



Town of New Castle
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**Planning & Code Administration
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Staff Report

**Lakota Canyon Ranch - Filing 8
Combined PUD and Subdivision Preliminary Plan
Planning Commission – August 24th, 2022**

Report Compiled: 8/18/2021

Project Information

Name of Applicant: Dwayne Romero

Applicant's Mailing Address: 350 Market St. #304 Basalt, CO 81621

Phone/Email: 970-273-3100/dromero@romero-group.com

Property Address: TBD

Property Owner: RG Lakota Holdings, LLC

Owner Mailing Address Same as applicant

Proposed Use: 185 residential units; 51,407sf commercial space; 28 Mixed-Use Flats, 108 Rental Apartments, 20 Townhomes, & 29 Single-Family Homes

Legal Description: Section: 32 Township: 5 Range: 90 Subdivision: WHITEHORSE VILLAGE AT LAKOTA CANYON RAN AMENDED PARCEL 3 FUTURE DEVELOPMENT PHASE 1 A RE-SUB OF BLK A, B1 & B2 LAKOTA CANYON RANCH FILING 1 4.42 ACRES

Section: 29 Township: 5 Range: 90 Subdivision: LAKOTA CANYON RANCH FILING #3 PHASE 1 FUTURE DEVELOPMENT PARCEL AS PLATTED PER RECEPTION NO. 665843 5.844 ACRES

Section: 29 Township: 5 Range: 90 PARCEL C-2 2ND AMENDED PLAT OF LAKOTA CANYON RANCH FKA EAGLES RIDGE RANCH. 5.321 ACRES

Street Frontage: Castle Valley Blvd.
Faas Ranch Rd.
Lakota Dr.
Blackhawk Dr.

Whitehorse Dr.

Existing Zoning: Mixed Use (MU)

Surrounding Zoning: Single Family Residential; Multifamily Residential (Shibui, Senior Housing)
Nonresidential (CRFR Fire House)

I Introduction – Application History & Review Process

On June 21, 2021 the applicant submitted a sketch plan for Filing 8 in Lakota Canyon Ranch (“LCR”). The application was reviewed by the Planning Commission (“Commission”) on July 28th, 2021 followed by Town Council (“Council”) on September 7th, 2021. The applicant also introduced the proposal at the required community meeting on October 21st, 2021. The preliminary plan is the second of three PUD/subdivision application steps. Like the sketch plan, the preliminary plan should demonstrate zoning conformance, compliance with the town code, provisions for utilities and infrastructure, compatibility with the comprehensive plan, and address any adverse impacts to the town. Unlike the sketch plan, however, the preliminary plan is assessed through a public hearing and will evaluate the application according to the following approval criteria:

1. Consistency with the comprehensive plan;
2. Compliance with zoning and density requirements;
3. Compatibility to neighboring land uses;
4. Availability of town services from public works (including water and sewer services), fire, and police;
5. Adequacy of off-street parking and vehicle, bicycle, and pedestrian circulation;
6. The extent to which any required open space or parks are designed for active or passive use by residents of the subdivision or the public; and
7. Development consistent with the natural character, contours, and viewsheds of the land.

Within thirty (30) days after the close of the public hearing, or within such time as is mutually agreed by the planning commission and the applicant, the commission shall make one (1) of three (3) decisions regarding the application: 1) approve the application unconditionally; 2) approve the application with conditions; 3) deny the application. The commission's decision will be made by written resolution. A continuance may be granted pursuant to Section 16.08.040(G) of the code.

