

**New Castle Town Council Regular Meeting
Tuesday, February 18, 2025, 7:00 PM**

Call to Order

Mayor Art Riddile called the meeting to order at 7:00 p.m.

Pledge of Allegiance

Roll Call

Councilor Carey
Councilor Mariscal
Mayor Pro Tem Hazelton
Councilor Copeland
Councilor Leland
Councilor G Riddile

Absent Mayor A. Riddile

Also present at the meeting were Town Clerk Mindy Andis, Administrator Dave Reynolds, Town Planner Paul Smith, Administrative Assistant Michelle Huster, Town Engineer Jeff Simonson, Town Attorney Mike Sawyer and members of the public.

MOTION: Mayor Pro Tem Hazelton made a motion to excuse Mayor A. Riddile's absence. Councilor Mariscal seconded the motion and it passed unanimously.

Meeting Notice

Clerk Andis verified that her office gave notice of the meeting in accordance with resolution TC 2025-1.

Conflicts of Interest

There were no conflicts of interest

Agenda Changes

Administrator Reynolds asked for Item F to be removed from agenda.

Citizen Comments on Items not on the Agenda

There were no citizen comments

Consultant Reports

Consultant Attorney – Attorney Sawyer said he was present for agenda items only.

Consultant Engineer – Engineer Jeff Simonson said he was present for agenda items only.

Items for Consideration

Introduction: New Castle Trails

Administrator Reynolds said the New Castle Trails Group has new committee members. Administrator Reynolds introduced Executive Director Mike Pritchard, Chair Trent Mahaffey and Secretary Tyler McAnelly. Administrator Reynolds said staff met with Mr. Mahaffey and Mr. McAnelly to discuss their interest in continuing the work of New Castle Trails, they have also presented their thoughts during a Parks Open Space Trails and Recreation

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(POSTR) meeting.

The New Castle Trails Group introduced themselves to the council. The New Castle Trails Group reviewed their presentation with the council (**Exhibit A**).

The New Castle Trails Group is looking at bringing Rides and Reggae back to New Castle in 2025. Rides and Reggae has been a major fundraiser benefiting local trails and partnering with the town. The New Castle Trails Group is not asking the town for financial support, but are requesting continued in-kind support from the town, including contractual authority to use town owned spaces and to secure event services and bands, Public Works assistance with setup and teardown at VIX Park and police presence during the event. Administrator Reynolds asked the New Castle Trails Group if they were looking at the town to pay bills upfront and then get reimbursed after the Rides and Reggae event. Mr. McAnelly said yes, and they would be comfortable with pay as you go type of payment plan and not needing to wait until all the bills have come in. Mr. Pritchard said they would expect the majority of the event sponsors to come in before the event. New Castle Trails Group would be happy to start reimbursing for the event as the bills come in.

Administrator Reynolds said staff appreciates the value of the event and that part of the event will be administration. Staff is willing to work with New Castle Trails Group and planning the event way ahead so there will be no last minute asks. Administrator Reynolds said we appreciate that New Castle Trails Group is not asking for any contribution other than fronting the bills and reimbursing the town in a different way than in the past.

Councilor Leland asked New Castle Trails Group to continue to work with POSTR Committee. Mr. McAnelly said they would be coming back to the council at a later date with 2025 projects. He said they would schedule a meeting with POSTR to start planning Rides and Reggae. The council was in support of having Ride and Reggae for 2025 as a town event.

Consider Ordinance TC 2025-1, A Ordinance of the New Castle Town Council Recommending Conditional Approval of a Final PUD Development Plan and a Final Subdivision Plat for Castle Valley Ranch PUD Filing 13 (9 N Wild Horse Dr)(R2) (1st reading)

Planner Paul Smith reviewed his staff report with the council (**Exhibit B**).

Planner Smith Introduced R2 to the council, Principal Barry Rosenberg and Senior Associate with DHM Design Architect Luis Wilsher.

Planner Smith said R2 first came to P&Z with a sketch plan October 25, 2023, then to council November 7, 2023, to P&Z with preliminary and public hearing June 26, 2024, P&Z with final November 13, 2024. There was a lot of time spent on making the development a great fit for New Castle.

Planner Smith said the building layout was modified from sketch plan (**Exhibit C**). The difference is the layout is more condensed then prior. The road layout is the same as before. The development concept is the same. Townhomes on the northern side would be

10 buildings with 26 units (Vista Loop); Live Work apartments will have four buildings and 80 units, with movable walls to create an office space for those who work from home (Chapman Loop); and Empty Nesters apartments will have 24 units in two buildings on the southeast of the development (Medaris Loop).

Planner Smith explained the town would maintain the trail that would run from the pump track in VIX Park through the drainage area to the BLM. There would be an additional trail to the north (already existence) which will converge to the east and head back to the golf course and BLM.

Planner Smith said North Wild Horse Drive would be connected all the way through at the time of build out of the development. Parking will be designed on the east side of VIX Park. North Wild Horse Drive will be a 67 ½ wide road right of way. Planner Smith said there would be one side parking on Vista Loop, the road would be narrowed where parking is not needed to help control speed with bump outs as necessary. Planner Smith said Vista Loop will be public road and the interior roads (Chapman Loop and Medaris Loop) will be private roads. The fire access roads will be graded a little and maintain as a fire access only road.

Planner Smith said the townhomes with a single car garage will have two car driveways.

Planner Smith said there will be interior trails and separated sidewalks, so there will be a lot of pedestrian accessibility.

Planner Smith reviewed with the council the P&Z concerns from November 13, 2024 hearing. The commissioners approved the application with the conditions listed in Resolution PZ #2024-05. The general site plan has remained consistent throughout the preliminary & final application steps. Below are several key components to the proposal with some general comments from the commissioners:

Final Plan	P&Z Comments/Questions
• 130 residential rental units: 26twnh, 80 apartments, 24 empty nesters, 16 buildings	• No comment
• 2.73 units/acre	• No comment
• 91.6% gross area open space (i.e. active + passive open space)	• No comment
• 229 off-street residential parking spaces	• Parking management strategy should be implemented as problems arise.
• All electric units, 5-15% reduction in energy use;	• No comment
• Passive open space with courtyards	• Priority of protecting native vegetation as much as possible
• MF-2 zoning: 40ft building height limit. 6 buildings exceed limit.	• Content with height if structure heights remain at or below 40ft

• Snow Storage: 18.7% of road area	• No comment
• Live/Work units balconies removed	• No comment
• Open space: Applicant owned	• No comment
• Pull-in parking included on west side of N Wild Horse for VIX Park users	• No comment; Staff condition for cost-share discussed below.
• Townhomes: two-story duplexes and triplexes	• No comment
• Townhomes with single-car garages will have driveways sized to two-car.	• P&Z appreciative of proactive solution to likely parking issue.
• Workforce housing: See Staff recommendations below.	• 5 units seems limited; Make available to more than Town staff No change
• Vista Loop: Dedicated to Town • Chapman & Medaris Loops: Owner maintained	• No comment
• Two spaces of EV charging capacity added to VIX parking area	• No comment
• Temporary construction easement to bypass N Wild Horse	• Priority of protecting pedestrian areas near CVB and Dog Park;
• Consider cost-share with VIX Park parking	• No comment
• Facilitate cost-share between TC Midwest & R2 Partners for a portion of NWH improvements.	• No comment

Planner Smith said the majority of the development will be either active or passive open space. One of the concerns P&Z had was not to flatten the natural vegetation and try to protect the vegetation that is not being built or graded to leave as natural as possible.

Planner Smith said throughout the application process, application documents are reviewed pursuant to the criteria outlined in the Municipal Code for planned unit developments (PUDs) and subdivisions. At the final plan stage, an application shall show conformity to the following criteria (*Municipal Code 17.100.050(H)*):

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 is consistent with the natural character, contours, and viewsheds of the land.

Planner Smith reviewed the criteria with the council.

1) Is the proposal consistent with the comprehensive plan?

*Applicants are expected to demonstrate substantial conformity with the comprehensive plan in all applications (**Policy CG-1B**). The checklist below, though not exhaustive, provides a tool for reviewers to assess conformance with the comprehensive plan:*

- ☐ 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.

Quality of Life: *According to the application packet (**Exhibit A-Application, page 3**), the proposal aligns with numerous New Castle goals and values favorable for Smart Growth and a high standard of living (**Goal CG-5**). The proposal focuses on conservation of the natural environment (**Goals EN-1 thru EN-8**), sensitivity to architectural aesthetics, and an active lifestyle (**Goal RT-1**) that together support community and sustainability.*

*As part of a Smart Growth strategy, policy **Goal CG-4A** expects large residential development (greater than 50 units) to integrate commercial services and conveniences. Though not included with this application, commercial development is anticipated elsewhere in Castle Valley Ranch. To meet Smart Growth objectives, the council could, in its evaluation, consider commercial prospects elsewhere in CVR as satisfactorily meeting this requirement. Though independently owned, the two developments may mutually complement each other and resonate with the CVR Master Plan.*

Trails/Open Space/Recreation: *The trails shown on **Exhibit A, page 7**, align with currently existing use-trails and trail agreements. Two trails will originate from VIX Park*

and lead east towards the locally dubbed "Sunset Trail" that terminates with public lands to the north. The goal is for a seamless trail experience connecting routes already prized by residents (**Goal POST-3**). Preservation of these trail corridors should also be supportive of existing wildlife habitat (**Goal POST-4**). Other walking trails are dispersed internal to the development. Altogether the trail network will be conducive to recreational opportunities and non-vehicular access to adjoining developments.

Planner Smith said there will be two trails that will be retained with easements and with licenses for the Sunset Trail.

Environmental Impact: New Castle is committed to stewardship of the natural environment and therefore is careful to consider potential negative impacts of new development. The Town partners with Colorado Parks and Wildlife (CPW) to identify and protect critical environmental resources (**Goal EN-1**). CPW has provided referral comment and Jake Stanton, the District Wildlife Manager, recommends the following best management practices:

1. Bear-resistant trash containers with regular trash disposal during construction;
2. Bear-resistant dumpsters and/or trash bins for all resident refuse;
3. Wildlife friendly fencing per CPW specifications;
4. Use of non-fruiting trees, shrubs, and flowers for landscaping;
5. Prohibition of at-large and outdoor feeding of pets;
6. Prohibition of feeding wildlife;

For its part, the Town regulates off-leash dogs, encourages dark-sky compliance, preservation of native vegetation, and/or limiting fences in certain areas. In some development applications, the Town has encouraged additional landscape buffers to neutralize the effects of urban impacts on habitat.

New Castle has also made progress in terms of energy conservation. The current building codes require sustainable building practices, that reduce fuel consumption and promote use of renewable energy (**Goal EN-7**). All buildings will comply with the state of Colorado's solar and electrical readiness provisions. Moreover, the Applicant is committed in the direction of Netzero construction. A Netzero building is one that is optimally efficient and generates energy onsite using clean renewable resources in a quantity equal to or greater than the total amount of energy consumed. Net-zero/all-electric appliances paired with solar PV or ground source heating are feasible methods to exploit especially considering local, state, and federal incentives currently available. At this time, fully functioning solar array is not being considered at initial build, but the Applicant maintains that the efficiency steps already being proposed (**Exhibit A-Appendix, page 195**) will reduce consumption by 5-15%.

The applicant has also proposed raw water as the means to irrigate landscaping. Raw water is non-potable water which bypasses the town's treatment facility thereby eliminating the processing step. The applicant also receives a reduction in water right dedication requirements as a result of implementation. Opting for raw water is ultimately an economic and sustainability win for all.

Affordability: The rental aspect of the proposal is unique. Rental communities provide a fully managed property for tenants who do not have the time nor inclination to fuss with general repairs and upkeep. Rental communities also provide a way for retirees to downsize in communities dominated by larger single-family homes and a way for younger families to participate in communities in which they may otherwise be priced-out. The proposal also offers units for professionals seeking adaptable spaces serving dual purposed living area plus functional office space. In sum, the diversity of housing modalities works to stratify rent prices making housing attainable to varying income levels.

9 North Wild Horse offers a community promoting quality of life. Quality of life is potentially disadvantaged when a disproportionate share of household income is dedicated to housing costs. The Applicant has been committed to rent rates that are sensible for New Castle. Prices will vary with unit type and should track with those in New Castle and Glenwood Springs. Of the 130 total units (**Exhibit A-Application, page 14**), the types include 80 Live/Work units; 24 Empty-nester units, and 26 conventional Townhome units. Live/Work & Empty-nester units will consist of 1-2 bedroom units with the Townhomes all at 3-bedroom. For context, Garfield County "Fair Market Rent" for 2023 is \$1,357 for 1-bedroom, \$1,861 for 2-bedroom, and \$2,275 for 3-bedroom. Locally, a Staff search has found asking prices ranging from \$1,650 (850sf) to \$4,000 (2,000sf) with an average two-bedroom going for \$2,600 (Note: not update since 2024).

Discussions about affordable housing in New Castle are bracketed by several features: 1) Per vested rights, there are currently no price caps on rent (or sales) prices; 2) the CP indicates that the town will create and preserve affordable housing merely as an element of all new development (**Goal HO-2**); 3) the CP does not define "affordability" though the US Department of Housing and Urban Development (HUD) maintains that monthly housing expenses should not exceed 30% of household income. This discussion aside, the Applicant has been working with P&Z and Staff to implement an affordable housing plan. Initially, three 1-bedroom units were offered to the Town at a 25% rent reduction on a rolling availability (**Exhibit A-Appendix, page 184**). P&Z asked the Applicant to find a way to increase this to at least five total including two, two-bedroom units. To offset costs for this request, the Applicant eliminated one building and increased the height of two Live/Work buildings from two to three levels. At the P&Z final hearing, a 20-year sunset clause was also added for consideration. Ultimately, resolution PZ 2024-6 deferred the final conditions of the affordable housing plan for the Council deliberation. At present,

the Applicant and Staff have submitted two alternatives outlined in the conditions below.

Fiscal Impact: A fiscal impact study was performed (Triple Point Strategic Consulting) comparing estimated revenues with costs associated with the new development. The study helps determine whether the Town can meet the new demand on services (**Policy CG-7B, CP pg. 54**). The analysis projects a population increase of 2,004 for the entire town of New Castle with approximately 313 associated specifically with the new development. The analysis then projects revenues and costs based on the Town's budget averaged between the tax years of 2021 and 2024. The results show a yearly net benefit to the town of \$190,177. The cumulative net benefit by 2045 is estimated to be \$7 million with \$3.2 million coming in the initial two years of construction. The Town's finance department has reviewed the assumptions and projected outcomes separately with comparable results.

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

Zoning: The Applicant has elected Castle Valley Ranch MF-2 zoning criteria. According to MC 17.104.080 MF-2 is a "multifamily district allowing higher density including apartments." The following land uses are those permitted by right:

- Attached dwelling units in structures containing more than two units;
- Public parks, playgrounds and related accessory structures 5,000 sq. ft. or less;
- Parking facilities;
- Recreation facilities including, but not limited to health facilities, hobby rooms, activity rooms, meeting rooms, pools, gymnasiums, ball fields, tennis or basketball courts, volleyball courts, and any building of fields or play surfaces;
- Pedestrian and bicycle trails;
- Open space and parks

The main differences between MF-1 and MF-2 zoning are that the former allows detached dwelling units, slightly lower density, and lower maximum building height (35'). All proposed uses are permitted by right.

The Master PUD allows for the following density standards:

- Minimum lot area of 2,200sf;
- Minimum lot area per dwelling unit of 1,600sf or 27.2 units per acre;
- Maximum building height of 40';
- Minimum front yard setback 18';
- Minimum side yard setback of 0';
- Minimum rear yard setback of 10';

- Minimum distance between buildings of 10’;

Density: As shown in the submittal packet (**Exhibit A-Application, page 8**) overall bulk density reaches 2.73 units per acre which is far below the 27.2 units per acre allowed. The Live/Work units have the highest localized density within the overall 46.7 acres. However, the Live/Work density is no more than 12.3 units/acre which is one unit/acre less than Eagle’s Ridge Ranch and five units/acre less than the new senior housing development. Setbacks for each building lot will be finalized at permitting.

