

**New Castle Town Council Regular Meeting
Tuesday, August 4, 2026, 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 Mariscal
Councilor Leifeld
Councilor Carey
Mayor Hazelton
Councilor G Riddile
Councilor Sampley
Councilor Copeland

Absent None

Also present at the meeting were Town Clerk Mindy Andis, Administrator Dave Reynolds, Attorney Haley Carmer, Planner Paul Smith, Building Inspector Tony Chamberlain and members of the public.

Meeting Notice

Clerk Andis verified that her office gave notice of the meeting in accordance with Resolution TC 2026-1.

Conflicts of Interest

There were no conflicts of interest

Agenda Changes

There were no agenda changes

Citizen Comments on Items not on the Agenda

There were no Citizen Comments

Consultant Reports

Consultant Attorney –present for agenda items
Consultant Engineer – not present

Items for Consideration

Introduction to Mountain Waste District Manager Nick Blankton

Doug Goldsmith with Mountain Waste introduced the new District Manager Nick Blankton to the council. Mr. Blankton gave a brief introduction to himself.

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Council welcomed Mr. Blankton.

Update – Riverside Middle School Playground Project

Administrator Reynolds said in late 2025, representatives from Riverside Middle School proposed a new playground and activity area to be built behind Riverside Middle School. The town had a successful partnership with the Kathryn Senior Elementary School to build an ADA compliant playground. Representatives from the middle school proposed a similar FMLD Grant Partnership for a new activity area at Riverside Middle School. Council agreed to a partnership with \$20,000 in grant match funding for the project in the 2026 budget. As the project planning and cost estimates are now being finalized, staff and representatives from Riverside Middle School would like to provide an update to council on the progress (**Exhibit A**). Riverside Middle School Assistant Principal Trent Backich said they have a number of partners, and sponsors, in-kind donations. Mr. Backich said Town of Silt has also agreed to co-sponsor the grant and also considering financial support. He said staff and students have been working on the project for a while. He said they are still working out the numbers and are hopeful to be able to apply for the FMLD grant at the end of August. Mr. Backich said he believes the project would be completed in May or June 2027, if they are successful in receiving the FMLD grant.

Mayor Hazelton asked for an explanation of the grant process and what role the town would play. Administrator Reynolds said the application would be a FMLD joint grant application, really similar to what the town did with Kathryn Senior Elementary for the ADA compliant playground. He said the town would be on the grant but would not be the fiscal agent for the grant. Therefore, Riverside Middle School RE2 would be the fiscal agent. Meaning that they'll be in charge of constructing the project, paying the contractor as they go, and then getting the reimbursement. The school would get paid by FMLD then submit an invoice to the town of the \$20,000.

Council thanked Mr. Backich for the update.

Consider Ordinance TC2026-07 – An Ordinance of the New Castle Town Council Approving a Final PUD Development Plan, Final Subdivision Plat, and Vested Rights for Castle Valley Ranch Planning Area 12, Filing 14 (Archwood Townhomes) (1st reading)

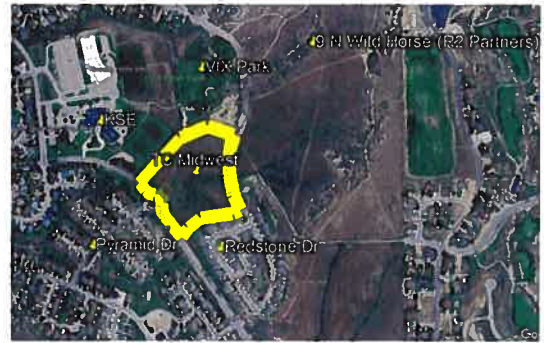
Planner Paul Smith introduced Building Inspector Tony Chamberlain to council. Inspector Chamberlain introduced himself briefly. Council welcomed Inspector Chamberlain.

Administrator Reynolds said the project has gone through Sketch Plan, Preliminary Plan, Final Plan with P&Z and now Final Plan with council.

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

I Introduction

TC Midwest, LLC originally submitted a sketch plan application in February of 2024 proposing commercial development on Planning Area 12 (PA12) east of the Castle Valley Blvd. (CVB) roundabout near Katheryn Senor Elementary and across from Pyramid Dr. That plan included various commercial uses developed in several phases. With the feedback received from the meeting, the Applicant reconsidered alternative uses more consistent with the surrounding neighborhood. These alternatives were reviewed at Sketch Plan by the Planning Commission (P&Z) and Council on April 9th, 2025 and May 6th, 2025, respectively. The Sketch Plan was later presented at a community open house on May 14th, 2025.



This year P&Z conditionally approved the preliminary and final applications on February 25th, 2026 and July 8th, 2026, respectively. Both applications proposed a total of 66 two-story townhome units zoned Castle Valley Ranch MF-2 with road designs matching current Town standards and aligning with existing intersections at the CVB roundabout and the future Silverado Trail connector to the Lakota PUD. Open/park space included areas for snow storage, a children's play area, a monetary contribution to VIX Ranch Park amenities,¹ and various pedestrian trails and sidewalks. TC Midwest is also requesting vested rights for the project for a period of 7 years; staff is supportive of a 5-year vested rights period.

The public hearings with P&Z generated the following takeaways:

- Silverado Trail to be designed with a 62' ROW and no on-street parking;
- A committed right turn lane from southbound N Wild Horse at Silverado Trail will direct traffic towards the CVB roundabout;
- Improved grading on select lots to mitigate steep slopes;
- A \$25k contribution to VIX Ranch Park amenities;
- Installation and dedication of a children's play area on northeast corner of property;
- Three deed-restricted, for-sale units offered at 10% below market rate with eligibility and appreciation caps to be memorialized in a recorded deed restriction developed and approved by Town Council;
- Garage sizes optimized for parking and storage;

¹ When the preliminary plan was approved, it included a condition that the TC Midwest contribute to the construction of pickleball courts in a location agreed upon by TC and the Town. Based on the Town's assessment of potential pickleball locations between P&Z's review of the preliminary and final applications, P&Z determined that a monetary contribution to VIX Park amenities generally was appropriate instead of specifying that the funds be used for pickleball courts.

- Considerations for roofs on patios and/or decks to be presented at final application;
- Retaining wall aesthetics shall be presented to Council for comment.
- Covered porches or pergolas considered as more a build-to-suit option.

The final plan application was determined complete on June 19th, 2026. 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 attain construction level readiness.

Within sixty (60) days from the date of the P&Z's written recommendation on the application, or within such time as is mutually agreed by the Town Council and the Applicant, Town Council shall approve the application, with or without conditions, or deny the application. 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.

II Changes from Preliminary Plan

At the final hearing, the Commissioners were broadly supportive of the application and efforts to meet or exceed the requirements of the Town Code and Comprehensive Plan. Nonetheless, the Commissioners offered some fine-tuning considerations as the application moved to Council. Similarities and differences between what was seen at the final P&Z hearing and now include:

Final Plan P&Z	Final Plan Council
• Units: 66 townhome units in 14 buildings;	• No change
• Zoning: MF-2	• No change
• Density: 6.4 units/acre	• No change
• Open Space: 19.4%	• No change
• Off-Street Parking: 122 required/204 proposed;	• No change
• Max Building Height Proposed per Definition (6A1): 40.2'; Per Slab: ~32'	• No change
• Net Zero: All electric	• No change
• Snow storage: 17% of road area	• No change
• Trails: VIX Trail paved and connected	• No change

• Garages: 24 units with 1-car driveways & 1-car garages; 12 units with 2-car driveways & 2-car driveways; Remaining 30 units with 2-car drives & 2-car garages;	• No change
• Short-term Rentals: Prohibited	• No change
• Kids Play Park: Potential location at NE corner of property adjacent to VIX.	• No change
• Property Grades: Terraced planters added to diffuse grade impacts.	• No change
• Workforce Housing: Applicant proposes a \$30K discount on up to 3 units at the current market rate. No appreciation caps;	• Workforce Housing: Applicant agrees to 3 deed-restricted units @ 10% off of market rate in perpetuity. Eligibility set by Town.
• Pickleball Courts: \$25k towards the development of a PB venue in VIX;	• Pickleball Courts: \$25k towards any future amenity in VIX.
• Porch Areas: Patio roofs added to building 7B only. Rendering provided in packet.	• Porch Areas: Patio roofs added to building 1B as well. Shed dormers over other rear doors. Rendering provided in packet.
• Retaining Walls: Location discussed with conceptual designs.	• Retaining Wall: Designs updated in packet.