II Changes from July 28th, 2021 Sketch Plan:

The sketch plan meetings generated useful feedback from staff, P&Z, Council, and the public concentrating on New Castle’s vision for smart-growth and quality-of-life. To these ends, certain themes emerged over the sketch plan discussions. Some of those included:

- Prioritizing trails, open space, connectivity, net-zero alternatives, & increased commercial amenities;
- Concern with traffic congestion at the intersection of Faas Ranch Rd and CVB and the possibility of a roundabout at Faas Ranch and CVB;
- Preservation of view planes with three-story buildings that exceeding the allowed building height; Building mass close to CVB;
- Elevated noise levels near commercial businesses;
- Strategies for snow maintenance and storage on public rights-of-way;

- Concerns with building heights, massing along CVB, and viewsheds;
- Excessive lighting of parking lots and buildings;
- Employee/deed restricted housing;
- “Shared” parking;
- Project phasing;

From these themes, the applicant submitted a revised proposal on July 28th, 2022 for preliminary review. The table below summarizes many of the adjustments from sketch plan to preliminary plan.

Sketch Plan	Preliminary Plan
• 196 residential units: 120apt, 48twnh, 7flats, 21sf	• 185 residential units: 111 apt, 20twnh, 25flats, 29sf
• 12.58 units/acre	• 11.8 units/acre
• 40% gross area open space	• 40% gross area open space; No change;
• 75,900sf commercial	• 51,407sf commercial
• 42ft maximum building height	• 37ft maximum building height
• 392 off-street residential parking spaces	• 450 off-street residential spaces incl. driveways
• 253 commercial parking spaces	• 163 commercial parking spaces (40% reduction)
• Shared Parking: discussed	• Shared Parking: 272 apartments; 163 commercial
• Drive G: emergency egress only	• Drive G: open to two-way traffic
• Snow storage: not provided	• Snow Storage: 0.85acres
• Apartment B-3: aligned along CVB	• Apartment B-3: aligned along Shibui property line
• Apartments B-1&2: parallel with Lakota Dr	• Apartments B-1&2: skewed to accommodate topo
• Building CR-5: vehicle access along CVB	• Building CR-5: access removed & landscaped
• Building CR-4: located corner of Faas & CVB	• Building CR-4 : located at Lakota Dr intersection
• Building CR-3B: building not included	• Building CR-3B: building w/ two-level flats
• Townhomes: two-story four and five-plexes	• Townhomes: two-story duplexes and triplexes
• Townhomes adjacent to Lakota Dr	• Townhomes replaced with SF homes
• Affordable housing: discussed	• Affordable housing: see Exhibit H

III Staff Review:

According to the 2002 Lakota Master Plan (**Ord. 2002-18**):

“The *planning concept for the mixed use zone* is to create an attractive environment for community, commercial and retail in a pleasant central location. The community commercial area would be located close to the highway intersection for easy access to non-resident shoppers and would be convenient to the main Boulevard to cut down on traffic trip length and be located near residential areas to cut down on vehicle trips. In keeping with the objective to reduce motor vehicle trips, non-motorized trail systems shall be designed throughout the project and connect residential and commercial districts in a convenient and logical manner. Office and service uses would be mixed into the development in non-store front locations including at the periphery of retail areas as well as on second stories. This would cut down on employee day trips. In some cases, smaller residential units may be mixed in with the commercial/office development, provided that in any building containing both residential and commercial space, there shall be no ground floor residential dwelling units on the same side of the building as ground floor commercial space.”

The application process is meant to assure that the present proposal conforms to these expectations. Additionally, the major elements of the 2009 Comprehensive Plan (“CP”) were originally based on the community’s core values resulting from various public input opportunities such as surveys, stakeholder interviews, meetings, and Steering Committee contributions. Applicants are expected to clearly demonstrate substantial conformity with the comprehensive plan in all applications (**Policy CG-1B, CP**

pg. 50). The following checklist should assist the Commission’s conformance review:

- Foster distinctive, attractive communities with a strong sense of place and quality of life.
- Demonstrate that individual project fits into a fully-balanced community land use structure.
- Ensure a mix of uses that complement the existing New Castle land-use patterns.
- Create walkable communities with non-vehicular interconnection between use areas.
- Guarantee a balance of housing types that support a range of affordability.
- Preserve open space, farmland, natural beauty, critical environmental areas, and wildlife habitat.
- Encourage economic development and supporting hard & soft infrastructure.
- Concentrate development in ways which provide efficient and cost-effective services.