Building Height: As architectural designs became refined, the maximum building height for the three story Live/Work buildings (Buildings B3 & B4 **Exhibit A-Application, page 18**) was reexamined in relation to the building height definition in Section 17.04.050. At the preliminary hearing the building height was shown as 38.8’ measured from the bottom slab to the top ridge as shown below:

See Height Diagram for Zoning Building Height
38’ - 10”

Max Height From Floor to Top of Roof



Preliminary Plan

The current final plan variation (**Exhibit A-Application, page 18**) shows a slightly increased height from slab of 39.9' (though not the uppermost part of the roof):

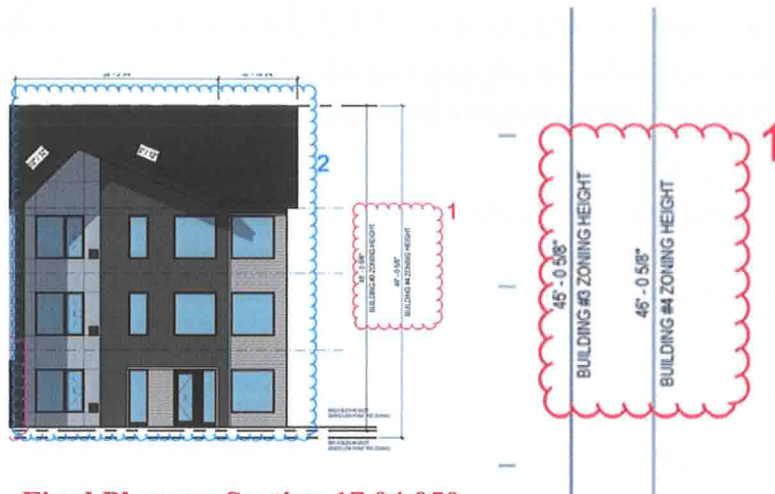


Final Plan

However, per the code, the initial point of reference for height measurements is not the bottom floor slab. Rather, the building height is defined as follows:

"Building height" means the vertical distance measured from the lowest point of the natural grade on the lot within twenty-five (25) feet of the tallest side of the building to the uppermost point of the roof of the building; provided, however, that if the lot upon which a building is to be built has a slope greater than fifteen (15) percent, building height shall be defined as the vertical distance measured from the average existing grade within the building setback envelope to the uppermost point of the roof of the building.

Taking into account the code's definition renders the building height at approximately 46' or 6' above the 40' zoning maximum (See also 41.5' for B;1 43.8' for B2, Exhibit A-Application, page 19):



Final Plan per Section 17.04.050

The town has allowed deviations to height limits in the past. Most recently the Town granted a 9' exception for a single building in the Lakota Canyon Ranch Longview application. In that instance, certain factors informed P&Z's decision. For one, the Longview building was closely situated to other buildings that also exceeded their respective height maximums (i.e. Shibui, CRFR Firehouse, and the Senior Housing). At that time, P&Z was also generally persuaded by the fact that the building's excess height would be obscured by two-story structures immediately adjacent. Story ballons were erected on site to demonstrate this perspective.

At the June preliminary hearing, P&Z expressed concern with the visual impacts of adding a third level to Buildings B3 & B4. At least two methods to mitigate were explored: 1) obscure east elevations using the 2-story Buildings B-1 & B-2. In this way building mass will step gradually with the grade from N Wild Horse to the east; 2) Blunting of roof pitches (compare Live/Work gables with sketch plan exhibits). With massing alternatives, structure orientation, and roof articulation, the Applicant felt the concerns with increased building height on the surrounding views would be relieved. Staff has suggested returning to stepped structures as illustrated in the original sketch plan (see above) to better approximate the appearance of surrounding single family and multi-family homes. Alternatively, the structures could be modestly sunken into the topography, effectively lowering the building height. This precedent was also set during the Longview application.



Sketch Plan Live/Work Massing

For the applicant to move forward with these alternatives, the council would have to be convinced that Buildings B1-B4 fit the surrounding residential neighborhood currently comprised of single-family (SF) homes and triplexes. The council would also need to be mindful that the precedent set with this height exception may prompt other future developers in the area to do the same. Overall, the council should come away from the decision with the confidence that consistency with the surroundings is preserved no matter what building height is decided.

Councilor Leland asked if the concern for the height would be the view from the park. Planner Smith said correct. It's the view from the park but also retaining the perspective of the ridge line. For the most part the ridge line should be retained. Mr. Wilsher said the two building facing the park (B1 & B2) are two-story buildings. Buildings B3 & B4 are three story buildings.

Councilor Leland said he had a concern for the mass of the buildings. Andi Korber Architect with Land and Shelter said they are breaking up the mass of the buildings with cross gables. The intention is for you to see the cross gables which project out, so there are vertical walls that separate pieces of the buildings from one and another. The intention is to break down the size of the buildings.

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

The parcel lies in the vicinity of various land uses within CVR: larger SF homes on N Wild Horse Dr., Buckskin Cir. & TBD Filing 12 to the south, VIX Park to the west, a commercial parcel (TC Midwest, LLC) to the southwest and two Garfield RE-2 schools within walking distance. BLM land and the Lakota Links Golf Course lie directly north of the parcel.

P&Z and council have generally understood compatibility in terms of style and function. A use is considered more or less compatible in style to the degree it is similar in architecture, landscaping, and site planning (e.g. roads, trails, open space). A use is considered compatible in function to the degree its purpose serves the community similarly to surrounding uses. At times when compatibility is questionable, P&Z and Council have been hospitable to adding transitional features between developments to mute perceived incongruities in style or function. In such cases "buffering", for example landscape screening and open space, can soften the juxtaposition between two architecturally dissimilar developments. Likewise, small scale retail, professional service uses, and open space can function to temper alleged incompatibility between a SF development and, say, an industrial zone.

9 North Wild Horse is a multi-family rental property located within a rural residential setting. As a higher density product, building structures will naturally have more mass and height than those surrounding it. In anticipation of this, the Applicant includes open space buffering (~150' separation) adjacent to homes along Buckskin Dr. Greater distancing is expected to the east and south, near future Silverado Dr. and N Wild Horse

homes. Architectural features derive articulation and texturing from neighboring residential designs. Townhome units will have horizontal and vertical displacement ("stepping") to better resemble the SF home context. As noted elsewhere, Live/Work and Empty-nester buildings (**Exhibit A-Application, pages 18-26**) exhibit less vertical displacement than surrounding structures and adjoining topography. This style might be deemed less compatible than what was viewed originally at sketch plan. Feedback from P&Z, Council, and the community has been mixed with respect to the more urban, block style multifamily buildings characteristic of developments in Denver, Vail Valley, and the Roaring Fork mid-valley. Therefore, Council will need to consider whether the current architectural signatures (i.e. roof pitches, elimination of balconies, taller windows) are an adequate tradeoff.

On the other hand, with a more conventionally urban approach the applicant successfully minimizes sprawl which is supportive of the idyllic areas of CVR. Parking for the Live/Work units is nested within the interior of the building site plan while Empty-nester units obscure vehicle volume with covered parking spaces (**Exhibit A-Application, page 23**). Parking is also restricted to one side of the street on Vista Loop to reduce on-street congestion. Landscaping will be used sparsely to minimize disruption to otherwise unspoiled terrain. All things considered, the Applicant has made efforts to preserve the overarching style and function of CVR along N Wild Horse Dr. and includes transition features to address instances where compatibility may be questionable.

Councilor Carey had a concern for the architecture design for it seemed very contemporary and modern and it doesn't fit into the residential uses to the east or to the west. The surrounding residential homes are traditional. Ms. Korber said the industry is trending more clean lines and the buildings are transitional, with splitting the difference between more traditional residential and where the residential designs are going. Kendra Oester, Architect with Land and Shelter, said there will be some wood on the buildings and there will be a much richer texture than what is in the renderings. There will also be a lot of trees around the buildings that will break up the look of the buildings and make it look more residential.

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

Police: At Sketch Plan, the applicant anticipated an increase of approximately 338 new residences at build-out. The Police Department currently consists of twelve FTOs which is ideal for a town the size of New Castle. Generally, additional FTEs are considered for every increase of 500 residents. Therefore, the Police Chief concludes that there would be no compromise with police service as a result of the expected population increase.

Fire: In light of the current multi-year drought and the ongoing expansion of the wildland-urban interface, Colorado River Fire Rescue now stresses improving the resiliency of structures and expanding the surrounding defensible space (Goal EN-8). Replacing conventional materials with those of more effective ignition resistance, particularly in buildings along the perimeter of the development, buys time for firefighters during a wildland fire incident and inhibits fires from spreading from the source. In 2024, the Town adopted standards for the requirement of ignition resistant materials and improved defensible space requirements for new structures. To extend their firefighting potential, CRFR requests modest clearing and grading for fire apparatus access near the periphery of the development Exhibit C. The applicant has updated the site plan to address this concern (Exhibit A-Application, page 7). It is important that these routes be improved sufficiently enough to carry the weight of the necessary fire apparatus.

Public Works: The Castle Valley Ranch PUD is approved for 1,400 residential units and 100,000sf of commercial space. These totals were primarily the result of calculations performed on the basis of water dedicated from Elk Creek. At present the PUD has approximately 890 units and no commercial development. With 130 proposed units in this Application, the PUD remains well short of the 1,400 total rooftops allocated for Castle Valley Ranch. The current sewer treatment plant is also sufficiently sized to process the full build-out of both Castle Valley Ranch and Lakota Canyon Ranch.

Streets: The town contemplates ownership and maintenance of Vista Loop and the North Wild Horse connector, once all public improvements are accepted. Remaining streets will be private. Public Works agrees that speed, safety, and costs are priorities in road design. On-street parking serves to accommodate overflow vehicle parking for guests, deliveries, trash collection, extra resident vehicles, and emergency vehicles. Staff and the Applicant have worked closely to provide street designs that satisfy all these concerns. Exhibit A-Application, page 46 shows the agreed upon designs.

Snow Storage: Snow removal is located on the site plan (Exhibit A-Application, page 12). 17.8% of total roadway area has been designated for snow storage which is 2.8% more than required. Ample snow storage is demonstrated on all separated sidewalks – Staff's preferred storage location.

Raw Water: Raw water is available at the north end of VIX Park and is expected to irrigate all common landscaping areas within the new PUD. The raw water infrastructure will be extended and looped with the installation of the North Wild Horse Road connection.

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

Parking: The purpose of off-street parking in the PUD "is to ensure that safe and convenient off-street parking is provided to serve the requirements of all land uses in the Castle Valley Ranch PUD and to avoid congestion in the streets" (MC 17.104.100). As shown on Exhibit A-Application, page 9, the following Town standards apply:

- Duplex, tri-plex or four-plex – Two spaces per dwelling unit;*
- Five or more dwelling units in one structure – One and one-half spaces per dwelling unit + 1 recreational vehicle parking space for every 5 units in a 5-plex or greater;*

Off-Street Parking: Per the standards, required off-street parking totals 229 spaces. The distribution is as follows: The townhome models provide for a mix of one and two car garages. Regardless of garage size, all units will include two-car driveways (Exhibit A-Application, page 10), or 3-4 off-street parking spaces where only two are required. This provision solves for issues related to garages used as miscellaneous storage rather than vehicle storage. The code reduces parking to 1.5 spaces per unit for Empty-nester and Live/Work models. The applicant, familiar with the complications of high-density residential parking, has offered at least two spaces per unit for the Empty-nester models and has exceeded the parking for the Live/Work units. Based on P&Z input, no differentiation will be made between seasonal/RV parking and other parking, but seasonal spaces will be included in the over parking count.

With the improved parking at VIX Park, the applicant has also planned to install two fully equipped level 2 EV parking spaces at VIX Park. These spaces will be a community-wide amenity. Staff also recommend a parking management plan be added to the covenants prior to final approval with provisions for reserved parking in shared lots and prohibitions on overnight parking along North Wild Horse Drive adjacent to VIX Park.

Vehicular Circulation: Road, sidewalk, and trail design is a critical component to any new development in New Castle. To optimize circulation, the Applicant is committed to connecting North Wild Horse Drive. to complete the underdeveloped section between Alder Ave. and Castle Valley Boulevard. Of note, nearly 1/5th of this new road section is outside the Applicant's property boundary. However, because of the importance of circulation and public safety, the applicant has agreed to work with the neighboring property owners, particularly TC Midwest, to complete this link. Staff anticipates that the connector will match the Town standard ROW, including detached sidewalks with landscaping.

Nonvehicular Circulation: The applicant has made a point not to disrupt the general trail alignment between VIX Park and the BLM land. Also, separated sidewalks allow easy circulation to all inhabited portions of the property with additional soft trails extending to the periphery for easier interface with surrounding neighborhoods (Exhibit A-Application, page 7). To meet pedestrian safety concerns, high visibility crosswalks with bump outs were added per P&Z request.

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

As previously discussed, 91.6% of the property will remain as passive/active open space. Within that area, the Applicant has preserved existing public use trails with various connecting trails added (Exhibit A-Application, page 7). To reduce the overall development footprint, small, active parks have been replaced with passive open space and two small sitting areas (Exhibit A-Application, pages 84). Since the open space requirements for Castle Valley Ranch have already been met, no open space will be dedicated to the town. However, the applicant contemplates ongoing public access to all residents with an easement agreement.

Councilor G. Riddle asked why the open space is not being dedicated to the town. Attorney Mike Sawyer said the open space is being dedicated to the HOA. However, the town will maintain it.

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

The site plan (Exhibit A-Application, page 35) follows the sloping topography downhill from northeast to southwest. Each building generally terraces with the existing slope (Exhibit A-Application, pages 26,36-37). Terracing of structures limits cut-and-fill and reduces the need for unsightly landscape retention. The approach also softens the blunt, "blocky" appearance, that may otherwise disrupt the undulating, natural landscape. The Live/Work units and the Empty-nesters are formidable in size, stretching approximately 150'. As the architecture is being finalized Staff recommends revisiting the massing particularly of the Live/Work units. Since roof step-downs at the stair corridors were eliminated, there is concern that an uninterrupted roof ridge for the entire length of the building conflicts with the contours of surrounding topography. And, per Policy EN-6B of the CP, visual access to the ridgeline is expected. The Applicant, in Exhibit A-Application, page 37, has contemplated modestly sized berms and drought resistant trees or shrubs partly as a screening strategy to mitigate building mass. Ultimately, Council should consider whether these structures, coupled with screening, is enough to maintain consistency with the natural character of the land.

To conserve water and limit landscape maintenance such as mowing, Staff requests the applicant consider drought resistant vegetation and seeding with native grasses to restore disturbed areas to their original state. Sod and landscape irrigation, likewise, should be used sparingly to minimize the need for landscape maintenance. Modestly mowed buffers and borders can provide a satisfying manicured look needing little maintenance.

Planner Smith reviewed the ordinance with the council. Town Attorney Sawyer explained the vested rights saying the requirements of Section 16.36 for obtaining vested rights

have been satisfied and hereby approves the vested rights period for the Property to be ten (10) years from the effective date of this Ordinance. Attorney Sawyer said once a development has been approved. The applicant is entitled to develop under the terms of the agreement for a period of time. Under state law the period is three years; for larger development the vested rights period is extended to give the developer the ability to complete the development under the approval.