III Staff Review:

Throughout the application process, the submittal documents will be reviewed pursuant to the criteria in the Municipal Code (MC) for planned unit developments (PUDs) and subdivisions. Any proposal should show general conformity to the following (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 clearly demonstrate substantial conformity with the CP in all applications (**Policy CG-1B**). Substantial conformance to the CP should include:

- ☐ Fostering distinctive, attractive communities with a strong sense of place and quality of life.
- ☐ Demonstrating a fully-balanced community and land use structure.
- ☐ Ensuring a mix of uses that complement existing land-use patterns.
- ☐ Creating walkable communities and encourage multi-modal transportation.
- ☐ Balancing housing types that support a range of affordability.
- ☐ Preserving open space, natural beauty, and critical wildlife habitat.
- ☐ Encouraging economic development.
- ☐ Providing efficient and cost-effective services.

Balanced Community: The proposal pairs well with a number of New Castle goals and values, central being a commitment to quality of life. The Applicant intends to repurpose the underlying mixed-use zoning with a fully residential site. Commercial uses will be considered in a more suitable location. Though “all residential” is potentially a better fit for the location, it is advisable that Council recognize the growing deficit of commercial prospects in New Castle with each deferment of commercially zoned land. During Sketch Plan the Applicant discussed this concern and their intent to relocate the commercial zoning on other properties owned within CVR.

Smart Growth: The project favors Smart Growth (**Goal CG-5**) including sensitivity to: Aesthetics – employing architectural features already observed in Town; Recreational opportunities – including trails, courts, a playground, and

seamless access to VIX park; Livability – attention given to pedestrian safety, parking, and efficient vehicle circulation (**Goal RT-1**). The Applicant's future commitment to a TBD commercial property along CVB will help right the imbalance of needed goods and services in the immediate vicinity. Staff would encourage maximizing outdoor living areas such as covered patios and/or decks to enhance connections with the outdoors.

Affordability: A higher density, multifamily development comprised of two and mostly three bedroom units should advance the cause of affordability. Floor plans will range from 1,283sf to 1,951sf (with one 2-bed @ 1,164sf) of conditioned space expected to track current market rates. Seven of the 66 units will be two-bedroom. Staff has been in ongoing conversations with the Applicant about affordable and/or workforce housing options. At present, the Applicant is prepared to offer three (3) for-sale units at 10% below market value. The Applicant has also deferred the responsibility of setting other deed restrictions (e.g. appreciation caps, eligibility requirements, any income limitation, or management policies) to the Town.

The Town's Comprehensive Plan mentions "affordability" many times but never defines the concept. Instead, the Town routinely consults affordability metrics offered by various governmental agencies. The US Department of Housing and Urban Development (HUD) recommends that for housing to be considered affordable, total housing expenses should not exceed 30% of gross household income. With a current Area Median Income (AMI) for New Castle hovering around \$95k, total housing costs exceeding \$2,375/month are considered burdensome. For context, a \$2,375/month mortgage + interest payment (so not including PMI, insurance, or taxes) 10% down at roughly a 6% interest yields a \$435,000 home price. Zillow lists the median price of a home in New Castle at \$660,000. Obviously, there is a substantial difference between these prices, but with an initial 10% off coupled with other restrictions, perhaps affordability is more attainable in the future.

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 2,012 for the entire town of New Castle with approximately 170 associated specifically with the new development. The analysis then projects revenues and costs based off of the Town's budget averaged between the tax years of 2023 and 2025. The results provided in the packet show an *annual* net benefit to the town post construction of \$112,271. The *cumulative* net benefit by 2045 is estimated to be \$3 million with \$1.1

million coming in the initial two years of construction. The Town's finance department has reviewed the assumptions and projected outcomes separately with consistent results. Based on the assumptions of the analysis, Staff is confident that the development is fiscally viable.

Trails/Open Space/Recreation: The site plan establishes a commitment to pedestrian friendly communities and active open space. The development will memorialize the connecting trail from the CVB pedestrian culvert to the Dog Park. Detached sidewalks will wrap the entirety of the filing allowing non-vehicular access to nearby locations.

At Preliminary Plan the Applicant collaborated with Town Staff and the public to determine an optimal location for at least two pickleball courts within the vicinity of the development. Initially two courts were envisioned on the northeast corner adjacent to VIX. Due to concerns with access and noise impacts, the Town and Applicant considered an alternative location within VIX Park. The location had better access from the new VIX parking area and was sufficiently isolated to attenuate noise concerns. The Applicant was also amenable to a \$25,000 contribution towards funding of the construction of the courts.

At Final Plan, P&Z questioned both the need for additional pickleball courts and whether such courts were indeed the best use of limited VIX Park space. The discussion prompted the Applicant to reconsider all options. Ultimately the Applicant was willing to front \$25,000 towards VIX Ranch Park amenities as proposed by the Town at a future date (see Condition I below).

Preserves Natural Environment: New Castle is committed to stewardship of the natural environment and recognizes the potential negative impacts of new development. The Town will work with Colorado Parks and Wildlife (CPW) and the Applicant to identify and protect critical environmental resources (**Goal EN-1**). CPW recognizes that the surrounding areas of the property are established year-long habitat for various birds and mammals. It will be important to minimize conflicts by, for instance, prohibiting dogs off-leash, minimizing light trespass, preserving native habitat, and limiting use of fences. In some cases, added landscape buffers in certain locations may offset these impacts with enhanced vegetation and/or landscape features.

New Castle also endorses sustainable building practices that minimize the consumption of fossil fuels and maximizes use of renewables (**Goal EN-7**). All buildings will comply with the recently adopted Colorado Electrical and Solar Ready codes. It will be important for the Applicant to discuss how sustainable building measures are featured in the proposal as the application progresses.

Net-zero/all-electric alternatives are achievable solutions manifested in new developments throughout the Valley. The recently approved 9 N Wild Horse PUD has proposed similar efficiency measures. The Applicant therefore has expressed the intent to make these units all electric using heat pumps for mechanical equipment.

The Town's raw water supply will be connected to all 66 units for landscape irrigation. Raw water is non-potable water which bypasses the town's treatment facility thereby eliminating the processing step. The Applicant also receives a 25% reduction in water tap fees as a result of implementation. Opting for raw water is ultimately an economic and sustainability win for all involved.

Manicured landscaping should be minimal and located mainly within active areas adjacent to units. Native grasses, drought tolerant shrubs and trees should fill the balance of remaining open space. A landscape plan will be finalized prior to approval.

2) Does the proposal demonstrate compatibility with the proposed zoning, density, and general development plan to neighboring land uses and applicable town code provisions?

Land Use: The Applicant has elected to develop under the CVR **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 permitted by right:

- Attached dwelling units with rear yards;
- Patio homes;
- Attached dwelling units in structures containing more than two units
- Parking;
- Playgrounds;
- Trails;
- Open space;

The MF-2 also permits the following density and area standards:

- Minimum lot area of 2,200sf;
- Minimum lot area per dwelling unit 1,600sf;
- 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';
- Off street parking: 2/unit for duplex, triplex, or four-plex; 1.5/unit for five

or more units/building + 1 for recreational vehicles per 5 dwelling units;

The Applicant adopts only permitted uses, with structures complying with density and separation. Compliance with building height limits was confirmed less one unit extending slightly over the technical definition for allowable building heights. All building heights and setbacks are displayed in the packet. The Town should prioritize ways of mitigating the potential visual impacts of building mass adjacent to the surrounding neighborhoods. Massing alternatives, structure orientation, landscape screening, and roof articulation, for example, are ways visual impacts can be attenuated. Since Sketch Plan, the Applicant has added various nuances to the architectural aesthetic to address these matters.

Off-Street Parking: The purpose of off-street parking "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). The following off-street parking 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;

Per the standards, required off-street parking totals 122 spaces. The Applicant shows approximately 205 functional off-street spaces, 36 units of which are single car garages with 12 of those single-car garages having two-car-width driveways. Regardless of the off-street parking overage, Staff recommends a minimum of two-car width driveways for single car garages to solve for issues related to garages used as storage rather than parking. This tendency inevitably results in "tandem" parking which induces residents to park at least one car on the street which further aggravates street congestion and sometimes compromises safety. The Applicant was directed by P&Z and Council to relegate seasonal/RV parking to additional general use parking.