1) Is the proposal consistent with the comprehensive plan?

Quality of Life: As proposed, Filing 8 represents a community advocating health and wellness. The concept seeks to augment the lifestyle amenities already available to residents of New Castle. The commercial core of the development plans to attract health and medical services, recreation-oriented retail, potential restaurants or cafes, co-working space for remote work, and a plaza. The applicant has strategically placed open space courts, trails, and landscape buffers to diffuse building mass. The entirety of the development will “maintain the concept of a compact community with a defined urban edge thereby avoiding sprawl” (**See CP section “Community Growth”, pg. 50**). The CP posits that the town should strive for a healthy relationship of land uses that effectively integrate convenience retail, employment, services, open space, trails, and public transit (**Policy CG-4A, CP pg. 52**).

Affordability: Surrounding this commercial core is a range of residential housing options fostering an authentic mixed-use, urban experience accessible to a wide income demographic. The applicant has communicated that units are to be priced competitively with affordability in mind. Though unit prices are not finalized, the applicant is sympathetic to the housing crisis and the need to “attract and retain a stable, local workforce”. **Exhibit I** lists affordable housing possibilities that are being considered such as: H4H units, anchor tenant employee housing, and potential deed restricted housing for town, school district, and fire district workers. The Commission is encouraged to collaborate with the applicant during the review process to help achieve these goals (**Policy HO-2A, CP pg. 59**). As the application moves forward, staff recommends that the applicant identify the area median income (“AMI”) for each residential building type (e.g., 80% AMI for apartments, 100% AMI for townhomes, 120% AMI for single-family homes). The hope is that the expected unit prices will align with actual housing needs and median income levels of New Castle residents.

Commercial Development: The proposal is the first of its kind to contemplate commercial development beyond the downtown core and highway interchange. The scarcity of commercial uses in New Castle has perhaps been one of the more obvious inconsistencies between the expectations of the Comprehensive Plan and past development proposals. In response, the current application presents a commercial core surrounded by a diverse offering of residential typologies. This kind of land use distribution is one of the key components to smart-growth (**Policy CG-5A, pg. 53; See Exhibit A, pg. 5**).

Lakota Canyon Ranch allows up to 100,000sf of commercial space and, to date, none has been built. With the ongoing imbalance between residential and commercial space in New Castle, optimizing

the available commercial properties has become a town priority. In the present plan, the applicant is reducing the commercial space from the sketch plan by 32% to 51,407 square feet. According to **Exhibit H** the change is broadly premised on the need to balance demand with market conditions. The upside is that a slimmed-down commercial core will have a better chance of thriving long-term. On downside, any sacrificed commercial space will likely be lost permanently. With very little commercial space left within town limits, this sacrifice could be costly. Therefore, the Commission should carefully weigh the perceived benefits with the likely costs of such a reduction and whether it is indeed in the best interests of the town.

Fiscal Impact: The fiscal impact study performed by Triple Point Strategic Consulting states that revenues for Filing 8 will average \$1.15 million from 2023 to 2045. Expenses will average approximately \$560,000 over the same timeframe. By 2029, 501 people will be housed in the proposed expansion. Also, by 2029, it is anticipated that 114 total jobs will be created, including 62 direct construction jobs, (**Exhibit A, pg. 259**). The intent of the fiscal impact analysis is to demonstrate that the town can manage the economic effects of new development (**Policy CG-7B, CP pg. 54**). Staff is confident the development is fiscally viable based on the assumptions and conclusions of the analysis.

Natural Environment: The application narrative is considerate of various “net zero” measures to minimize the carbon footprint. Solar collectors, alternative transportation, and higher density residential units are all proposed. EV charging capacity will also be required in all residential units with garages per the updated code section 15.10.020. In the plan, solar panel arrays are intended for the roofs of the three-story apartment buildings, two-story triplexes, as well as the mixed-use buildings. Adjacent commercial use may help reduce reliance on motor vehicles. Details on anticipated commercial tenants or uses should help validate this assertion (**Goal EN-7, CP pg. 67**).