V Staff Recommendations

Staff offer the following recommendations to the final PUD application:

- A. The maximum building height of Buildings B1, B2, B3, B4, B15, & B16 shall not exceed the building elevations presented in Exhibit A-Application, pages 18-19, & 27-28. Alternatively, the Applicant shall consider height reductions, additional screening, architectural modifications, or any combination of these to these structures to optimize consistency with the natural character of the land. All other structures shall comply with the building height requirements specified in Section 17.04.050.*
- B. All site specific development applications subject to the provisions of the International Fire Code or matters requiring fire alarms and/or fire suppression shall be submitted to the Fire Marshal for review and comment.*
- C. The applicant shall comply with all recommendations of the Town Engineer, Town Public Works Director, and Town Attorney provided in response to review of the Application.*
- D. All exterior lighting to be dark-sky compliant per the comprehensive plan. Parking lot lighting should be on timers to reduce the light duration at night while maintaining security lighting as needed.*
- E. The location and manufacturer of any electric vehicle supply equipment install within the public right of way shall be at the discretion of Public Works.*
- F. A temporary construction easement, generally conforming to that depicted in the Application, is constructed to accommodate construction vehicle circulation for the buildout of PA 8 & 9 (R2 Partners LLC) and PA 12 (TC Midwest LLC) until the completion of either PA 12 or PAs 8 & 9, whichever is first. The easement shall consist of a semi-impervious surface, a track pad at the intersection with Castle Valley Blvd. and include safety fencing along the length of the easement to prevent unauthorized entry into the easement area. Any damage to public infrastructure, including but not limited to, asphalt bike paths, landscape irrigation, underground utilities, and landscaping shall be the responsibility of the Applicant. The design of the easement shall be approved by the Public Works Department and Town Engineer prior to permitting. Landscaping and grade of PA 12 shall be restored to its initial state once construction operations are completed. The Town Council shall approve the temporary construction easement with the Final Plat.*

Councilor G. Riddle asked if the town has explored the option of making the temporary construction easement permanent. **(Exhibit D)**. Councilor G. Riddle's concern was once North Wild Horse is built out, the North Wild Horse Drive would become a race track. He asked if it were possible to pursue a permanent easement between TC Midwest and R2 instead of connecting North Wild Horse Drive straight through to the roundabout. That would be a better way to get traffic out of R2 development and to Castle Valley Boulevard and not going through the neighborhood. Mr. Rosenberg said possibly doing cost sharing, since R2 would be building the road and paying for it since the surrounding developments have not started yet. But when they do start, they should do some cost sharing. Mayor Pro Tem Hazelton asked Town Engineer Jeff Simonson if there was any anticipation for traffic to come out at the roundabout. Engineer Simonson said yes, the master plan did anticipate Silverado Trail to come out at the roundabout. Planner Smith said he has been in conversation with TC Midwest and they are within weeks of submitting a sketch plan. Attorney Sawyer said there is a traffic master plan showing North Wild Horse Drive connecting all the way through. The town owns the easement between the two ends of North Wild Horse Drive for the completion of the road. Currently the town has no easement rights across TC Midwest property. Mr. Rosenberg said he would make the best effort to work with TC Midwest on the easement. Councilor Carey asked if the town could ask TC Midwest for an easement across their property for a permanent road to the roundabout. Attorney Sawyer said the town has asked for a temporary easement for construction traffic from Castle Valley Boulevard to North Wild Horse Drive. Administrator Reynolds said staff is having a conversation with TC Midwest for a permanent easement for the road.

G. All trash dumpsters shall be located within an approved trash enclosure that extends six feet high and includes a bear resistant latching mechanism. Trash receptacles for townhomes shall be of a bear resistant type and stored inside.

H. A declaration of covenants for the common interest community that are to the satisfaction of the Town Attorney. The form of the declaration of covenants shall be finalized before consideration of the Final Plat by the town council. Recordation of the declaration of covenants shall be accomplished at or before recording of the Final Plat.

Councilor Leland asked if the covenants are controlled by the property owners, and R2 is the only owner of the property. Attorney Sawyer said the community could exist without a declaration of covenant. However, R2 is developing three separate parcels and because of that the ownership of the development could be under three different parties and there needed to be something in place in case that was to occur, so that the elements can be maintained.

I. A subdivision improvements agreement ("SIA") containing an engineer's stamped cost estimate of public improvements, to the satisfaction of the Town Attorney. The form

of the SIA shall be finalized before consideration of the Final Plat by the Town Council. Recordation of the SIA shall be accomplished at or before recording of the Final Plat.

J. Provide a construction phasing plan for inclusion in a subdivision improvements agreement. Identify, at minimum, each of the following components:

- Buildout phases if necessary;*
- 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 to the project;*
- Provisions for the protection and preservation of all existing vegetation, including trees, shrubs, and native grasses that do not interfere with the construction of buildings, roads, or utility infrastructure.*

Councilor Leland said he would like to add something to address dust control.

K. Landscaping shall incorporate native grasses and plants that minimize maintenance, mowing, and irrigating. The PUD landscaping plan shall be approved by Public Works. Plans submitted for 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.

L. All disturbed areas in the project shall be revegetated and maintained in a predominantly weed free condition.

M. 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.

N. 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.

Planner Smith said he would like to add that no building permits would be issued until all outstanding invoices that are greater than 90 days past due are paid in full. Councilor G. Riddle asked if staff have a concern about a certain portion of public improvements to be completed before building permits to be issued. Engineer Simonson said it would be tied with issuing a C.O. Attorney Sawyer said the Subdivision Improvement Agreement (SIA) provides they have to have a phasing meeting with town staff and preset the order they are planning to complete the public improvements.

O. *The sale of individual lots, parcels or units may not occur until a plat creating the lot, parcel or unit is recorded with Garfield County and security for the public improvements has been received by the Town.*

P. *The applicant and town council shall reach agreement on an affordable housing covenant that includes one of two options:*

1) 3-one bedroom units offered at 75% of the current market rate in perpetuity;

Or,

2) 3-one bedroom units & 2-two bedroom units offered with the following pricing arrangement:

- Years 0-20 after certificate of occupancy ("CO") – all rent reduced units shall be offered at 75% of current market rate;*
- Greater than 20 years up to 23 years after CO – all rent reduced units shall be offered at 80% of current market rate;*
- Greater than 23 years and up to 26 years after CO – all rent reduced units shall be offered at 85% of current market rate;*
- Greater than 26 years and up to 30 years after CO – all rent reduced units shall be offered at 90% of current market rate;*
- Greater than 30 years – the affordable housing covenant shall expire;*

The affordable housing covenant shall designate the general housing type for each unit as necessary, without specifying the exact location of each affordable housing unit. The affordable housing covenant shall designate authority to the Town to choose qualified renters that have passed background checks to live in the affordable housing units, with priority first given to town staff and then to members of the workforce of New Castle. If the property or any affordable housing unit were ever to be part of a further subdivision or if Lots 1, 2, and 3, as depicted on the Final Plat, are ever sold into separate ownership, the Town will apply its then-current affordable housing regulations and modify the affordable housing covenant accordingly. The affordable housing covenant shall be finalized before consideration of the Final Plat by Town Council. Recordation of the affordable housing covenant shall be accomplished at or before recording of the Final Plat.

Councilor Carey asked if "New Castle workforce" meant within town limits or 81647 zip code. Planner Smith said it could include 81647 zip code. Councilor Carey asked if it could expand from New Castle to Rifle because RE2 School District does as well as other organizations. Attorney Sawyer said staff has had discussions with the application and the applicant will leave the decision to the town.

Councilor Carey asked why was there a perpetuity for the one bedroom but not for the two bedroom. Mr. Rosenberg said the two bedrooms are much more costly for them to give the discounts to. Once the building is finished there would likely be long term financing on the building and the insurance and mortgage looks out for 30 years. Then, after 30 years the mortgage will see that the units are a market rate which help with their financing that would be on a permanent loan.

There was discussion with the council and Mr. Rosenberg and there was an agreement to have a total of three units, 2 -two bedroom and 1-one bedroom unit in perpetuity.

Q. Finalization of water rights dedication requirements for the project. Calculation of irrigated areas and finalization of EQR dedication requirements. A warranty deed conveying the required water rights in the Coryell Ditch shall be executed and recorded together with the Final Plat.

R. Should issues arise about property management or community security, which are not cured after Town notice, the matter can come back for Planning & Zoning and Council review and the potential imposition of additional responsive conditions.

S. [Place holder for the cost share agreements] (Exhibit E)

Attorney Sawyer said staff are trying to finalize cost recovery for completion of road improvements of North Wild Horse Drive and alternative access road down to Castle Valley Boulevard. The anticipation is that the construction road would be used by R2 and TC Midwest development. Since R2 is being developed first they should have some cost recovery from the other two parcels. The town would not be guaranteeing any cost recovery; the cost would be coming from the other two property owners through public improvements.

Attorney Sawyer said the other cost sharing is for parking along North Wild Horse Drive next to VIX Park. Both construction and site plans which have been submitted by the developer show angle parking along the park side. The developer has asked for some cost recovery for the construction of the parking. Staff asked the developers engineers to come up with incremental cost for constructing the parking. The estimate came back much higher than anticipated. However, part of the cost included items the developer would be required to do if they were not constructing the parking, such as landscaping and lighting. Staff are not willing to cost share based on the numbers presented to the town. However, if a more reasonable true cost is, then staff is willing to recommend to the council to give staff direction to approve cost sharing. The original ask from the developer if there could be an offset from the recreation development fee which is paid at the time of building permit. The recreation development fee is \$3,000 per unit which totals around \$400k. The money could be from another source other than the recreation development fee. Mr. Rosenberg said there was some misunderstanding with his team for the cost, but they have reviewed the cost and come up with a much lower number. The idea was they were

providing something for the park and is not part of the standard which has a higher incremental cost to them that is what they are asking for the cost reimbursement.

Attorney Sawyer said at the next council meeting there will be a resolution for approval of an SIA which will include a number of conditions of approval as attachments.

New Castle resident Chad Turner asked if there could be a restroom built at VIX Park.

Attorney Sawyer reviewed the additional conditions as: affordable housing 2 two - bedroom and 1 one - bedroom unit in perpetuity; the public improvements would include both the spec as well as the public improvement process for the construction of the trails as identified; the town will take title of parcels 1 and 2 which are the open space parcels and will have discussion with the applicant; adding dust control as part of the vegetation management; no building permit would be issued until finance confirms any bills 90 days or greater are paid in full.

Motion: Councilor G. Riddile made a motion to approve Ordinance TC 2025-1, A Ordinance of the New Castle Town Council Recommending Conditional Approval of a Final PUD Development Plan and a Final Subdivision Plat for Castle Valley Ranch PUD Filing 13 (9 N Wild Horse Dr)(R2) (1st reading) with the conditions listed by Attorney Sawyer, Councilor Carey seconded the motion and it passed on a roll call vote. Councilor Mariscal: yes; Councilor Carey: yes; Councilor G. Riddile: yes; Councilor Leland: yes; Mayor Pro Tem Hazelton: yes; Councilor Copeland: yes.

Consider Resolution TC 2025-5 - A Resolution of the New Castle Town Council Supporting the Application for a Mini Grant from the Garfield County Federal Mineral Lease District

Administrator Reynolds said the town is applying for an FMLD Spring Mini Grant to replace the rooftop HVAC unit. The grant amount is \$30k.

MOTION: Councilor Leland made a motion to approve Resolution TC 2025-5 - A Resolution of the New Castle Town Council Supporting the Application for a Mini Grant from the Garfield County Federal Mineral Lease District, Councilor Copeland seconded the motion, and it passed unanimously.

Consider Resolution TC 2025-6 - A Resolution of the New Castle Town Council Supporting the Application for a Traditional Grant from the Garfield County Federal Mineral Lease District for Capital Street Maintenance

Administrator Reynolds said the town is applying for an FMLD Spring Traditional Grant for street maintenance projects.

MOTION: Councilor Leland made a motion to approve Resolution TC 2025-6 - A Resolution of the New Castle Town Council Supporting the Application for a Traditional Grant from the Garfield County Federal Mineral Lease District for

Capital Street Maintenance, Councilor Mariscal seconded the motion, and it passed unanimously.

Consider approval of CDOT Easement Agreement

Administrator Reynolds explained the temporary easement agreement with CDOT for a parcel of land near the bridge at the west end of town. To complete the construction of the new bridge at the west end of town, CDOT requires the temporary use of a small parcel of land which will serve as a bypass for the construction of the new bridge. The property houses public works buildings and sheds on the west side of Elk Creek. The agreement have been reviewed by Town Engineer Jeff Simonson and Town Attorney David McConaughy.

Mayor Pro Tem Hazelton asked for a portion of the payment could be set aside to help businesses that would be affected by the construction.

MOTION: Mayor Pro Tem Hazelton made a motion to approve CDOT Easement Agreement, Councilor Carey seconded the motion, and it passed unanimously.

~~**Consider Councilor Appointment for Parks, OpenSpace, Trails and Recreation Committee (POSTR)**~~ removed

Consent Agenda

Items on the consent agenda are routine and non-controversial and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen requests it, in which case the item will be removed from the consent agenda.

January 21, 2025 minutes

February 4, 2025 minutes

Liquor License Renewal Hogback Pizza

MOTION: Mayor Pro Tem Hazelton made a motion to approve the Consent Agenda. Councilor G. Riddile seconded the motion, and it passed unanimously.

Staff Reports

Town Administrator – Administrator Reynolds said staff have been discussing placing a memorial bench for former Councilor and Mayor Bob Gordon at Rollie Gordon Park along Elk Creek. Administrator Reynold said the ice rink is done for the year. Staff is doing a sticker and a slogan contest. Administrator Reynolds said some of the public works departments are in Denver for a conference. Administrator Reynolds said there is some working being done on the Rippy property across the road from Riverview Park. The work is alarming to staff because the project is not being managed. Planner Smith have been in contact with the county and hopefully they will be able to assist and making sure the project is done properly. Administrator Reynolds said there is an application for a project under consideration by Garfield County P&Z and later by the county commissioners. The

project is putting a solar farm on an empty piece of property west of Coal Ridge high School. New Castle is not required to comment. Silt has commented strongly and it would be wise for the town to look at it. Solar projects are fine in certain spots.

Town Clerk – Clerk Andis said Assistant Huster is continuing to cross train with Assistant Rochelle Firth on the quarterly newsletter, weekly e-newsletter and updating the town's website.

Town Treasurer – not present

Town Planner – Planner Smith said TC Midwest should be submitting a sketch plan shortly. Planner Smith said he has also received the application for Coal Seam and will be reviewing that.

Public Works Director – not present

Commission Reports

Planning & Zoning Commission – have not met

Historic Preservation Commission – have not met

Climate and Environment Commission – have not met

Senior Program – have not met

RFTA – Councilor Copeland said they took a tour of the new maintenance facility and the ridership is up 2.3%

AGNC – have not met

GCE – have not met

EAB – have not met

Detox – have not met

Council Comments

Councilor G. Riddle said the town should do a proclamation for Bob Gordon and Adam Cornley for the trails work he has done. Councilor Leland said Assistant Charlienna Chancey participated in Spellabration. Mayor Pro Tem Hazelton said he attended the county P&Z meeting regarding the solar array project.

Items for Future Council Agenda

Garfield County Solar Array Project

Discussion on affordable housing

Adjourn

MOTION: Mayor Pro Tem Hazelton made a motion to adjourn. Councilor Leland seconded the motion and it passed unanimously.

The meeting adjourned at 9:51p.m.

Respectfully submitted,



Mayor Pro Tem Hazelton

Town Clerk Mindy Andis, CMC



INTERNATIONAL MOUNTAIN BICYCLING ASSOCIATION



Exhibit A to
Feb. 18, 2025 Council Minutes

New Castle Trails

1. 2014 - 2025 Accomplishments & Future
2. 2017 - 2025 Financials
3. 2025 Rides & Reggae Festival - Proposal & Request



New Castle Area Trail System

White = open to foot and bike

Pink = open to foot only

Orange = bike down only

Yellow = paved path or road

Red = non-system trail or
closed route

Cyan = 2025 new trail const.

Blue = concept trails

RFMBA New Castle Trails - History

2014 / 2015: BLM designates New Castle ERMA (Extensive Recreation Management Area) as part of its updated Resource Management Plan. BLM communicates with RFMBA regarding NC area non-system trails (that are open to foot travel, but not to biking).