On-Street parking: On-street parking serves to accommodate overflow vehicle parking for guests, deliveries, trash pick-up, and emergency vehicles. To the extent these accommodations are priorities for the Town, they deserve special attention in project design. Proposed ROW cross-sections are illustrated in the packet. The recently adopted Town standard for residential roads recommends a 58' ROW cross-section with parallel parking on both sides of the street and minor collectors reaching 62.0'. Both standards are implemented on the site plan, however, the 62' ROW for Silverado Trail will prohibit parking in order to expedite traffic flow, with bike lanes added instead. The central

alleyway will be a narrower 20', one-way drive with 4' driving buffers on either side. The one-way will direct vehicles downhill from east to west.

3) *Is there availability of town services from public works, fire, and police?*

Police: There is little indication that police service would be compromised with the added population increase. The Police Department is currently fully staffed with 13 officers. Generally, additional officers are considered for every increase of 1,000 residents.

Fire: In response to the current multi-year drought and the ongoing expansion of the wildland-urban interface, Colorado River Fire Rescue now emphasizes the resiliency of structures and improving defensible space (**Goal EN-8**). Recently, such measures were codified with the adoption of the 2021 International Fire and Wildland-Urban Interface Codes and now the Colorado Wildfire Resiliency Code (CWRC). Structures are required to employ materials with much better ignition resistance than before. Limiting the combustion properties of a structure reduces fuel loads thereby inhibiting flame spread and therefore buying time for evacuees and firefighters. Scarcer vegetation, landscaping, and other measures to improve defensible space will also be the expectations moving forward.

Public Works: The CVR Master 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 CVR PUD has no commercial space developed. The current sewer treatment plant is sufficiently sized to process the full build-out of both CVR, Lakota, and any commercial in-fill properties downtown.

Raw Water: Raw water is available at the roundabout on CVB and VIX Park and is expected to irrigate all lots and common areas within the new PUD.

Streets/Snow Storage: Other than the central, interior alleyway, all roads will match the Town standards. Snow storage and management policies are included in the packet with designated storage locations adequate to the task. Snow storage is crucial for public safety, cost savings, and quality of life.

Due to the traffic demands for future residential development east of N Wild Horse Dr., the Applicant has provided a southbound right-turn lane (i.e. splitter lane) at the intersection of N Wild Horse and Silverado. The intent here is to encourage vehicles immediately to the west towards the CVB

roundabout and hence reduce the potential congestion at the two-way stop of CVB and N Wild Horse.

4) *Is there adequate vehicle, bicycle, and pedestrian circulation?*

Because roads will meet Town standards, the anticipated detached sidewalks will provide a safer and more pleasant pedestrian experience. Driveways fronting Silverado Trail have been removed to expedite vehicle travel through the property. The southbound splitter lane from N Wild Horse Dr should help maintain a level of service (LOS) "A" at the intersection of NWH and CVB. The future traffic loads from the new 9NWH development have been a concern for both Staff, P&Z, and residents. The LOS "A" is considered the lowest (or lightest) level of traffic density. The traffic analysis provided with the application did not require the additional splitter lane, but the Applicant provided one nonetheless.

With higher density and disrupted lines-of-sight, it will be important for streets to have high visibility crosswalks, preferably with bump outs, placed in priority locations. The development will also dedicate the connecting trail from the CVB pedestrian culvert to the Dog Park. This path should be modestly landscaped.

5) *Is the natural character of the land preserved?*

The parcel slopes gradually downhill from east to west dropping 30-40' in 700ft (~4% slope). Such slopes are rarely problematic from a design standpoint and therefore structural steps or terracing of landscaping should be minimal. Nevertheless, the Applicant should demonstrate material balance of expected cut-and-fill before construction commences. The structural designs appear to preserve and match existing grade features and follow uniformly with the current slope.

To conserve water and limit landscape maintenance such as mowing, staff requests the applicant consider drought resistant vegetation and seeding of native grasses to restore disturbed areas to their original state. Sod with landscape irrigation, likewise, should be used sparingly to limit the need for landscape maintenance.

Staff recommends landscape berms where possible to obscure traffic noise and headlights along CVB (see Eagle Ridge Ranch development).

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

Since the open space requirements for CVR have already been met, open space dedication is not required. Nevertheless, a children's play park on the northeast boundary of the property is slated to be added to VIX Park. The Applicant also intends to contribute some funds to a future pickleball court venue within VIX Park (see Section 1 above). Both locations will be owned and maintained by the Town. Likewise, the trail connector from the CVB pedestrian culvert north to the dog park will be paved and also dedicated. All other sidewalks will be public ROW.

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

The site plan includes sloping topography downhill from northeast to southwest. Each building/unit generally terraces with the existing slope. 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 Applicant has been working



with staff to minimize excessive slopes on various. Driveways maintain an 8% grade or less with some landscape retention expected. A sample color palate for the units is provided. Colors should reflect a natural appearance thereby minimizing visual impacts to viewsheds (**Policy EN-6B**).

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 limit the need for landscape maintenance. Modestly mowed buffers and borders can provide a satisfying manicured look needing little maintenance.

IV Staff Recommendations

Staff offers the following recommendations for Council's consideration of TC 2026-7:

- A. Maximum building heights, including, but not limited to, the height of Building 6A1, shall not exceed those heights depicted in the Applicant's submittal packet dated June 19, 2026.
- B. Applicant shall deed restrict 3 lots within the development, which lots will be identified to and approved by Town Council. The deed restriction will include,

among other things, (i) that the restricted lot shall be sold by developer and all subsequent sellers at 10% below market value, (ii) a definition of "market value," (iii) the eligibility requirements to purchase the restricted lot, (iv) any appreciation caps for the resale of the restricted lot, (v) any timeline for sale of the restricted lot after which the restricted lot may be sold at market value, and (vi) application and enforcement procedures related to the deed restriction. The final deed restriction shall be developed and approved by Town Council and recorded against each restricted lot prior to issuance of a certificate of occupancy for and prior to and as a condition of the sale of the lot.

Attorney Carmer said council could look at developing a whole affordable housing program generally, but for this particular application, staff is looking at just the deed restrictions that would be recorded against the three lots in the development. So that could be part of a greater housing program than staff is working on, but ultimately for these lots, it's just the specific restrictions on the three lots.

Councilor Carey asked if council could make that decision when it is closer to completion. Attorney Carmer said yes, conditions are written now is that those restrictions would be recorded before there is a CO.

Councilor Carey asked when does the 180 days start. Does it start when the unit gets a CO or when the entire building is CO. Planner Smith said each unit gets a CO. Attorney Carmer said the way the applicant is proposing it in the deed restriction summary is that that 180 day starts the unit is listed for sale. She said specific unit would be restricted, because they are individual lots.

- C. The Applicant shall maximize covered patio areas for each unit where feasible per the recommendations of P&Z.
- D. The Applicant shall demonstrate compliance with all recommendations of the Town Engineer, Town Public Works Director, Colorado River Fire Rescue, and Town Attorney provided in response to review of the Application.
- E. The Applicant shall provide a declaration of covenants for the common interest community that are subject to the review and approval of the Town Attorney. The declaration will be recorded along with or before the Final Plat.

Planner Smith said covenant does state is no short-term rentals in the PUD. He said there is nothing in the town code to prohibit short-term rentals. Since the town is asking for affordable housing is not to lose some of the units to short-term rentals. Councilor Riddile said he would prefer the HOA's to enforce the short-term rental issues. Attorney Carmer said it's not a condition of approval and it's not part of the code. The applicant was willing to put it into their covenants. She said when the project is developed they will put it voluntarily in the covenants, so it is effectively the HOA that'll do that going forward, and if someday the owners want to change it, they can do that.

- F. The Applicant shall comply with all currently adopted building code and municipal code requirements, including all sign code regulations in effect at the time of building permit application. 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.
- G. All exterior lighting shall be dark-sky compliant per the Comprehensive Plan. The Applicant shall demonstrate that all exterior lighting will limit light trespass.
- H. The approved construction drawings shall demonstrate compliance with the written comments of the Town Engineer, Police Chief, and Public Works Director for traffic and pedestrian signage.
- I. The Applicant agrees to contribute \$25,000 to the Town to fund park amenities at VIX Park. Subject to annual budgeting and appropriation as required by Colorado law, the Town will be responsible for all construction and future maintenance of the amenities built at VIX park with Applicant's contribution. The timeline for payment of the contribution shall be addressed in the SIA (defined below) for the development.
- J. The Applicant shall finalize the water rights dedication requirements for the project, including the calculation of irrigated areas and finalization of EQR dedication requirements. A warranty deed conveying the required water rights in the Coryell Ditch and/or Red Rock Ditch shall be executed and recorded together with the Final Plat.
- K. The applicant and the Town shall enter into a subdivision improvements and PUD development agreement ("SIA") meeting the requirements of Section 16.32.010 of the Code in addition to providing for compliance with the terms of this Ordinance. The Applicant shall provide an engineer's stamped cost estimate of public improvements to the satisfaction of the Town Engineer and Town Attorney, which shall be used to determine the amount of security required under the SIA, including an appropriate contingency amount. The SIA shall be recorded along with or before recordation of the Final Plat.
- L. Landscaping shall incorporate native grasses and plants that minimize maintenance, moving, and irrigating. The landscaping plan shall be approved by the Parks Department prior to issuance of a building permit. Plans submitted to obtain a building permit for any building shall demonstrate no more than 2,500 square feet of sod per dwelling unit as specified in 13.20.060 of the Code.