All development will be expected to comply with the town’s dark-sky recommendations prior to building permit (**Goal EN-4, CP pg. 66**). To conserve water, staff recommends that the balance of common areas be landscaped with native grasses and perpetually weed-free, similar to the current conditions along CVB. In consultation with the Parks Department, reduced landscape irrigation, minimized mowing and manicuring, and creative xeriscaping are recommended (**Policy EN-2C, CP pg. 66**).

Wildlife Impact: According to Brian Gray’s input from Colorado Parks and Wildlife (CPW), the proposal will likely only impact small mammals and ground nesting birds because of the “degraded” conditions of the property already. Though negative impacts are to be expected, mitigation steps such as wildlife movement corridors should be considered during the design/review process. Lakota and Castle Valley Ranch do have weed-free and undisturbed open space which coincidentally serve as movement corridors. However, purposely designed corridors would ideally prohibit dog use, minimize manicured lawns, and protect and promote native grasses, forbs and shrubs. Limiting manicured landscaping and fences, as observed elsewhere, may be enough to promote wildlife egress between buildings and throughout the overall parcel. (**Exhibit J**). (**Policy EN-1A, CP pg. 65**)

2) Does the proposal demonstrate compliance with zoning and density requirements?

The proposal is comprised of three parcels originally zoned as mixed-use. In Lakota, mixed use development is allowed:

- a maximum density of 12 units per useable acre
- 10 units per building
- 100,000sf of commercial space
- Maximum 35’ building height
- Off-street parking of:

- 2 off-street parking spaces per residential unit
- 2 spaces per 300sf retail
- 1 space per 300sf office
- 2 space per 300sf medical + 1space/two employees
- 15% gross area committed to open space

The proposed residential density of 11.8 units per acre is less than the 12 units per acre allowed for Lakota mixed-use zoning. Conversely, all apartment buildings will exceed the units allowed per building. Apartments B-1 & B-2 show 21 units per building. Apartments B-4 & B-5 each show 24 units. Similarly, three buildings at the Lakota Senior Housing exceeded the allowed 10 units per building. With generally higher density than the rest of Lakota, the applicant has been considerate of aesthetic transitions with the existing development by means of reducing the density towards already existing single-family homes along Blackhawk Dr. and Whitehorse Dr. The density decreases from the southeast to northwest with higher density apartments bordering the existing Shibui complex, moderately dense townhomes and commercial in the development's core, and single-family homes adjacent to Blackhawk Dr. and Whitehorse Village Dr. Off-street parking is covered in section 5.) below.

*****NOTE: The applicant is requesting a variance with one Lakota zoning requirement, namely the number of units per building.**

3) Does the proposal demonstrate compatibility to neighboring land uses?

The parcels are adjacent to single-family homes (LCR), apartments (Shibui), condominiums (Senior Housing, Castle Ridge), townhomes (Eagle's Ridge Ranch), and the local fire station. It is staff's opinion that mixed-use development is a consistent to these adjacent uses. In locations where building types have more abrupt transitions with existing buildings, the applicant has been careful to heavily screen or reorient buildings to mollify concerns with building mass.

The applicant maintains that only a portion of the development will be incorporated into the Lakota HOA (**Exhibit R**). This portion will be subject to the HOA's design standards. The remaining portion of the development shall conform to the design standards described in section 17.128.070 of the municipal code. Specifically,

To maintain visual quality in the mixed use zone, building facades should be varied and articulated to provide visual interest to pedestrians and motorists. Street level windows and numerous building entries are required in commercial areas. Arcades, porches, bays and balconies are encouraged. In no case shall the streetside facade of a building consist of an unarticulated blank wall or an unbroken series of garage doors. Building designs should provide as much visual stimulus as possible, without creating a chaotic image. Buildings should incorporate design elements at the street level that draw in pedestrians and reinforce street activity. Facades should vary from one building to the next, rather than create an overly unified frontage. Building materials such as concrete, masonry, tile, stone and wood are encouraged; glass curtain walls and reflective glass are discouraged. Development shall comply with any design guidelines or illustrations that may be approved as part of the site plan review process described in Section 17.128.030.

