larger-than-typical shoulder. The property sits just one mile and a river crossing from the proposed LOVA trail, which would make travel by cycle in the area substantially better for all if completed.

PVRP is looking to gain special event approvals for a 14-day period (two back-to-back weekends in May/June 2018) for gatherings of around 2-3,000 attendees. The Park, along with neighboring communities, farm lands and Coal Ridge High School offer plenty of infrastructure for parking, temporary camping and amenities for a festival many times this size.

Our plan is to use the shoulder seasons of May/early June or late September/October in order to drive the local economies in what is a typically slow period. This time of year utilizes the site's warm temperatures in Spring and Fall as a lure from those in colder mountain locations. Local business people have applauded the idea outside of the heart of summer. Events would be geared toward the daytime hours, finishing by 9pm, allowing the surrounding towns to

benefit from an “after dark” town scene.



*Excerpt from Shook Publishing Coloroado River guide highlighting public access, fishing and boating opportunities. No current legal access on the North side of the CO River from New Castle to Rifle. The shaded areas to the South of the CO River represent 4 public use areas. The green lines represent Peach Valley River Park, potentially the only to the North.

Garfield County Comprehensive Plan 2030
Peach Valley River Park Planning Analysis

The applicants have reviewed the Garfield Comprehensive Plan and understand the direction it is leading for the community. Our future use as a park falls squarely in the comprehensive plan guidelines and follows the direction of the Garfield County Community Development, economic and tourism goals.

In Chapter One page 12 "Overview", the second paragraph states:
"The county generally benefits significantly from a large natural resource industry in terms of jobs as well as a significant property tax base. The underlying economy of tourism services, government, regional retail and health care make this a truly diverse economy."

Also in the 2030 Comp Plan Chapter 3 page 51 in regards to Strategies and Actions, the document states:
"5.Where appropriate, encourage diverse tourism related development in order to sustain it as an economic and employment base in Garfield County."

The 2008 Garfield County Community Survey was the driving force of community input for the Comp. Plan. Preservation or creation of riverfront and open space was consistently high on the lists of resident priority regarding land and the local economy.

The emergence of new water and natural resources for public use is consistent with much of the Garfield County Comp. Plan 2030 direction. How shall an economy exist if the natural resources it is promoting are not available for public or tourism traffic? We hope PVRP can assist in making Garfield County premier river destination.

Ownership Documentation:
DEED

Reception#: 627487
11/26/2012 11:20:28 AM, Jean, Dixon
1 of 3 Rec Fee $21.00 Doc Fee:0.00 GARFIELD COUNTY CO

BARGAIN AND SALE DEED

KNOW ALL BY THESE PRESENTS, Tom F. Laidlaw (a.k.a. Tom Laidlaw) of the County of Garfield and State of Colorado, for the consideration of Ten Dollars and other good and valuable consideration, hereby sells and conveys to Tom F. Laidlaw (a.k.a. Tom Laidlaw) and Naomi M. Laidlaw, as joint tenants, whose legal address is 234 County Road 236, Silt, Colorado 81652, the following real property, situate in the County of Garfield, State of Colorado, to wit:

Exhibit A

Together with all of their appurtenances.

Dated this 21 day of ~~September~~ November, 2012.

Tom F Laidlaw
TOM F. LAIDLAW

STATE OF Colorado)
) ss
COUNTY OF Garfield)

Subscribed and sworn to before me this 21 day of ~~September~~ November, 2012, by Tom F. Laidlaw.

My Commission Expires: 11-30-15

Heidi Zabloudil
Notary Public

HEIDI ZABLOUDIL
NOTARY PUBLIC
STATE OF COLORADO
My Commission Expires 11-30-15

Back

3

Reception#: 827437
11/26/2012 11:28:28 AM Jean Alberico
2 of 3 Rec Fee:$21.00 Doc Fee:0.00 GARFIELD COUNTY CO

EXHIBIT A

That portion of the property described below which is located south of Interstate Highway 70:

THAT PART OF THE FOLLOWING DESCRIBED PROPERTY LYING SOUTHERLY OF GARFIELD COUNTY ROAD NO. 214:

SW1/4 NW1/4 AND SW1/4, SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M.;

EXCEPTING THEREFROM THOSE PARCELS OF LAND DESCRIBED IN DEED RECORDED IN BOOK 262 AT PAGE 393 AS RECEPTION NO. 178141, DEED RECORDED IN BOOK 682 AT PAGE 571 AS RECEPTION NO. 368335, DEED RECORDED IN BOOK 955 AT PAGE 22 AS RECEPTION NO. 483945 AND RULE AND ORDER RECORDED APRIL 30, 1973, IN BOOK 443 AT PAGE 465 AS RECEPTION NO. 258008, ALL OF SAID GARFIELD COUNTY RECORDS;

AND EXPRESSLY EXCLUDING AND EXCEPTING THEREFROM ALL OF THE GRANTOR'S INTEREST IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M., GARFIELD COUNTY, COLORADO INCLUDING THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT PART OF THE NW1/4 SE1/4 LYING SOUTH OF THE RIGHT OF WAY OF INTERSTATE HIGHWAY I-70, THE WEST 500 FEET OF LOT 9, EXCEPT THE NORTH 20 FEET THEREOF; W1/2 OF LOT 8; AND THE E1/2 OF THE EAST 1300 FEET OF LOT 8, ALL IN SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M.

COUNTY OF GARFIELD, STATE OF COLORADO.

Which property is more specifically surveyed and described as PARCEL C ON THE IMPROVEMENT SURVEY PLAT PREPARED BY HIGH COUNTRY ENGINEERING DATED DECEMBER 3, 2009:

A PARCEL OF LAND SITUATED IN THE SW1/4 OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M., COUNTY OF GARFIELD, STATE OF COLORADO; LYING SOUTHERLY OF INTERSTATE 70 MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE WEST QUARTER CORNER OF SECTION 5, A 3-1/4" ALUMINUM CAP L.S. NO. 13501 FOUND IN PLACE; THENCE S00°58'50"E ALONG THE WESTERLY BOUNDARY OF SAID SECTION 5 A DISTANCE OF 1666.26 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF INTERSTATE 70, THE POINT OF BEGINNING; THENCE LEAVING SAID WESTERLY BOUNDARY N77°03'04"E ALONG

Reception#: 827437
11/26/2012 11:29:28 AM, Jean Alberico
3 of 3 Rec Fee $21.00 Doc Fee:0.00 GARFIELD COUNTY CO

SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 2700.08 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE SW1/4 OF SAID SECTION 5; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY S00°46'45"E ALONG SAID EASTERLY BOUNDARY A DISTANCE OF 1524.77 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 5 (WHENCE THE WITNESS CORNER, A 3-1/4" BLM ALUMINUM CAP FOUND IN PLACE BEARS S00°22'29"E A DISTANCE OF 461.34 FEET); THENCE S89°17'07"W ALONG THE SOUTHERLY BOUNDARY OF SECTION 5 A DISTANCE OF 2636.04 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 5 (WHENCE THE MEANDER CORNER, A 3-1/4" BLM BRASS CAP FOUND IN PLACE BEARS S00°11'05"W A DISTANCE OF 253.52 FEET); THENCE N00°58'50"W ALONG THE WESTERLY BOUNDARY OF SAID SECTION 5 A DISTANCE OF 952.62 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 75.018 ACRES MORE OR LESS.

Ownership Documentation:
Title Commitment-

Land Title
GUARANTEE COMPANY
Since 1967

PREVENT FRAUD - Please remember to call a member of our closing team when initiating a wire transfer or providing wiring instructions.

Land Title Guarantee Company

Customer Distribution

Our Order Number: ABS63011385-2

Date: 09-21-2017

Property Address: TBD RIVER FRONTAGE, NEW CASTLE, CO 81647

For Closing Assistance
Kimberly Parham
533 E HOPKINS #102
ASPEN, CO 81611
970-925-1678 (phone)
303-393-4870 (fax)
kparham@ltgc.com
Company License: CO44565
Contact License: CO414945

Closer's Assistant
NIKKI DURRETT
533 E HOPKINS #102
ASPEN, CO 81611
970-925-1678 (phone)
800-318-8202 (fax)
ndurrett@ltgc.com

For Title Assistance
SUSAN MOYA
2454 PATTERSON RD #100
GRAND JUNCTION, CO 81505
970-248-3883 (phone)
970-241-1593 (fax)
smoya@ltgc.com

PLEASE CONTACT YOUR CLOSER OR CLOSER'S ASSISTANT FOR WIRE TRANSFER INSTRUCTIONS

Buyer/Borrower
Attention: LIGHTHOUSE ADVISERS LLC
Delivered via: Delivered by Realtor

Agent for Buyer
LIGHTHOUSE ADVISERS LLC
Attention: ADAM BEAL
adam@lhadvisers.com
Delivered via: Electronic Mail

Seller/Owner
TOM F LAIDLAW
Attention: NAOMI LAIDLAW
tnlaidlaw@yahoo.com; nlaidlaw@garfield16.org
Delivered via: Electronic Mail

Buyer/Borrower
SEGAL DEVLOPMENT GROUP LLC
Attention: JASON SEGAL
segaldevelopment@gmail.com
Delivered via: Electronic Mail

Agent for Seller
BULLOCK & HINKEY REAL ESTATE LTD
Attention: WILLIAM BULLOCK
h2olandman@gmail.com
Delivered via: Electronic Mail

Agent for Seller
ASPEN SNOWMASS SOTHEBY'S INTERNATIONAL REALTY
Attention: CARLA VAN ALSTYNE
PO BOX 5000
50 SNOWMASS VILLAGE MALL
SNOWMASS VILLAGE, CO 81615
970-923-3300 (work)
970-923-2550 (work fax)
carla.vanalstyne@sothebysrealty.com
Delivered via: Electronic Mail

Land Title Guarantee Company

Estimate of Title Fees

Order Number: ABS63011385-2 Date: 09-21-2017

Property Address: TBD RIVER FRONTAGE, NEW CASTLE, CO 81647

Buyer/Borrower: SEGAL DEVELOPMENT GROUP LLC, A COLORADO LIMITED LIABILITY COMPANY AND LIGHTHOUSE ADVISERS LLC, CLLC

Seller: TOM F. LAIDLAW (A.K.A TOM LAIDLAW) AND NAOMI M. LAIDLAW

Visit Land Title's website at www.ltgc.com for directions to any of our offices.

Estimate of Title Insurance Fees	
ALTA Owners Policy 06-17-06	$4,469.00
Deletion of Standard Exception(s)	$100.00
Tax Certificate	$26.00
If Land Title Guarantee Company will be closing this transaction, the fees listed above will be collected at closing.	
Total	$4,595.00
THANK YOU FOR YOUR ORDER!	

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABS63011385-2

Customer Ref-Loan No.:

Property Address:

TBD RIVER FRONTAGE, NEW CASTLE, CO 81647

1. **Effective Date:**

   08-23-2017 At 05:00:00

2. **Policy to be Issued and Proposed Insured:**

   "ALTA" Owner's Policy 06-17-06 $2,500,000.00
   Proposed Insured:
   SEGAL DEVELOPMENT GROUP LLC, A
   COLORADO LIMITED LIABILITY COMPANY AND
   LIGHTHOUSE ADVISERS LLC, CLLC

3. **The estate or interest in the land described or referred to in this Commitment and covered herein is:**

   A FEE SIMPLE

4. **Title to the estate or interest covered herein is at the effective date hereof vested in:**

   TOM F. LAIDLAW (A.K.A TOM LAIDLAW) AND NAOMI M. LAIDLAW

5. **The Land referred to in this Commitment is described as follows:**

   THAT PART OF THE FOLLOWING DESCRIBED PROPERTY LYING SOUTHERLY OF GARFIELD COUNTY ROAD NO. 214:

   SW1/4 NW1/4 AND SW1/4, SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M.;

   EXCEPTING THEREFROM THOSE PARCELS OF LAND DESCRIBED IN DEED RECORDED IN BOOK 262 AT PAGE 393 AS RECEPTION NO. 178141, DEED RECORDED IN BOOK 682 AT PAGE 571 AS RECEPTION NO. 368335, DEED RECORDED IN BOOK 955 AT PAGE 22 AS RECEPTION NO. 483945 AND RULE AND ORDER RECORDED APRIL 30, 1973, IN BOOK 443 AT PAGE 465 AS RECEPTION NO. 258008, ALL OF SAID GARFIELD COUNTY RECORDS;

   AND EXPRESSLY EXCLUDING AND EXCEPTING THEREFROM ALL OF THE GRANTOR'S INTEREST IN THE SOUTHEAST 1/4 OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M., GARFIELD COUNTY, COLORADO INCLUDING THE FOLLOWING DESCRIBED PROPERTY:

   ALL THAT PART OF THE NW1/4 SE1/4 LYING SOUTH OF THE RIGHT OF WAY OF INTERSTATE HIGHWAY I-70, THE WEST 500 FEET OF LOT 9, EXCEPT THE NORTH 20 FEET THEREOF; W1/2 OF LOT 8; AND THE E1/2 OF THE EAST 1300 FEET OF LOT 8, ALL IN SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M.

   COUNTY OF GARFIELD, STATE OF COLORADO.

   WHICH PROPERTY IS MORE SPECIFICALLY DESCRIBED AS:

   A PARCEL OF LAND SITUATED IN THE SW1/4 OF SECTION 5, TOWNSHIP 6 SOUTH, RANGE 91 WEST OF THE 6TH P.M., COUNTY OF GARFIELD, STATE OF COLORADO; LYING SOUTHERLY OF INTERSTATE 70

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule A

Order Number: ABS63011385-2

Customer Ref-Loan No.:

MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE WEST QUARTER CORNER OF SECTION 5, A 3-1/4" ALUMINUM CAP L.S. NO. 13501 FOUND IN PLACE; THENCE S00°58'50"E ALONG THE WESTERLY BOUNDARY OF SAID SECTION 5 A DISTANCE OF 1666.26 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF INTERSTATE 70, THE POINT OF BEGINNING; THENCE LEAVING SAID WESTERLY BOUNDARY N77°03'04"E ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 2700.08 FEET TO A POINT ON THE EASTERLY BOUNDARY OF THE SW1/4 OF SAID SECTION 5; THENCE LEAVING SAID SOUTHERLY RIGHT-OF-WAY S00°46'45"E ALONG SAID EASTERLY BOUNDARY A DISTANCE OF 1524.77 FEET TO THE SOUTH ONE-QUARTER CORNER OF SAID SECTION 5 (WHENCE THE WITNESS CORNER, A 3-1/4" BLM ALUMINUM CAP FOUND IN PLACE BEARS S00°22'29"E A DISTANCE OF 461.34 FEET); THENCE S89°17'07"W ALONG THE SOUTHERLY BOUNDARY OF SECTION 5 A DISTANCE OF 2636.04 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 5 (WHENCE THE MEANDER CORNER, A 3-1/4" BLM BRASS CAP FOUND IN PLACE BEARS S00°11'05"W A DISTANCE OF 253.52 FEET); THENCE N00°58'50"W ALONG THE WESTERLY BOUNDARY OF SAID SECTION 5 A DISTANCE OF 952.62 FEET TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

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ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B-1

(Requirements)

Order Number: ABS63011385-2

The following are the requirements to be complied with:

Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

1. PROVIDE LAND TITLE GUARANTEE COMPANY WITH A CURRENT IMPROVEMENT SURVEY PLAT OF SUBJECT PROPERTY. UPON REVIEW, ADDITIONAL REQUIREMENTS AND/OR EXCEPTIONS MAY BE NECESSARY.