- 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. No building permit will be issued if Applicant's reimbursement obligations are more than 90 days past due, and Applicant will be required to bring its payments current prior to issuance of the building permit.
- O. The sale of individual lots, parcels, or units within the Property may not occur until a plat creating the lot, parcel, or unit is recorded with Garfield County and security for the public improvements necessary therefor has been received by the Town.
- P. No grading or excavation for the construction of a building on the Property shall occur until a permit is issued for that specific building. Applicant may commence grading and excavation for infrastructure for public improvements in areas of the project for which a plat and SIA have not yet been recorded, provided that Applicant has obtained a grading permit pursuant to the Town Code and posted security to cover the applicable grading and revegetation work.
- Q. Prior to issuance of a building permit, the Applicant shall present to Town Council the final retaining wall heights, slopes, and materials approved by Town staff and the Town Engineer and final building architecture, materials, and colors to be used in the development. Town Council will have the opportunity to comment on the same at the presentation.

VI Final Plan Exhibits:

- A. Application form, narrative, and submittal documents submitted June 19, 2026
- B. Master Plan submitted June 19, 2026
- C. Building Type Elevations dated June 19, 2026
- D. Building Type Key Plan and Floor Plans dated June 19, 2026
- E. Site Development, Site Plan, and Civil Plans dated June 19, 2026
- F. Preliminary Plat dated June 19, 2026
- G. Referral comments from Town Engineer dated July 27, 2026
- H. Referral comments from Public Works Director dated January 22, 2026
- I. Referral comments from Fire Marshal dated January 22, 2026
- J. Comments from outside referral agencies dated variously
- K. Supplemental application updates and revisions submitted by the Applicant dated

Town Council Meeting
Tuesday, August 4, 2026

July 30th, 2026

Attorney Carmer said the statutory default for a vested rights period is 3 years, and vested rights means you can build what you're authorized to build, and if the town changes something in the code that would otherwise affect the applicant's ability to build what was approved, that change doesn't apply to the project. So, the statutory default is 3 years. Town code allows council and Statute also allows council to extend that period for, based on several reasons. In town code, it's based on the public benefits of the project. If the project would be phased over multiple phases, like the Lakota Canyon Ranch development, for example, they had 3 or 4 or 5 phases. Therefore, they needed extra time to complete the project. So those are the types of considerations that staff would be looking at when extending vested rights period. Attorney Carmer said the vested rights period of 5 years was recommended by staff because the project would be completed in one phase.

Applicant Maarjan Hashami said with regards to the retaining wall. The way the property sits next to the elementary school and the height of North Wild Horse Drive, there were a lot of hurdles to get through. She said to resolve the issue was with landscaping and stepping the wall. Ms. Hashami said their structural engineer recommended using boulders as the retaining wall, but they are still looking into it. she said the goal is to achieve the boulder look where they can. Ms. Hashami said some of the areas will be a little higher due to the sloping of the property. She said they it as a connector, so it alleviates some of that traffic on North Wild Horse Drive.

Ms. Hashami said the goal is to provide a product that is going to be affordable, if not attainable and not to have and very high-end homes. She said the project specifically for the townhomes, it is for that, and to help bring down costs and keep it cost-effective. She said for example some of the overhangs on the back patio doors would leave it up to some of the homeowners if they want to add more to the backyard such as trellises or back patios. The reason for that is to keep the internal cost as a whole for the development low and would be able to offer a better sale price in general.

Karsten Boudreau with TC Midwest said there are concerns with the 5 year vested rights, would like for council to consider 7 years for the vested rights. The concern is the unknown.

Planner Smith asked what the height of the retaining wall would be just below the kids' play area. Rishi Kaithala said around 7-10 feet. The fences that are usually on top of the wall is to provide a protective a 6-foot fencing to add more security and safety. Administrator Reynolds asked if the fence is on top of the retaining wall or an additional fence for the property line. Mr. Kaithala said a fence would not be necessary with the retaining wall. The fence on top of the wall would act as a property line. Planner Smith said there have been conversations with Town Engineer Jeff Simonson about terracing a portion of the retaining wall might be four-foot wall, a planter and some shrubs which

could break up the mass.

Attorney Carmer asked if the HOA would maintain the retaining walls or would it be on the individual homeowner, since the retaining wall cross multiple property lines. Ms. Hashami said they would need to look into it.

Attorney Carmer asked if the applicant would build the play structure in the kids' park to be dedicated to the town. Ms. Hashami said yes.

Attorney Carmer said because the vested rights are requested here, there is a required notice of a public hearing the notice has to be 15 days before the meeting, so that's why it's not coming back for second reading immediately. It'll be the first September meeting, the meeting will need to be opened for public comment as part of the public hearing.

Councilor Leifeld said he would like to see the 180 days start after the completion of the project. Councilor Riddile said 180 days is a short turn around time to be able to sell as affordable housing, would like to see two-three years. Ms. Hashami said it would have a financial impact and don't want product to be on the market for a long period of time. Having three units not being able to sell as affordable units would negatively impact the applicant. Ms. Hashami said they would be happy to come up with a different way to work out the issue. The goal is to work with the town and to help with the affordable option. Mr. Boudreau said if the time is extended, then who would manage the property until it sells. He said the applicants are offering something that is substantial and is not required. The applicant does believe there is a need for the town and the applicant is wanting to meet that need. Councilor Carey said everybody is trying to make it work because people can't afford to live here. She said she appreciates the willingness to do it and it's important to continue to do it. Councilor Carey said she has concerns about the 10-foot retaining wall fence around the kids play area. She said she believes it's a fundamental structural thing that is very important to the safety of our residents, and a 10-foot retaining wall has a much higher propensity of coming down with our soils than a shorter one. Ms. Hashami said civil and structural engineers have been working on how to design it with the step-up and the single 10 foot and pushing it closer to stepping two smaller walls.

Councilor Copeland asked who would maintain the backyards such as the lawn. Ms. Hashami said each individual homeowner because each townhome would be its own lot. Councilor Copeland said she has concerns about the backyards looking like the front yards. Ms. Hashami said for the sake of construction costs and keeping the prices of the homes lower, they felt that it would be better if individual homeowners wanted to upgrade, they could add it. They are also looking into an option of if the homeowner wanted to upgrade from the standard building, they could help the owner to do that. Administrator Reynolds said that would happen at the time of construction. Ms. Hashami said yes, they would try to do it at pre-sale, so they are able to add in the upgrades during building to help with the cost. Administrator Reynolds asked if the project have model units with the different options of upgrades. Ms. Hashami said yes, she is working

on it now.

Councilor Mariscal said the affordable housing is not a requirement from the town, however the applicant has asked for 7 years for vested rights because of potential financial impact, having 180 days for the affordable housing has a financial impact on the community in order to be able to afford and 180 days may not be long enough.

Councilor Leifeld said he had a concern about keeping the exterior of the buildings looking the same. Ms. Hashami said that could be restricted to maintain the standard throughout the whole development. Attorney Carmer said the greater Castle Valley Ranch Master Association would have something to say about it as well. There would be two levels of HOA's in the development.

Councilor Carey said once construction begins the sidewalk at the roundabout will be removed and the sidewalk is heavily used. She asked what the plan was for safety of the pedestrians.

Councilor Carey said the applicant should consider putting some type of shade cover over the back deck because it does get hot and there is very little shade.

Councilor Riddile said regarding yard maintenance and exterior of the building maintenance, the Castle Valley Ranch sub-association takes care of the maintenance, and it works well. He asked if the HOA would also take care of the exterior of the building. Attorney Carmer said if the building is condominiumized, then only the air space is owned vs. individual building units, the building and land is owned. Councilor Riddile said with 66 units and 66 different owners it's hard to say how the yards would look. Ms. Hashami said they could look into it. the goal was to keep the cost low.

Councilor Riddile listed the possible changes to the ordinance as: amending the affordability period to be longer than 180 days; retaining wall details; sub-association maintenance; amending the vested rights from 5 years to 7 years.