Definitive building designs, facades, and materials shall demonstrate compliance with this section by final application. In all instances the applicant is committed to architectural fidelity with the aesthetic norms for which Lakota is known (**Precedent images found in Exhibit A, pg. 72**).

4) Is there availability of town services from public works (including water and sewer services), fire, and police?

The application narrative projects an increase of 200-400 new residents and the possibility of 100-150 employees at full build. The New Castle Police Department is confident that the residential increase would not compromise their services (**Exhibit F**). After consideration by staff, the increase in population as a result of this development should not require an additional officer. Similarly, Colorado River Fire Rescue does not currently anticipate adverse impacts on their services to the town. Both departments will provide referral comments at the preliminary application.

The Public Works Department has been consulted throughout the application process and has provided comment in (**Exhibit B**). Lakota Canyon Ranch was originally approved for 827 residential units (EQRs) and 100,000sf commercial space. These totals were primarily the result of calculations performed on the basis of water dedicated from Elk Creek. As of 6/23/21, Lakota has 240 rooftops connected to town water with sixteen additional homes under construction. No commercial property currently exists within the PUD. With 185 additional units for Filing 8, the running total of rooftops in Lakota would be 425 units or 51% of the limit. The sewage treatment plant was upgraded years ago to accommodate the full PUD. In short, the town water & sewer service has a greater capacity than would be necessary to meet the needs of the proposal.

The final plat shall indicate all public rights-of-way maintained by the town and the responsibility of maintenance of other private drives and open spaces. The town is committed to maintaining Lakota Dr. and Faas Ranch Rd as well as the Drives A, B, & C which all service the single-family units. Drives A, B, & C do not currently meet town right-of-way standards. The streets shall be widened to town standards or, alternatively, be provided with features that compensate for the narrower drive lanes. For instance, Drives A & B may be dedicated as one-way roads with on-street parking on one side and a wider sidewalk than typical. Or, Drives A & B may prohibit all on-street parking in exchange for a two-way street. In no instance shall parking be allowed on both sides of Drives A, B, or C. As a dead-end street, Drive C shall be modified as a cul-de-sac, or some variant. This alteration would likely involve a reorientation of the adjacent townhome units. Staff is also concerned that safety might be compromised with structures directly abutting the drive lanes. Modest setbacks are recommended to improve the quality of life for these residents (**Exhibit A, pg. 5**).

Public works has also reiterated the need for sufficient snow storage provisions. Sheet L.4.00 calls out 0.85 acres of snow storage. The public works director recommends that snow storage sites, in aggregate, have a functional area of at least 15% of the paved area inclusive of driveways and sidewalks. All snow storage areas shall be contiguous to the right-of-way. According to the **Exhibit A, pg. 8** the snow storage requirement has been met.

5) Is there adequate off-street parking and vehicle, bicycle, and pedestrian circulation?

Filing 8 proposes to be a community focusing on health and wellness. Instances of open space, trails, and non-vehicular connectivity are shown dispersed throughout the site plan. A 1/3 acre park is centered in the southeast parcel amidst higher density apartment and commercial structures. Trails and sidewalks border every parcel, although sidewalks are omitted for the single-family homes on Drive A. Staff requests that an additional trail connector be added from the CVB trail near the storm water detention area creating a short-cut which traverses more directly from the Blackhawk Dr. trail towards the commercial core. Otherwise, pedestrians must travel downhill from Blackhawk to Faas Ranch Rd. to access these commercial amenities (**Exhibit A, pg. 5**). Trails with crusher fines may be ideal for perimeter trails, while asphalt/ paths will be recommended for any paths maintained by the town.