   LAND TITLE IS NOT RESPONSIBLE FOR ORDERING SAID IMPROVEMENT SURVEY PLAT.

   SAID SURVEY MUST BE CERTIFIED TO LAND TITLE GUARANTEE COMPANY AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY .

   MODIFICATION AGREEMENT IN CONNECTION WITH SAID DEED OF TRUST WAS RECORDED MAY 06, 2014 UNDER RECEPTION NO. 848887.

2. RELEASE OF DEED OF TRUST DATED JULY 12, 2010 FROM TOM F. LAIDLAW, A/K/A TOM LAIDLAW TO THE PUBLIC TRUSTEE OF GARFIELD COUNTY FOR THE USE OF FARM CREDIT SERVICES OF THE MOUNTAIN PLAINS TO SECURE THE SUM OF $150,000.00 RECORDED JULY 16, 2010, UNDER RECEPTION NO. 788726.

3. RELEASE OF LIEN AS EVIDENCED BY THE STATEMENT OF WARE & HINES DITCH ASSOCIATION IN THE AMOUNT OF $639.55 RECORDED FEBRUARY 08, 2012, UNDER RECEPTION NO. 814312.

4. A FULL COPY OF THE FULLY EXECUTED OPERATING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR SEGAL DEVELOPMENT GROUP, LLC MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

   NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

5. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF SEGAL DEVELOPMENT GROUP, LLC AS A LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

   NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

6. A FULL COPY OF THE FULLY EXECUTED OPERATING AGREEMENT AND ANY AND ALL AMENDMENTS THERETO FOR LIGHTHOUSE ADVISORS, LLC MUST BE FURNISHED TO LAND TITLE GUARANTEE COMPANY. SAID AGREEMENT MUST DISCLOSE WHO MAY CONVEY, ACQUIRE, ENCUMBER, LEASE OR OTHERWISE DEAL WITH INTERESTS IN REAL PROPERTY FOR SAID ENTITY.

ALTA COMMITMENT
Old Republic National Title Insurance Company
Schedule B-1

(Requirements)

Order Number: ABS63011385-2

The following are the requirements to be complied with:

NOTE: ADDITIONAL REQUIREMENTS MAY BE NECESSARY UPON REVIEW OF THIS DOCUMENTATION.

7. DULY EXECUTED AND ACKNOWLEDGED STATEMENT OF AUTHORITY SETTING FORTH THE NAME OF LIGHTHOUSE ADVISORS, LLC AS A LIMITED LIABILITY COMPANY. THE STATEMENT OF AUTHORITY MUST STATE UNDER WHICH LAWS THE ENTITY WAS CREATED, THE MAILING ADDRESS OF THE ENTITY, AND THE NAME AND POSITION OF THE PERSON(S) AUTHORIZED TO EXECUTE INSTRUMENTS CONVEYING, ENCUMBERING, OR OTHERWISE AFFECTING TITLE TO REAL PROPERTY ON BEHALF OF THE ENTITY AND OTHERWISE COMPLYING WITH THE PROVISIONS OF SECTION 38-30-172, CRS.

   NOTE: THE STATEMENT OF AUTHORITY MUST BE RECORDED WITH THE CLERK AND RECORDER.

8. SPECIAL WARRANTY DEED FROM TOM F. LAIDLAW (A.K.A TOM LAIDLAW) AND NAOMI M. LAIDLAW TO SEGAL DEVELOPMENT GROUP LLC, A COLORADO LIMITED LIABILITY COMPANY AND LIGHTHOUSE ADVISERS LLC, CLLC CONVEYING SUBJECT PROPERTY.

   NOTE: ITEMS 1-3 OF THE STANDARD EXCEPTIONS WILL BE DELETED FROM THE OWNER'S POLICY UPON RECEIPT OF AN APPROVED SURVEY. MATTERS DISCLOSED BY SAID SURVEY MAY BE ADDED TO SCHEDULE B-2 HEREOF.

   UPON THE APPROVAL OF THE COMPANY AND THE RECEIPT OF A NOTARIZED FINAL LIEN AFFIDAVIT, ITEM NO. 4 OF THE STANDARD EXCEPTIONS ON THE OWNER'S POLICY, WILL BE AMENDED AS FOLLOWS:

   ITEM NO. 4 OF THE STANDARD EXCEPTIONS IS DELETED AS TO ANY LIENS OR FUTURE LIENS RESULTING FROM WORK OR MATERIAL FURNISHED AT THE SPECIFIC, DIRECT REQUEST, AND WITH THE ACTUAL KNOWLEDGE OF TOM F. LAIDLAW (A.K.A TOM LAIDLAW) AND NAOMI M. LAIDLAW. OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY SHALL HAVE NO LIABILITY FOR ANY LIENS ARISING FROM WORK OR MATERIAL FURNISHED AT THE SPECIFIC, DIRECT REQUEST, AND WITH THE ACTUAL KNOWLEDGE OF SEGAL DEVELOPMENT GROUP LLC, A COLORADO LIMITED LIABILITY COMPANY AND LIGHTHOUSE ADVISERS LLC, CLLC.

   NOTE: ITEM 5 OF THE STANDARD EXCEPTIONS WILL BE DELETED IF LAND TITLE GUARANTEE COMPANY CONDUCTS THE CLOSING OF THE CONTEMPLATED TRANSACTION(S) AND RECORDS THE DOCUMENTS IN CONNECTION THEREWITH.

   NOTE: UPON PROOF OF PAYMENT OF 2016 TAXES, ITEM 6 WILL BE AMENDED TO READ:

   TAXES AND ASSESSMENTS FOR THE YEAR 2017 AND SUBSEQUENT YEARS.

   NOTE: THE ISSUANCE OF THE POLICIES AND/OR ENDORSEMENTS REFERENCED IN THIS COMMITMENT ARE SUBJECT TO THE APPROVAL OF THE UNDERWRITER OF SAID POLICIES AND/OR ENDORSEMENTS. THIS COMMITMENT MAY BE REVISED AS REQUIRED BY THE UNDERWRITER TO ISSUE THE POLICIES AND/OR ENDORSEMENTS REQUESTED. THIS NOTE WILL BE DELETED UPON THE RECEIPT OF SAID APPROVAL.

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABS63011385-2

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. **Any facts, rights, interests, or claims thereof, not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.**

2. **Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.**

3. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.**

4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**

5. **Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.**

6. **(a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.**

7. **(a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water.**

8. RIGHT OF WAY FOR DITCHES OR CANALS CONSTRUCTED BY THE AUTHORITY OF THE UNITED STATES AS RESERVED IN UNITED STATES PATENT RECORDED JULY 06, 1893, IN BOOK 12 AT PAGE 203.

9. RIGHT OF PROPRIETOR OF A VEIN OR LODE TO EXTRACT AND REMOVE HIS ORE THEREFROM SHOULD THE SAME BE FOUND TO PENETRATE OR INTERSECT THE PREMISES AS RESERVED IN UNITED STATES PATENT RECORDED JULY 06, 1893, IN BOOK 12 AT PAGE 203.

10. TERMS, CONDITIONS AND PROVISIONS OF LIFE ESTATE RESERVED IN DEED RECORDED JULY 15, 1970 IN BOOK 411 AT PAGE 504.

11. ALL OIL, GAS, MINERALS AND OTHER MINERAL RIGHTS AS RESERVED IN INSTRUMENT RECORDED JULY 15, 1970, IN BOOK 411 AT PAGE 504, ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.

    NOTE: ABOVE SAID MINERALS HAVE BEEN FURTHER CONVEYED IN INSTRUMENT RECORDED OCTOBER 17, 2011 UNDER RECEPTION NO. 809492 AND INSTRUMENT RECORDED MARCH 18, 2014 UNDER RECEPTION NO. 847276.

12. TERMS, CONDITIONS AND PROVISIONS OF RULE AND ORDER RECORDED APRIL 30, 1975 IN BOOK 443 AT PAGE 465.

13. TERMS, CONDITIONS AND PROVISIONS OF EASEMENTS AND RIGHT OF WAY GRANTED TO ELMER AND MILDRED ROBERTS IN DEED RECORDED OCTOBER 05, 1973 IN BOOK 450 AT PAGE 370.

Old Republic National Title Insurance Company
Schedule B-2

(Exceptions)

Order Number: ABS63011385-2

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

14. TERMS, CONDITIONS AND PROVISIONS OF OIL AND GAS LEASE RECORDED NOVEMBER 18, 1981 IN BOOK 586 AT PAGE 337 AND ANY ASSIGNMENTS THEREOF.

15. TERMS, CONDITIONS AND PROVISIONS OF RESOLUTION NO. 86-BOE-4 RECORDED JULY 29, 1986 IN BOOK 692 AT PAGE 371.

16. TERMS, CONDITIONS AND PROVISIONS OF RESOLUTION NO. 85-204 RECORDED DECEMBER 03, 1985 IN BOOK 679 AT PAGE 799.

17. TERMS, CONDITIONS AND PROVISIONS OF EASEMENTS GRANTED TO US WEST COMMUNICATIONS, INC. RECORDED MAY 20, 1994 IN BOOK 903 AT PAGE 153.

18. TERMS, CONDITIONS AND PROVISIONS OF COOPERATIVE AGREEMENT FOR DAMAGE PREVENTION FENCING RECORDED JANUARY 16, 1997 IN BOOK 1006 AT PAGE 542.

19. TERMS, CONDITIONS AND PROVISIONS OF EASEMENTS AND RIGHTS OF WAY CONTAINED IN DEED RECORDED OCTOBER 25, 2000 IN BOOK 1214 AT PAGE 276.

20. TERMS, CONDITIONS AND PROVISIONS OF EASEMENTS AND RIGHTS OF WAY CONTAINED IN DEED RECORDED JANUARY 12, 2001 IN BOOK 1227 AT PAGE 21.

21. TERMS, CONDITIONS AND PROVISIONS OF EASEMENTS AND RIGHTS OF WAY CONTAINED IN DEED RECORDED MARCH 21, 2001 IN BOOK 1239 AT PAGE 8.

22. TERMS, CONDITIONS AND PROVISIONS OF EASEMENTS AND RIGHTS OF WAY CONTAINED IN DEED RECORDED APRIL 12, 2001 IN BOOK 1244 AT PAGE 836.

23. TERMS, CONDITIONS AND PROVISIONS OF EASEMENTS AND RIGHTS OF WAY CONTAINED IN DEED RECORDED JANUARY 03, 2002 IN BOOK 1317 AT PAGE 572.

24. ANY INCREASE OR DECREASE IN THE AREA OF THE LAND AND ANY ADVERSE CLAIM TO ANY PORTION OF THE LAND WHICH HAS BEEN CREATED BY OR CAUSED BY ACCRETION OR RELICTION, WHETHER NATURAL OR ARTIFICIAL; AND THE EFFECT OF THE GAIN OR LOSS OF AREA BY ACCRETION OR RELICTION UPON THE MARKETABILITY OF THE TITLE OF THE LAND.

25. ANY RIGHT, TITLE, INTEREST, OR LOSS THAT MAY BE CLAIMED DUE TO THE FOLLOWING MATTERS DISCLOSED BY SURVEY PREPARED BY HIGH COUNTRY ENGINEERING INC. DATED DECEMBER 3, 2009, JOB NO. 2091652:

    A. ENCROACHMENT OF FENCE ONTO ADJOINING PROPERTY
    B. FENCE NOT COINCIDENT WITH PROPERTY LINE
    C. LOWER CACTUS VALLEY DITCH CROSSING THE SUBJECT LAND

JOINT NOTICE OF PRIVACY POLICY OF

LAND TITLE GUARANTEE COMPANY
LAND TITLE GUARANTEE COMPANY OF SUMMIT COUNTY
LAND TITLE INSURANCE CORPORATION AND
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

This Statement is provided to you as a customer of Land Title Guarantee Company and Meridian Land Title, LLC, as agents for Land Title Insurance Corporation and Old Republic National Title Insurance Company.

We want you to know that we recognize and respect your privacy expectations and the requirements of federal and state privacy laws. Information security is one of our highest priorities. We recognize that maintaining your trust and confidence is the bedrock of our business. We maintain and regularly review internal and external safeguards against unauthorized access to non-public personal information ("Personal Information").

In the course of our business, we may collect Personal Information about you from:

- applications or other forms we receive from you, including communications sent through TMX, our web-based transaction management system;
- your transactions with, or from the services being performed by, us, our affiliates, or others;
- a consumer reporting agency, if such information is provided to us in connection with your transaction;

  and
- the public records maintained by governmental entities that we either obtain directly from those entities, or from our affiliates and non-affiliates.

Our policies regarding the protection of the confidentiality and security of your Personal Information are as follows:

- We restrict access to all Personal Information about you to those employees who need to know that information in order to provide products and services to you.
- We maintain physical, electronic and procedural safeguards that comply with federal standards to protect your Personal Information from unauthorized access or intrusion.
- Employees who violate our strict policies and procedures regarding privacy are subject to disciplinary action.
- We regularly access security standards and procedures to protect against unauthorized access to Personal Information.

WE DO NOT DISCLOSE ANY PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT PERMITTED BY LAW.

Consistent with applicable privacy laws, there are some situations in which Personal Information may be disclosed. We may disclose your Personal Information when you direct or give us permission; when we are required by law to do so, for example, if we are served a subpoena; or when we suspect fraudulent or criminal activities. We also may disclose your Personal Information when otherwise permitted by applicable privacy laws such as, for example, when disclosure is needed to enforce our rights arising out of any agreement, transaction or relationship with you.