Attorney Carmer said for purposes of the ordinance tonight, if councilor wants to make a motion, 5 years is in the ordinance, so that would be one amendment to change to 7 years. Then with respect to condition Q in the ordinance addresses the retaining wall, would be fine to pass the ordinance as is tonight. Then, if council still doesn't have enough information at second reading it can be addressed then. Because if staff and council get everything needed at second reading, council might still want to see it come back, or take that all out, because council has gotten the answers needed. Or, instead of prior to issuance of building permit, council could say within a certain amount of time after the date of the ordinance, the applicant could come back with that information. Attorney Carmer said because the anticipation is that council will have the information to make a decision on the workability of those by second reading, that the condition could stay as is, and then if council gets everything needed on retaining walls, council just take that whole

condition out on second reading. If, council doesn't the answers by second reading, then council can continue second reading until council does receives the information.

Councilor Riddile said as far as the sale period, there is nothing explicitly called out in condition B, it would be fair for the applicant to define that as part of the ordinance. Attorney Carmer said the ordinance already acknowledged in the deed restriction would have a timeline for the sale of the restrictive lots, after which the lot can be sold for market value. There can be more conversations with the applicant between now and the second reading for a specific agreement.

Councilor Carey said any of the design review items or the design comments and the sub-association needs to pass now or wait to see those at second reading. Attorney Carmer said because there is time between first and second reading. Staff can work with the applicant on updating the covenants and will bring back the updated version at second reading. There is the provision that the final version would be recorded and the final version would be acceptable by the town attorneys.

Attorney Carmer said one condition that should be added is the play structure will be built by the applicant and at the applicant's expense. That will be reflected in the SIA and will make sure it's a condition, too, since it has been represented by the applicant. The applicant will build the play structure on the open space to be dedicated to the town and build the bike path. Administrator Reynolds said Public Works would need to approve the play structure for safety.

MOTION: Councilor Riddile made a motion to approve Ordinance An Ordinance of the New Castle Town Council Approving a Final PUD Development Plan, Final Subdivision Plat, and Vested Rights for Castle Valley Ranch Planning Area 12, Filing 14 (Archwood Townhomes) With the Following Changes: the Vested Rights Period in Section 6, Part A, from 5 years to 7 years; adding Condition R, that the Applicant Will Build the Playground and Bike Path as Approved by Public Works (1st reading). Councilor Mariscal seconded the motion, and it passed unanimously on a roll call vote. Councilor Sampley: yes; Councilor Mariscal: yes; Councilor Leifeld: yes; Councilor Copeland: yes; Councilor Carey: yes; Mayor Hazelton: yes; Councilor Riddile: yes.

Consider Commission Vacancy Policy

Administrator Reynolds said he and Clerk Andis have been discussing the commission vacancy process. In Article VII of the New Castle Town Charter provides Town Council with the ability to establish, consolidate, merge, or abolish any Boards or Commissions of the Town by ordinance, or by resolution for an Advisory Commission. Article VII also states that Town Council shall establish the required qualifications of Board and Commission members, the terms of the office, and the method of appointment to fill vacancies for unexpired terms. While New Castle Municipal Code Sec. 15.44 provides the

qualifications for HPC members, and Code Section 17.08 speaks to the qualifications for P&Z members, staff would like to discuss the guidelines or policies that may help further define the actual appointment process.

Such guidelines may include:

- Minimum public posting time for vacant Board or Commission seats – staff recommends 30 days.
- Letters of Interest submitted to the Town Clerk shall include: reason for interest, qualifications, ability to serve and ability to attend meetings.
- In person interviews are recommended prior to the final appointment in recommended.
- Review of residency as appropriate for each Board

Administrator Reynolds said typically staff will post the posting boards notice of vacancy on a certain commission. Then, any letters of interest will be presented to council. Clerk Andis will notify the applicant when to come to council.

Council agreed to have the notice posted for a minimum of 30 days and if the person is new to council, then council would like to see them in person and interview them.

Administrator Reynolds said the town charter and town code gives council the authority to appoint to the commissions and there are some pre-written qualifications such as HPC. Council would review those qualifications to make sure the qualifications are being met. Attorney Carmer said the only requirement for posting an open seat on a commission is that if there is a policy in place then you have to follow the policy or if you stay you will have the seat open for a certain amount of time then you have to follow that. There is not a prescribed period of time you have to notice.

Councilor Carey said she would like to meet the commissioners that council has not met. She said council should know what the removal process is for the different commissions. Administrator Reynolds said there is a removal process under council's guidance, it's not specific like it is with council. The Clerk's office has created a spreadsheet for attendance and excused or non-excused absences for all of the commissions.

Mayor Hazelton said he would like to see in the notices is what is expected from the individual for that commission seat, so they have a good understanding of what the commission is about and what the commission purpose it.

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.

July 21, 2026, minutes
July Bills \$1,179,980.71

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

Staff Reports

Town Administrator –Administrator Reynolds said the towns good neighbor policy is a budgeted item. The policy is for when an unfortunate event happens to a resident the town is able to help. Recently, there was a resident who had something happen to their property and the town was able to help through Good Neighbor. The homeowner had to sign a waiver and release. Administrator Reynolds said Treasurer Ehlers has sent out the 2027 budget worksheets to the department heads. He said the police department participated in the National Night Out at Parachute. Administrator Reynolds said there would be a police pinning ceremony tomorrow at 4:00pm at the community center. Sergeant Reynolds is leaving the department, therefore Officer Jerry Alcorta is being promoted to Sergeant. Officer Omar Lerma and Officer Nicholas Martin are being promoted to Corporals. Administrator Reynolds said he received a letter from the library board, is voting on Thursday night as to whether or not to put something on the ballot for November, so should know more on Friday morning. Administrator Reynolds said he has had a few meetings with Jeanie Golay with LOVA Trail. There are two different directions Ms. Golay would like to go. One direction she wants to go is the trail from the pedestrian bridge to Elk Creek Elementary School. Ms. Golay presented this options to council a few weeks back. She is currently working on a RFTA grant for the trail. The school is cooperating since it is a school project, it has to be a town-written grant since the town is a RFTA member. The other direction MS. Golay is working on is the connection from Glenwood Springs to New Castle. She wanted to go after the whole thing, which is probably tens of millions of dollars. There's a federal grant called FLAP grant. It is grant money that is put out by the federal government every four years circulation. Now I's coming to Colorado and the grant is due by the end of August. Glenwood Springs is willing to be the grant writer for it. There was a meeting with all parties involved to discuss. After the meeting the decision was to scale the project back and just try from Glenwood Springs to Canyon Creek. There is no money being asked from the town to be a supporter of the grant. Administrator Reynolds said he attended the BOCC work sessions today. The first work session was regarding the RFTA Hogback route. Silt, Rifle and RFTA have collectively come up with a 3-year plan to keep the Hogback route. The idea is that RFTA would pick

up the majority of the cost. Silt and Rifle would pick up a share and asking the county to pay \$100k for the next 3-years. Silt and Rifle are now looking at how to ask their residents whether they want this or not and maybe becoming members of RFTA.

Administrator Reynolds said he had a meeting with the head of RFTA grant program this afternoon and RFTA has a planning grant that is available. The grant would be to finish the sidewalk at the east end of town to the RFTA Bus stop. Administrator Reynolds said the FMLD grants are due at the end of the month. For the mini grant the town is looking at funding for the park's monument signs. For the traditional grant the town is looking at a multipurpose truck for public works. Administrator Reynolds said staff reviews for the administrator, town clerk and town treasurer will be at the next meeting.

Town Clerk – Clerk Andis reminded council to give staff reviews to the mayor next week. She said her office had sold 15 cemetery plots last week. Clerk Andis said there are still several plots available and there is a whole section that has plotted out, just not opened up yet to sell.

Town Treasurer – not present

Town Planner – Planner Smith said R2 is paving the upper portion of North Wild Horse Drive. Building Inspector Chamberlain said R2 is starting to build and he is checking in on them a lot.

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 – Clerk Andis said there was a lengthy conversation about financing the Traveler.

RFTA – have not met

AGNC – Mayor Hazelton said they did meet but nothing to report

GCE – Councilor Carey said they discussed the 2027 budget. She said they would like to present to council and to have conversations about how they can help New Castle residents.

EAB – have not met

POSTR – have not met

Items for Future Council Agenda

Councilor Carey said she would like to have a work session to discuss speed control on North Wild Horse Drive as it's being completed.

Councilor Riddile said he would like to reformat the Council Retreat. Would like to have department heads give their yearly updates during work sessions instead of at the retreat.