Parking has been tabulated and reported in **Exhibit A, pg. 6**. A minimum of two off-street parking places will be designated for each dwelling unit. All single family homes will have a two car driveway for an additional two spaces per home. The applicant has requested a 40% reduction in commercial parking as part of a shared parking initiative. The applicant cites the parking study performed by the

Fox Tuttle Transportation Group (**Exhibit A, pg. 254**) to justify this request.

Staff evaluated the parking on the basis of practicality and has the following observations:

- Building CR-3B composed of 9 units, requires 18 off-street parking per the Lakota standards (**Exhibit A, pg. 48**). Tenants of these units would likely compete with patrons of Building CR-3A for adjacent parking places. The applicant should demonstrate how parking will be managed for these corner buildings (e.g., will parking be assigned?). Staff worries that the limited parking will lead to persistent complaints to the town/PD from future tenants or patrons.
- No driveways are indicated for the triplexes abutting Drive A & C. Though the two-car garages meet the off-street parking standard, the narrow streets which lack on-street parking will create conditions more equivalent to a parking lot. Pedestrian egress may also be constrained in these areas. Utility easements are generally required around the perimeter of all buildings.
- Apartments B-4 & B-5 show 48 units. Per the Lakota zoning, 98 off-street parking spaces are anticipated. The site plan shows only 56 spaces in proximity to the buildings which is 1.2 spaces per unit. The Commission must decide whether roughly one space per apartment unit is adequate for the residents in that location based on the zoning, guidance from the Comprehensive Plan, and past precedents such as the Lakota Senior Housing.

For the “shared parking” concept to be a success, staff feels management will be paramount. Prior to approval, the applicant should defend the practical logistics of this strategy, otherwise the Commission only has the assumptions of the parking study as their guide. **Exhibit I**, indicates that all parking near apartments and flats is parking common (i.e., unassigned) with commercial uses. Based on the parking habits of those already living in town, staff has concerns that common parking or even one space per dwelling unit of assigned parking will make parking inconvenient if not inaccessible for many residents. In the end, staff would prefer to have greater confidence that no residents would be potentially cut-off from parking in the vicinity of their homes. Again, management will be key to the success of this model. At sketch plan the applicant was also encouraged, “to provide a comparison study which juxtaposes parking in one or two mixed-use developments elsewhere in the valley (e.g. Willits, Riverwalk in Edwards, Meadows in Glenwood) with the parking configuration proposed here. These analogs will help P&Z and Council determine whether a reduction is justified.” Nothing yet has been provided.

The traffic study offered by Fox Tuttle (**Exhibit A, pg. 119**) assessed the traffic flows at the intersection of Faas Ranch Rd. and CVB. Their study concluded that traffic control measures will be required at the intersection. Though the town does not currently anticipate widening CVB, the study concluded that the steep grades at the intersection make a roundabout infeasible and cost prohibitive. A traffic signal was ultimately recommended by the time of full build-out (**Exhibit A, pg.135**). The applicant would assume the installation of the signal while Public Works would control the signaling based on traffic flow. Traffic signal override systems, as required by CRFR, will also be furnished by the applicant (**Exhibit D**). Whitehorse Dr and Blackhawk Dr have been designed to accommodate future traffic loads for all of Whitehorse Village, Lakota Dr. is slated for completion during the first phase of construction and will likely absorb some of the load from Whitehorse Village as well as residents of Longview.

6) Are the required open space or parks designed for active or passive use by residents of the subdivision or the public?

According to section 17.128.070 of the municipal code, commercial uses in the mixed-use zone shall have landscaped at least 10% of the gross project area. Additionally, all outside parking facing a

residential-only use shall have a landscape buffer or fence obscure vehicles from view. **Exhibit A, pg. 13** indicates the extent of landscaping in the commercial district. Landscape buffers will still be required along parking for all commercial buildings as necessary.