Our policy regarding dispute resolution is as follows. Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

LAND TITLE GUARANTEE COMPANY

DISCLOSURE STATEMENTS

Note: Pursuant to CRS 10-11-122, notice is hereby given that:

A) The Subject real property may be located in a special taxing district.
B) A certificate of taxes due listing each taxing jurisdiction will be obtained from the county treasurer of the county in which the real property is located or that county treasurer's authorized agent unless the proposed insured provides written instructions to the contrary. (for an Owner's Policy of Title Insurance pertaining to a sale of residential real property)
C) The information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note: Effective September 1, 1997, CRS 30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one half of an inch. The clerk and recorder may refuse to record or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document.

Note: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed". Provided that Land Title Guarantee Company conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lenders Policy when issued.

Note: Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B-2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

A) The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
B) No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
C) The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.
D) The Company must receive payment of the appropriate premium.
E) If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments disclosing that a mineral estate has been severed from the surface estate, in Schedule B-2.

A) That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
B) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance, and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies.

Note: Pursuant to Colorado Division of Insurance Regulations 8-1-3, notice is hereby given of the availability of a closing protection letter for the lender, purchaser, lessee or seller in connection with this transaction.

Commitment to Insure

ALTA Commitment - 2006 Rev.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Minnesota corporation, (Company) for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the requirements; all subject to the provisions of Schedule A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company. All liability and obligation under this commitment shall cease and terminate six months after the Effective Date or when the policy or policies commited for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company.

CONDITIONS AND STIPULATIONS

1. The term "mortgage", when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and the Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at www.alta.org.

STANDARD EXCEPTIONS

In addition to the matters contained in the Conditions and Stipulations and Exclusions from Coverage above referred to, this Commitment is also subject to the following:

1. Rights or claims of parties in possession not shown by the Public Records.
2. Easements, or claims of easements, not shown by the Public Records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey or inspection of the Land would disclose and which are not shown by the Public Records.
4. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.

IN WITNESS WHEREOF, Old Republic National Title Insurance Company has caused its corporate name and seal to be affixed by its duly authorized officers on the date shown in Schedule A to be valid when countersigned by a validating officer or other authorized signatory.

Issued by:
Land Title Guarantee Company
3033 East First Avenue
Suite 600
Denver, Colorado 80206
303-321-1880

John E. Freyer, Jr
President

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

Old Republic National Title Insurance Company
a Stock Company
400 Second Avenue South
Minneapolis, Minnesota 55401
(612)371-1111

Mark Bilbrey
President

AMERICAN LAND TITLE ASSOCIATION

Randy Yeager
Secretary

Statement of Authority

Garfield County

STATEMENT OF AUTHORITY

Pursuant to C.R.S. §38-30-172, the undersigned executes this Statement of Authority on behalf of Peach Valley River Park LLC, a limited liability company (corporation, limited liability company, general partnership, registered limited liability partnership, registered limited liability limited partnership, limited partnership association, government agency, trust or other), an entity other than an individual, capable of holding title to real property (the "Entity"), and states as follows:

The name of the Entity is Peach Valley River Park, LLC
and is formed under the laws of The state of Colorado.
The mailing address for the Entity is 3720 South Colfax Street, Denver CO 80237

The name and/or position of the person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the Entity is Jason Segal

The limitations upon the authority of the person named above or holding the position described above to bind the Entity are as follows (if no limitations, insert "None"): None

Other matters concerning the manner in which the Entity deals with any interest in real property are (if no other matter, leave this section blank):

EXECUTED this 27th day of September, 20 17.

Signature:
Name (printed): Jason Segal
Title (if any): Managing Partner

STATE OF Colorado)
)SS.
COUNTY OF Garfield)

The foregoing instrument was acknowledged before me this 27th day of September, 2017 by Jason Jacob Segal, on behalf of Peach Valley River Park, LLC.

Witness my hand and official seal.
My commission expires: July 18, 2020 (Date) Annette Foster (Notary Public)

[SEAL]

ANNETTE FOSTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID # [illegible]
My Commission Expires July 18, 2020

Garfield County

PAYMENT AGREEMENT FORM

GARFIELD COUNTY ("COUNTY") and Property Owner ("APPLICANT") Peach Valley River Park LLC agree as follows:

1. The Applicant has submitted to the County an application for the following Project: Peach Valley River Park, change of Use Gathering Area
2. The Applicant understands and agrees that Garfield County Resolution No. 2014-60, as amended, establishes a fee schedule for each type application, and the guidelines for the administration of the fee structure.
3. The Applicant and the County agree that because of the size, nature or scope of the proposed project, it is not possible at this time to ascertain the full extent of the costs involved in processing the application. The Applicant agrees to make payment of the Base Fee, established for the Project, and to thereafter permit additional costs to be billed to the Applicant. The Applicant agrees to make additional payments upon notification by the County, when they are necessary, as costs are incurred.
4. The Base Fee shall be in addition to and exclusive of any cost for publication or cost of consulting service determined necessary by the Board of County Commissioners for the consideration of an application or additional County staff time or expense not covered by the Base Fee. If actual recorded costs exceed the initial Base Fee, the Applicant shall pay additional billings to the County to reimburse the County for the processing of the Project. The Applicant acknowledges that all billing shall be paid prior to the final consideration by the County of any Land Use Change or Division of Land.

I hereby agree to pay all fees related to this application:

Billing Contact Person: Jason Segal Phone: (970) 618-6972

Billing Contact Address: 73 Cherry Ln

City: Basalt State: CO Zip Code: 81621

Billing Contact Email: ~~segal~~ peachvalleyriverpark@gmail.com

Printed Name of Person Authorized to Sign: Jason Segal

(Signature) 7/20/17 (Date)

Pre-Application Conference Summery:

Garfield County
Community Development Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601
(970) 945-8212
www.garfield-county.com

PRE-APPLICATION CONFERENCE SUMMARY

TAX PARCEL NUMBER: 218105300294 **DATE:** June 12, 2017

PROJECT: Peach Valley River Park Festival

OWNERS/APPLICANT: Tom and Naomi Laidlaw – Jason Segal

REPRESENTATIVE: Jason Segal

PRACTICAL LOCATION: Directly south of I-70 between New Castle and Silt

ZONING: Rural

TYPE OF APPLICATION: Administrative Land Use Change Permit - Community Meeting Facility and Public Gathering

I. GENERAL PROJECT DESCRIPTION

The applicant would like to apply for Two Land Use Change Permit's for a Community Meeting Facility and Public Gathering on an approximately 75 acre parcel located on the River Frontage Road, 3.5 miles west of New Castle and 3.5 miles east of Silt. Access will be from the CDOT maintained frontage road. As part of this application, there is no proposal for a permanent water supply or a permanent onsite wastewater treatment system. The applicant plans to use portable toilets and to truck in water for the use.

The Public Gathering use is a request for the Peach Valley River Park Festival, an event over two back-to-back weekends in May/June of 2018. The applicant represented that he anticipates over 5,000 people to attend the inaugural festival, with possibilities to increase attendance in later years up to 30,000 attendees. The applicant has represented that events would finish by 9 pm. As part of the festival, the applicant is requesting approval for festival attendees to be able to camp on the premisis during the two weekends.

During non-festival times, staff understands that the parcel will be a park, open to public use and small gatherings. A park is a by-right use in the rural zone district.

The Applicant would also like to apply for a Community Meeting Facility Land Use Change Permit. The Applicant plans on possibly having commercial community events and small gatherings on the site throughout the year. The Applicant may apply for the Community Meeting Facility and Public Gathering use concurrently. Both are subject to Administrative Review in the Rural zone district.

Staff advised the applicant during the Pre-application conference that although Public Gathering and Community Meeting Facilitiy Land Use Change Permit applications are subject to Administrative Review, because of the high proposed attendance at the Peach Valley River Park Festival, the Community Development Director will be "calling-up" the application to a Public Hearing in front of the Garfield County Board of County Commissioners.

II. REGULATORY PROVISIONS APPLICANT IS REQUIRED TO ADDRESS

- Garfield County Comprehensive Plan 2030
- Garfield County Land Use and Development Code
- Table 4-102, Common Review Procedures and Required Notice
- Table 4-201, Application Submittal Requirements
- Section 4-203 Description of Submittal Requirements

III. REVIEW PROCESS

The review process shall follow the steps as contained in Table 4-102 and Section 4-103. See the attached flow chart. Please note, the Community Development Director has determined that this application will be called-up to the Garfield County Board of County Commissioners.

SUBMITTAL REQUIREMENTS

Please refer directly to Table 4-201 and the Description of Submittal Requirements in section 4-203. These application materials are generally summarized below:

1) General Application Materials (4-203.B)

a) Application Form
b) General project description
c) Ownership Documentation (deed) and title information indicating if there are any lien holders and/or encumbrances (a title commitment may be necessary)
d) Statement of Authority or Letter of Authorization, as necessary
e) Fee Payment and Payment Agreement Form
f) Pre-Application Conference Summary
g) Names and addresses of all property owners within 200 feet of project site and all mineral owners of the subject parcels (demonstrated through a search of Clerk and Recorders database and/or Assessors database).

2) Vicinity Map (4-203.C)
3) Site Plan (4-203.D) – this should include all items as listed in 4-203.D as well as parking areas and locations where activities will take place
4) Grading and Drainage Plan (4-203.E)
5) Landscape Plan (4-203.F) - Waivers may be requested pursuant to Section 4-202 with appropriate supporting evidence
6) Impact Analysis (4.203.G) Please respond to the identified impacts in this section
7) Development Agreement (4-203.J) - may be waived upon request
8) Improvements Agreement (4-203.K) – if applicable
9) Traffic Study (4-203.L) – Current traffic counts may be available from the Colorado Department of Transportation
   a) The Applicant is advised to contact CDOT to discuss the proposal and to determine the current access permit.
10) Water Supply Plan (4.20-3.M) – Information about current water, including such things as well permits that indicate allowance for this type of use, water quality (if potable), or other means of providing water to the site for both current and future uses of the facility.
11) Wastewater Plan (4-203.N) – Information about existing sanitation facilities including such things as septic permit and information about capacity and/or other information about how wastewater is managed for the facility including current and future uses.
12) Article 7 Standards – Divsions 1, 2, and 3 as applicable
   a) Please respond specifically to Table 7-107 and address whether any internal roads and accesses meet County Roadway standards. If internal roads do not meet these standards the Applicant may apply for a Roadway Waiver provided you meet the standards in the County Roadway Policy attached to this pre-application.
13) See the land use code for additional information on submittal requirements.

The Application submittal needs to include 3 hard copies of the entire Application and 1 Digital PDF Copy of the entire Application (on a CD or USB Stick). Both the paper and digital copies should be split into individual sections. Please refer to the pre-application summary for submittal requirements that are appropriate for your Application.

WAIVERS

The Applicant may request waivers from submittal requirements in accordance with Section 4-202 and from Standards in accordance with Section 4-118. Both sections contain review criteria for approval of waivers which need to be addressed in the application submittals. A follow-up discussion with Staff on anticipated waiver requests can be scheduled.

IV. APPLICATION REVIEW

a. Review by:	Staff for completeness recommendation and referral agencies for additional technical review
b. Public Hearing:	X (Director's Decision) __Planning Commission _x_ Board of County Commissioners (This application will be referred to the BOCC) __ Board of Adjustment
c. Referral Agencies:	May include but is not limited to Garfield County Road and Bridge Department, Fire Protection District, Town of Silt, Town of New Castle, Colorado Parks and Wildlife, Garfield County Designated Engineer, and State of Colorado CDPHE, Colorado Division of Water Resources, Garfield County Sheriff, Garfield County Environmental Health, Garfield County Emergency Management, Colorado Department of Transportation.

V. APPLICATION REVIEW FEES

a. Planning Review Fees:	$ 250.00
b. Referral Agency Fees:	$ TBD – consulting engineer/civil engineer fees
c. Total Deposit:	$ 250.00 (additional hours are billed at $40.50 /hour)

General Application Processing

Planner reviews case for completeness and sends to referral agencies for comments. The case planner contacts applicant and sets up a site visit. Staff reviews application to determine if it meets standards of review and makes a recommendation of approval, approval with conditions, or denial to the Director of the Community Development Department. The Director's decision is subject to a 10-day call-up period. The pre-application meeting summary is only valid for six (6) months from the date of the written summary.

Disclaimer

The foregoing summary is advisory in nature only and is not binding on the County. The summary is based on current zoning, which is subject to change in the future, and upon factual representations that may or may not be accurate. This summary does not create a legal or vested right.

Application Submittal – Public Information

The Applicant is advised that the Application submittal once accepted by the County becomes public information and will be available (including electronically) for review by the public. Proprietary information can be redacted from documents prior to submittal.

Pre-application Summary Prepared by:

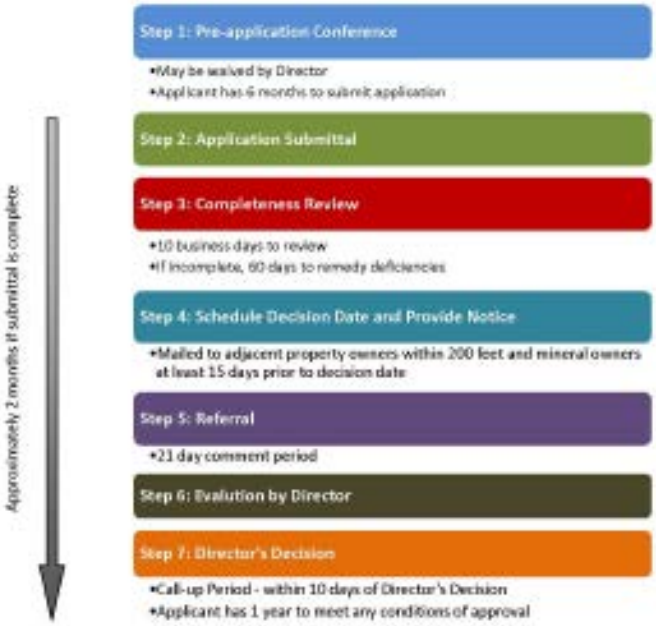
Patrick Waller, Senior Planner

6-23-17
Date

Garfield County

Administrative Review Process

(Section 4-103)



Policy 01-14
Waivers for Roads and Demonstration of Compliance

March 3, 2014

Section 7-107, Access and Roadways, of the Garfield County Land Use and Development Code (LUDC) requires all roads to be designed to provide for "adequate and safe access" and reviewed by the designated County Engineer. The LUDC defines "road" as "a County road, State highway, public road, street or alley, or private thoroughfare which affords primary access to abutting property, excluding a driveway accessing a single property."