Council Comments

Councilor Sampley said she would like to have council meet with New Castle Trails and Roaring Fork Mountain Bike Association (RFMBA). She said had heard not kind things about the town during the Dirty Dozen race.

Councilor Carey said the employee picnic was great and the bears are back.

Mayor Hazelton said he had spoken with a broadband rep at the AGNC meeting and the rep is willing to present to council at the next meeting. He said he has a meeting with Senator Hicklooper on Thursday and Senator Bennett on Friday to discuss the Southside Intercept. He said he was asked by the museum if the town provides insurance coverage for the museum and if so, what does it cover. Administrator Reynold said he would talk with Town Treasurer Ehlers to find out.

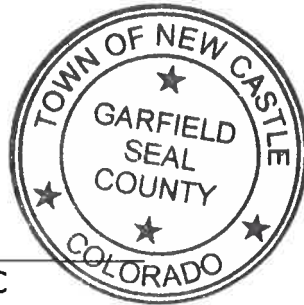
Adjourn

MOTION: Mayor Hazelton made a motion to adjourn.

The meeting adjourned at 9:50 p.m.

Respectfully submitted,


Town Clerk Mindy Andis, CMC




Mayor Grady Hazelton

RIVERSIDE PLAYGROUND SITE PLAN

June 30, 2026

Exhibit A to 8.4.2026 Council Minutes





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

**Castle Valley Ranch PA 12 – Filing 14
Final PUD/Subdivision Application
Town Council – Ordinance TC 2026-7
August 4th, 2026**

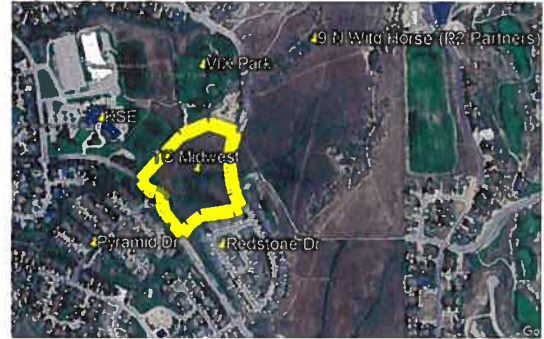
Report Compiled: 7/30/26

Project Information

Applicant:	Maarjan Hashami
Email:	maarjan@tcfuels.com
Property Owner:	TC Midwest LLC
Proposed Use:	66 Multi-family Residential Townhomes
Parcel Acreage:	10.32 acres @ 6.4 units/acre
Open Space:	~2.02 acres or 19.3%
Underlying Zoning:	Mixed Use MU-1
Proposed Zoning:	Castle Valley Ranch MF-2
Surrounding Zoning/Uses:	SF & multifamily homes (N Wild Horse Dr., Redstone Dr, CVB); Parkland (VIX Park) Residential zoning (CVRI) School (Kathryn Senor Elementary)

I Introduction

TC Midwest, LLC originally submitted a sketch plan application in February of 2024 proposing commercial development on Planning Area 12 (PA12) east of the Castle Valley Blvd. (CVB) roundabout near Katheryn Senor Elementary and across from Pyramid Dr. That plan included various commercial uses developed in several phases. With the feedback received from the meeting, the Applicant reconsidered alternative uses more consistent with the surrounding neighborhood.



These alternatives were reviewed at Sketch Plan by the Planning Commission (P&Z) and Council on April 9th, 2025 and May 6th, 2025, respectively. The Sketch Plan was later presented at a community open house on May 14th, 2025.

This year P&Z conditionally approved the preliminary and final applications on February 25th, 2026 and July 8th, 2026, respectively. Both applications proposed a total of 66 two-story townhome units zoned Castle Valley Ranch MF-2 with road designs matching current Town standards and aligning with existing intersections at the CVB roundabout and the future Silverado Trail connector to the Lakota PUD. Open/park space included areas for snow storage, a children's play area, a monetary contribution to VIX Ranch Park amenities,¹ and various pedestrian trails and sidewalks. TC Midwest is also requesting vested rights for the project for a period of 7 years; staff is supportive of a 5-year vested rights period.

The public hearings with P&Z generated the following takeaways:

- Silverado Trail to be designed with a 62' ROW and no on-street parking;
- A committed right turn lane from southbound N Wild Horse at Silverado Trail will direct traffic towards the CVB roundabout;
- Improved grading on select lots to mitigate steep slopes;
- A \$25k contribution to VIX Ranch Park amenities;
- Installation and dedication of a children's play area on northeast corner of property;
- Three deed-restricted, for-sale units offered at 10% below market rate with eligibility and appreciation caps to be memorialized in a recorded deed restriction developed and approved by Town Council;
- Garage sizes optimized for parking and storage;
- Considerations for roofs on patios and/or decks to be presented at final application;
- Retaining wall aesthetics shall be presented to Council for comment.
- Covered porches or pergolas considered as more a build-to-suit option.

The final plan application was determined complete on June 19th, 2026. 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 attain construction level

¹ When the preliminary plan was approved, it included a condition that the TC Midwest contribute to the construction of pickleball courts in a location agreed upon by TC and the Town. Based on the Town's assessment of potential pickleball locations between P&Z's review of the preliminary and final applications, P&Z determined that a monetary contribution to VIX Park amenities generally was appropriate instead of specifying that the funds be used for pickleball courts.

readiness.

Within sixty (60) days from the date of the P&Z's written recommendation on the application, or within such time as is mutually agreed by the Town Council and the Applicant, Town Council shall approve the application, with or without conditions, or deny the application. 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.

II Changes from Preliminary Plan

At the final hearing, the Commissioners were broadly supportive of the application and efforts to meet or exceed the requirements of the Town Code and Comprehensive Plan. Nonetheless, the Commissioners offered some fine-tuning considerations as the application moved to Council. Similarities and differences between what was seen at the final P&Z hearing and now include:

Final Plan P&Z	Final Plan Council
• Units: 66 townhome units in 14 buildings;	• No change
• Zoning: MF-2	• No change
• Density: 6.4 units/acre	• No change
• Open Space: 19.4%	• No change
• Off-Street Parking: 122 required/204 proposed;	• No change
• Max Building Height Proposed per Definition (6A1): 40.2'; Per Slab: ~32'	• No change
• Net Zero: All electric	• No change
• Snow storage: 17% of road area	• No change
• Trails: VIX Trail paved and connected	• No change
• Garages: 24 units with 1-car driveways & 1-car garages; 12 units with 2-car driveways & 2-car garages; Remaining 30 units with 2-car drives & 2-car garages;	• No change
• Short-term Rentals: Prohibited	• No change
• Kids Play Park: Potential location at NE corner of property adjacent to VIX.	• No change
• Property Grades: Terraced planters added to diffuse grade impacts.	• No change
• Workforce Housing: Applicant proposes a \$30K discount on up to 3 units at the current market rate. No appreciation caps;	• Workforce Housing: Applicant agrees to 3 deed-restricted units @ 10% off of market rate in perpetuity. Eligibility set by Town.
• Pickleball Courts: \$25k towards the development of a PB venue in VIX;	• Pickleball Courts: \$25k towards any future amenity in VIX.
• Porch Areas: Patio roofs added to building 7B only. Rendering provided in packet.	• Porch Areas: Patio roofs added to building 1B as well. Shed dormers over other rear doors. Rendering provided in packet.
• Retaining Walls: Location discussed with conceptual designs.	• Retaining Wall: Designs updated in packet.

III Staff Review:

Throughout the application process, the submittal documents will be reviewed pursuant to the criteria in the Municipal Code (MC) for planned unit developments (PUDs) and subdivisions. Any proposal should show general conformity to the following (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 clearly demonstrate substantial conformity with the CP in all applications (**Policy CG-1B**). Substantial conformance to the CP should include:

- ☐ Fostering distinctive, attractive communities with a strong sense of place and quality of life.
- ☐ Demonstrating a fully-balanced community and land use structure.
- ☐ Ensuring a mix of uses that complement existing land-use patterns.
- ☐ Creating walkable communities and encourage multi-modal transportation.
- ☐ Balancing housing types that support a range of affordability.
- ☐ Preserving open space, natural beauty, and critical wildlife habitat.
- ☐ Encouraging economic development.
- ☐ Providing efficient and cost-effective services.

Balanced Community: The proposal pairs well with a number of New Castle goals and values, central being a commitment to quality of life. The Applicant intends to repurpose the underlying mixed-use zoning with a fully residential site. Commercial uses will be considered in a more suitable location. Though “all residential” is potentially a better fit for the location, it is advisable that Council recognize the growing deficit of commercial prospects in New Castle with each deferment of commercially zoned land. During Sketch Plan the Applicant discussed this concern and their intent to relocate the commercial zoning on other properties owned within CVR.