Oct. 2015: RFMBA - NCT presents to Town Council. Shares range of RFMBA efforts in the region, reasons to invest in great modern trails, and concludes with status of existing NC area trails, and Next Steps.

May 2016: Hosts IMBA's Trail Care Crew for a weekend that includes *Better Living Through Trails* presentation & a *Trail Building School* volunteer event to reroute an eroding fall-line portion of the Alder Park Trail.

RFMBA New Castle Trails - History

2017: BLM completes EA process to formalize Colorow area trails, approves existing routes and reroutes for sustainability & priority wildlife areas, and approves new Stairway to Heaven trail. Implementation begins, led by NCT, supported by RFOV & RMYC. 9.5 additional miles of new & existing trails open to the public by 2018, with 3.75 miles closed or rehabbed.

2018: BLM Colorow area improvements continue. Trail planning begins for eastern ("Highlands") area. Fundraising events increase to support future trail projects. Tool cache established at VIX Ranch Park.

2019 / 2020: Professional trail planning & specialist studies for BLM Highlands area leads to BLM EA approval of 10 miles of new trails.

RFMBA New Castle Trails - History

2021: Implementation begins on BLM approved eastern "Highlands" trails, utilizing volunteers and professional builders. Professional trail planning and easement agreement work begins for Burning Mountain Trail Plan on Talbott Family private land.

2022: Burning Mountain trail construction begins, utilizing volunteer and professional labor. Improvements continue for BLM trails, trails on Town land, and VIX Ranch bike park.

2023: Burning Mountain Trails completed and open to the public in late Fall, providing an 8 mile loop of new trails open to the public.

2024: Fencing & signage improvements continue for Burning Mt. and other areas. Trail planning and specialist studies conducted for proposed BLM "east of Colorow Flow" trail, to improve safety and quality of experience for trail users. Improvements and maintenance continue for all trail systems.

RFMBA New Castle Trails - History / Future!

2025: BLM DNA Approval expected for BLM “east of Colorow Flow” trail, with construction scheduled for mid April start. Funding secured during 2024.

New trailhead map for Burning Mountain trail system will be installed at kiosk constructed last year.

Improvements and maintenance being coordinated for multiple areas including Talbot's Burning Mt. Trail (the north climb), VIX Ranch bike park, and BLM ERMA trails.

A volunteer project to improve the hiking-only Medaris West trail is tentatively scheduled for May 17th. Coordination with RFOV started in January.

Discussions started with Town of New Castle POST committee, to ensure that all NCT trail maintenance efforts and future projects align with community values.

Medaris West - Trail Improvement Project



East of Colorow Flow Trail Proposal

White = existing routes. Red = non system routes
Cyan = proposed new trail, open to downhill bike traffic only. This will serve as a trail system exit for many riders, reducing bike traffic on the existing multi-use East Colorow Trail.



Google Earth

Image © 2024 Airbus

[illegible]

The Coal Mining Town that Survived Tragedy and the Silver Crash of 1893

On the jagged, tree-rimmed rim of the coniferous site at the confluence of the Cache and the Colorado River, featuring the first white sector to build a house in New Castle that year, The Old Chief Calderon remained to be an ancestral house, and became a frequent visit and a friend to jaguar spirit, New Castle house Chief Calderon with the Colorado Trail, which keeps through the hills just north of town.



Danger to property, New Castle has suddenly stepped out of proportion for a town its size. New Castle was the location of two of Columbus' last worst sailing disasters and one of its worst trade collisions. On February 16, 1894, the *Velica* ship exploded, killing 47 men. Ten months later New Castle caught fire, and the town's main street was destroyed. The streets and houses from neighboring towns

[illegible]

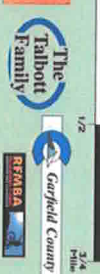
Closures may occur at times due to snow/mud/or livestock accommodation

1 Talbot's Burning Mountain Trail - 3.6 miles - 1,350' ascent Shared 2-Way Multi-Use Trail - Open to horses
This trail has a generous wide machine-cut bench, allowing easy passage with two-way traffic. Pleasant meadowy hills and horse traffic and follow make this an outstanding trail. Beyond Talbot's Trail the narrowest trail begins, and becomes a steeper, more technical hand-built trail at this point. Consider this a great cut-and-back experience for the climb, enjoy excellent views, and long descent back down to town, or as a link to the more difficult trail.

- [illegible]

[illegible]

- [illegible]



RFMBA New Castle Trails: 2017 - 2024 Financials

RFMBA New Castle Trails: 2017 - 2024 Financials

	Dec 31, 14	Dec 31, 15	Dec 31, 16	Dec 31, 17	Dec 31, 18	Dec 31, 19	Dec 31, 20	Dec 31, 21	Dec 31, 22	Dec 31, 23	Dec 31, 24	TOTAL	2025 Budget
Ordinary Income/Expense													
Program Revenue - Allocated													
New Castle Trails Income	0.00	0.00	0.00	11,921.45	31,189.26	40,231.00	75,466.00	105,235.13	211,270.47	144,336.37	137,105.34	756,755.02	34,730.00
Program Expenses - Allocated													
New Castle Trails Expense	0.00	0.00	0.00	3,554.00	27,435.34	37,396.09	99,140.35	110,885.91	122,680.79	187,324.10	110,912.53	699,329.11	54,000.00
Net Ordinary Income	0.00	0.00	0.00	8,367.45	3,753.92	2,834.91	-23,674.35	-5,650.78	88,589.68	-42,987.73	26,192.81	57,425.91	-19,270.00
RFMBA General Operating Funds used to cure negative NCT income balance, to set NCT Fund to be \$0 on 12/31							8,718.07	5,650.78				14,368.86	
NCT FUND BALANCE				8,367.45	12,121.37	14,956.28	0.00	0.00	88,589.68	45,601.95	71,794.76		52,524.76
Portion of above income from Town of New Castle					5,500.00		40,466.00	40,000.00	75,000.00	30,000.00	30,000.00	220,966.00	
Additional In-Kind Support from TONC for R&R Festival Direct Expenses								20,000.00	20,000.00	20,000.00	20,000.00	80,000.00	
RFMBA Overhead Admin, estimated value towards NCT Projects & Events				4,000.00	4,000.00	5,000.00	7,000.00	8,000.00	8,000.00	7,000.00	7,000.00	59,000.00	

Summaries on the next slides...

RFMBA New Castle Trails: 2017 - 2024 Financials

Total Allocated Income: **\$756,755**

- Town of New Castle, portion: **\$220,966**
- All other: Foundation grants, Garfield County direct support, Event income (proceeds from R&R Festivals thanks to many Event Sponsors + ticket sales and drinks sales).
- Not included: RFMBA General Operating Funds used to cure negative NCT Fund Balances in 2020, 2021: \$14,369.

Total Allocated Expenses: **\$699,329**

- Professional trail planning, specialist studies for BLM EA Approvals, professional trail construction, signage, fencing, & fundraising event expense.

In-Kind / Income & Expense not included above:

- Town of New Castle, 2021-2024: \$80,000 (approved for R&R direct event expenses)
- RFMBA Overhead Admin. & staff time, 2017-2024: \$50,000, est.

RFMBA New Castle Trails: 2017 - 2024 Financials

Total Income: \$901,124

-Town of New Castle, portion: \$300,966

NCT has secured \$2 for each \$1 of Town's funding.

Total Expenses: \$843,698

RFMBA New Castle Trails: 2017 - 2024 Financials

NCT Allocated Funds Balances as of 12/31 each year:

2017:	\$ 8,367
2018:	\$ 12,121
2019:	\$ 14,956
2020:	\$ -8,718 (reset to \$0 using RFMBA general funds)
2021:	\$ -5,650 (reset to \$0 using RFMBA general funds)
2022:	\$ 88,590 (utilized during 2023 projects)
2023:	\$ 45,601 (utilized partially during 2024 projects)
2024:	\$ 71,794 (to be utilized during 2025+ projects)

RFMBA New Castle Trails: 2017 - 2024 Financials

Rides & Reggae Event Proceeds, benefitting local trails.

2021 Income: \$ 84,279

2021 Expense: \$ 54,225

2021 Event Profit: \$ 30,054

2022 Income: \$ 99,685

2022 Expense: \$ 64,741

2022 Event Profit: \$34,944

2023 Income: \$ 133,365

2023 Expense: \$ 76,516

2023 Event Profit: \$ 56,849

2024 Income: \$ 131,129

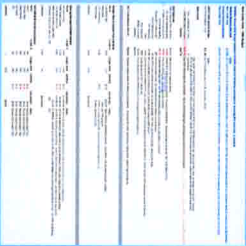
2024 Expense: \$ 92,774

2024 Event Profit: \$ 38,355

(Includes Town's annual \$20,000 contribution & direct expenses.)

RFMBA New Castle Trails: 2017 - 2024 Financials

NCT 2025 Budget:

A small thumbnail image of a detailed budget spreadsheet. It contains multiple columns with headers such as 'Line Item', 'Description', 'Amount', and 'Category'. The spreadsheet is organized into sections, likely representing different parts of the budget, with some rows highlighted in red and others in blue. The text is too small to read clearly, but it appears to be a comprehensive financial document.

NCT Fund, Starting Balance 1/1/2025: \$ 71,794

Budgeted Income: \$ 24,730 (pending 2025 R&R Festival)

Budgeted Expenses: \$ 54,000

NCT Fund Projected Balance as of 12/31/25: \$42,525
(to be utilized for 2026+ NC area trail projects & maintenance)

2025 New Castle Trails
Rides & Reggae Festival
& Dirty Dozen Races

2025 NCT Rides & Reggae Festival (& Dirty Dozen Races)

NCT seeks to continue the R&R Festival during 2025, recognizing its past successes.

- The event has been well loved and well attended by locals and regional visitors.
- The races are an opportunity to highlight the quality of our local trail system, and they encourage increased use by those in our community, to the benefit of their health and wellness.
- NCT has organized a renewed volunteer effort to ensure future success for this community event. A scaled down event is intended for 2025.

2025 NCT Rides & Reggae Festival (& Dirty Dozen Races)

NCT seeks to continue the R&R Festival during 2025, recognizing its past success & challenges.

- The Town of New Castle's support has been instrumental in growth of the Festival since 2019. All event proceeds support local trail system improvements.
- The Town's support has included \$20k of financial support for event expenses for each of the past 4 years, \$80,000 in total. NCT has greatly leveraged this support
- The Town's support has also included administrative & contractual support to secure certain event services & talent (bands) for the events.

2025 NCT Rides & Reggae Festival (& Dirty Dozen Races)

Proposed 2025 Festival Structure

- **Race format remains unchanged (Friday and Saturday races)**
- **Friday (August 1) Evening Running Race, After-Party Downtown.**
- **Saturday (August 2) Morning MTB races. Noon Awards Ceremony Downtown, TBD.**
- **Saturday Late Afternoon / Evening, Live Music at VIX Ranch Park.**

2025 NCT Rides & Reggae Festival (& Dirty Dozen Races)

The Future of Rides & Reggae

For the event to thrive, NCT intends to stay **engaged, adaptable, and focused on long-term success**. Core principles include:

- **Rides & Reggae should be an event that serves New Castle and its residents.**
- **The event should be fiscally managed to allow for annual investments in New Castle's local trails.**
- **Strong partnerships with the Town, event sponsors, and local businesses are essential.**
- **New Castle Trails committee should reassess the festival annually, to ensure sustainability.**

2025 NCT Rides & Reggae Festival (& Dirty Dozen Races)

Moving Forward – Our Commitments

ToNC staff have expressed appreciation for the previous NCT committee's work but expects us to operate differently moving forward. To address concerns:

- **NCT (via Tyler M.) will provide pro bono legal services** to review vendor contracts, reducing the burden on the Town's staff and resources.
- **We will collaborate more closely** with Parks & Public Works to minimize operational challenges.
- **A simplified festival structure (VIX - only Saturday night)** reduces strain on volunteers, town staff, and finances.
- **Rides & Reggae will remain a crucial fundraiser** for New Castle Trails. With **over \$60,000** in event sponsorships last year... skipping a year risks losing these sponsors in the future.
- **The partnership between NCT / RFMBA & ToNC has been a success**; we aim to build on that.

2025 NCT Rides & Reggae Festival (& Dirty Dozen Races)

2025 Event Budget

Proposed Income: \$ 82,300

Proposed Expenses: \$ 57,570

Proposed Proceeds to benefit local trails: \$ 24,730

NCT Rides & Reggae Event Financial Summary.			
	2024 Actual	2025 Projected / Actual	
TONG Event Support	\$20,000.00	\$0.00	This \$20k is in-kind event support from TONG, spent directly on event expenses.
Event Sponsor Income	\$62,690.00	\$40,000.00	this Actual / Budget number is per above details.
Event Income	\$48,439.00	\$42,300.00	this Actual / Budget number is per above details.
Event Income Total	\$131,129.00	\$82,300.00	
Direct Event Expenses	\$14,319.77	\$8,256.50	this Actual / Budget number is per above details.
Reimbursed Expenses	\$78,454.22	\$49,313.96	this Actual / Budget number is per above details.
Expense Total	\$92,773.99	\$57,570.46	
Event PROFIT/LOSS	\$38,355.01	\$24,729.54	Proceeds are intended to cover New Castle area trail project & trail maintenance expenses. This number is calculated per above.

Category	2024 Actual	2025 Projected / Actual
Event Income	\$48,439.00	\$42,300.00
Event Income Total	\$131,129.00	\$82,300.00
Direct Event Expenses	\$14,319.77	\$8,256.50
Reimbursed Expenses	\$78,454.22	\$49,313.96
Expense Total	\$92,773.99	\$57,570.46
Event PROFIT/LOSS	\$38,355.01	\$24,729.54

2025 NCT Rides & Reggae Festival (& Dirty Dozen Races)

Rides & Reggae has been a major fundraiser benefiting local trails, in partnership w/ the ToNC.

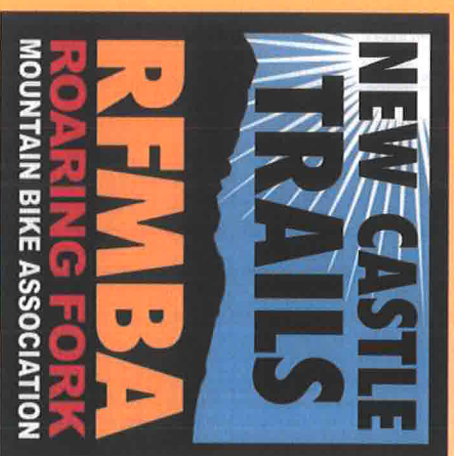
- We appreciate the past work of the NCT committee that led to R&R's growth & success.
- We've engaged private sponsors, downtown businesses, festival supporters, and town staff/council members to develop a sustainable framework for the festival.
- We are not asking the Town for financial support this year.
- We are requesting continued in-kind support from ToNC, including:
 - Contractual authority to use town-owned spaces, & to secure event services + talent.
 - Public Works assistance with setup/teardown at VIX.
 - Police Department presence.
- Town approval is requested, so that 2025 R&R event planning may proceed in full.

2025 NCT Rides & Reggae Festival (& Dirty Dozen Races)

Next steps, if ToNC approves in-kind support for the 2025 Festival.

- NCT will meet with Town Council to review 2025 local trail projects.
- NCT's R&R Committee will meet Town staff and others for Festival planning meetings.
- NCT will start re-engaging with event sponsors.
- NCT will start to coordinate talent (bands) & event services, working w/ Town staff as needed.

Thank you for supporting our local trails!