The LUDC defines "private road" as "a right-of-way constructed, established, owned, and maintained by a private party for access exclusively to private property." Many of the roads in Garfield County are private roads in that they are gated and do not serve the general public and they pre-existed the design currently required by the County's Road Standards as defined in Table 7-107.

The LUDC allows for the waiver of specific standards provided that the following criteria have been met: 1) an alternative design achieves the intent of the subject standard to the same or better degree and 2) the proposed alternative will impose no greater impacts on adjacent properties than would occur through compliance with the specific standard (Section 4-118).

In applications that include roads that do not meet current County road standards as outlined in Table 7-107, the County has asked that Applicants request a waiver of Section 7-107.F, Design Standards, and include in the Application submittal sufficient information, prepared by a professional qualified in the specific discipline, to demonstrate that they meet the criteria outlined in Section 4-118 for granting a waiver. In doing so, the application must include:

A Statement of Adequacy - The evaluation of the existing roadway and waiver will need to include a clear statement that finds that the road will be *adequate* for the proposed use. This statement must be signed by a professional engineer qualified in traffic engineering and licensed by the State of Colorado. To support this evaluation, the following information will be required to be provided:

- **Geometry of the road** – A description of how the private road does/does not meet the design standards in Table 7-107. This should include a chart that compares the private road design to those standards in Table 7-107, as well as a map that shows the existing road design and highlights those areas that deviate from the standards. A narrative may also be helpful in describing the characteristics of the road as they compare to Table 7-107 design standards. Unless available, this is not intended to imply construction-level drawings.

- **Safety/Structural Issues** – A description of obvious safety and/or structural issues observed and a statement about how these issues will be addressed.

- **Maintenance** – A description of how the road is and/or will be maintained. This should be supported with the submittal of any existing or proposed maintenance agreements for the road sections.

- **Travel Demand** – An accurate count of the existing peak travel demand as well as the Average Daily Traffic on the road. This should also include the types of vehicles that currently use the road as well as the additional amount and type of traffic that the proposed use will generate through all phases of its development.

Other Evidence of Compliance. In addition, Sections 7-107.A, B, C, D, and E are required to be addressed, which includes documentation about legal access. Sufficient evidence will be required to be submitted to demonstrate compliance with these sections of the Code.

Garfield County

MEMORANDUM

TO: Staff

FROM: County Attorney's Office

DATE: June 24, 2014

RE: Mineral Interest Research

Mineral interests may be severed from surface right interests in real property. Colorado revised statute 24-65.5-103 requires notification to mineral owners when a landowner applies for a land use designation by a local government. As such, the landowner must research the current owners of mineral interests for the property.

The Garfield County Land Use and Development Code of 2013 ("LUDC") Section 4-101(E)(1)(b)(4) requires written notice to owners of mineral interests in the subject property "as such owners can be identified through the records in the office of the Clerk and Recorder or Assessor, or through other means."

It is the duty of the applicant to notify mineral interest owners. The following is a suggested process to research mineral interests:

1. Review the current ownership deed for the property (i.e. Warranty Deed, Special Warranty, Quit Claim Deed or Bargain and Sale Deed—NOT a Deed of Trust). The ownership deed is usually one or two pages. Is there a reservation of mineral interests on the ownership deed? Are there any exceptions to title? A deed may include a list of reservations that reference mineral owners or oil and gas leases.

2. Review your title insurance policy. Are there exceptions to title listed under Schedule B-II? If so, review for mineral interests that were reserved and oil and gas leases.

3. Check with the Assessor's office to determine if a mineral interest has been reserved from the subject property. The Assessor's office no longer documents the mineral reservation ownership for its tax roll records unless ownership has been proven. There are only a limited number of mineral owners who have provided such information to the Assessor's office so this may not provide any information, depending on your property.

4. Research the legal description of the subject property with the Clerk and Recorder's computer. You can search the Section, Township, and Range of the subject property. You may find deeds for mineral interests for the subject property.

5. Research whether a Notice of Mineral Estate Ownership was filed for the subject property. On the Clerk and Recorder's computer, search under Filter (on the right hand side of the screen), General Recordings, Notice of Mineral Estate Ownership for the subject property.

6. If you find mineral interest owners as reservations on your deed, listed in your title insurance policy, from the Assessor's records or the Clerk and Recorder's computer, you need to determine whether these mineral interests were transferred by deed and recorded in the Clerk and Recorder's office.

7. Enter the name of the mineral interest owner as the Grantor in the Clerk and Recorder's computer to see if the mineral interest was transferred. If you find a transfer deed, you need to repeat this process to follow any transfer of the mineral interest to present day.

8. Include a description of your research process in your application and the name(s) and address(es) of the current mineral interest owner(s).

Mineral interest research can be a difficult and time consuming process. If you are unable to determine mineral rights ownership by yourself, consider hiring an attorney or landman. Attorneys and landmen specialize in determining mineral rights ownership, but they charge a fee for their services.

Adjacent Property Owners Minimum 200 ft. Radius

Peach Valley River Park LLC

Prepared for Garfield County Community Development

Neighboring Property Owners List

Account Number R007052
Parcel Number 2181-054-00-274
Situs Address 038090 RIVER FRONTAGE RD
City New Castle
Tax Area 015 - 2H-SF - 015
Legal Summary Section: 5 Township: 6 Range: 91 ALL THAT PART OF NWSE LYING S OF I-70 ROW, W. 500 FT. OF LOT 9, W2 OF LOT 8, E2 OF E 1300 FT. OF LOT 8.

Owner Name HILL, LILLIAN
Owner Address 38090 RIVER FRONTAGE ROAD
NEW CASTLE, CO 81647

Account Number R230855
Parcel Number 2181-081-00-213
Situs Address 002859 335 COUNTY RD
2859 COLORADO RIVER RD
City New Castle
New Castle
Tax Area 023 - 2HD-SF - 023
Legal Summary Section: 8 Township: 6 Range: 91 A TR. IN LOTS 1 & 2 LYING N. OF CO. RD.

Owner Name SCHULTZ, CRAIG L & ELISA KATHLEEN
Owner Address 2859 COUNTY ROAD 335
NEW CASTLE, CO 81647

Account Number R230856
Parcel Number 2181-081-00-214
Situs Address 002870 335 COUNTY RD
2870 COLORADO RIVER RD
City New Castle
New Castle
Tax Area 023 - 2HD-SF - 023
Legal Summary Section: 8 Township: 6 Range: 91 ALL THAT PORTION OF LOT 1 LYING SLY OF CO. RD.

Owner Name ROTH, JAMIE & CHANDLER
Owner Address 2870 COUNTY ROAD 335
NEW CASTLE, CO 81647

Account Number R023079
Parcel Number 2181-082-00-142

Owner Name NADON, RONALD L & KAREN L

Situs Address 002675 335 COUNTY RD 2675 COLORADO RIVER RD

City Silt
Silt

Tax Area 023 - 2HD-SF - 023

Legal Summary Section: 8 Township: 6 Range: 91 TR IN LOT 2

Owner Address 2675 COUNTY ROAD 335
NEW CASTLE, CO 81647-9640

Account Number R230857

Parcel Number 2181-082-00-215

Situs Address 002656 335 COUNTY RD 2656 COLORADO RIVER RD

City New Castle
New Castle

Tax Area 023 - 2HD-SF - 023

Legal Summary Section: 8 Township: 6 Range: 91 A TR IN LOT 2 LYING SLY OF CO. RD.

Owner Name FETCHIK, PHILLIP F & MARJORIE F

Owner Address 2656 COUNTY ROAD 335
NEW CASTLE, CO 81647

Account Number R231037

Parcel Number 2181-071-00-951

Situs Address

City New Castle

Tax Area 023 - 2HD-SF - 023

Legal Summary Section: 8 Township: 6 Range: 91 SEC.7 LOTS 7,8 S2NE,SESW,W2SE SEC.8 LOT 3 SWNE, S2NW,NESW,NWSE

Owner Name BUREAU OF LAND MANAGEMENT

In Care Of Name COLORADO RIVER VALLEY FIELD OFFICE

Owner Address 2300 RIVER FRONTAGE ROAD
SILT, CO 81652

Account Number R015105

Parcel Number 2181-064-00-064

Situs Address 37270 RIVER FRONTAGE RD

City New Castle

Tax Area 023 - 2HD-SF - 023

Legal Summary Section: 6 Township: 6 Range: 91 PART OF LOT 8(10.6AC) AND ALSO A TR. MEANDER LAND IN THE SESE OF SEC 6 & NENE OF SEC 7 (5.15).

Owner Name MOULTON, MARTHA ELLEN

Owner Address PO BOX 85
NEW CASTLE, CO 81647

Account Number R015161

Parcel Number 2181-064-00-180

Situs Address 037190 RIVER FRONTAGE RD

City New Castle

Tax Area 015 - 2H-SF - 015

Legal Summary Section: 6 Township: 6

Owner Name SMITH, JACKIE L & OCONNOR, DEBBIE K

Owner Address 36900 RIVER FRONTAGE ROAD
NEW CASTLE, CO 81647

Range: 91 TR IN LOT 8 CONT 9.07 AC., ALSO A TR OF MEANDER LAND CONT 2.45 AC.

Account Number R006416
Parcel Number 2181-064-00-271
Situs Address 036900 RIVER FRONTAGE RD
City Silt
Tax Area 015 - 2H-SF - 015
Legal Summary Section: 6 Township: 6 Range: 91 A PARCEL OF LAND IN THE SWSE OF SEC. 6, LOT 1 OF SEC. 7, LYING SLY OF I-70 FRONTAGE RD. AKA PARCEL 4, MYERS S.B. 35 EXP.

Owner Name GRAY, ALVIE O & SMITH, JACKIE L
Owner Address PO BOX 875
NEW CASTLE, CO 81647-0875

Account Number R015166
Parcel Number 2181-064-00-181
Situs Address 037055 6 & 24 HWY
City New Castle
Tax Area 015 - 2H-SF - 015
Legal Summary Section: 6 Township: 6 Range: 91 THE E. 390' OF NESE & E. 660' OF LOT 8. ALL LYING N. OF U.S. 6&24 & S. OF CO RD. 214

Owner Name SCHILLER, ANDREW C & CRYSTAL L
Owner Address 37055 HIGHWAY 6
NEW CASTLE, CO 81647

Account Number R150185
Parcel Number 2181-064-00-202
Situs Address 036730 RIVER FRONTAGE RD
City New Castle
Tax Area 022 - 2HD - 022
Legal Summary Section: 6 Township: 6 Range: 91 SEC 6 & 7 PARCEL 3 (20.46 AC), PARCEL 4 (7.48 AC), MYERS SUB EXP PLAT, EXCEPT PARCEL 4 CONT. 7.48 AC. AS DESC. IN BK 1192 PG 301.

Owner Name ANNAPURNA, LLC
Owner Address 6503 COUNTY ROAD 214
NEW CASTLE, CO 81647

Account Number R150178
Parcel Number 2181-053-00-192
Situs Address 037127 6 & 24 HWY
City New Castle
Tax Area 015 - 2H-SF - 015
Legal Summary Section: 5 Township: 6 Range: 91 A TR. IN NWSW

Owner Name HILL, BARBARA L
Owner Address 37127 HIGHWAY 6
NEW CASTLE, CO 81647

Account Number R082617

Owner Name HILL, BARBARA L

Parcel Number 2181-053-00-293
Situs Address 37291 6 HWY
City New Castle
Tax Area 015 - 2H-SF - 015
Legal Summary Quarter: SW Section: 5 Township: 6 Range: 91 SWNW, SW, THAT PT LYING SOUTHERLY OF CR 214 & NORTHERLY OF HWY 6&24

Owner Address 37127 HIGHWAY 6
NEW CASTLE, CO 81647

Account Number R015046
Parcel Number 2181-054-00-035
Situs Address 037659 6 & 24 HWY
City New Castle
Tax Area 015 - 2H-SF - 015
Legal Summary Section: 5 Township: 6 Range: 91 PART OF S1/2NE(17.47A), PART OF NWSE(15.60A), PART OF LOTS 5(7AC), ALL LYING S OF THE WAREHINDS DITCH & N OF U.S. 6&24.ALSO A PART OF SWNE(.34AC).

Owner Name MURR, RICHARD J
Owner Address 37659 HIGHWAY 6
NEW CASTLE, CO 81647

Account Number R150229
Parcel Number 2181-054-00-248
Situs Address 038100 RIVER FRONTAGE RD
City New Castle
Tax Area 023 - 2HD-SF - 023
Legal Summary Section: 5 Township: 6 Range: 91 A TR IN E1/4 SEC 5. AKA TRACT 1 RIPPY EXEMPTION

Owner Name KERALSA, LLC
Owner Address 3950 MIDLAND AVENUE, SUITE F2
GLENWOOD SPRINGS, CO 81601

Account Number R015063
Parcel Number 2181-054-00-038
Situs Address 000276 RIPPY LN
City New Castle
Tax Area 015 - 2H-SF - 015
Legal Summary Section: 5 Township: 6 Range: 91 A TR. OF LAND IN LOT 9.

Owner Name DAVIDSON, DANIEL C & LINDSAY J
Owner Address 276 RIPPY LANE
NEW CASTLE, CO 81647

Account Number R015029
Parcel Number 2181-054-00-039
Situs Address 000393 RIPPY LN
City New Castle
Tax Area 015 - 2H-SF - 015
Legal Summary Section: 5 Township: 6

Owner Name WARREN, BONNIE D
Owner Address PO BOX 242
GLENWOOD SPRINGS, CO 81602

Range: 91 TR. OF LAND IN THE SESE CONT (1.34AC). ALSO A TR. IN THE SESE CONT.(.62AC).

Account Number R015058
Parcel Number 2181-054-00-129
Situs Address 000278 RIPPY LN
City New Castle
Tax Area 015 - 2H-SF - 015
Legal Summary Section: 5 Township: 6 Range: 91 A TR. OF LAND IN LOT 9.