Smart Growth: The project favors Smart Growth (**Goal CG-5**) including sensitivity to: Aesthetics – employing architectural features already observed in Town; Recreational opportunities – including trails, courts, a playground, and seamless access to VIX park; Livability – attention given to pedestrian safety, parking, and efficient vehicle circulation (**Goal RT-1**). The Applicant’s future commitment to a TBD commercial property along CVB will help right the imbalance of needed goods and services in the immediate vicinity. Staff would encourage maximizing outdoor living areas such as covered patios and/or decks to enhance connections with the outdoors.

Affordability: A higher density, multifamily development comprised of two and mostly three bedroom units should advance the cause of affordability. Floor plans will range from

1,283sf to 1,951sf (with one 2-bed @ 1,164sf) of conditioned space expected to track current market rates. Seven of the 66 units will be two-bedroom. Staff has been in ongoing conversations with the Applicant about affordable and/or workforce housing options. At present, the Applicant is prepared to offer three (3) for-sale units at 10% below market value. The Applicant has also deferred the responsibility of setting other deed restrictions (e.g. appreciation caps, eligibility requirements, any income limitation, or management policies) to the Town.

The Town's Comprehensive Plan mentions "affordability" many times but never defines the concept. Instead, the Town routinely consults affordability metrics offered by various governmental agencies. The US Department of Housing and Urban Development (HUD) recommends that for housing to be considered affordable, total housing expenses should not exceed 30% of gross household income. With a current Area Median Income (AMI) for New Castle hovering around \$95k, total housing costs exceeding \$2,375/month are considered burdensome. For context, a \$2,375/month mortgage + interest payment (so not including PMI, insurance, or taxes) 10% down at roughly a 6% interest yields a \$435,000 home price. Zillow lists the median price of a home in New Castle at \$660,000. Obviously, there is a substantial difference between these prices, but with an initial 10% off coupled with other restrictions, perhaps affordability is more attainable in the future.

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 2,012 for the entire town of New Castle with approximately 170 associated specifically with the new development. The analysis then projects revenues and costs based off of the Town's budget averaged between the tax years of 2023 and 2025. The results provided in the packet show an *annual* net benefit to the town post construction of \$112,271. The *cumulative* net benefit by 2045 is estimated to be \$3 million with \$1.1 million coming in the initial two years of construction. The Town's finance department has reviewed the assumptions and projected outcomes separately with consistent results. Based on the assumptions of the analysis, Staff is confident that the development is fiscally viable.

Trails/Open Space/Recreation: The site plan establishes a commitment to pedestrian friendly communities and active open space. The development will memorialize the connecting trail from the CVB pedestrian culvert to the Dog Park. Detached sidewalks will wrap the entirety of the filing allowing non-vehicular access to nearby locations.

At Preliminary Plan the Applicant collaborated with Town Staff and the public to determine an optimal location for at least two pickleball courts within the vicinity of the development. Initially two courts were envisioned on the northeast corner adjacent to VIX. Due to concerns with access and noise impacts, the Town and Applicant considered an alternative location within VIX Park. The location had better access from the new VIX parking area and was sufficiently isolated to attenuate noise concerns. The Applicant was also amenable to a \$25,000 contribution towards funding of the construction of the courts.

At Final Plan, P&Z questioned both the need for additional pickleball courts and whether such courts were indeed the best use of limited VIX Park space. The discussion prompted the Applicant to reconsider all options. Ultimately the Applicant was willing to front \$25,000 towards VIX Ranch Park amenities as proposed by the Town at a future date (see Condition I below).

Preserves Natural Environment: New Castle is committed to stewardship of the natural environment and recognizes the potential negative impacts of new development. The Town will work with Colorado Parks and Wildlife (CPW) and the Applicant to identify

and protect critical environmental resources (**Goal EN-1**). CPW recognizes that the surrounding areas of the property are established year-long habitat for various birds and mammals. It will be important to minimize conflicts by, for instance, prohibiting dogs off-leash, minimizing light trespass, preserving native habitat, and limiting use of fences. In some cases, added landscape buffers in certain locations may offset these impacts with enhanced vegetation and/or landscape features.

New Castle also endorses sustainable building practices that minimize the consumption of fossil fuels and maximizes use of renewables (**Goal EN-7**). All buildings will comply with the recently adopted Colorado Electrical and Solar Ready codes. It will be important for the Applicant to discuss how sustainable building measures are featured in the proposal as the application progresses. Net-zero/all-electric alternatives are achievable solutions manifested in new developments throughout the Valley. The recently approved 9 N Wild Horse PUD has proposed similar efficiency measures. The Applicant therefore has expressed the intent to make these units all electric using heat pumps for mechanical equipment.

The Town's raw water supply will be connected to all 66 units for landscape irrigation. Raw water is non-potable water which bypasses the town's treatment facility thereby eliminating the processing step. The Applicant also receives a 25% reduction in water tap fees as a result of implementation. Opting for raw water is ultimately an economic and sustainability win for all involved.

Manicured landscaping should be minimal and located mainly within active areas adjacent to units. Native grasses, drought tolerant shrubs and trees should fill the balance of remaining open space. A landscape plan will be finalized prior to approval.

2) Does the proposal demonstrate compatibility with the proposed zoning, density, and general development plan to neighboring land uses and applicable town code provisions?

Land Use: The Applicant has elected to develop under the CVR **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 permitted by right:

- Attached dwelling units with rear yards;
- Patio homes;
- Attached dwelling units in structures containing more than two units
- Parking;
- Playgrounds;
- Trails;
- Open space;

The MF-2 also permits the following density and area standards:

- Minimum lot area of 2,200sf;
- Minimum lot area per dwelling unit 1,600sf;
- 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';
- Off street parking: 2/unit for duplex, triplex, or four-plex; 1.5/unit for five or more units/building

+ 1 for recreational vehicles per 5 dwelling units;

The Applicant adopts only permitted uses, with structures complying with density and separation. Compliance with building height limits was confirmed less one unit extending slightly over the technical definition for allowable building heights. All building heights and setbacks are displayed in the packet. The Town should prioritize ways of mitigating the potential visual impacts of building mass adjacent to the surrounding neighborhoods. Massing alternatives, structure orientation, landscape screening, and roof articulation, for example, are ways visual impacts can be attenuated. Since Sketch Plan, the Applicant has added various nuances to the architectural aesthetic to address these matters.

Off-Street Parking: The purpose of off-street parking “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). The following off-street parking 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;

Per the standards, required off-street parking totals 122 spaces. The Applicant shows approximately 205 functional off-street spaces, 36 units of which are single car garages with 12 of those single-car garages having two-car-width driveways. Regardless of the off-street parking overage, Staff recommends a minimum of two-car width driveways for single car garages to solve for issues related to garages used as storage rather than parking. This tendency inevitably results in “tandem” parking which induces residents to park at least one car on the street which further aggravates street congestion and sometimes compromises safety. The Applicant was directed by P&Z and Council to relegate seasonal/RV parking to additional general use parking.

On-Street parking: On-street parking serves to accommodate overflow vehicle parking for guests, deliveries, trash pick-up, and emergency vehicles. To the extent these accommodations are priorities for the Town, they deserve special attention in project design. Proposed ROW cross-sections are illustrated in the packet. The recently adopted Town standard for residential roads recommends a 58’ ROW cross-section with parallel parking on both sides of the street and minor collectors reaching 62.0’. Both standards are implemented on the site plan, however, the 62’ ROW for Silverado Trail will prohibit parking in order to expedite traffic flow, with bike lanes added instead. The central alleyway will be a narrower 20’, one-way drive with 4’ driving buffers on either side. The one-way will direct vehicles downhill from east to west.

3) Is there availability of town services from public works, fire, and police?

Police: There is little indication that police service would be compromised with the added population increase. The Police Department is currently fully staffed with 13 officers. Generally, additional officers are considered for every increase of 1,000 residents.

Fire: In response to the current multi-year drought and the ongoing expansion of the wildland-urban interface, Colorado River Fire Rescue now emphasizes the resiliency of structures and improving defensible space (**Goal EN-8**). Recently, such measures were codified with the adoption of the 2021 International Fire and Wildland-Urban Interface Codes

and now the Colorado Wildfire Resiliency Code (CWRC). Structures are required to employ materials with much better ignition resistance than before. Limiting the combustion properties of a structure reduces fuel loads thereby inhibiting flame spread and therefore buying time for evacuees and firefighters. Scarcer vegetation, landscaping, and other measures to improve defensible space will also be the expectations moving forward.