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

**Planning & Code Administration
Department**
Phone: (970) 984-2311
Fax: (970) 984-2716

Staff Report

**9 North Wild Horse
Castle Valley Ranch PA8 & PA9 Final Plan, Filing 13
Ordinance TC #2025-1
Town Council (TC) – February 18th, 2025**

Report Compiled: 2/14/2025

Project Information

Name of Applicant:	R2 Partners
Applicant's Mailing Address:	1009 Delta Avenue Cincinnati, OH 45208
Phone/Email:	614-266-7629/b.rosenberg@r2partners
Property Owner:	CTS Investments, LLC
Owner Mailing Address	343 Dakota Blvd. Boulder, CO 90304
Proposed Use:	130 rental townhomes/apartments in 16 buildings
Approximate Residents:	~ 310-340
Bulk Density:	2.73 units/acre
Open Space:	34 acres passive open space; 9.6 acres developed open space;
Proposed Zoning:	MF-2 per the Castle Valley Ranch PUD
Surrounding Zoning:	Single family residential homes (N Wild Horse Dr.) Open Space (VIX Park, LCR Golf Course) Mixed Use/Commercial zoning (TC Midwest, LLC) Residential zoning (CVRI & LCR)

I Introductory Summary

R2 Partners has been both a developer and owner of multifamily rental projects for over the past 60 years. Based in Cincinnati and serving various areas in Colorado, R2 is rethinking multifamily residential living. Their current application in Castle Valley Ranch (CVR), Planning Areas 8 & 9, embraces the quality of life prized by all New Castle residents. The proposal contemplates 130 multi-family rental units with three distinct floorplans:

- Model 1: “*Empty-nester*” targets retirees valuing convenience and practicality (~770-1,470sf);
- Model 2: “*Live/Work*” focuses on professionals looking for adaptive designs and multi-functional space focused on a work-from-home end user (~680-960sf);
- Model 3: “*Townhomes*” are conventional urban/suburban concepts available for starters or those looking to downsize (~1,420sf);

Dispersed over approximately 47.6 total acres, the proposal contemplates 43.6 acres of passive & active open space (91.6% of total acreage) and includes a connection of N Wild Horse Dr. east of VIX Park. The Applicant will dedicate two single track trails that extend from VIX park to the BLM. Prior to the current preliminary hearing, the Applicant convened for public meetings/hearings on the following dates:

- October 25th, 2023 – P&Z Sketch Plan
- November 7th, 2023 – Council Sketch Plan
- December 7th, 2023 – Community Open House Meeting
- January 24th, 2024 – P&Z Sketch Plan Revised Site Plan
- June 26th, 2024 – P&Z Preliminary Plan
- November 13th – P&Z Final Plan

The final application was reviewed by P&Z and recommended for conditional approval on November 13th, 2024. On January 7th, 2025 the Applicant and the Town agreed to a 60-day extension for final decision on the application pursuant to section 17.100.060 (F). The current deadline for final decision is March 6th, 2025. Town Council's decision will be made by ordinance which shall be introduced twice at a Town Council meeting and, if approved, shall take effect 14 days after final publication pursuant to Article IV of the New Castle municipal code.

As the final of three application steps for new planned unit developments (“PUD”) & subdivisions, final PUD reviews assess zoning conformance, compliance with Public Works requirements, the suitability of utilities and infrastructure, compatibility with the comprehensive plan, and address any adverse impacts to the town. By final approval, all civil drawings should approximate construction level readiness.

Council shall decide on (1) of three (3) outcomes to the application: 1) approve the application unconditionally; 2) approve the application with conditions; 3) deny the application. The Council's decision will be made by written ordinance.

II Changes from June, 2024 Preliminary Plan

At the November 13th hearing, the commissioners approved the application with the conditions listed in Resolution PZ #2024-05. The general site plan has remained consistent throughout the preliminary & final application steps. Below are several key components to the proposal with some general comments from the commissioners:

Final Plan	P&Z Comments/Questions
• 130 residential rental units: 26townh, 80 apartments, 24 empty nesters, 16 buildings	• No comment
• 2.73 units/acre	• No comment
• 91.6% gross area open space (i.e. active + passive open space)	• No comment
• 229 off-street residential parking spaces	• Parking management strategy should be implemented as problems arise.
• All electric units, 5-15% reduction in energy use;	• No comment
• Passive open space with courtyards	• Priority of protecting native vegetation as much as possible
• MF-2 zoning: 40ft building height limit. 6 buildings exceed limit.	• Content with height if structure heights remain at or below 40ft
• Snow Storage: 18.7% of road area	• No comment
• Live/Work units balconies removed	• No comment
• Open space: Applicant owned	• No comment
• Pull-in parking included on west side of N Wild Horse for VIX Park users	• No comment; Staff condition for cost-share discussed below.
• Townhomes: two-story duplexes and triplexes	• No comment
• Townhomes with single-car garages will have driveways sized to two-car.	• P&Z appreciative of proactive solution to likely parking issue.
• Workforce housing: See Staff recommendations below.	• 5 units seems limited; Make available to more than Town staff No change
• Vista Loop: Dedicated to Town • Chapman & Medaris Loops: Owner maintained	• No comment
• Two spaces of EV charging capacity added to VIX parking area	• No comment
• Temporary construction easement to bypass N Wild Horse	• Priority of protecting pedestrian areas near CVB and Dog Park;
• Consider cost-share with VIX Park parking	• No comment
• Facilitate cost-share between TC Midwest & R2 Partners for a portion of NWH improvements.	• No comment

II Staff Review:

Throughout the application process, application documents will be reviewed pursuant to the criteria outlined in the Municipal Code (MC) for planned unit developments (PUDs) and subdivisions. At the final plan stage, an application shall show conformity to the following

criteria (MC 17.100.050(H)):

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 is consistent with the natural character, contours, and viewsheds of the land.

1) Is the proposal consistent with the comprehensive plan?

Applicants are expected to demonstrate substantial conformity with the CP in all applications (**Policy CG-1B**). The checklist below, though not exhaustive, provides a tool for reviewers to assess conformance with the CP:

- ☐ 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.

Quality of Life: According to the application packet (**Exhibit A-Application, page 3**), the proposal aligns with numerous New Castle goals and values favorable for Smart Growth and a high standard of living (**Goal CG-5**). The proposal focuses on conservation of the natural environment (**Goals EN-1 thru EN-8**), sensitivity to architectural aesthetics, and an active lifestyle (**Goal RT-1**) that together support community and sustainability.

As part of a Smart Growth strategy, policy **Goal CG-4A** expects large residential development (greater than 50 units) to integrate commercial services and conveniences. Though not included with this application, commercial development is anticipated elsewhere in Castle Valley Ranch. To meet Smart Growth objectives, Council could, in its evaluation, consider commercial prospects elsewhere in CVR as satisfactorily meeting this requirement. Though independently owned, the two developments may mutually complement each other and resonate with the CVR Master Plan.

Trails/Open Space/Recreation: The trails shown on **Exhibit A, page 7**, align with currently existing use-trails and trail agreements. Two trails will originate from VIX Park and lead east towards the locally dubbed “Sunset Trail” that terminates with public lands to the north. The goal is for a seamless trail experience connecting routes already prized by residents (**Goal POST-3**). Preservation of these trail corridors should also be supportive of existing wildlife habitat (**Goal POST-4**). Other walking trails are dispersed internal to the development. Altogether the trail network will be conducive to recreational opportunities and non-vehicular access to adjoining developments.

Environmental Impact: New Castle is committed to stewardship of the natural environment and therefore is careful to consider potential negative impacts of new development. The Town partners with Colorado Parks and Wildlife (CPW) to identify and protect critical environmental resources (**Goal EN-1**). CPW has provided referral comment and Jake Stanton, the District Wildlife Manager, recommends the following best management practices:

1. Bear-resistant trash containers with regular trash disposal during construction;
2. Bear-resistant dumpsters and/or trash bins for all resident refuse;
3. Wildlife friendly fencing per CPW specifications;
4. Use of non-fruiting trees, shrubs, and flowers for landscaping;
5. Prohibition of at-large and outdoor feeding of pets;
6. Prohibition of feeding wildlife;

For its part, the Town regulates off-leash dogs, encourages dark-sky compliance, preservation of native vegetation, and/or limiting fences in certain areas. In some development applications, the Town has encouraged additional landscape buffers to neutralize the effects of urban impacts on habitat.

New Castle has also made progress in terms of energy conservation. The current building codes require sustainable building practices, that reduce fuel consumption and promote use of renewable energy (**Goal EN-7**). All buildings will comply with the state of Colorado's solar and electrical readiness provisions. Moreover, the Applicant is committed in the direction of Netzero construction. A Netzero building is one that is optimally efficient and generates energy onsite using clean renewable resources in a quantity equal to or greater than the total amount of energy consumed. Net-zero/all-electric appliances paired with solar PV or ground source heating are feasible methods to exploit especially considering local, state, and federal incentives currently available. At this time, fully functioning solar array is not being considered at initial build, but the Applicant maintains that the efficiency steps already being proposed (**Exhibit A-Appendix, page 195**) will reduce consumption by 5-15%.

The Applicant has also proposed raw water as the means to irrigate landscaping. Raw water is non-potable water which bypasses the town's treatment facility thereby eliminating the processing step. The Applicant also receives a reduction in water right dedication requirements as a result of implementation. Opting for raw water is ultimately an economic and sustainability win for all.

Affordability: The rental aspect of the proposal is unique. Rental communities provide a fully managed property for tenants who do not have the time nor inclination to fuss with general repairs and upkeep. Rental communities also provide a way for retirees to downsize in communities dominated by larger single-family homes and a way for younger families to participate in communities in which they may otherwise be priced-out. The proposal also offers units for professionals seeking adaptable spaces serving dual purposed living area plus functional office space. In sum, the diversity of housing modalities works to stratify rent prices making housing attainable to varying income levels.

9 North Wild Horse offers a community promoting quality of life. Quality of life is potentially disadvantaged when a disproportionate share of household income is dedicated to housing costs. The Applicant has been committed to rent rates that are sensible for New Castle. Prices will vary with unit type and should track with those in New Castle and

Glenwood Springs. Of the 130 total units (**Exhibit A-Application, page 14**), the types include 80 *Live/Work* units; 24 *Empty-nester* units, and 26 conventional *Townhome* units. *Live/Work & Empty-nester* units will consist of 1-2 bedroom units with the *Townhomes* all at 3-bedroom. For context, Garfield County "Fair Market Rent" for 2023 is \$1,357 for 1-bedroom, \$1,861 for 2-bedroom, and \$2,275 for 3-bedroom. Locally, a Staff search has found asking prices ranging from \$1,650 (850sf) to \$4,000 (2,000sf) with an average two-bedroom going for \$2,600 (Note: not update since 2024).

Discussions about affordable housing in New Castle are bracketed by several features: 1) Per vested rights, there are currently no price caps on rent (or sales) prices; 2) the CP indicates that the town will create and preserve affordable housing merely as an *element* of all new development (**Goal HO-2**); 3) the CP does not define "affordability" though the US Department of Housing and Urban Development (HUD) maintains that monthly housing expenses should not exceed 30% of household income. This discussion aside, the Applicant has been working with P&Z and Staff to implement an affordable housing plan. Initially, three 1-bedroom units were offered to the Town at a 25% rent reduction on a rolling availability (**Exhibit A-Appendix, page 184**). P&Z asked the Applicant to find a way to increase this to at least five total including two, two-bedroom units. To offset costs for this request, the Applicant eliminated one building and increased the height of two *Live/Work* buildings from two to three levels. At the P&Z final hearing, a 20-year sunset clause was also added for consideration. Ultimately, resolution PZ 2024-6 deferred the final conditions of the affordable housing plan for the Council deliberation. At present, the Applicant and Staff have submitted two alternatives outlined in the conditions below.

Fiscal Impact: A fiscal impact study was performed (Triple Point Strategic Consulting) comparing estimated revenues with costs associated with the new development. The study helps determine whether the Town can meet the new demand on services (**Policy CG-7B, CP pg. 54**). The analysis projects a population increase of 2,004 for the entire town of New Castle with approximately 313 associated specifically with the new development. The analysis then projects revenues and costs based on the Town's budget averaged between the tax years of 2021 and 2024. The results show a yearly net benefit to the town of \$190,177. The cumulative net benefit by 2045 is estimated to be \$7 million with \$3.2 million coming in the initial two years of construction. The Town's finance department has reviewed the assumptions and projected outcomes separately with comparable results.

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

Zoning: The Applicant has elected Castle Valley Ranch *MF-2* zoning criteria. According to MC 17.104.080 *MF-2* is a "multifamily district allowing higher density including apartments." The following land uses are those permitted by right:

- Attached dwelling units in structures containing more than two units;
- Public parks, playgrounds and related accessory structures 5,000 sq. ft. or less;
- Parking facilities;
- Recreation facilities including, but not limited to health facilities, hobby rooms, activity rooms, meeting rooms, pools, gymnasiums, ball fields, tennis or basketball courts, volleyball courts, and any building of fields or play surfaces;
- Pedestrian and bicycle trails;
- Open space and parks

The main differences between MF-1 and MF-2 zoning are that the former allows detached dwelling units, slightly lower density, and lower maximum building height (35'). All proposed uses are permitted by right.

The Master PUD allows for the following density standards:

- Minimum lot area of 2,200sf;
- Minimum lot area per dwelling unit of 1,600sf or 27.2 units per acre;
- Maximum building height of 40';
- Minimum front yard setback 18';
- Minimum side yard setback of 0';
- Minimum rear yard setback of 10';
- Minimum distance between buildings of 10';

Density: As shown in the submittal packet (**Exhibit A-Application, page 8**) overall bulk density reaches 2.73 units per acre which is far below the 27.2 units per acre allowed. The *Live/Work* units have the highest localized density within the overall 46.7 acres. However, the *Live/Work* density is no more than 12.3 units/acre which is one unit/acre less than Eagle's Ridge Ranch and five units/acre less than the new senior housing development. Setbacks for each building lot will be finalized at permitting.

Building Height: As architectural designs became refined, the maximum building height for the three story *Live/Work* buildings (Buildings B3 & B4 **Exhibit A-Application, page 18**) was reexamined in relation to the building height definition in Section 17.04.050. At the preliminary hearing the building height was shown as 38.8' measured from the bottom slab to the top ridge as shown below:



The current final plan variation (**Exhibit A-Application, page 18**) shows a slightly increased height from slab of 39.9' (though not the uppermost part of the roof):



However, per the code, the initial point of reference for height measurements is not the bottom floor slab. Rather, the building height is defined as follows:

"Building height" means the vertical distance measured from the lowest point of the natural grade on the lot within twenty-five (25) feet of the tallest side of the building to the uppermost point of the roof of the building; provided, however, that if the lot upon which a building is to be built has a slope greater than fifteen (15) percent, building height shall be defined as the vertical distance measured from the average existing grade within the building setback envelope to the uppermost point of the roof of the building.

Taking into account the code's definition renders the building height at approximately 46' or 6' above the 40' zoning maximum (See also 41.5' for B;1 43.8' for B2, Exhibit A-Application, page 19):



The Town has allowed deviations to height limits in the past. Most recently the Town granted a 9' exception for a single building in the Lakota Canyon Ranch Longview application. In that instance, certain factors informed P&Z's decision. For one, the

Longview building was closely situated to other buildings that also exceeded their respective height maximums (i.e. Shibui, CRFR Firehouse, and the Senior Housing). At that time, P&Z was also generally persuaded by the fact that the building's excess height would be obscured by two-story structures immediately adjacent. Story balloons were erected on site to demonstrate this perspective.

At the June preliminary hearing, P&Z expressed concern with the visual impacts of adding a third level to Buildings B3 & B4. At least two methods to mitigate were explored: 1) obscure east elevations using the 2-story Buildings B-1 & B-2. In this way building mass will step gradually with the grade from N Wild Horse to the east; 2) Blunting of roof pitches (compare *Live/Work* gables with sketch plan exhibits). With massing alternatives, structure orientation, and roof articulation, the Applicant felt the concerns with increased building height on the surrounding views would be relieved. Staff has suggested



Sketch Plan *Live/Work* Massing

returning to stepped structures as illustrated in the original sketch plan (see above) to better approximate the appearance of surrounding single family and multi-family homes. Alternatively, the structures could be modestly sunken into the topography, effectively lowering the building height. This precedent was also set during the Longview application.