Owner Name GORNICK, JAMES A & LEAHY, TODD
Owner Address 1005 COOPER AVENUE
GLENWOOD SPRINGS, CO 81601

Account Number R150230
Parcel Number 2181-054-00-249
Situs Address 038150 RIVER FRONTAGE RD
City New Castle
Tax Area 023 - 2HD-SF - 023
Legal Summary Section: 5 Township: 6 Range: 91 A TR IN E1/4 OF SEC 5. AKA TRACT 2 RIPPY EXEMPTION

Owner Name SHERICK ENTERPRISES LLC
Owner Address 2550 HIGHWAY 82 SUITE A200
GLENWOOD SPRINGS, CO 81601

Adjacent Property Map
Garfield County Assessor and GIS

Mineral Estate Owners

Peach Valley river Park LLC used the services of Aqualand Network of Littleton Colorado to research the mineral rights for the property in January of 2017. Dave Iadarola performed the work and can reached at 720-732-3154 or ciadarol@gmail.com. A full report is available for confidential review.

Mineral Owner Contact Information

Velma Lee Caveny
712 Hermosa Dr.
Chaparral, NM 88081-7523
(303) 434-3179

Lillian Pearl Hill
38090 River Frontage Rd
New Castle, CO 81647
(970) 984-2174

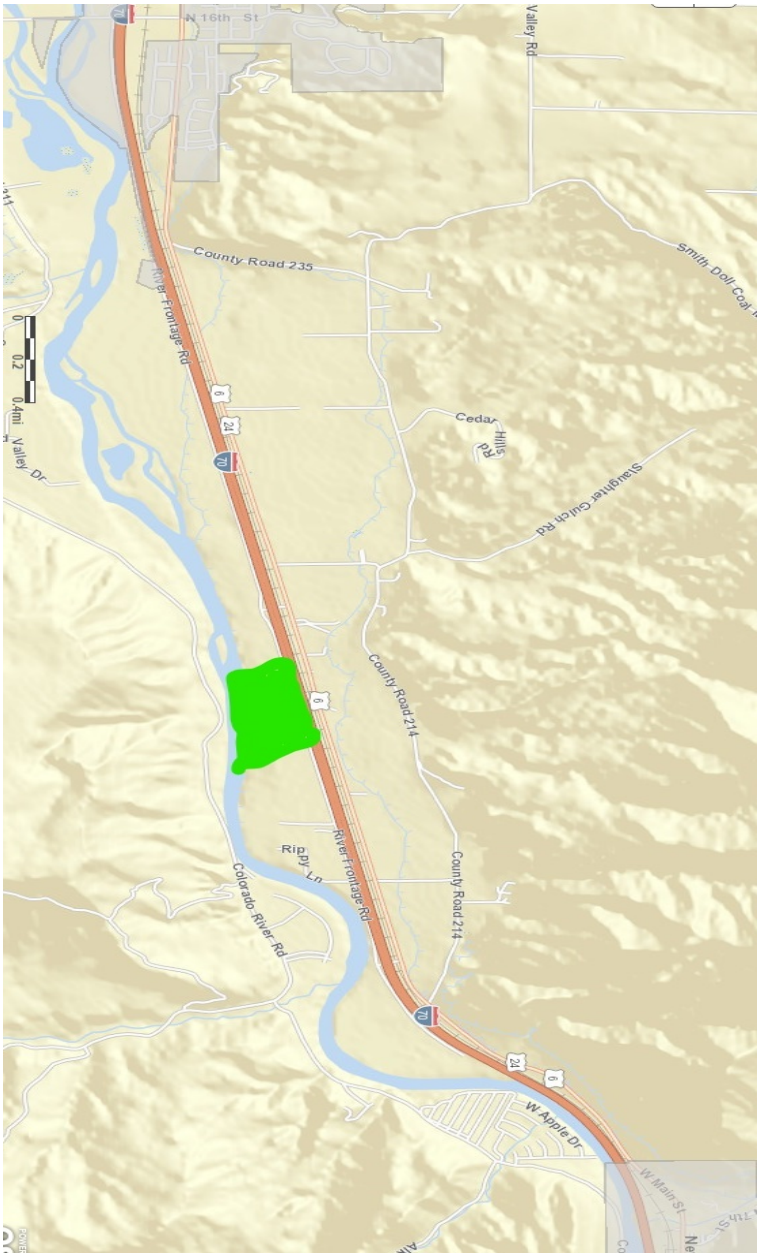
Terra Verte Company, Inc.
PO Box 90265
San Diego, CA 92169
(855) 382-6522

Elizabeth Terrell
Elizabeth Terrell Trust (Trustee may not be Elizabeth Terrell)
3053 Sandpiper Ave
Grand Junction, CO 81504
(970) 434-5536

William R. Green
1618 Yampa Ave.
Craig, CO 81625

Tome Green and E. Carol Green
PO Box 13
Austin, CO 81410
(505) 384-3180

2) Vicinity Map (4-203.C): Peach Valley River Park



3) **Site Plan and Survey(4-203.D)*:**
   Rodney Kiser (RPK) was a surveyor on record for HCE in 2009. PVRP LLC had his new firm recently review the current title and survey work with the following comments:

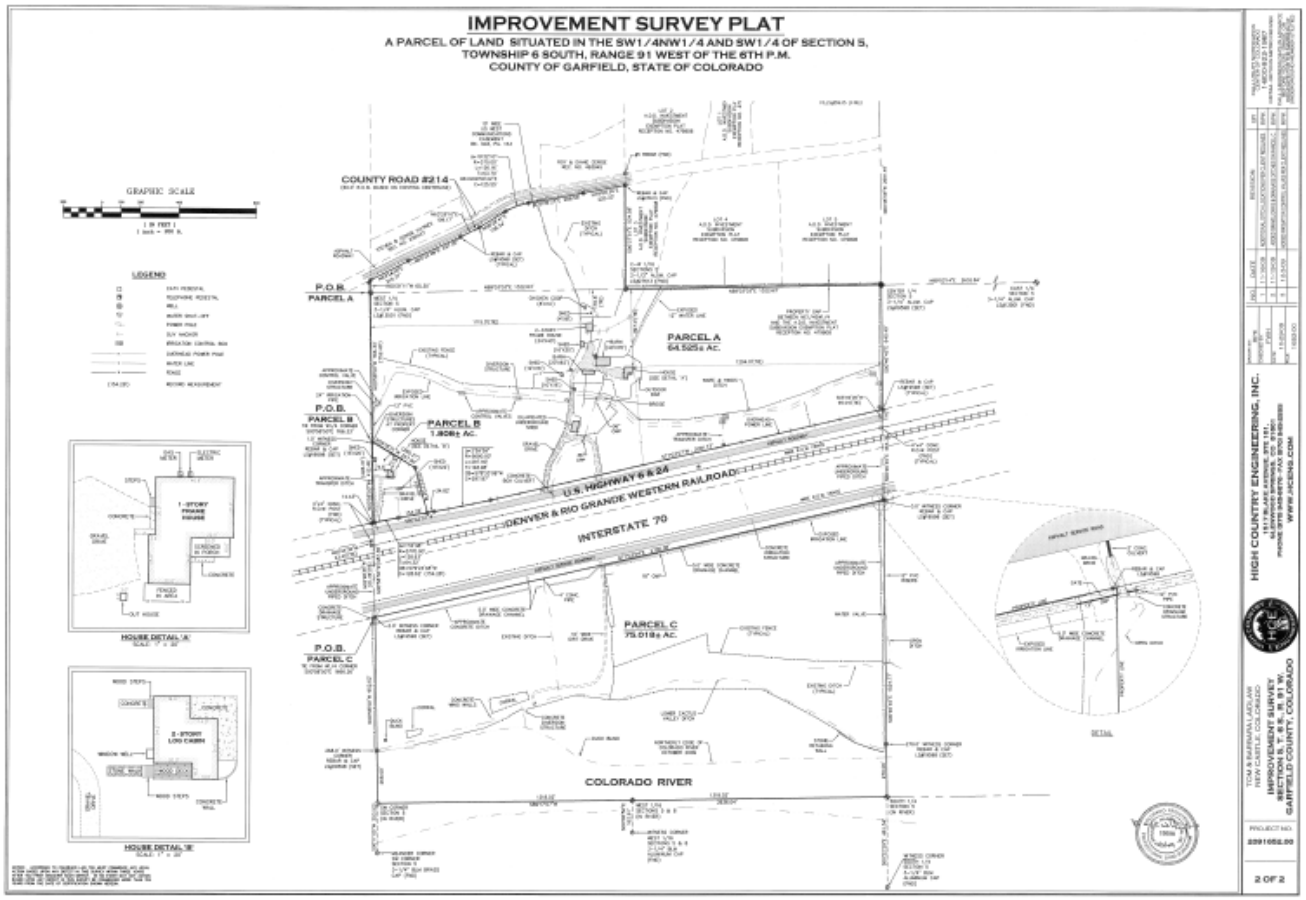
Jason,

I read through the title commitment exceptions and they are the same exceptions that are noted on Sheet 1 of the HCE Survey Frank & I did back in 2009. Nothing new except the minerals rights were conveyed in 2011 and 2014. All the easement that are able to be graphically shown on the survey are already shown on this survey from 2009, nothing new to show or note.

Rodney P. Kiser, PLS/Partner
True North Colorado, LLC
A Land Surveying and Mapping Company
Glenwood Springs, Colorado
970-945-1105
www.truenorthcolorado.com

Survey

*A 24”x 36” has been included with all hard copy submittals



SITE PLAN

*A 24”x 36” has been included with all hard copy submittals

4) Grading and Drainage Plan (4-203.E)

PVRP LLV has added a plan for grading a road base surface in our internal drive and parking areas. A road grading plan is located on the bottom of the Event Site Plan above. All existing internal roads shall be improved to these standards. The Vendor Village are will also see raised road base surface for entry and exit of vehicles and also a high ground or path for pedestrians during events. Exact location TBD with placement in the middle third of the field.

Areas of foot traffic will be clearly marked and suitable for wet travel.

5) Landscape Plan (4-203.F)

PVRP LLV requests a Waiver of Submission requirement for a landscape plan as no new infrastructure or construction are associated with this temporary land use permit.

6) Impact Analysis (4-203.G)

PVRP LLC shall address Garfield County Land Use and Development Code as it would pertain to a temporary Public Gathering.
1. Adjacent Land Use. The PVRP plan is located in an area with diverse neighbor use. The majority of adjacent property owners are homes/ small ranches on 5-15 acre parcels. There is a commercial presence in the area with a regional commercial center to the east, which has served the heavy machinery industry for years. A greenhouse operation ¼ mile to the west operates a small retail stand but serves mostly bulk clients.
2. Site Features. The site includes .46 miles of Colorado River frontage along with the Lower Cactus Valley Ditch. The majority of the 79 acres lie on an upper bench, currently used for agricultural hay production. The hay production shall continue, with cuttings scheduled accordingly.
3. Soil Characteristics. The sub topsoil material is river gravel and was used in I-70 construction. Very stable.
4. Geology and Hazard. N/A
5. Groundwater and Aquifer Recharge Areas: All waste trucked off site N/A
6. Environmental Impacts. Determination of the existing environmental conditions on the parcel to be developed and the effects of development on those conditions, including:
a. Gathering may have a short term effect on grass and low vegetation. All event amenities shall take place outside of the 100 year floodplain.
b. Events shall take place outside of the typical winter grounds for game and fowl.
c. Gatherings and events shall take place late spring through early fall, before typical migration to lower elevations by large game.
d. Evaluation of any potential radiation hazard that may have been identified by the State or County Health Departments. N/A

7. Nuisance. The majority of impacts from amplified events would come from sound. Sound is a constant for all inhabitants in the area, due to its location adjacent to both I-70 and the Colorado River. The train, heavy machinery and HWY 6 and 24 also impact current noise levels. Our plan for mostly daytime amplification with events ending by 9pm shall not create a nuisance for local residents or travelers.
8. Hours of Operation. Our plan is to use the shoulder seasons of May/early June or late September/October in order to drive the local economies in a typical slow period. This time of year utilizes the sites warm temperatures in Spring and Fall as a lure from those in colder

mountain locations. Local business people have applauded the idea outside of the heart of summer.

The grounds will be open to the public beginning two hours prior to show time (4 PM on Fri. 1 PM on Sat. and Sun.). Events would be geared toward the day time hours finishing by 9pm, allowing the surrounding towns to benefit from an "after dark" town scene.

7) Development Agreement (4-203.J)

PVRP LLV requests a Waiver of Submission requirement for a Development Agreement as no new infrastructure or construction will be performed with this temporary land use permit.

8) Improvements Agreement (4-203.L)

PVRP LLV requests a Waiver of Submission requirement for an Improvements Agreement as no new infrastructure or construction will be performed with this temporary land use permit.

9) Traffic Study (4-203.L)

Section and Table 7-107 Roadway Standards

A waiver request by PVRP LLC shall be considered based on the following criteria:

1. It achieves the intent of the subject standard to the same or better degree than the subject standard;

Response: The project offers three historical access points to River Frontage Road for use during the event use weekends. During normal park hours, one main entrance with a parking area approximately 100 ft from the entrance shall be the only internal use of rods by the public for vehicular traffic. Periods with increased traffic shall be supported by local authorities as mentioned in plan.

The intent of the development plan is conservation. The conservation plan shall improve existing access for safe and adequate travel on internal roads. Most internal roads shall only be used during event periods for mobilization in and out. A gravel circulation loop and hard surface path has been designed in the public parking area for safe internal travel during higher occupancy.

The site offers adequate area for access from County Roads with three different suitable roads for travel to bordering towns. The plan for traffic only on designated weekends shall allow Garfield County Sherriff and Colorado State Patrol to assist with traffic at said intersections as needed. A complete plan shall be submitted to Garfield County Community Development 90 days prior to any event.

2. It imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this Code.

Response: The property's main access point is located in the middle of the property with a ¼ mile distance each way to adjoining property owners. The main entrance shall be marked for safe entrance and exit of park during non-event hours. The park is estimated to see approximately 20 trips a day by fisherman and outdoor enthusiast and not considered to be a impact

Our site has existing adequate access points (3) to River Frontage Road which have historically been used for heavy machinery and ranching. All are in use and working condition. One will serve as our basic park entrance throughout the year with the addition two for emergency and events. The property once was the gravel pit for I-70 construction with machinery in and out for years.

The Properties three exits then are services by three different County Roads to interstate I-70 (3.5 miles each way). Access to I-70 in Silt is accommodated by two different routes with little or no cross traffic, town interference or interruption to local businesses. The New Castle route does require a route through Main St. with a bit more congestion and pedestrian concerns. Our plan will have attendees parked before entering town and travel by bus to the event site to limit downtown traffic.