For residential uses, the code requires open space greater than or equal to 15% of the gross project area. The proposal shows 40% of the gross area as open space. Active space includes the park fronting apartment building B-3, a court at building CR-1, pocket parks surrounding the townhomes of Drive C, and all trails within the development. Passive space is comprised mainly of various easements at the perimeter of the development.

7) Is the development consistent with the natural character, contours, and viewsheds of the land?

With Lakota Dr. as a benchmark, the property drops uniformly in elevation for roughly 95' from northwest to southeast (**Exhibit A, pg. 21**). In theory, units and/or blocks will step with the natural grade. The applicant has improved the sketch design by angling the single family units northeast of Drive B to reflect the terrain features at those locations. In a similar move, the multifamily units southwest of Drive B were reduced to single family homes. Apartment buildings B-1 & B-2 were likewise realigned to step with the topography.

Compliance with the Lakota building height requirements has proven challenging to the proposed buildings. At sketch plan, staff explained the nuances of the specifically Lakota height requirement *MC 17.128.010*:

"Building height" means the maximum vertical distance measured from the lowest point of natural or finished grade on the lot within five (5) feet of the tallest side of the building to the uppermost point of the roof of the building.

Building heights of structures close to the edge of a hill are typically affected negatively and, as a result, must be either distanced from the hill's edge or reduced in height. Following sketch plan the renderings were updated to show that the maximum building height was lowered five feet from 42 feet to 37 feet. However, this measurement is taken from the building's slab not from the lowest point of natural grade, per the definition above. For most structures this will make little difference. Moreover, building B-3 was repositioned away from CVB to the Shibui area in order mitigate these slope affects. Still, structures along the golf course, especially the three level Apartments B-4 & B-5 may maintain a taller appearance from the vantage point of Faas Ranch Rd. Preservation of viewsheds is a value expressed in the CP (**Goal EN-6, pg. 67**). The Commission will have to decide whether the potential compromise of views is compensated by the increase in density.

*****NOTE: The applicant is requesting an additional variance with respect to building height.**

IV Staff Recommendations

Staff recommends that the Planning Commission explore the following suggestions to the Filing 8 preliminary PUD application prior to deciding on Resolution 2022-04:

- a. Amend the Preliminary Plat to identify the following as public rights-of-way: Lakota Drive, Drive A, and Drive B.
- b. Revise the Longview at Lakota covenants to include provisions regarding shared parking. Such provisions shall specify management and enforcement requirements, including, but not limited to location, hours of use, penalties for violation, and maintenance responsibilities.

- c. Drive A & B shall serve as a one-way street with parking on one side and a single six foot sidewalk.
- d. Drive C shall not dead-end. Construct Drive C as a cul-de-sac or an alternative that satisfies the street design requirements of the Public Works Manual.
- e. Parking along Lakota Drive from Whitehorse Drive to Drive A shall allow on-street parking only on the west side of Lakota Drive. The east side of Lakota Drive from Whitehorse Drive to Drive A shall be signed "No Parking".
- f. Townhomes directly adjacent to Drives A and C shall be setback at least 10 feet from the street to improve egress and pedestrian safety.
- g. All outside parking areas facing a residential-only use shall have a landscape buffer to obscure vehicles from view per code section 17.128.070.
- h. Identify all permanent snow storage easements on the final plat and any temporary locations on the phasing drawings.
- i. Provide a construction phasing plan. Identify, at minimum, each of the following components:
 - Buildout phases;
 - Schedule that identifies the sequencing of construction, sequencing of occupancy, traffic flow, and traffic control plans during construction;
 - Storage and staging areas for construction equipment and materials;
 - Illustrate drainage and erosion control best management practices (BMP's);
 - Conformance to all requirements and specifications approved by the fire marshal concerning temporary access for each phase including, but not limited to, temporary hammerhead turnarounds at dead end streets and any necessary ingress/egress routes for emergency personnel and equipment during construction;
- j. Request approval of street names through Garfield County Communications to avoid any duplication of names in the county dispatch area.
- k. Demonstrate that all exterior illumination shall comply with acceptable International Dark-sky Association (IDA) standards.
- l. Provide a conceptual landscape plan to staff for each phase illustrating size, type and location of plant materials and an irrigation plan, if applicable. Landscaping shall incorporate native grasses and plants that minimize maintenance, moving, and irrigating. The landscaping plan shall be approved by the Parks Department. Plans submitted to obtain a building permit for any building shall demonstrate no more than 2,500 square feet of sod per dwelling unit as specified in 13.20.060 of the Municipal Code.
- m. Designate locations of mailbox kiosks with written authorization from the local postmaster.
- n. Prior to the recordation of the Filing 8 plat, the Applicant shall enter into a subdivision improvements agreement with the Town for development of the first phase of Filing 8 in a form acceptable to the Town Attorney. A subdivision improvement agreement for each subsequent phase shall be recorded before work commences in each phase.
- o. All representations of the Applicant made verbally or in written submittals presented to the Town in conjunction with the Application before the Commission or Town Council shall be considered part of the Application and binding on the Applicant.