For the Applicant to move forward with these alternatives, Council would have to be convinced that Buildings B1-B4 fit the surrounding residential neighborhood currently comprised of single-family (SF) homes and triplexes. Council would also need to be mindful that the precedent set with this height exception may prompt other future developers in the area to do the same. Overall, Council should come away from the decision with the confidence that consistency with the surroundings is preserved no matter what building height is decided.

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

The parcel lies in the vicinity of various land uses within CVR: larger SF homes on N Wild Horse Dr., Buckskin Cir. & TBD Filing 12 to the south, VIX Park to the west, a commercial parcel (TC Midwest, LLC) to the southwest and two Garfield RE-2 schools within walking distance. BLM land and the Lakota Links Golf Course lie directly north of the parcel.

P&Z and Council have generally understood compatibility in terms of style and function. A use is considered more or less compatible in *style* to the degree it is similar in architecture, landscaping, and site planning (e.g. roads, trails, open space). A use is considered compatible in *function* to the degree its purpose serves the community similarly to surrounding uses. At times when compatibility is questionable, P&Z and Council have been hospitable to adding transitional features between developments to mute perceived incongruities in style or function. In such cases "buffering", for example landscape screening and open space, can soften the juxtaposition between two architecturally dissimilar developments. Likewise, small scale retail, professional service uses, and open space can function to temper alleged incompatibility between a SF development and, say, an industrial zone.

9 North Wild Horse is a multi-family rental property located within a rural residential setting. As a higher density product, building structures will naturally have more mass and height than those surrounding it. In anticipation of this, the Applicant includes open space buffering (~150' separation) adjacent to homes along Buckskin Dr. Greater distancing is expected to the east and south, near future Silverado Dr. and N Wild Horse homes. Architectural features derive articulation and texturing from neighboring residential designs. *Townhome* units will have horizontal and vertical displacement ("stepping") to better resemble the SF home context. As noted elsewhere, *Live/Work* and *Empty-nester* buildings (**Exhibit A-Application, pages 18-26**) exhibit less vertical displacement than surrounding structures and adjoining topography. This style might be deemed less compatible than what was viewed originally at sketch plan. Feedback from P&Z, Council, and the community has been mixed with respect to the more urban, block style multifamily buildings characteristic of developments in Denver, Vail Valley, and the Roaring Fork mid-valley. Therefore, Council will need to consider whether the current architectural signatures (i.e. roof pitches, elimination of balconies, taller windows) are an adequate tradeoff.

On the other hand, with a more conventionally urban approach the Applicant successfully minimizes sprawl which is supportive of the idyllic areas of CVR. Parking for the *Live/Work* units is nested within the interior of the building site plan while *Empty-nester* units obscure vehicle volume with covered parking spaces (**Exhibit A-Application, page 23**). Parking is also restricted to one side of the street on Vista Loop to reduce on-street congestion. Landscaping will be used sparsely to minimize disruption to otherwise unspoiled terrain. All things considered, the Applicant has made efforts to preserve the overarching style and function of CVR along N Wild Horse Dr. and includes transition features to address instances where compatibility may be questionable.

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

Police:

At Sketch Plan, the Applicant anticipated an increase of approximately 338 new residences at build-out. The Police Department currently consists of twelve FTOs which is ideal for a town the size of New Castle. Generally, additional FTEs are considered for every increase of 500 residents. Therefore, the Police Chief concludes that there would be no compromise with police service as a result of the expected population increase.

Fire: In light of the current multi-year drought and the ongoing expansion of the wildland-urban interface, Colorado River Fire Rescue now stresses improving the resiliency of structures and expanding the surrounding defensible space (**Goal EN-8**). Replacing conventional materials with those of more effective ignition resistance, particularly in buildings along the perimeter of the development, buys time for firefighters during a wildland fire incident and inhibits fires from spreading from the source. In 2024, the Town adopted standards for the requirement of ignition resistant materials and improved defensible space requirements for new structures. To extend their firefighting potential, CRFR requests modest clearing and grading for fire apparatus access near the periphery of the development **Exhibit C**. The Applicant has updated the site plan to address this concern (**Exhibit A-Application, page 7**). It is important that these routes be improved sufficiently enough to carry the weight of the necessary fire apparatus.

Public Works: The CVR PUD is approved for 1,400 residential units and 100,000sf of

commercial space. These totals were primarily the result of calculations performed on the basis of water dedicated from Elk Creek. At present the PUD has approximately 890 units and no commercial development. With 130 proposed units in this Application, the PUD remains well short of the 1,400 total rooftops allocated for CVR. The current sewer treatment plant is also sufficiently sized to process the full build-out of both CVR and Lakota.

Streets: The Town contemplates ownership and maintenance of Vista Loop and the N. Wild Horse connector, once all public improvements are accepted. Remaining streets will be private. Public Works agrees that speed, safety, and costs are priorities in road design. On-street parking serves to accommodate overflow vehicle parking for guests, deliveries, trash collection, extra resident vehicles, and emergency vehicles. Staff and the Applicant have worked closely to provide street designs that satisfy all these concerns. **Exhibit A-Application, page 46** shows the agreed upon designs.

Snow Storage: Snow removal is located on the site plan (**Exhibit A-Application, page 12**). 17.8% of total roadway area has been designated for snow storage which is 2.8% more than required. Ample snow storage is demonstrated on all separated sidewalks – Staff's preferred storage location.

Raw Water: Raw water is available at the north end of VIX Park and is expected to irrigate all common landscaping areas within the new PUD. The raw water infrastructure will be extended and looped with the installation of the N Wild Horse road connection.

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

Parking: The purpose of off-street parking in the PUD "is to ensure that safe and convenient off-street parking is provided to serve the requirements of all land uses in the Castle Valley Ranch PUD and to avoid congestion in the streets" (MC 17.104.100). As shown on **Exhibit A-Application, page 9**, the following Town standards apply:

- Duplex, tri-plex or four-plex – Two spaces per dwelling unit;
- Five or more dwelling units in one structure – One and one-half spaces per dwelling unit + 1 recreational vehicle parking space for every 5 units in a 5-plex or greater;

Off-Street Parking: Per the standards, required off-street parking totals 229 spaces. The distribution is as follows: The *Townhome* models provide for a mix of one and two car garages. Regardless of garage size, all units will include two-car driveways (**Exhibit A-Application, page 10**), or 3-4 off-street parking spaces where only two are required. This provision solves for issues related to garages used as miscellaneous storage rather than vehicle storage. The Code reduces parking to 1.5 spaces per unit for *Empty-nester* and *Live/Work* models. The Applicant, familiar with the complications of high-density residential parking, has offered at least two spaces per unit for the *Empty-nester* models and has exceeded the parking for the *Live/Work* units. Based on P&Z input, no differentiation will be made between seasonal/RV parking and other parking, but seasonal spaces will be included in the over parking count.

With the improved parking at VIX, the Applicant has also planned to install two fully equipped level 2 EV parking spaces at VIX park. These spaces will be a community-wide

amenity. Staff also recommend a parking management plan be added to the covenants prior to final approval with provisions for reserved parking in shared lots and prohibitions on overnight parking along N Wild Horse Dr. adjacent to VIX park.

Vehicular Circulation: Road, sidewalk, and trail design is a critical component to any new development in New Castle. To optimize circulation, the Applicant is committed to connecting N Wild Horse Dr. to complete the underdeveloped section between Alder Ave. and Castle Valley Blvd. Of note, nearly 1/5th of this new road section is outside the Applicant's property boundary. However, because of the importance of circulation and public safety, the Applicant has agreed to work with the neighboring property owners, particularly TC Midwest, to complete this link. Staff anticipates that the connector will match the Town standard ROW, including detached sidewalks with landscaping.

Nonvehicular Circulation: The Applicant has made a point not to disrupt the general trail alignment between VIX Park and the BLM land. Also, separated sidewalks allow easy circulation to all inhabited portions of the property with additional soft trails extending to the periphery for easier interface with surrounding neighborhoods (**Exhibit A-Application, page 7**). To meet pedestrian safety concerns, high visibility crosswalks with bump outs were added per P&Z request.

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

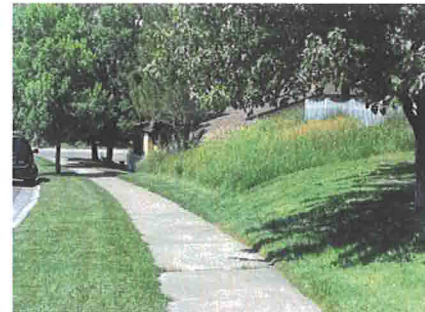
As previously discussed, 91.6% of the property will remain as passive/active open space. Within that area, the Applicant has preserved existing public use trails with various connecting trails added (**Exhibit A-Application, page 7**). To reduce the overall development footprint, small, active parks have been replaced with passive open space and two small sitting areas (**Exhibit A-Application, pages 84**). Since the open space requirements for CVR have already been met, no open space will be dedicated to the Town. However, the Applicant contemplates ongoing public access to all residents with an easement agreement.

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

The site plan (**Exhibit A-Application, page 35**) follows the sloping topography downhill from northeast to southwest. Each building generally terraces with the existing slope (**Exhibit A-Application, pages 26,36-37**). Terracing of structures limits cut-and-fill and reduces the need for unsightly landscape retention. The approach also softens the blunt, "blocky" appearance, that may otherwise disrupt the undulating, natural landscape. The *Live/Work* units and the *Empty-nesters* are formidable in size, stretching approximately 150'. As the architecture is being finalized Staff recommends revisiting the massing particularly of the *Live/Work* units. Since roof step-downs at the stair corridors were eliminated, there is concern that an uninterrupted roof ridge for the entire length of the building conflicts with the contours of surrounding topography. And, per **Policy EN-6B** of the CP, visual access to the ridgeline is expected. The Applicant, in **Exhibit A-Application, page 37**, has contemplated modestly sized berms and drought resistant trees or shrubs partly as a screening strategy to mitigate building mass. Ultimately, Council should consider whether these structures, coupled with screening, is enough to maintain consistency with the natural character of the

land.

To conserve water and limit landscape maintenance such as mowing, Staff requests the Applicant consider drought resistant vegetation and seeding with native grasses to restore disturbed areas to their original state. Sod and landscape irrigation, likewise, should be used sparingly to minimize the need for landscape maintenance. Modestly mowed buffers and borders can provide a satisfying manicured look needing little maintenance.



V Staff Recommendations

Staff offer the following recommendations to the final PUD application:

- A. The maximum building height of Buildings B1, B2, B3, B4, B15, & B16 shall not exceed the building elevations presented in **Exhibit A-Application, pages 18-19, & 27-28**. *Alternatively*, the Applicant shall consider height reductions, additional screening, architectural modifications, or any combination of these to these structures to optimize consistency with the natural character of the land. All other structures shall comply with the building height requirements specified in Section 17.04.050.
- B. All site specific development applications subject to the provisions of the International Fire Code or matters requiring fire alarms and/or fire suppression shall be submitted to the Fire Marshal for review and comment.
- C. The applicant shall comply with all recommendations of the Town Engineer, Town Public Works Director, and Town Attorney provided in response to review of the Application.
- D. All exterior lighting to be dark-sky compliant per the comprehensive plan. Parking lot lighting should be on timers to reduce the light duration at night while maintaining security lighting as needed.
- E. The location and manufacturer of any electric vehicle supply equipment install within the public right of way shall be at the discretion of Public Works.
- F. A temporary construction easement, generally conforming to that depicted in the Application, is constructed to accommodate construction vehicle circulation for the buildout of PA 8 & 9 (R2 Partners LLC) and PA 12 (TC Midwest LLC) until the completion of either PA 12 or PAs 8 & 9, whichever is first. The easement shall consist of a semi-impervious surface, a track pad at the intersection with Castle Valley Blvd. and include safety fencing along the length of the easement to prevent unauthorized entry into the easement area. Any damage to public infrastructure, including but not limited to, asphalt bike paths, landscape irrigation, underground utilities, and landscaping shall be the responsibility of the Applicant. The design of the easement shall be approved by the Public Works Department and Town Engineer prior to permitting. Landscaping and grade of PA 12 shall be restored to its initial state once construction operations are completed. The Town Council shall approve the temporary construction easement with

the Final Plat.

- G. All trash dumpsters shall be located within an approved trash enclosure that extends six feet high and includes a bear resistant latching mechanism. Trash receptacles for townhomes shall be of a bear resistant type and stored inside.
- H. A declaration of covenants for the common interest community that are to the satisfaction of the Town Attorney. The form of the declaration of covenants shall be finalized before consideration of the Final Plat by the town council. Recordation of the declaration of covenants shall be accomplished at or before recording of the Final Plat.
- I. A subdivision improvements agreement ("SIA") containing an engineer's stamped cost estimate of public improvements, to the satisfaction of the Town Attorney. The form of the SIA shall be finalized before consideration of the Final Plat by the Town Council. Recordation of the SIA shall be accomplished at or before recording of the Final Plat.
- J. Provide a construction phasing plan for inclusion in a subdivision improvements agreement. Identify, at minimum, each of the following components:
 - Buildout phases if necessary;
 - 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 to the project;
 - Provisions for the protection and preservation of all existing vegetation, including trees, shrubs, and native grasses that do not interfere with the construction of buildings, roads, or utility infrastructure.
- K. Landscaping shall incorporate native grasses and plants that minimize maintenance, mowing, and irrigating. The PUD landscaping plan shall be approved by Public Works. Plans submitted for 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.
- L. All disturbed areas in the project shall be revegetated and maintained in a predominantly weed free condition.
- M. 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.
- N. 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.
- O. The sale of individual lots, parcels or units may not occur until a plat creating the lot, parcel or unit is recorded with Garfield County and security for the public improvements has been received by the Town.

P. The Applicant and Town Council shall reach agreement on an affordable housing covenant that includes one of two options:

1) 3-one bedroom units offered at 75% of the current market rate in perpetuity;

Or,

2) 3-one bedroom units & 2-two bedroom units offered with the following pricing arrangement:

- Years 0-20 after certificate of occupancy ("CO") – all rent reduced units shall be offered at 75% of current market rate;
- Greater than 20 years up to 23 years after CO – all rent reduced units shall be offered at 80% of current market rate;
- Greater than 23 years and up to 26 years after CO – all rent reduced units shall be offered at 85% of current market rate;
- Greater than 26 years and up to 30 years after CO – all rent reduced units shall be offered at 90% of current market rate;
- Greater than 30 years – the affordable housing covenant shall expire;

The affordable housing covenant shall designate the general housing type for each unit as necessary, without specifying the exact location of each affordable housing unit. The affordable housing covenant shall designate authority to the Town to choose qualified renters that have passed background checks to live in the affordable housing units, with priority first given to town staff and then to members of the workforce of New Castle. If the property or any affordable housing unit were ever to be part of a further subdivision or if Lots 1, 2, and 3, as depicted on the Final Plat, are ever sold into separate ownership, the Town will apply its then-current affordable housing regulations and modify the affordable housing covenant accordingly. The affordable housing covenant shall be finalized before consideration of the Final Plat by Town Council. Recordation of the affordable housing covenant shall be accomplished at or before recording of the Final Plat.

Q. Finalization of water rights dedication requirements for the project. Calculation of irrigated areas and finalization of EQR dedication requirements. A warranty deed conveying the required water rights in the Coryell Ditch shall be executed and recorded together with the Final Plat.

R. Should issues arise about property management or community security, which are not cured after Town notice, the matter can come back for Planning & Zoning and Council review and the potential imposition of additional responsive conditions.