The property's right by use as a park per rural Garfield County Zoning will create an estimated daily vehicle count of plus 20. This increase will not produce more than the 20% increase of traffic on State or Local Highways or County roads. The increase will also be less than the 30% increase allowed for any road segment or municipal street within a one mile radius.

Below is the traffic count totals for the roads impacted from the land use change:

Location	Traffic Volume Count 24 hrs. (both directions)
HWY 6 and 24 near PVRP River Frontage Rd. connection	2862
HWY 6 and 24 between New Castle and I-70	6079
Silt I-70 Overpass	8841
I-70 @ New Castle	33642

For our Event weekends, our group has made a point to limited day parking on site, with a full commitment to public transportation. The transportation goals outlined have been designed to also keep at or under traffic thresholds and allowances. Surrounding Community Town leaders commend our plan to end event main festivities at 9pm and allow buses to get people to and from their communities. Our buses will run frequent loops to and from the towns Silt and New

Castle, along with designated areas from Glenwood Springs and Rifle. As the event matures, our transportation solutions will also. We anticipate around 500 car spaces will be needed within ½ of a mile of the I-70 interchanges in New Castle and Silt.
Feedback from RFTA:

RFTA - John Hocker:
• Memorial Day target date is good for available inventory since Summer season doesn't kick-off until mid June - target 4 buses to service event.
• We discussed - park and ride hubs in both New Castle and Silt with direct service to event site from each. Location of each will be verified this Fall. We will work together on site/area visits.
• FTA guidelines for all special events with shuttle service component need to be posted on "charter website" 60 days prior to event where private sector has the right to bid on charter service contract. Selection of partner is at 30 days prior to event. All bids go through RFTA and then to promoter.
• Also - very supportive of event for Garfield County that has positive impact on New Castle and Silt communities.

Richard Duran and the Colorado State Patrol will assist with the event. Recent meeting with CSP produced the following feedback:

CSP - Captain Richard Duran:
• Supportive of a signature special event for Garfield County
• Agrees the event site/location is ideal in minimal impact for surrounding communities.
• We discussed a Jan 15th target date for an agreed upon mitigation plan as opposed to the 90 day prior to event date (March) current deadline for CSP sign-off to ensure all participating parties are confident in plan.
• Made e-introduction to Alan Clubb @ CDOT to review signage needs.

The Garfield County Sheriff's Office has been notified of the plan. Walt Stowe of Garfield Community Relations shall serve as our point of contact for communication and planning.

Our "Meadow" size is suitable for 1,400 parking spaces. Of those, about 400 event day parking spaces shall be reserved for handicap attendees, sponsors, and VIP. The remaining 1,000 spaces will serve as our on-site RV/Camp spaces. We will offer about 350 of these passes with each camping vehicle using two-three times the area of the traditional parking space allotment. Overnight camping and RV guests will not be permitted to re-enter the camping grounds once initially parked. This will help eliminate traffic to and from the site during the heart of the event on Saturdays and Sundays. Also - please note site can handle on-site parking for estimated event staff/volunteers (50), vendors (30), and performers (12-20).

Buses will make Peach Valley River Park Events a success. By utilizing abundant available permitted parking space at and near the Silt and New Castle I-70 interchanges, our buses can transport guests with ease the less than 4 mile route from locations near either town. These parking areas are located within a ¼ of the Silt and I-70 interchange and within a ½ in New Castle. Traffic should easily flow on and off I-70 into these lots if managed correctly.
PVRP LLC plans on supplying one parking space for every 5 attendees of our festivals. With an estimated attendance of 3,000 people per day, PVRP LLV will submit a parking plan to Garfield County Community Development and the BOCC outlining the 1,000 required parking spaces as a requirement for the event no more than 90 days prior to the event.

Our site will accommodate over half of our parking needs with the remaining in or around the Towns of New Castle and Silt. Sites have currently been improved for the bridge project and shall be utilized as available for events. Pictures of these parking areas are included in section 7-302. It is our goal to work with the adjacent towns to dictate what their role can be for a positive outcome with supporting services such as parking, food, before and after event activities, etc.

The site was chosen for ability to utilize existing infrastructure for weekend events. Silt Community Development Director Janet Aluise has mentioned an influx of temporary parking area permits due to the Grand Avenue Bridge closure. Those spaces and others are primarily used Monday through Friday, potentially opening up space in existing parking lots to minimize impacts of building new facilities. Tim Cain, Town Planner of New Castle, has met with our group and really had positive thoughts of the plan, even with his downtown potentially most affected by traffic from a large event. Coal Ridge High School may also realistically become an active supporter and fit for economic support when the school grounds are quiet (parking, off-site amenities such as shelter and showers).

In the event of an outdoor or river event, PVRP buses will shuttle attendees to New Castle Boat Ramp for consistent river shuttles throughout the day. It is a great idea for a river demo day where ease of travel (no I-70) and class 2 rated whitewater is desired. Each shuttle to and from the New Castle Boat ramp would pass through downtown, giving local businesses a boost even during events. No current river park, festival, event, or town in the state has the ability like New Castle and PVRP LLC to start a true user friendly river festival.

10) Water Supply Plan (4-203.M)

Fresh water shall be supplied to visitors of the park only during event times. Water supplied by the event shall only be for drinking. Water will be trucked in and available at multiple locations for free. There will be no outdoor showers located on site unless fully contained, such as the port-a-potties.

Shall PVRP LLC move forward with a Conservation PUD Plan, all the needed utilities are located

at Coal Ridge High School (one mile). It would be ideal to service the site with public utilities. We have had preliminary discussions with the Town of Silt Utilities about extensions and gained positive feedback.

11) Wastewater Plan (4-203.N)

The equivalent of 100 regular access (+ up to 15 ancillary units "outside of the site) including 4 handicap toilets will be provided on the festival grounds for the general public and serviced daily (based on capacity increase adjustment). Also, we will have a service truck on-site at all times throughout the event ensuring service to units when needed as well as fresh supplies when needed. Future PUD work would most likely include a connection to the Town of Silt Wastewater which is located on mile and downhill to the west.

During non-festival hours, the park will have one portable toilet to service the public. This plan mimics the upstream boat ramp at the Dino Rest stop on I-70.

12) Garfield County LUDC 2013

ARTICLE 7: STANDARDS
DIVISION 1. GENERAL APPROVAL STANDARDS.
The following standards apply to all proposed Land Use Changes, including divisions of land, unless elsewhere in this Code a use is explicitly exempt from one or more standards.
7-101. ZONE DISTRICT USE REGULATIONS.
The Land Use Change shall comply with Article 3, Zoning, including any applicable zone district use restrictions and regulations. YES
7-102. COMPREHENSIVE PLAN AND INTERGOVERNMENTAL AGREEMENTS.
The Land Use Change is in general conformance with the Garfield County Comprehensive Plan and complies with any applicable intergovernmental agreement.YES
7-103. COMPATIBILITY.
The PVRP plan is located in an area with diverse neighbor use. The majority of adjacent property owners are homes/ small ranches on 5-15 acre parcels. There is a commercial presence in the area with an industrial park to the east, which has served the heavy machinery industry for years. A greenhouse operation ¼ mile to the west operates a small retail stand but serves mostly bulk clients. Our plan to secure private land for public use is compatible with the State of Colorado and local municipalities to secure use of riverfront
7-104. SOURCE OF WATER.
Temporary Facilities served by a licensed water hauler.
7-105. CENTRAL WATER DISTRIBUTION AND WASTEWATER SYSTEMS.
The equivalent of 100 regular access (+ up to 15 ancillary units "outside of the site) including 4 handicap toilets will be provided on the festival grounds for the general public and serviced

daily (based on capacity increase adjustment). Also, we will have a service truck on-site at all times throughout the event ensuring service to units when needed as well as fresh supplies when needed.

7-106. PUBLIC UTILITIES.

PVRP future Conservation PUD plans include connecting to the Town of Silt Utilities at Coal Ridge High School. For now, pre-PUD events, power will be supplied through generators contracted through PVRP.

7-107. ACCESS AND ROADWAYS.

The PVRP Park Plan will utilize the Main Access with a secondary one 100 yards to the East to act a public transit loop and exit. Event Plan shall utilize the existing three road access points on River Frontage Road. One shall be for dedicated Public transportation entrance and the other two as both entrances and exits for cars and buses. The main parking area is designated by our Transit Area Loop on the event plan.

Property access meets Garfield County Regulations for Accesses in Rural Areas. Our culvert and main access is 26"ft wide at the narrowest point and nearly 30' at road connection. There is adequate room for two lane and large vehicle traffic. There is an existing parking area at this access which is used by semi-trailers and tractors with a gravel surface. There are adequate parking spaces for a few fisherman and dog walkers (estimate current parking area at 20 plus spaces). The one internal road to our production area shall be only by private contractors and safety vehicles. Road has a solid gravel base and has been used for years in farming and, as noted before, gravel extraction.

CDOT and Dan Rousin have been notified about the plan. The lack of development of the parcel prohibits any documentation for access. Our plan to use the existing access points did not seem to be a problem with CDOT. CDOT is in the referral list to comment as needed.

Before/during events, hay fields and gravel paths shall be watered to mitigate dust.

Park Main Access

Culvert at Main Access

East Access

7-108. USE OF LAND SUBJECT TO NATURAL HAZARDS.
Land in use has not natural hazards except the 100 year flood plain. Our application is void of any change of this area.

7-109. FIRE PROTECTION.
There will be no divergence from the plan that is pre approved with all local Fire Protection District/Departments, police and Sheriff's departments. This will include:

- 6' Walkways will be constructed with a combination of "bike-rack barricades and snowfence posts, to be kept clear at all times by PVRP security.
- Fire/emergency lanes to provide access to the grounds, backstage, concession areas and the Patron area.
- All tents will have flameproof certificates, and will meet uniform fire code.
- Fire extinguishers will be in all appropriate structures (tents), on stage, backstage and in all vending areas
- The field entrances and exits are marked on the site plan
- First-Aid stations and paramedics will be hired. PVRP will provide a 20'x20' tent which will be highly visible on-site for the EMT group with premium toilet units.
- Site walk-through will be scheduled with all appropriate entities prior to event start for safety approval.

DIVISION 2. GENERAL RESOURCE PROTECTION STANDARDS.
The following resource protection standards apply to all proposed Land Use Changes, including divisions of land unless elsewhere in this Code a use is explicitly exempt from 1 or more standards.
7-201. AGRICULTURAL LANDS.

A. PVRP shall have no effect on hay operations on our property. Accommodations shall be made to plan agricultural activities in coordinated with events

.
B. Domestic Animal Controls.
Dogs and other domestic animals that are not service animals shall not be permitted on the PVRP grounds during events.
C. Fences. Security
Access to the site will be monitored by paid security hired and managed by PVRP. This security force will be visibly present within the site itself, monitoring bag checks at entrances, patrolling the perimeter, and any (and all) relevant areas that require monitoring to insure the integrity and safety of the site. We estimate 50-70 security/traffic/parking personnel will be staffed throughout each festival day. We will also have four (4) overnight security to patrol the grounds. For continuity, PVRP is also utilizing paid staff all parking areas. PVRP will work with Garfield County Sheriff's department to create a plan which provides safety and best experience to all patrons.

D. Roads. No new roads shall be constructed

E. Ditches. Ditches located on the property shall be fenced in areas of safety concerns and operations. Land Use Change does not affect ditch operations.

7-202. WILDLIFE HABITAT AREAS.
PVRP shall contact CPW for feedback on wildlife mitigation for events. CPW was approached initially on this project as a possible supporter in 2014 but funds and staffing would not allow. No major development taking place. Said property sees increased wildlife use in winter months.
7-203. PROTECTION OF WATERBODIES.
A. Minimum Setback. PVRP shall place all temporary structures to comply with county setback regulations.
7-204 DRAINAGE AND EROSION. N/A. No development. Property is fairly flat and has little drainage or erosion issues.
7-205. ENVIRONMENTAL QUALITY.
A. Air Quality.
N/A
B. Water Quality.

N/A
7-206. WILDFIRE HAZARDS. Low fuel property, mostly hay fields. Surrounding BLM hillside across the river burned recently and has little fuel.
7-207. NATURAL AND GEOLOGIC HAZARDS. N/A
7-208. RECLAMATION. N/A

DIVISION 3. SITE PLANNING AND DEVELOPMENT STANDARDS.
Unless a use is explicitly identified elsewhere in this Code as being exempt from 1 or more standards, the following standards shall apply to all uses, divisions of land and PUDs. Single-family dwelling units, are specifically exempt from these Division 3 standards.
7-301. COMPATIBLE DESIGN.
PVRP through the Garfield County Administrative Review will develop a temporary plan for events and while planning for permanent PUD in the future. Without a suitable river launch between New Castle and Silt, the location lends itself well for river and biking midpoint between the two towns.
A. Site Organization.
A full site plan has been submitted with the relevant information
B. Operational Characteristics.
The operations of activities on the site shall be primarily a day time activity. The property is located next to I-70, with local industrial park, river rapids and truck traffic. Our operations ending by 9pm shall not negatively affect the area.
1. Dust mitigation shall be in place if needed.
2. Noise: The property is located next to I-70, with local industrial park, river rapids and truck traffic.

Section and Table 7-301 Compatible Design 2(B) for Noise

A waiver request by PVRP LLC shall be considered based on the following criteria:

1. The Applicant shows good cause for the requested waiver;
Response:

The site is in rural Garfield County but lies adjacent to the area's largest noise polluters, I-70 and the Colorado River. Our temporary use of the property and increased noise shall have minimal effects on the surrounding area. Applicants have requested a variance from noise DB limits from 7-10pm for the event weekend. Said noise shall be above state levels at that period but shall not severely impact adjacent owners. The area used for event space is recessed from the highway level and not viewable.

2. The project size, complexity, anticipated impacts, or other factors support a waiver;

Response:
Applicant has chosen said location for special use due to the external factors that already affect the land. The land is bordered on the north by I-70 and the railroad corridor. I-70

highway noise is quite loud in the area. This constant noise of cars and trucks is 24hrs a day with trains contributing nearly hourly.

To the South is the Colorado River with a large hillside of BLM. The river acts as a noise break for local residents in the area as highway noise can only be muffled once in close proximity to the water.

The event plan has taken into account residents to the East and West by utilizing these portions of the property for storage and parking. All efforts will be made to accommodate local homeowners through sound and sight mitigation prctices.

