



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

**Planning & Code Administration
Department**
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Staff Report

**Eagle's Ridge Ranch
Minor Amendment to PUD
Planning Commission – Hearing– September 14th, 2022**

Report Compiled: 9/8/2022

Project Information

Name of Applicant: Colombo International, Inc.

Applicant's Mailing Address: 300 Horseshoe Dr., Basalt, CO. 81621

Phone/Email: (970) 618-9222; colombo@sopris.net

Property Address: 741 Castle Valley Blvd, New Castle, CO 81647

Property Owner: Malo Development Lakota, LLC.

Owner Mailing Address 300 Horseshoe Dr., Basalt, CO 81621

Proposed change: Reduction of 30 townhomes and condominiums to 22 townhomes

Legal Description: Lot 2B, Lakota Canyon Ranch, Phase 7, according to the Final Plat, Resubdivision of Parcel D Plat recorded February 26, 2009, as Reception No. 763774, and the Amended Final Plat, Lot 2, Lakota Canyon Ranch, Phase 7, recorded July 30, 2010, as Reception No. 789213

Street Frontage: North – Castle Valley Blvd; West – Town of New Castle ROW shared with Lakota Ridge Senior Housing;

Existing Zoning: Residential

Surrounding Zoning: North – Mixed Use (MU), South – R/2, West – Mixed Use (MU) and East – Mixed Use (MU)

I Introduction

The applicant requests a minor amendment to the Eagles Ridge Ranch PUD (ERR) approved in 2019 through ordinance TC 2019-4. According to section 17.100.110 of the municipal code, minor amendments are alterations to an approved PUD development plan that requires elevating the review process to the Planning Commission (P&Z). Minor amendments are approved by resolution of P&Z following a noticed public hearing. P&Z may condition such approval as necessary to ensure that the development will be compatible with current community standards, infrastructure, and regulations. Minor amendments include, but are not limited to:

1. An increase or decrease equal to or less than three (3) percent of the overall coverage of residential structures as originally approved within the PUD;
2. An increase or decrease equal to or less than three (3) percent or one thousand (1,000) square feet (whichever is less) of the overall coverage of commercial/light industrial structures as originally approved within the PUD;
3. A reduction in the number of residential dwelling units not including designated affordable housing units;
4. An increase of the originally approved common or public open spaces;
5. Improvements to site circulation such as deceleration lanes, increased street connectivity, improved/expanded non-motorized access routes, etc.;
6. Alterations to the applicable PUD dimensional standard(s) (e.g., setbacks, building height, F.A.R) of less than ten percent (10%).

Pursuant to section 17.100.110 (D), the town administrator has designated the application a minor amendment because of the reduction of units. The town administrator has also determined, in accordance with section 17.100.110 (E), that the current submitted materials are sufficient evidence for the application’s consideration.

II Proposed Changes

In consideration of the minor amendment, note that the project is currently permitted for construction. Eight townhome units (Buildings 5 & 6) are presently being built. Changes of those units is not being considered with this application. The amended proposal shows general consistency with the original site plan in terms of architectural design, site layout, open space, and landscaping. However, the applicant contemplates modest alterations with the intent of improving the community’s livability and the marketability. Those changes include:

<u>Original Plan</u>	<u>Revised Plan</u>
• Total #Units: 30 total units – 16 townhomes, 14 condominiums;	• Total #Units: 22 total units – all townhomes;
• Density: 13.52 units/acre	• Density: 10.10 units/acre
• Open Space: 23.7%	• Open Space: 31.6%
• Parking: 85 total – 7 on-street, 78 off-street	• Parking: 85 total – 3 on-street, 82 off-street
• Street Width: 24 feet	• Street Width: 28 feet
• OS Width: 39.28 feet	• OS Width: 76.26 feet
• Trash Enclosure: Along CVB	• Trash Enclosure: Removed – individual service
• Sidewalk: Continued between Buildings 1 & 2	• Sidewalk: Removed between Buildings 1 & 2

Other important improvements to the livability of the PUD include the replacement of the parking lot along CVB with passive open space, upgraded two-car garages for the lower 14 townhouses, and increased snow storage east of the public street.

Upon review of the submittal packet, Staff concludes that the proposed changes:

1. **Are** consistent with the comprehensive plan;
2. **Comply** with zoning and density requirements;
3. **Are** Compatible to neighboring land uses;
4. **Have** sufficient access to town services including water and sewer services, fire, and police;
5. **Have** adequate off-street parking as well as vehicle, bicycle, and pedestrian circulation;
6. **Meet** open space and park requirements;
7. **Are** consistent with the natural character, contours, and viewsheds of the land.

III Staff Recommendations

Staff recommends the following conditions in consideration of **PZ 2022-05**:

- a. Each townhome unit shall be provided with separate water and sewer service directly from the main line. Gas and electric service must run directly to each unit from the building exterior rather than through crawlspaces or attic spaces.
- b. The sale of individual lots or units within Eagle's Ridge Ranch may not occur until a plat creating the lot or unit is recorded with Garfield County.
- c. The amended Plat shall be reviewed and approved by Town staff and the Town attorney prior to recordation.
- d. Prior to recordation of the amended Plat, Applicant shall provide updated snow storage, drainage, grading, and utility plans that reflect actual proposed conditions based on the changes proposed in the Application. Said plans will be subject to review and approval by the Public Works Department and Town engineer, and Applicant shall comply with all Town staff and Town engineer recommendations and requirements regarding the plans.
- e. At the time of recordation of the amended Plat, Applicant shall record an amendment to the Declaration of Covenants, Conditions, and Restrictions for Eagle's Ridge Ranch Homeowners Association to update the maximum units allowed in the development and make any other changes that may be necessary as a result of the Application. Said amendment shall be subject to review by the Town attorney.
- f. A subdivision improvements agreement for the first phase of development of the Property is currently in place and recorded at Reception No. 967189. A subdivision improvement agreement for each subsequent phase shall be recorded before work commences in each phase. No lot or unit in any future phase of development of the Property shall be sold until the public improvements for the particular phase have been constructed and accepted by the Town.
- g. All representations of the Applicant in written and verbal presentations submitted to the Town or made at public hearings before the Commission and reflected in the minutes and/or recordings of such hearings shall be considered part of the Application and binding on the Applicant.

- h. The Applicant shall comply with all applicable building, residential, electrical and municipal code requirements, including all sign code regulations, when developing the Property according to the Plan, as amended.
- i. The Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including, without limitation, all costs incurred by the Town's outside consultants such as legal and engineering costs.

IV Exhibits

- A. Land Use Application – July 27, 2022
- B. Applicant Narrative – July 28, 2022
- C. Amended Plan Submittal – September 8, 2022
- D. Comments from Public Works Director – August 19, 2022
- E. Comments from Town Engineer – September 8, 2022, 2022
- F. Affidavit of Notice – September 8, 2022
- G. Public Notice
- H. Property Owners within 250'