- p. The Applicant shall comply with all applicable building, residential, electrical and municipal code requirements, including all sign code regulations, as well as all recommendations of the Town Engineer and Town Public Works Director set forth in their letters dated July 21, 2022, and July 22, 2022, respectively, when developing the property.
- q. 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.
- r. The sale of individual lots or units within Filing 8 may not occur until a plat creating the lot or unit is recorded with Garfield County.
- s. Consider allowing buildings CR-3, CR-4 and CR-5 to exceed the maximum building height up to 37 feet. No other structure shall exceed the maximum 35 foot building height as defined code section 17.128.010.
- t. Consider allowing buildings B-1, B-2, B-4, and B-5 to exceed the maximum units per building to the extent shown on the submittal sheet titled "Site Plan Unit Counts".

V Next Steps

Within thirty (30) days after the close of the public hearing, or within such time as is mutually agreed by the planning commission and the applicant, the commission shall make one (1) of three (3) decisions regarding the application: 1) approve the application unconditionally; 2) approve the application with conditions; 3) deny the application. The commission's decision will be made by written resolution. A continuance may be granted pursuant to Section 16.08.040(G) of the code.

VI Sketch Plan Application Exhibits:

- A. Project Submittal Packet – August 18th, 2022
- B. Referral from Public Works Director – July 22nd, 2022
- C. Referral from Town Engineer – July 21st, 2022
- D. Referral from Fire Marshal – August 17th, 2022
- E. Email Response from Applicant Engineer to Fire Marshal – August 8th, 2022
- F. Referral from Police Chief – July 19th, 2022
- G. Referral from Colorado Parks and Wildlife – June 7th, 2022
- H. Affordable Housing Strategy/Commercial Reduction, Heather Henry – August 9th, 2022
- I. Shared Parking Comment, Heather Henry – August 16th, 2022
- J. NC Wildlife Open Space Examples (Alder Park) – August 13th, 2022
- K. NC Parking Lot Examples (River Park and Shibui) – August 17th, 2022
- L. Comcast Will-Serve Letter – June 14th, 2022
- M. Applicant Attorney Letter on Mineral Rights Owners – July 22nd, 2022
- N. Public Comment, Jennifer Hawley – August 15th, 2022
- O. Public Comment, Andrew Hawley – August 15th, 2022
- P. Affidavit of Public Notice – August 18th, 2022
- Q. Agreement to Pay Consulting Fees – June 16th, 2021
- R. HOA Inclusion/Exclusion Intent Letter from Applicant – August 10th, 2022
- S. Filing 8 Plat – August 18th, 2022
- T. Xcel Will-Serve Letter – July 11th, 2022
- U. Chris Manera Engineering Response to SGM Letter – August 18th, 2022