3. The waiver does not compromise a proper and complete review;

Response:

The temporary use of the property does not severely impact the long term goals or planning of the area. Said noise levels shall impact the area with increased levels for only 6-9 hours out of the year. Such impacts do not negatively impact the rural nature but do assist local community in tourism based economy.

4. The information is not material to describing the proposal or demonstrating compliance with approval criteria.

A complete Compatible Design for Noise does not fit the approval for said use of the property. Said use shall be a natural park with public river access for 360 plus days a year. Buffering shall be used for the 3-6 days of increases noise levels during events.

3. Hours of operation: The grounds will be open to the public beginning two hours prior to show time (4 PM on Fri. 1 PM on Sat. and Sun. The Festival site will be fenced off with hard and snow fencing, completely enclosing the concert area. The addition of 6' high chain-link fence at the following areas will assist in overall security: backstage, main entrance, village side entrance, vending area.

C. Buffering.
Buffering shall consist of production trucks on the west and parking to the east. The majority of the PRVP event production shall occur in the middle portion of the property.
D. Materials. N/A
7-302. OFF-STREET PARKING AND LOADING STANDARDS.
We are looking to utilize "The Meadow" Parcel C (see attached site plan) which can accommodate 1000+ spaces.
Parking hubs especially designed for the bridge project this year have been set up in both New Castle and Silt. We have contacted the towns and owners about use with a very positive response. Our weekend based events can easily use the weekday based park and ride spaces.

New Castle above McDonalds

New Castle across from City Market

Silt just East of Town

RFTA and/or local private shuttle partner will provide the free shuttle service to the festival site. PVRP will provide written approval for each parking area from respective owner/operator. PVRP will be responsible for the operation of all parking areas with adequate staff. A "supervisor" for each parking area will be assigned and will maintain contact with the supervisor at all times to ensure proper traffic direction.

7-303. LANDSCAPING STANDARDS. N/A

7-304. LIGHTING STANDARDS.
Power will be supplied through generators contracted through PVRP. Through closing each night, the area surrounding the site will be appropriately lit via
light towers in order to avoid confusion and mishap. An overnight security team will be on-site throughout the festival weekend.

7-305. SNOW STORAGE STANDARDS. N/A
7-306. TRAIL AND WALKWAY STANDARDS.
Nearly the entire 79-acre parcel shall be dedicated to Parks and recreation access throughout our Event Permit Period. The natural landscape along existing soft gravel paths and trails shall be maintained solely by the PRVP LLC.

13) Additional Mitigation for 2018 PVRP Festival

1. FOOD & VENDORS
All will secure necessary health and food permits through Garfield County Health Department.

All Food vendors will be commissioned and managed through PVRP Vending Area Coordinator. All appropriate health and food permits, business licenses, and Certificates of Insurance will be secured by the individual respective vendors, and provided to PVRP and the Garfield County Health Dept. prior to the event. All food areas will be kept especially clean with no exposed trash to avoid attracting bear/wildlife.

2. PRIVATE HOSPITALITY TENTS
PVRP will provide private hospitality tents that are commissioned and coordinated through staff. Daily capacity for the private tents will range from 20-300 persons per day. A roster will be provided prior to event.

3. LIQUOR
A special use liquor license will be applied for by PVRP for the Festival. PVRP will provide TIPS trained bartenders for service. Identification will be checked at the entrance gate. All persons over the age of 21 will be given a colored wristband. These wristbands are not removable, nor are they transferable. No one appearing intoxicated will be served. We intend to keep very strict control on the sale of alcohol at this event. Concert-goers will not be allowed to bring alcohol or glass containers in to the festival site. The only exception would be for special dietary needs (e.g. diabetics and infants).

4. ALCOHOL & DRUG MITIGATION
In a continuing effort to keep the safety of our attendees the top priority, PVRP will continue to promote the problems associated with intoxication in our PSA campaign and stage announcements. "DON'T DRIVE INTOXICATED" signage will be posted in all festival parking lots. Vehicles that are left in designated parking lots for this reason will be tolerated with no fine. Bus transportation to neighboring towns will be included for patrons at no charge.

5. PVRP TRANSPORTATION MANAGEMENT PLAN
The following elements of parking, traffic control, egress, and transportation are critical to the success of an effective Transportation Management Plan. With years of "hands-on" experience and modification with other local events, we are confident that through the expertise and cooperation of the local police, sheriff's departments Police, RFTA, AES Security and PVRP Production, this event will prove to be an example of large scale special event execution.

A. PARKING

We are looking to utilize "The Meadow" Parcel C (see attached site plan) which can accommodate 1000+ spaces.

Parking hubs will be established (i.e. Coal Ridge HS, New Castle, Silt, Rifle and Glenwood Springs.

RFTA and/or local private shuttle partner will provide the free shuttle service to the festival site.

PVRP will provide written approval for each parking area from respective owner/operator.

PVRP will be responsible for the operation of all parking areas with adequate staff. A "supervisor" for each parking area will be assigned and will maintain contact with the supervisor at all times to ensure proper traffic direction.

B. TRAFFIC CONTROL

In review with all participating parties, we will finalize #'s of traffic control team (through AES Security and A-1 Traffic).

C. EGRESS

The egress is one element in which most of our challenges have always occurred. PVRP realizes the importance of getting it right the first time. The points are:

- Well designed Staging Areas & Cuing Lines
- Personnel
- Equipment – buses & barricades
- Signage

D. TRANSPORTATION

PVRP will provide a complete and thorough transportation plan for review by all appropriate parties. Specific scheduling will be submitted prior to the event.

PVRP should have accurate estimates of the expected number of attendees through advanced ticket sales and timely reporting to Sheriff's and Police departments.

SUMMATION:

Peach Valley River Park once completed would serve as the largest venue on the western slope of Colorado for events. Its proximity to I-70 and the Colorado River make festival logistics and marketing a dream. Jeep Jamboree, BMW and other traveling festivals have turned down Garfield County for its lack of suitable event space. We're excited for this new chapter to be

realized.

14) Letters of Support

July 11, 2017

To Garfield County Board of Commissioners
RE: Peach Valley River Park

Dear Commissioners,

I am writing in support of Peach Valley River Park and the proposed festival planned for May/June 2018. While this project is not located within Glenwood Springs city limits, it promises to provide economic benefit to our neighboring communities of Silt and New Castle. The festival itself should benefit Glenwood Springs lodging, attraction and restaurant businesses as well as those of our Western neighbors. The proposed boat launch and special events center would be major enhancements to regional tourism.

While the special event venue itself is very enticing, during non-event times, the ability of Peach Valley River Park to provide fishing, trails, picnic areas and hopefully camping is very beneficial to a County trying to diversify and capitalize on recreational offerings. The shoulder seasons targeted (May/early June and September/October) would be enhanced as festivals are being proposed for those time frames.

Finally, the proposed location affords access on the river frontage road and visitors would be able to travel between Silt and New Castle to and from the property with limited impact on I-70.

For all these reasons, the Glenwood Springs Chamber Resort Association lends its support to this economic development effort.

Sincerely,

Marianne Virgili

Marianne Virgili, IOM, CCE
President & CEO

July 11, 2017

To Garfield County Board of Commissioners
RE: Peach Valley River Park

Dear Commissioners,

It's about time a smart community-oriented project like the Peach Valley River Park is proposed for the area. Not only will it have tremendous economic benefits for the neighboring communities of Rifle, Silt, New Castle and Glenwood Spring (tourism, lodging, restaurants, recreation, etc), but it will also provide essential public access to the Colorado River for both sportsman and recreationists.

As both a fly-fishing guide, president of Home Waters Real Estate and founder of Shook Book Publishing, which produces river maps throughout the west offering detailed access points for both fisherman and boaters, I am a huge supporter of any new riverfront public access. The Peach Valley River Park will offer the general public much needed access to the Colorado River in a section of river that is notoriously private. The lower Colorado River (Glenwood Springs to Rifle) is becoming well-known as one of the premier destinations in Colorado for fly fishing and like most rivers in the state, is in desperate need of more public access.

Furthermore, the Colorado River offers incredible fly fishing opportunities during the spring (pre-runoff) months of March-May and again in the fall months of Sept-Nov. Fly fisherman around the country visit the area during this time which provides a much needed economic boost during these "off-months."

For the stated reasons, I can safely say that the fishing community stands behind the proposed Peach Valley River Park and looks forward to one day accessing the river from its' beautiful banks.

Sincerely,

Michael Shook
Shook Book Publishing
Home Water Real Estate
Proudline Fly Fishing
345 Colorado Ave Unit 105
Carbondale, CO 81623
970-618-6795

GARFIELD COUNTY

Supplemental Submittal

BY PVRP LLC

October 24, 2017

I just finished my meeting with the Community Development Director addressing your application. There are just a couple of small tweaks that need to be made prior to us determining that it is technically complete.

1. The mineral ownership document did not identify that County Records were used for research. Please provide a statement that mentions how County Records were used for this research.

2. Please review the attached soils map and include it as part of your grading and drainage plan.

3. Please provide a statement requesting a waiver from Table 7-107 Roadway Standards.

4. Please provide a statement requesting a waiver from Section 7-301 Compatible Design (B) (2) for Noise

Once these issues are addressed we will be able to schedule a hearing in front of the Garfield County Board of County Commissioners.

Please let me know if you have any further questions,

1. Supplied to Patrick Waller 10/20/17 via email.

2. Included in this submittal and will be added to the Land Use Plan for BOCC review

3. PVRP Land Use Application Additional Information

Section and Table 7-107 Roadway Standards

A waiver request by PVRP LLC shall be considered based on the following criteria:

3. It achieves the intent of the subject standard to the same or better degree than the subject standard;

Response: The project offers three historical access points to River Frontage Road for use during the event use weekends. During normal park hours, one main entrance with a parking area approximately 100 ft from the entrance shall be the only internal use of rods by the public for vehicular traffic. Periods with increased traffic shall be supported by local authorities as mentioned in plan.

The intent of the development plan is conservation. The conservation plan shall improve existing access for safe and adequate travel on internal roads. Most internal roads shall only be used during event periods for mobilization in and out. A gravel circulation loop and hard surface path has been designed in the public parking area for safe internal travel during higher occupancy.

The site offers adequate area for access from County Roads with three different suitable roads for travel to bordering towns. The plan for traffic only on designated weekends shall allow Garfield County Sherriff and Colorado State Patrol to assist with traffic at said intersections as needed. A complete plan shall be submitted to Garfield County Community Development 90 days prior to any event.

4. It imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this Code.

Response: The property's main access point is located in the middle of the property with a ¼ mile distance each way to adjoining property owners. The main entrance shall be marked for safe entrance and exit of park during non-event hours. The park is estimated to see approximately 20 trips a day by fisherman and outdoor enthusiast and not considered to be a impact

4. PVRP Land Use Application Additional Information

Section and Table 7-301 Compatible Design 2(B) for Noise

A waiver request by PVRP LLC shall be considered based on the following criteria:

4. The Applicant shows good cause for the requested waiver;

Response:

The site is in rural Garfield County but lies adjacent to the area's largest noise polluters, I-70 and the Colorado River. Our temporary use of the property and increased noise shall have minimal

effects on the surrounding area. Applicants have requested a variance from noise DB limits from 7-10pm for the event weekend. Said noise shall be above state levels at that period but shall not severely impact adjacent owners. The area used for event space is recessed from the highway level and not viewable.

5. The project size, complexity, anticipated impacts, or other factors support a waiver;

Response:

Applicant has chosen said location for special use due to the external factors that already affect the land. The land is bordered on the north by I-70 and the railroad corridor. I-70 highway noise is quite loud in the area. This constant noise of cars and trucks is 24hrs a day with trains contributing nearly hourly.

To the South is the Colorado River with a large hillside of BLM. The river acts as a noise break for local residents in the area as highway noise can only be muffled once in close proximity to the water.

The event plan has taken into account residents to the East and West by utilizing these portions of the property for storage and parking. All efforts will be made to accommodate local homeowners through sound and sight mitigation prctices.

6. The waiver does not compromise a proper and complete review;

Response:

The temporary use of the property does not severely impact the long term goals or planning of the area. Said noise levels shall impact the area with increased levels for only 6-9 hours out of the year. Such impacts do not negatively impact the rural nature but do assist local community in tourism based economy.

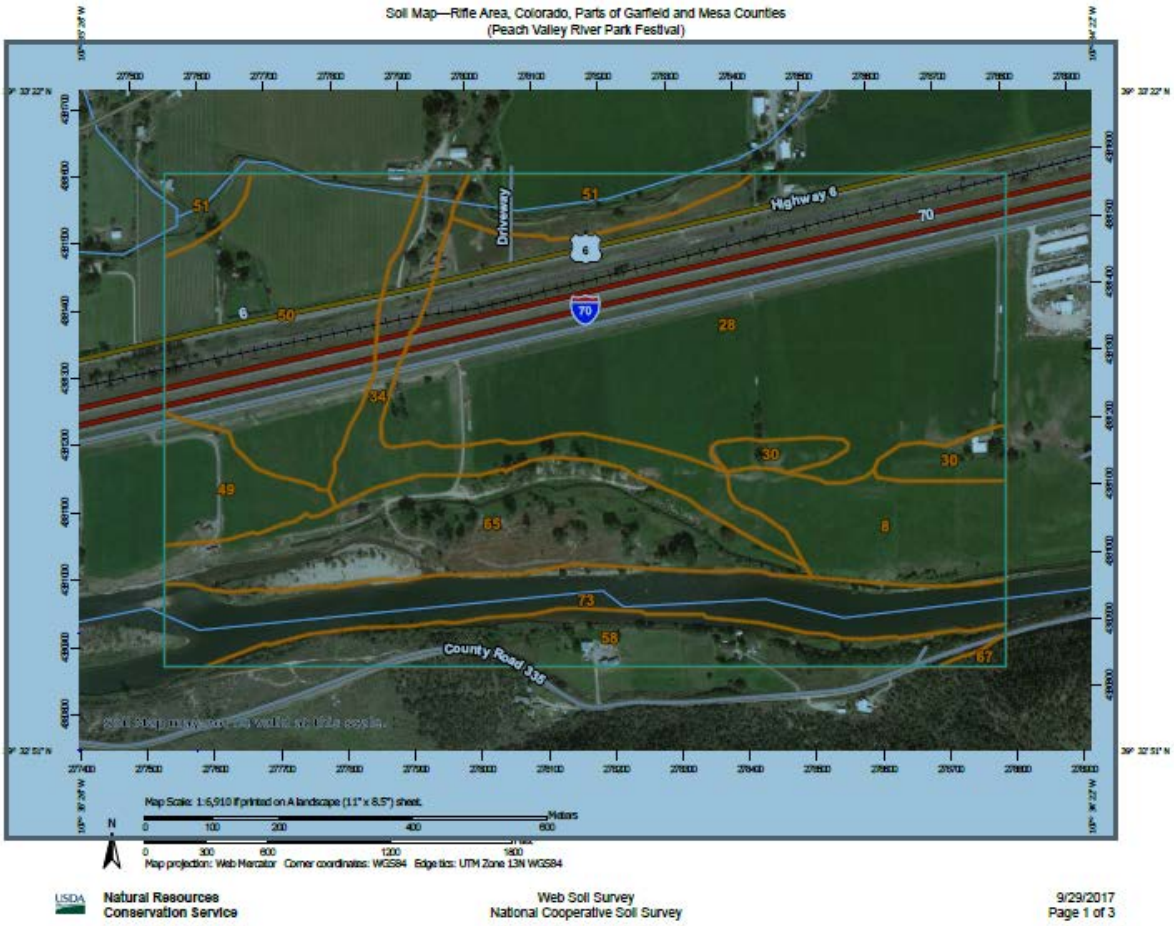
4. The information is not material to describing the proposal or demonstrating compliance with approval criteria.