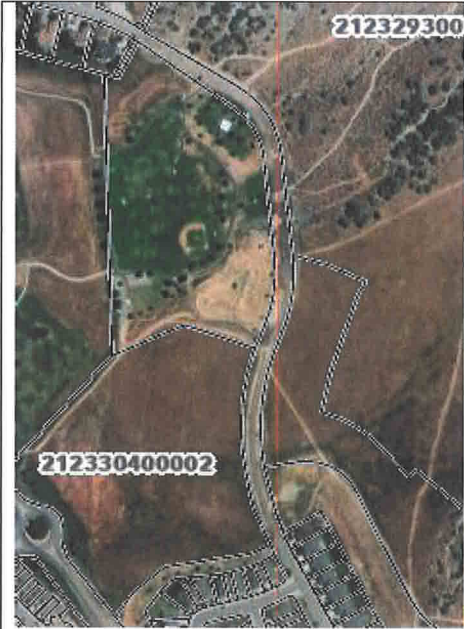
S. **[Place holder for the cost share agreements]**

VI Final Plan Exhibits:

- A. Applicant Final Plan Application & Appendix – February 18, 2025
- B. CRFR Fire Marshal Referral, Orrin Moon – October 18, 2024
- C. Town Engineer Comments, Jefferey Simonson – January 29, 2025
- D. Town Public Works Director Comments, John Wenzel – October 21, 2024
- E. Temporary Easement Access Referral, TC Midwest, LLC – October 28, 2024
- F. Public Hearing Notice, with Legal Description for Final Plan P&Z – November 13, 2024
- G. Notarized Affidavit of Public Hearing Notice – November 5, 2024
- H. List of Adjacent Property Owners within 250 Feet

DATE: February 13, 2025
TO: New Castle Town Council
FROM: Karp Neu Hanlon, P.C.
RE: Requests for Cost Sharing

Town Council is presented with first reading of an ordinance to approve a final plat for the 9 North Wild Horse development. At the time of second reading of the ordinance, Town Council will also consider a resolution approving a subdivision improvements agreement (“SIA”) for this property. As part of the subdivision improvements agreement, there may be provisions and associated agreements related to cost sharing for two infrastructure items. The first infrastructure item is the completion of North Wild Horse Road. The second infrastructure item is the construction of parking along North Wild Horse Road for the benefit of VIX park. A depiction of the areas where North Wild Horse is currently not constructed is depicted below.

	The request for cost recovery for the construction of the remaining segment of North Wild Horse would not require contribution by the Town. Instead, the contribution would come from the two landowners fronting the currently uncompleted segment of the road – TC Midwest LLC and CVR Investors, Inc. The argument is that if either of these parcels had developed before the R2 property, the owner would have been required to complete the North Wild Horse Road improvements. The requested cost recovery would provide that the Town use best efforts to collect a defined portion of the construction costs for North Wild Horse Road and make reimburse to R2 (with a duration cap of 10-15 years). The Town would have no liability for lack of cost recovery to R2. The details of how to allocate construction costs are being finalized.
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Mail to:
Glenwood Springs
201 14th Street
Suite 200
Glenwood Springs, CO 81602

Aspen
0133 Prospector Road
Suite 4102-J
Aspen, CO 81611

Basalt
200 Basalt Center
Suite 200
Basalt, CO 81621

Ridgway
565 Sherman Street
Suite 6
Ridgway, CO 81432

The second request for cost recovery relates to construction of parking on the west side of North Wildhorse Road for the benefit of VIX Park. A depiction of the proposed parking is shown below.



R2 asked for a reduction in the amount of the Recreational Facilities Development Fee (“RFDF”) paid to the Town in exchange for constructing the parking. Currently this fee is \$3000 per unit. For the propose 130 units this would be \$390,000. After reviewing the code section about the RFDF, staff does not belief the fee can simply be waived or reduced. However, Council could approve a SIA that agreed to rebate a defined amount received from collection of the RFDF back to R2.

Staff initially indicated a willingness to support some level of cost recovery for building the parking places for the benefit of VIX Park. Staff asked R2 to isolate the incremental cost of constructing the parking (e.g. the additional fill, asphalt and curb beyond what would be required

without the parking). Staff anticipated this would be tens of thousands of dollars. R2's recent submittal on cost recovery for the parking was surprisingly high (see below).

ITEM	NATURE OF WORK	QUANTITY	UNIT	UNIT COST	COST
VIX PARK: PERPENDICULAR PARKING, CURB, SIDEWALK ON PARK FRONTAGE					
G1	MOBILIZATION	JOB	L.S.	5,000.00	\$ 5,000.00
G2	LAYOUT, OBSERVATION, TESTING & AS-BUILTS	JOB	L.S.	25,000.00	\$ 25,000.00
G3	TRAFFIC CONTROL	JOB	L.S.	2,500.00	\$ 2,500.00
G4	EROSION CONTROL	JOB	L.S.	1,500.00	\$ 1,500.00
VP1	4" DEPTH ASPHALTIC PAVEMENT	1,466	S.Y.	45.00	\$ 65,970.00
VP2	18" SUBGRADE OVER EXCAV, PREP, COMPACTION, FINE GRADING	2,129	C.Y.	12.00	\$ 25,545.33
VP3	CLASS 6 AGGREGATE	959	C.Y.	70.00	\$ 67,130.00
VP4	MOUNTABLE CURB AND GUTTER	620	L.F.	42.00	\$ 26,040.00
VP5	18" RIBBON CURB	810	L.F.	28.00	\$ 22,680.00
VP6	CONCRETE SIDEWALK	6,907	S.F.	10.00	\$ 69,070.00
VP7	NEW HANDICAP RAMPS (2)	120	S.F.	12.00	\$ 1,440.00
VP8	SIGNAGE & STRIPING	JOB	L.S.	2,500.00	\$ 2,500.00
VP9	TOPSOIL PLACEMENT	73	C.Y.	100.00	\$ 7,300.00
VP10	INSTALL TREES	13	E.A.	750.00	\$ 9,750.00
VP11	GRASS PREP AND SEEDING	3,915	S.F.	0.90	\$ 3,523.50
VP12	STREET LIGHTS - POLES W/ CONCRETE BASE	9	E.A.	6,000.00	\$ 54,000.00
SUBTOTAL VIX PARK =					\$ 388,948.83
10% CONTINGENCY =					38,894.88
TOTAL VIX PARK =					\$ 427,843.72

Staff believes that the R2 estimate includes significant features that are otherwise required to be built as part of North Wild Horse Road to meet Town standards as opposed to being the incremental costs exclusive to the parking. Staff is seeking direction from Council on how to proceed. It appears the two options are: (a) negotiate a reasonable amount to have the VIX Park parking constructed and agree to reimburse R2 for that amount from the RFRD collected or (b) collect the RFRD and have the Town undertake to build additional parking for VIX park on its own.

We look forward to discussing cost recovery with you at Council meeting.

Garfield County Land Explorer

Parcel	Physical Address	Owner	Account Num	Mailing Address
212303400954	Not available NEW CASTLE	BUREAU OF LAND MANAGEMENT	R030107	2300 RIVER FRONTAGE ROAD SILT, CO 81652
212329200190	Not available NEW CASTLE	RG LAKOTA III LLC	R009983	350 MARKET STREET STE 304 BASALT, CO 81621
212329300185	1000 CLUBHOUSE DR NEW CASTLE	RG LAKOTA GOLF LLC	R009978	350 MARKET STREET STE 304 BASALT, CO 81621
212329300194	Not available NEW CASTLE	CTS INVESTMENTS, LLC	R043961	343 DAKOTA BLVD BOULDER, CO 80304
212329300197	Not available NEW CASTLE	CVR INVESTORS INC	R045250	PO BOX 1380 CAREFREE, AZ 85377
212330400001	Not available NEW CASTLE	GARFIELD SCHOOL DISTRICT RE-2	R380824	839 WHITERIVER AVENUE RIFLE, CO 81650-3515
212330400003	Not available NEW CASTLE	NEW CASTLE, TOWN OF	R043960	PO BOX 90 NEW CASTLE, CO 81647
212330423007	631 N WILD HORSE DR NEW CASTLE	LORD, JAMES T & KELLY M	R006709	631 N WILD HORSE DRIVE NEW CASTLE, CO 81647
212330423008	627 N WILD HORSE DR NEW CASTLE	RATAJCZAK, ZDZISLAW & HALINA	R006710	627 NORTH WILDHORSE DRIVE NEW CASTLE, CO 81647
212330423009	6 BUCKSKIN CIR NEW CASTLE	YOUNG, DAVID A & FRAMBACH, JANE	R006711	6 BUCKSKIN CIRCLE NEW CASTLE, CO 81647
212330423010	10 BUCKSKIN CIR NEW CASTLE	CLASSEN, ROBERT SETH & GONZALEZ CLASSEN, GLORIA ELIZABETH	R006712	10 BUCKSKIN CIRCLE NEW CASTLE, CO 81647
212330423011	14 BUCKSKIN CIR NEW CASTLE	BADOLATO, AARON & ANNE	R006713	14 BUCKSKIN CIRCLE NEW CASTLE, CO 81647
212330423012	18 BUCKSKIN CIR NEW CASTLE	WHITCOMB, RANDALL K LIVING TRUST	R006714	1302 MAUS WICHITA, KS 67212
212330423036	Not available NEW CASTLE	NEW CASTLE, TOWN OF	R006738	PO BOX 90 NEW CASTLE, CO 81647-0166
212330423037	Not available NEW CASTLE	NEW CASTLE, TOWN OF	R006739	PO BOX 90 NEW CASTLE, CO 81647-0166
212332200195	Not available NEW CASTLE	CVR INVESTORS INC	R043962	PO BOX 1380 CAREFREE, AZ 85377
ROW	Not available null			

New Castle Public Works

Memo

To: Paul Smith

From: John Wenzel

Date: October 21, 2024

Re: R2 CVR

The Town of New Castle Public Works Department has had the chance to review the R2 CRV **Final** Plan Application and has the following comments:

Raw Water Irrigation:

- Municipal Code 13.20.130 “Maintenance of service pipes and fixtures” should apply to the raw water taps and service lines. This language should be included in the final plat or SIA.

Water and Sewer Utilities:

- All potable water connections must be protected by a Reduced Pressure Principle Assembly check valve. This is not indicated in the final drawings.
- Provide a single water service for a test station. The town will provide the station. The approximate station size is 12”x12”. Location requires 5 residents above and five below. This is not indicated in the final drawing
- No 10” hot tap valve at the existing mainline. We can isolate with no interruption to other services. Please use a standard mega lug fitting
- The manhole spacing, connecting the existing sewer on N. Wildhorse and West Vista Loop (SMH-A2and SMH-A3), is too great. Maximum spacing 175 ft. We are concerned about the steep grade in this area. There is a possibility that we may not be able mechanically push a jetter hose the entire 300 length.

From: [Orrin Moon](#)
To: [Paul Smith](#); [John Wenzel](#); [jeffs \(jeffs@sgm-inc.com\)](mailto:jeffs@sgm-inc.com); mjs@mountainlawfirm.com
Cc: [Remi Bordelon](#); [Dave Reynolds](#)
Subject: Re: R2 Final Plan Deadlines
Date: Friday, October 18, 2024 11:40:19 AM
Attachments: [image001.png](#)
[Outlook-430xkt1v.png](#)
[Outlook-dky5iah1.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Paul,

I have reviewed the final plans for this project and only have the following comment:

I need to see a Civil plan with fire hydrants on a landscape overlay. This will allow me to see fire hydrant and tree planting locations. Nothing in the landscape plan addresses planting trees or vegetation next to fire hydrants. As the construction process progresses this will be missed unless it's outlined in the plans. I will be watching for obstructed fire hydrants and or the potential of having fire hydrants obstructed in the future.

Please feel free to contact me with any questions.

Thank You,

Orrin D. Moon
Prevention Division Chief/Fire Marshal
Colorado River Fire Rescue
970-625-1243
orrin.moon@crfr.us

January 29, 2025

Mr. Paul Smith, Town Planner/Inspector
Town of New Castle
P.O. Box 90
New Castle, Colorado 81647

**RE: Castle Valley Ranch, 9 North Wildhorse Subdivision
Final Plan Review**

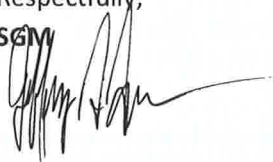
Dear Paul,

The purpose of this letter serves to provide concurrence to the on-going coordination regarding the final design of the 9 North Wildhorse Subdivision. Sopris Engineering and SGM are still coordinating all of the final design issues needed to bring the drawings to final construction level. We have met with Sopris Engineering and are providing a variety of pieces of information such as PDF's of public works details for their drawings as well as pressure reducing vaults, blow offs and drains for the water system requested in our last review letter. Likewise, we are incorporating their proposed water system design into the Town's water model to confirm fire flow, redundant connection needs and service pressures throughout. Finally, once Sopris has had an opportunity to incorporate the details provided and have submitted these to the Town, we will need to review the final construction drawings to confirm EQR ratings (unit and lawn watering requirements) and responses in their 12/20/2024 letter to us.

As we noted in our prior review of the Final Plan drawings and as we are bringing these final concerns to conclusion we do note that there are no issues that we have identified that will compromise the technical aspects of the subdivision as long as a condition of approval can be made that requires the developer to continue to work with Town Staff to resolve our concerns with the construction drawings. As previously noted, until specific final construction drawings are provided along with an up-to-date cost estimate for security, requisite easement provisions and water right dedications are made, a final technical approval or recording of the subdivision plat cannot occur.

Upon your receipt and review, if you have any questions, please don't hesitate to call.

Respectfully,


SGM

Jefferey S. Simonson, P.E.
Principal

NOTICE OF PUBLIC HEARING Town of New Castle

Virtual Meetings are subject to internet and technical capabilities.

To join by computer, smart phone or tablet:

<https://us02web.zoom.us/j/7096588400>

If you prefer to telephone in:

Please call: 1-346-248-7799

Meeting ID: 709 658 8400

Follow the prompts as directed. Be sure to set your
phone to mute until called on.

Date: November 13, 2024

Time: 7:00 PM

Place of meeting: New Castle Town Hall, 450 W Main St, New Castle, CO

Brief description
of meeting: Presentation of the 9 North Wild Horse Multi-Family Housing,
consisting of 16 total buildings with 130 rental units, combining
townhomes, apartments and open space on ~47.6 acres in Castle
Valley Ranch, east of VIX Ranch Park.

Legal description: See Exhibit A

Common address: TBD (East of VIX Ranch Park)

Applicant: R2 Partners

Landowner: CTS Investments, LLC

The complete application is available at the Town Clerk's office at 450 West Main Street, P.O. Box 90, New Castle, CO 81647. All interested persons are invited to appear and state their views, protests, or objections. If you cannot appear personally at such hearing, then you are urged to state your views by letter.