Public Works: The CVR Master 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 CVR PUD has no commercial space developed. The current sewer treatment plant is sufficiently sized to process the full build-out of both CVR, Lakota, and any commercial in-fill properties downtown.

Raw Water: Raw water is available at the roundabout on CVB and VIX Park and is expected to irrigate all lots and common areas within the new PUD.

Streets/Snow Storage: Other than the central, interior alleyway, all roads will match the Town standards. Snow storage and management policies are included in the packet with designated storage locations adequate to the task. Snow storage is crucial for public safety, cost savings, and quality of life.

Due to the traffic demands for future residential development east of N Wild Horse Dr., the Applicant has provided a southbound right-turn lane (i.e. splitter lane) at the intersection of N Wild Horse and Silverado. The intent here is to encourage vehicles immediately to the west towards the CVB roundabout and hence reduce the potential congestion at the two-way stop of CVB and N Wild Horse.

4) *Is there adequate vehicle, bicycle, and pedestrian circulation?*

Because roads will meet Town standards, the anticipated detached sidewalks will provide a safer and more pleasant pedestrian experience. Driveways fronting Silverado Trail have been removed to expedite vehicle travel through the property. The southbound splitter lane from N Wild Horse Dr should help maintain a level of service (LOS) "A" at the intersection of NWH and CVB. The future traffic loads from the new 9NWH development have been a concern for both Staff, P&Z, and residents. The LOS "A" is considered the lowest (or lightest) level of traffic density. The traffic analysis provided with the application did not require the additional splitter lane, but the Applicant provided one nonetheless.

With higher density and disrupted lines-of-sight, it will be important for streets to have high visibility crosswalks, preferably with bump outs, placed in priority locations. The development will also dedicate the connecting trail from the CVB pedestrian culvert to the Dog Park. This path should be modestly landscaped.

5) *Is the natural character of the land preserved?*

The parcel slopes gradually downhill from east to west dropping 30-40' in 700ft (~4% slope). Such slopes are rarely problematic from a design standpoint and therefore structural steps or terracing of landscaping should be minimal. Nevertheless, the Applicant should demonstrate material balance of expected cut-and-fill before construction commences. The structural designs appear to preserve and match existing grade features and follow uniformly with the current slope.

To conserve water and limit landscape maintenance such as mowing, staff requests the applicant consider drought resistant vegetation and seeding of native grasses to restore disturbed areas to their original state. Sod with landscape irrigation, likewise, should be used sparingly to limit the need for landscape maintenance.

Staff recommends landscape berms where possible to obscure traffic noise and headlights along CVB (see Eagle Ridge Ranch development).

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

Since the open space requirements for CVR have already been met, open space dedication is not required. Nevertheless, a children's play park on the northeast boundary of the property is slated to be added to VIX Park. The Applicant also intends to contribute some funds to a future pickleball court venue within VIX Park (see Section 1 above). Both locations will be owned and maintained by the Town. Likewise, the trail connector from the CVB pedestrian culvert north to the dog park will be paved and also dedicated. All other sidewalks will be public ROW.

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

The site plan includes sloping topography downhill from northeast to southwest. Each building/unit generally terraces with the existing slope. 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 Applicant has been working with staff to minimize excessive slopes on various. Driveways maintain an 8% grade or less with some landscape retention expected. A sample color palate for the units is provided. Colors should reflect a natural appearance thereby minimizing visual impacts to viewsheds (**Policy EN-6B**).

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 limit the need for landscape maintenance. Modestly mowed buffers and borders can provide a satisfying manicured look needing little maintenance.



IV Staff Recommendations

Staff offers the following recommendations for Council's consideration of TC 2026-7:

- A. Maximum building heights, including, but not limited to, the height of Building 6A1, shall not exceed those heights depicted in the Applicant's submittal packet dated June 19, 2026.

- B. Applicant shall deed restrict 3 lots within the development, which lots will be identified to and approved by Town Council. The deed restriction will include, among other things, (i) that the restricted lot shall be sold by developer and all subsequent sellers at 10% below market value, (ii) a definition of "market value," (iii) the eligibility requirements to purchase the restricted lot, (iv) any appreciation caps for the resale of the restricted lot, (v) any timeline for sale of the restricted lot after which the restricted lot may be sold at market value, and (vi) application and enforcement procedures related to the deed restriction. The final deed restriction shall be developed and approved by Town Council and recorded against each restricted lot prior to issuance of a certificate of occupancy for and prior to and as a condition of the sale of the lot.
- C. The Applicant shall maximize covered patio areas for each unit where feasible per the recommendations of P&Z.
- D. The Applicant shall demonstrate compliance with all recommendations of the Town Engineer, Town Public Works Director, Colorado River Fire Rescue, and Town Attorney provided in response to review of the Application.
- E. The Applicant shall provide a declaration of covenants for the common interest community that are subject to the review and approval of the Town Attorney. The declaration will be recorded along with or before the Final Plat.
- F. The Applicant shall comply with all currently adopted building code and municipal code requirements, including all sign code regulations in effect at the time of building permit application. 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.
- G. All exterior lighting shall be dark-sky compliant per the Comprehensive Plan. The Applicant shall demonstrate that all exterior lighting will limit light trespass.
- H. The approved construction drawings shall demonstrate compliance with the written comments of the Town Engineer, Police Chief, and Public Works Director for traffic and pedestrian signage.
- I. The Applicant agrees to contribute \$25,000 to the Town to fund park amenities at VIX Park. Subject to annual budgeting and appropriation as required by Colorado law, the Town will be responsible for all construction and future maintenance of the amenities built at VIX park with Applicant's contribution. The timeline for payment of the contribution shall be addressed in the SIA (defined below) for the development.
- J. The Applicant shall finalize the water rights dedication requirements for the project, including the calculation of irrigated areas and finalization of EQR dedication requirements. A warranty deed conveying the required water rights in the Coryell Ditch and/or Red Rock Ditch shall be executed and recorded together with the Final Plat.
- K. The applicant and the Town shall enter into a subdivision improvements and PUD development agreement ("SIA") meeting the requirements of Section 16.32.010 of the Code in addition to providing for compliance with the terms of this Ordinance. The Applicant shall provide an engineer's stamped cost estimate of public improvements to

the satisfaction of the Town Engineer and Town Attorney, which shall be used to determine the amount of security required under the SIA, including an appropriate contingency amount. The SIA shall be recorded along with or before recordation of the Final Plat.

- L. Landscaping shall incorporate native grasses and plants that minimize maintenance, moving, and irrigating. The landscaping plan shall be approved by the Parks Department prior to issuance of a building permit. Plans submitted to obtain a building permit for any building shall demonstrate no more than 2,500 square feet of sod per dwelling unit as specified in 13.20.060 of the Code.
- 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. No building permit will be issued if Applicant's reimbursement obligations are more than 90 days past due, and Applicant will be required to bring its payments current prior to issuance of the building permit.
- O. The sale of individual lots, parcels, or units within the Property may not occur until a plat creating the lot, parcel, or unit is recorded with Garfield County and security for the public improvements necessary therefor has been received by the Town.
- P. No grading or excavation for the construction of a building on the Property shall occur until a permit is issued for that specific building. Applicant may commence grading and excavation for infrastructure for public improvements in areas of the project for which a plat and SIA have not yet been recorded, provided that Applicant has obtained a grading permit pursuant to the Town Code and posted security to cover the applicable grading and revegetation work.
- Q. Prior to issuance of a building permit, the Applicant shall present to Town Council the final retaining wall heights, slopes, and materials approved by Town staff and the Town Engineer and final building architecture, materials, and colors to be used in the development. Town Council will have the opportunity to comment on the same at the presentation.

VI Final Plan Exhibits:

- A. Application form, narrative, and submittal documents submitted June 19, 2026
- B. Master Plan submitted June 19, 2026
- C. Building Type Elevations dated June 19, 2026
- D. Building Type Key Plan and Floor Plans dated June 19, 2026
- E. Site Development, Site Plan, and Civil Plans dated June 19, 2026
- F. Preliminary Plat dated June 19, 2026
- G. Referral comments from Town Engineer dated July 27, 2026
- H. Referral comments from Public Works Director dated January 22, 2026

- I. Referral comments from Fire Marshal dated January 22, 2026
- J. Comments from outside referral agencies dated variously
- K. Supplemental application updates and revisions submitted by the Applicant dated July 30th, 2026