A complete Compatible Design for Noise does not fit the approval for said use of the property. Said use shall be a natural park with public river access for 360 plus days a year. Buffering shall be used for the 3-6 days of increases noise levels during events.

Peach Valley River Park LLC

Attn. Jason Segal
3720 S. Dahlia St.
Denver, CO 80237
Peachvalleyriverpark@gmail.com
970-618-6972

Soils Map Added



Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
8	Atencio-Azeltine complex, 1 to 3 percent slopes	13.5	5.9%
28	Heldt clay loam, 1 to 3 percent slopes	80.2	35.1%
30	Heldt clay loam, 6 to 12 percent slopes	4.8	2.1%
34	Ildefonso stony loam, 25 to 45 percent slopes	13.9	6.1%
49	Olney loam, 1 to 3 percent slopes	7.2	3.1%
50	Olney loam, 3 to 6 percent slopes	31.1	13.6%
51	Olney loam, 6 to 12 percent slopes	10.4	4.6%
58	Potts-Ildefonso complex, 12 to 25 percent slopes	17.0	7.4%
65	Torrifluvents, nearly level	26.8	11.7%
67	Torriorthents-Rock outcrop complex, steep	0.5	0.2%
73	Water	23.4	10.2%
Totals for Area of Interest		**228.8**	**100.0%**

New Castle Planning and Zoning Commission Meeting
Wednesday, June 14, 2017, 7:00 p.m., Town Hall

Call to Order
Commission Chair Chuck Apostolik called the meeting to order at 7:00 p.m.

Roll Call
Present Chair Chuck Apostolik
Commissioner Copeland
Commissioner Ellis
Commissioner Gates
Commissioner Owens
Commissioner Ruggles
Commissioner Urnise

Absent None

Also present at the meeting were Town Planner Tim Cain, Assistant Town Attorney Haley Carmer, Deputy Town Clerk Mindy Andis and members of the public.

Meeting Notice
Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC-2017-1.

Conflicts of Interest
There were no conflicts of interest.

Citizen Comments on Items NOT on the Agenda
There were no citizen comments.

Public Hearing
Zoning Text Amendment

Purpose: Add a new Chapter to the Zoning Code-Chapter 17.69- that creates the Mixed-Use Commercial zone district and regulations applicable to the new District.

Applicant: Town of New Castle

Resolution PZ 2017-4 Recommending Approval of an Amendment to Title 17 of the New Castle Municipal Code to Add a New Zone District Known as the Mixed-Use Commercial District.

Chair Apostolik opened the Public Hearing at 7:01p.m.

Town Planner Tim Cain briefly described and reviewed 10 potential issues with the proposed zone text amendment for the new Commercial Zone District.

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The Commission discussed the 10 issues and made corrections to the proposed zone district. The corrections were:

1) Call the new zone district Mixed-Use Commercial Zone District

2) 17.69.020 – Purpose should read: The Mixed-Use Commercial zone district provides for a diversity of commercial, service, and entertainment-related uses in mixed-use buildings allowing for residential units above commercial units. The Mixed-Use Commercial zone advances New Castle's Comprehensive Plan principles, policies, and goals geared toward a strong and sustainable local and visitor economy with a diversity of commercial opportunities. The Mixed-Use Commercial zone creates economic vitality by providing a mix of commercial uses with greater flexibility in architecture and design, enhancing New Castle's community character. The Mixed-Use Commercial zone district provides an opportunity to transition from the more intense zone district such as Commercial Retail zone district to the surrounding mixed-use, residential, and lodging uses.

3) 17.69.030(2) – change restaurants ~~without bars and without drive-through facilities~~, to restaurants.

4) 17.69.030(3) – change banks and financial institutions ~~without drive-through facilities~~, to with drive-through facilities.

5) 17.69.030(5) - add business and professional offices.

6) 17.69.040(6) – take out Medical or dental clinic

7) 17.69.040 – add (9) Brewery and Distilleries as a conditional use.

8) 17.69.040 – add (10) Restaurant with brewery as a conditional use.

9) 17.69.040 – add (11) Temporary Gravel Extraction.

10) 17.69.060(A) Minimum: two thousand five hundred (~~2,500~~) (1,750) square feet

11) 17.69.060 add minimum lot width 35 feet

12) 17.69.060 add maximum impervious ninety percent (90%)

13) 17.69.070(A)(i) Minimum: five hundred (~~500~~)(400) square feet per dwelling unit

14) 17.69.070(A)(ii) Maximum: one thousand five hundred (~~1,500~~)(1,200) square feet per dwelling unit

15) 17.69.080 – Setback Requirements: The following setback requires shall apply in this zone district:

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Front setback: ~~20~~ 0 feet Side setback: ~~5~~ 20 feet

16) 17.69.090 – Building Stories and Height:
Maximum building height shall be forty (40) feet, allowing no more than ~~two~~ three stories, excluding basements. Allowing for commercial and residential on the second and third floor.

Chair Apostolik closed the Public Hearing at 8:49pm

Motion: Commission Chair Apostolik made a motion recommending approval of Resolution PZ-2017-4, A Resolution of the New Castle Planning and Zoning Commission Recommending Approval of an Amendment to Title 17 of the New Castle Municipal Code to Add a New Zone District Known as the Mixed-Use Commercial District, with recommended changes. Commissioner Ellis seconded the motion and it passed on a roll call vote: Commissioner Gates: Yes; Commissioner Urnise: Yes; Chair Apostolik: Yes; Commissioner Owens: Yes; Commissioner Copeland: Yes. Commissioner Ellis: Yes; Commissioner Ruggles: Yes.

Zoning of Property

Purpose: zoning of a parcel of real property to be annexed into the Town of New Castle, Colorado

Legal description: A parcel or tract of land situated in the East 1/4 of the SE 1/4 of Section 32, Township 5 South, Range 90 West of the 6th Principal Meridian, County of Garfield, State of Colorado, said parcel being a portion of that parcel of land described in Reception No. 887954 of the Garfield County records, and being more particularly described as follows:

Beginning at the Southwest Corner of said parcel described in Reception No. 887954, also being at the

Northerly right-of-way of Garfield County Road No. 240, from which the East One-Quarter Corner of said Section 32 bears N44°08'57"E a distance of 1646.86 feet;
thence N 05°22'05" W along the Westerly Line of said parcel described in Reception No. 887954, distance of 846.96 feet;

thence N90°00'00" E a distance of 162.87 feet;

thence S 08°00'00″ E a distance of 722.72 feet to the Southerly Line of said parcel described in Reception No. 887954, also being the Northerly right-of-way of Garfield County Rood No. 240;

thence S 55°18'00" W along said Southerly Line of said parcel described in Reception No. 887954, and also the Northerly right-of-way of Garfield County Road No. 240, a distance of 224.07 feet to the

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point of beginning, said parcel containing 3.237 acres (141,006 square feet), more or less.

Common Address: TBD, New Castle

Applicant: Turtlepoop, LLC

Landowner: Turtlepoop, LLC

Resolution PZ 2017-3 Making Recommendation Regarding Zoning of Certain Real Property Proposed for Annexation into the Town of New Castle, Colorado

Chair Apostolik opened the Public Hearing at 8:50 p.m.

Assistant Town Attorney Haley Carmer said when property was annexed into town, the property needed to be zoned within ninety (90) days of the approval of the annexation ordinance. The first reading of the ordinance was at council on June 6, 2017. Therefore, it will be up to the Planning & Zoning (P&Z) Commission to make a recommendation to the council for the zoning of the property. Council will consider the recommendation and hear the first reading of the zoning ordinance at council on June 20, 2017.

Planner Cain recommended adopting the Mixed-Use Commercial Zone District with the subsequent corrections and changes indicated in resolution PZ-2017-4. He felt zoning the property as Commercial General was not appropriate.

Applicant Mogli Cooper greeted the commission. She said she had initially wanted to move the entire Colorado Department of Transportation (CDOT) operations to New Castle. After speaking with State Patrol and the engineering division of CDOT, the goal was to move only the two into one building and perhaps a medical clinic in the other building.

Chair Apostolik closed the Public Hearing at 9:03 p.m.

Motion: Commission Chair Apostolik made a motion recommending approval of Resolution PZ-2017-3, A Resolution of the New Castle Planning & Zoning Commission Making Recommendations Regarding Zoning of Certain Real Property Proposed for Annexation into the Town. Denying the zone district proposed with the application and recommending zoning to be Mixed-Use Commercial. Commissioner Ellis seconded the motion. The motion passed on a roll call vote: Commissioner Ellis: Yes; Commissioner Owens: Yes; Commissioner Urnise: Yes; Commissioner Gates: Yes; Chair Apostolik: Yes; Commissioner Copeland: Yes; Commissioner Ruggles: Yes.

Items for next Planning and Zoning Agenda
There were no items.

Commission Comments and Reports
There were no comments or reports.

DRAFT

Staff Reports
There were no reports.

Review Minutes from Previous Meeting
Motion: Commission Chair Apostolik made a motion to approve the May 24, 2017, meeting minutes as approved. Commissioner Gates seconded the motion and it passed unanimously.

Motion: Chair Apostolik made a motion to adjourn the meeting. Commissioner Owens seconded the motion and it passed unanimously.

The meeting adjourned at 9:06 p.m.

Respectfully Submitted,

_____
Planning and Zoning Commission Chair
Chuck Apostolik

_____
Deputy Town Clerk Mindy Andis

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NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT at 7:00 p.m. on November 29, 2017, at New Castle Town Hall, 450 West Main Street, New Castle, Colorado 81647, the New Castle Planning and Zoning Commission will hold a public hearing regarding the zoning of a parcel of real property to be annexed into the Town of New Castle, Colorado. The property that is the subject of the public hearing and related annexation and zoning application is a portion of County Road 335, legally described as follows, to wit:

> A parcel of land situated in the SW1/4 of Section 32, Township 5 South, Range 90 West of the 6th P.M., and also in the NE1/4 of Section 2, Township 6 South, Range 91 West of the 6th P.M., County of Garfield, State of Colorado, said parcel being more fully described as follows:
>
> Beginning at the Southwest Corner of that parcel of land described and shown on that Annexation Plat, recorded as Reception No. 431501 of the Garfield County records from which the Southwest Corner of said Section 32 bears S.04°11'47"E. a distance of 1315.98 feet;
>
> thence 667.37 feet along the Southerly Line of said parcel, along a non-tangent curve to the right, having a radius of 2138.39 feet, a central angle of 17°52'53", the chord of which bears S 63°11'11" E a distance of 664.66 feet;
>
> thence S 54°14'45" E along said Southerly Line, a distance of 579.81 to the Southeast Corner of said parcel;
>
> thence S 54°14'45" E a distance of 331.99 feet along an offset line being 50.00 feet Northeasterly of, and parallel to, the road surface centerline of the existing County Road No. 335;
>
> thence continuing along said offset line the following three (3) courses;
>
> 1) 430.98 feet along a curve to the left, having a radius of 3628.46 feet, a central angle of 6°48'19", the chord of which bears S 57°38'54" E, a distance of 430.72 feet;
>
> 2) S 61°03'15" E a distance of 484.41 feet;
>
> 3) 299.28 feet along a curve to the left, having a radius of 1786.15 feet, a central angle of 9°36'02", the chord of which bears S 65°51'16" E, a distance of 298.93 feet to the Westerly Line of Lot 1 of Riverside Park, as shown on the Plat thereof, recorded as Reception No. 548663;
>
> thence S 13°22'59" W following said Westerly Line, and said Westerly Line extended, a distance of 100.51 feet;
>
> thence along a line being 50.00 feet Southwesterly of, and parallel to the road surface centerline of the existing County Road No. 335 the following three (3) courses;

1) 326.48 feet along a non-tangent curve to the right, having a radius of 1886.15 feet, a central angle of 9°55'03", the chord of which bears N 66°00'46" W a distance of 326.07 feet;

2) N 61°03'15" W a distance of 484.42 feet;

3) 350.74 feet along a curve to the right, having a radius of 3726.87 feet, a central angle of 5°23'32", the chord of which bears N 58°21'23" W a distance of 350.61 feet to the easterly most corner of Coal Ridge Industrial Subdivision, as shown on the Plat thereof, recorded as Reception No. 571484;

thence along the Northeasterly Line of said Subdivision, the following three (3) courses:

1) 92.11 feet along a non-tangent curve to the right, having a radius of 3726.87 feet, a central angle of 1°24'58", the chord of which bears N 54°57'09" W a distance of 92.11 feet;

2) N 54°14'45" W a distance of 911.80 feet;

3) 595.45 feet along a non-tangent curve to the left, having a radius of 2038.39 feet, a central angle of 16°44'14", the chord of which bears N 62°36'51" W, a distance of 593.34 feet to the Northwest Corner of Tract A of said Coal Ridge Industrial Subdivision, also being at the Westerly Line of said Section 32;

thence N 04°11'47" W along said Westerly Line, a distance of 108.35 feet to the point of beginning, said parcel containing 6.376 acres (277747 square feet), more or less.

Garfield County, Colorado, by and through its Board of County Commissioners, is the annexation petitioner. The complete annexation petition and zoning application is available for inspection between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, at the New Castle Town Clerk's office located at 450 West Main Street, New Castle, Colorado 81647.