EXHIBIT A

Legal Description

A parcel of land being a portion of the 'Option Property', as described in that Quit Claim Deed, recorded September 21, 2009 at Reception No. 775392, and being situated in the SW1/4, Section 29, SE1/4, Section 30, the NE1/4, Section 31, and the NW1/4, section 32, Township 5 South, Range 90 West of the 6th P.M., County of Garfield, State of Colorado, said parcel of land being more particularly described as follows:

Beginning at the 1/4 corner between said Sections 29 and 30, a 3.25" Brass Cap on 2" iron pipe Stamped 1/4 S30/29 BLM 1988, thence N 89° 36' 48" E, the assumed basis of bearings along the southerly line of the 2nd Amended Exemption Plat of Lakota Canyon Ranch, recorded February 4, 2008 as Reception No. 742257, a distance of 1308.59 feet, to the Northeast Corner of said 'Option Property', being a 1.25" yellow plastic cap with illegible stamping on a 5/8" rebar, said corner being coincidental with westerly and southerly lines of said Reception No. 742257,

Thence S 00°55'44" E, along easterly line of said Option Property, and the said coincidental westerly line of Reception No. 742257, a distance of 1002.40 feet, to a point on the northerly line of that parcel of land described in the Special warranty Deed, recorded April 15, 2010 at Reception No. 784749;

Thence the following twenty (21) courses along the northerly, westerly, easterly and then northerly lines of said Reception No. 784749;

1. N 89°54'27" W a distance of 116.87 feet;
 2. S 54°50'38" W a distance of 173.10 feet;
 3. S 00°02'34" E a distance of 167.50 feet;
 4. S 32°41'48" E a distance of 88.46 feet;
 5. S 00°55'44" E a distance of 289.40 feet;
 6. S 14°00'12" W a distance of 22.45 feet;
 7. S 28°56'08" W a distance of 541.68 feet;
 8. 122.69 feet along a curve to the right, having a radius of 219.00 feet, a central angle of 32°05'54", the chord of which bears S 44°59'05" W, a distance of 121.09 feet;
 9. 102.92 feet along a non-tangent curve to the left, having a radius of 481.00 feet, a central angle of 12°15'33", the chord of which bears S 54°54'14" W a distance of 102.72 feet;
 10. N 51°02'22" W a distance of 247.25 feet;
 11. 30.23 feet along a non-tangent curve to the right, having a radius of 275.00 feet, a central angle of 6°17'51", the chord of which bears S 42°06'34" W a distance of 30.21 feet;
 12. N 44°48'48" W a distance of 174.82 feet;
 13. N 56°40'07" W a distance of 55.13 feet;
 14. N 63°30'38" W a distance of 55.33 feet;
 15. N 71°43'03" W a distance of 57.57 feet;
 16. 104.09 feet along a non-tangent curve to the right, having a radius of 970.00 feet, a central angle of 6°08'54", the chord of which bears N 11°34'51" E a distance of 104.04 feet;
 17. N 16°07'55" E a distance of 50.00 feet;
 18. N 18°54'59" E a distance of 221.52 feet;
 19. N 30°00'58" E a distance of 50.41 feet;
 20. N 67°17'36" W a distance of 131.42 feet;
 21. 104.00 feet along a curve to the left, having a radius of 250.00 feet, a central angle of 23°50'05", the chord of which bears N 79°12'39" W, a distance of 103.25 feet, to a point on the northeasterly line of North Wild Horse Road, as described in that Special Warranty Deed recorded September 25, 2007 at Reception No. 733780;
- Thence the following four (4) courses along said northeasterly line of North Wild Horse Road, being situated parallel to and 67.50 feet northeasterly of the westerly line of said Option Property, also a coincidental line with the North Park Parcel, recorded April 17, 2007 at Reception No. 721291;

1. 38.30 feet along a non - tangent curve to the left, having a radius of 491.25 feet, a central angle of 4°28'00", the chord of which bears N 04°02'01" W a distance of 38.29 feet;

2. N 06°16'01" W a distance of 314.42 feet;
3. 263.68 feet along a curve to the left, having a radius of 281.25 feet, a central angle of 53°43'01", the chord of which bears N 33°07'31" W, a distance of 254.13 feet;
4. N 59°59'02" W a distance of 338.00 feet, to a point on the westerly line of said Option Property, thence the following three (3) courses along westerly lines of said Option Property;

1. N 21°44'01" E a distance of 132.03 feet;
2. N 02°06'39" E a distance of 226.38 feet;
3. N 00°23'12" W a distance of 381.09 feet, to a point on the north line of the SW1/4, Section 30, thence S 89°47'18" E along said North line, SW1/4, Section 30, a distance of 308.87 feet, to the point of beginning, County of Garfield, State of Colorado.

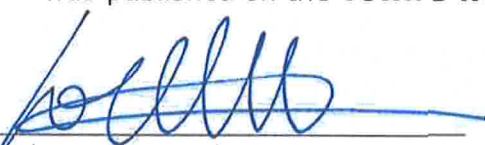
The above legal description was created by Scott A. Hemmen for and behalf of SGM
118 West Sixth Street, Suite 200, Glenwood Springs, CO 81601
970-945-1004



AFFIDAVIT AS TO NOTICE OF PUBLIC HEARING

We, **R2 Partners**, do hereby certify that pursuant to ordinances of the Town of New Castle, Colorado, we provided notice of a Public Hearing on **November 13, 2024**, regarding a **proposed development** by doing the following:

1. At least fifteen **(15) days prior** to such hearing, we sent a copy of the attached Notice of Public Hearing by **certified mail to the owners of all property within two hundred fifty (250) feet** of the subject property and to the Town of New Castle.
2. If required by Chapter 16.10 of the new Castle Municipal Code, at least thirty **(30) days prior** to such hearing, I sent a copy of the attached Notice of Public Hearing by certified mail to the **owners of mineral estates** who have requested notification with respect to the subject property at the Garfield County Clerk and Recorder.
3. At least fifteen (15) days prior to such hearing, **we posted Notice of Public Hearing on the property on a sign** approved by the Town at least twenty-two (22) inches wide, twenty-six (26) inches high, with letters at least one (1) inch in height. The sign was posted so that it was visible from a public street.
4. At least (15) days prior to such hearing, the attached Notice of Public Hearing was published on the **Town's website**.


Signature

STATE OF COLORADO)
COUNTY OF Garfield) ss.

Subscribed and sworn to before me this 5th day of November, 2024, by Lais Wilsher.

Witness my hand and official seal.


Notary Public
My commission expires: 8/21/27

KATIE JOHNSON NOTARY PUBLIC - STATE OF COLORADO Notary ID #20154033231 My Commission Expires 8/21/2027
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ILLUSTRATIVE SITE PLAN

LEGEND

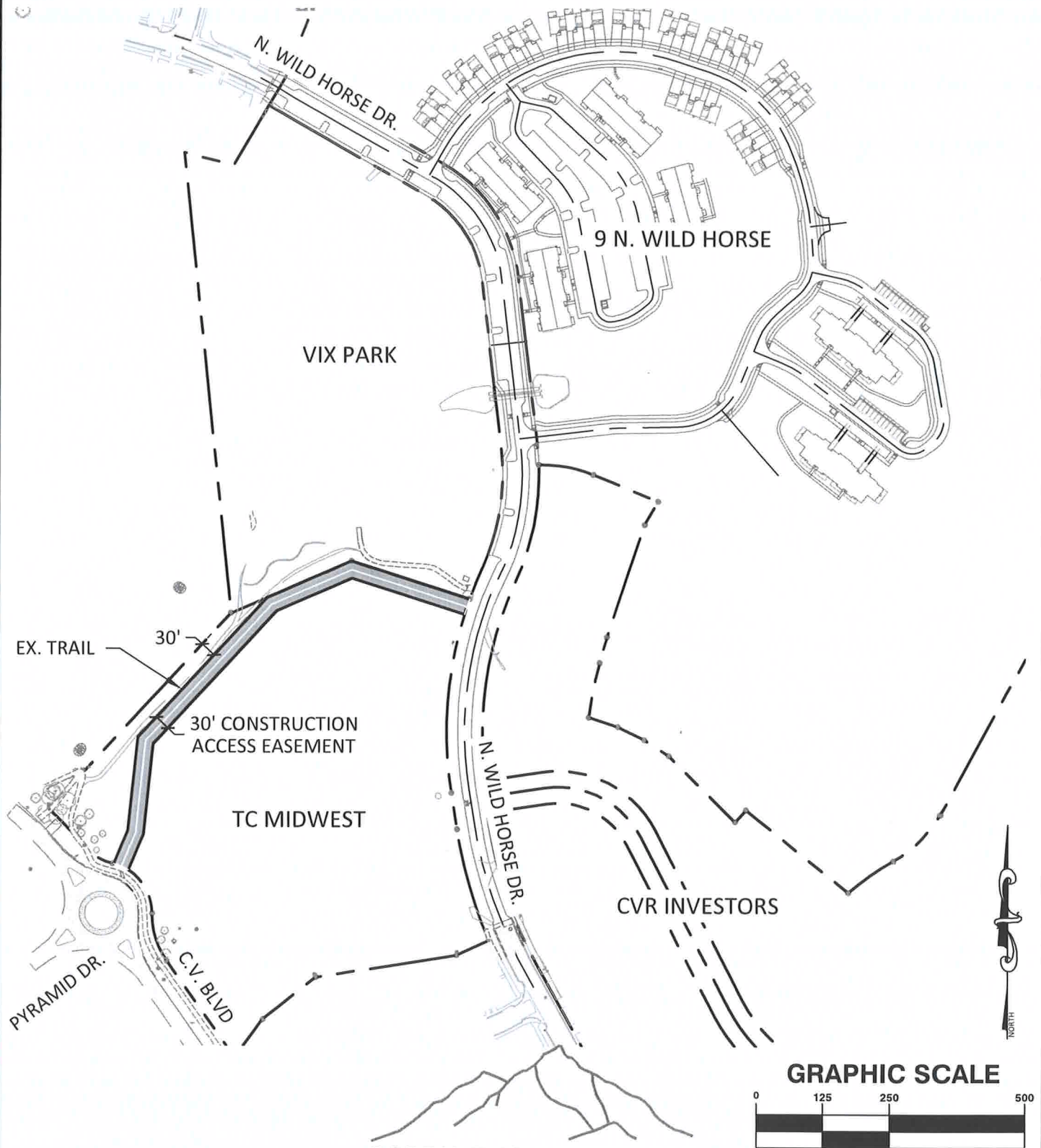
- 1 TOWNHOMES
10 BUILDINGS - 26 UNITS
- 2 LIVESTOCK APARTMENTS
4 BUILDINGS - 80 UNITS
- 3 EMPTY-NESTERS APARTMENTS
2 BUILDINGS - 24 UNITS
- 4 PAVED PATHS &
SIDEWALKS
- 5 GATHERING AND BBQ
AREA
- 6 SOFT SURFACE TRAILS
- 7 EXISTING TRAILS
- 8 FIRE ACCESS
- 9 NORTH WILD HORSE
DRIVE EXTENSION
- 10 VIX PARK
- 11 LAKOTA PUD
- 12 FUTURE DEVELOPMENT
- 13 SELLER RETAINED LAND (WITH
NEW LOT LINE: 12.3 ACRES)
- 14 EXISTING RESIDENTIAL
DEVELOPMENT



TC MIDWEST: CONSTRUCTION EASEMENT EXHIBIT
9 NORTH WILD HORSE
NEW CASTLE, COLORADO.

SHEET 1 OF 1

Exhibit D
to
2-18-2025 Council Minute



SOPRIS ENGINEERING LLC

502 MAIN STREET • SUITE A3 • CARBONDALE CO 81623

(970) 704-0311 • soprisengineering.com

G:\2023\33011 CVR R2 RES\CIVIL\CIVIL DWGS\DE\33011-SITE.DWG - Oct 23, 2024 - 8:39am

2-18-2025 to Council Minutes

Karp Neu Hanlon^{PC}
ATTORNEYS AT LAW**Michael J. Sawyer, Esq.**
PartnerEmail: mjs@mountainlawfirm.com

Direct: 970.928.2118

Office: 970.945.2261 x 117

DATE: February 13, 2025
TO: New Castle Town Council
FROM: Karp Neu Hanlon, P.C.
RE: Requests for Cost Sharing

Town Council is presented with first reading of an ordinance to approve a final plat for the 9 North Wild Horse development. At the time of second reading of the ordinance, Town Council will also consider a resolution approving a subdivision improvements agreement ("SIA") for this property. As part of the subdivision improvements agreement, there may be provisions and associated agreements related to cost sharing for two infrastructure items. The first infrastructure item is the completion of North Wild Horse Road. The second infrastructure item is the construction of parking along North Wild Horse Road for the benefit of VIX park. A depiction of the areas where North Wild Horse is currently not constructed is depicted below.



The request for cost recovery for the construction of the remaining segment of North Wild Horse would not require contribution by the Town. Instead, the contribution would come from the two landowners fronting the currently uncompleted segment of the road – TC Midwest LLC and CVR Investors, Inc. The argument is that if either of these parcels had developed before the R2 property, the owner would have been required to complete the North Wild Horse Road improvements. The requested cost recovery would provide that the Town use best efforts to collect a defined portion of the construction costs for North Wild Horse Road and make reimburse to R2 (with a duration cap of 10-15 years). The Town would have no liability for lack of cost recovery to R2. The details of how to allocate construction costs are being finalized.

Mail to:
Glenwood Springs
201 14th Street
Suite 200
Glenwood Springs, CO 81602

Aspen
0133 Prospector Road
Suite 4102-J
Aspen, CO 81611

Basalt
200 Basalt Center
Suite 200
Basalt, CO 81621

Ridgway
565 Sherman Street
Suite 6
Ridgway, CO 81432

The second request for cost recovery relates to construction of parking on the west side of North Wildhorse Road for the benefit of VIX Park. A depiction of the proposed parking is shown below.



R2 asked for a reduction in the amount of the Recreational Facilities Development Fee (“RFDF”) paid to the Town in exchange for constructing the parking. Currently this fee is \$3000 per unit. For the propose 130 units this would be \$390,000. After reviewing the code section about the RFDF, staff does not belief the fee can simply be waived or reduced. However, Council could approve a SIA that agreed to rebate a defined amount received from collection of the RFDF back to R2.

Staff initially indicated a willingness to support some level of cost recovery for building the parking places for the benefit of VIX Park. Staff asked R2 to isolate the incremental cost of constructing the parking (e.g. the additional fill, asphalt and curb beyond what would be required

without the parking). Staff anticipated this would be tens of thousands of dollars. R2's recent submittal on cost recovery for the parking was surprisingly high (see below).

ITEM	NATURE OF WORK	QUANTITY	UNIT	UNIT COST	COST
VIX PARK: PERPENDICULAR PARKING, CURB, SIDEWALK ON PARK FRONTAGE					
G1	MOBILIZATION	JOB	L.S.	5,000.00	\$ 5,000.00
G2	LAYOUT, OBSERVATION, TESTING & AS-BUILTS	JOB	L.S.	25,000.00	\$ 25,000.00
G3	TRAFFIC CONTROL	JOB	L.S.	2,500.00	\$ 2,500.00
G4	EROSION CONTROL	JOB	L.S.	1,500.00	\$ 1,500.00
VP1	4" DEPTH ASPHALTIC PAVEMENT	1,466	S.Y.	45.00	\$ 65,970.00
VP2	18" SUBGRADE OVER EXCAV, PREP, COMPACTION, FINE GRADING	2,129	C.Y.	12.00	\$ 25,545.33
VP3	CLASS 6 AGGREGATE	959	C.Y.	70.00	\$ 67,130.00
VP4	MOUNTABLE CURB AND GUTTER	620	L.F.	42.00	\$ 26,040.00
VP5	18" RIBBON CURB	810	L.F.	28.00	\$ 22,680.00
VP6	CONCRETE SIDEWALK	6,907	S.F.	10.00	\$ 69,070.00
VP7	NEW HANDICAP RAMPS (2)	120	S.F.	12.00	\$ 1,440.00
VP8	SIGNAGE & STRIPING	JOB	L.S.	2,500.00	\$ 2,500.00
VP9	TOPSOIL PLACEMENT	73	C.Y.	100.00	\$ 7,300.00
VP10	INSTALL TREES	13	E.A.	750.00	\$ 9,750.00
VP11	GRASS PREP AND SEEDING	3,915	S.F.	0.90	\$ 3,523.50
VP12	STREET LIGHTS - POLES W/ CONCRETE BASE	9	E.A.	6,000.00	\$ 54,000.00
SUBTOTAL VIX PARK =					\$ 388,948.83
10% CONTINGENCY =					38,894.88
TOTAL VIX PARK =					\$ 427,843.72

Staff believes that the R2 estimate includes significant features that are otherwise required to be built as part of North Wild Horse Road to meet Town standards as opposed to being the incremental costs exclusive to the parking. Staff is seeking direction from Council on how to proceed. It appears the two options are: (a) negotiate a reasonable amount to have the VIX Park parking constructed and agree to reimburse R2 for that amount from the RFRD collected or (b) collect the RFRD and have the Town undertake to build additional parking for VIX park on its own.

We look forward to discussing cost recovery with you at Council meeting.