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David McConaughy, Esq.
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September 4, 2015

MEMORANDUM

TO: Town of New Castle Planning & Zoning Commission
FROM: David McConaughy, Town Attorney
RE: Riverside RV Park Preliminary PUD Development Plan

INTRODUCTION

On August 4, 2015, the Town received a development application (“Application”) from Riverside RV Park, Inc. (“Riverside”) detailing its proposed development of Lot 1 of the Riverside Park Subdivision (“Property”). Upon review the Application, the relevant provisions of the Town code, and the agreements and ordinances affecting development of the Property, the Town Attorney makes the following findings and recommendations regarding the Application.

BACKGROUND

As mentioned above, the Property is located in the Riverside Park Subdivision. That subdivision consists of three lots and was annexed and zoned in 1999 pursuant to Ordinance Nos. 99-3 and 5. The Property is zoned as Highway Business-PUD Zone. As part of the annexation process, the original developer and owner of the subdivision, Rippy RV Associates (“Rippy RV”), entered into an Annexation Agreement with the Town. The Annexation Agreement imposes certain requirements and restrictions on the development of any lot within the subdivision, including the Property that is the subject of the Application. At the time of annexation the then-developer of the Property had submitted a sketch PUD development plan, so, as provided in the Annexation Agreement, only a preliminary and final PUD development plan are required.

ISSUES TO BE ADDRESSED

Based on the Annexation Agreement requirements and the general land use and development regulations in the Town code, the Town Attorney has identified the following that need to be resolved prior to approval of the Application:

1. **EQR calculation.** Riverside has not provided any information on this issue. EQRs will be necessary to determine tap fees, surcharges, and water rights dedication.
2. **Zoning.** The Property is zoned as Highway Business-PUD zone. As provided in Chapt. 17.124.010, the provisions of the general highway business zone district (Chapt. 17.60.040) apply to the PUD district. “RV Park” is not included as a permitted or conditional use in the highway business zone. However, the following uses are permitted within the district, and an RV Park may be considered one or more of these uses:
 - i. Retail and wholesale business;
 - ii. Retail or service business;
 - iii. Outdoor storage;
 - iv. Parking lot; and
 - v. Hotel, motel, or lodge.

If the Commission determines that the proposed use of the Property is not encompassed within the listed uses, the Commission can recommend a text amendment to Chapt. 17.124.010 to clarify that an RV Park is permitted within the zone district, which can be accomplished by the same ordinance approving a PUD Development Plan. Any such amendment could include provisions limiting the number of RV spaces and/or stay duration.

3. **Water rights dedication.** No water rights dedication was made at the time of annexation. Chapt. 13.24.040 of the Code requires dedication of water rights is required upon, among other things, “expansion of use on an existing platted property that increases the demand for municipal water service beyond the definition of an EQR or previous water right dedications made to the town.” The Town has the option of accepting cash in lieu of dedication of rights. When Lot 2 was developed, the Town chose to accept cash in lieu of dedication; the current cash-in-lieu fee is \$6,000 per EQR. Additionally, Riverside proposes raw water irrigation, which would reduce Riverside’s dedication fee by 25% pursuant to Chapter 13.38.030(D).
4. **Engineering issues.** Considering the Town’s experience with development of Lot 2, the following engineering issues need to be addressed:
 - a. It appears that the only public improvement anticipated in the Application is the improvement of the bike path that runs along the southern boundary of the Property. An easement for that path was conveyed to the Town in 2001 by the prior owner of the Property, Rippy RV. This may require Riverside to enter into an agreement with the Town to ensure the path is improved and maintained according to Town standards.

The Town Engineer should comment on whether public improvements are necessary.

- b. Additional public utility easements may be needed as determined by the Town Engineer.
 - c. The Town Engineer or Public Works department should determine whether this project would impact sewer lift station operational issues.
5. **Environmental concerns.** The Property was formerly used as a gas station. The Application contains a letter from Waste Engineering, Inc., certifying that it appears from soil testing on the site that no oil or gas spill has occurred on the Property. It is staff's understanding that the underground storage tanks were previously removed from the Property and permanently closed pursuant to Colorado's storage tank regulations (7 C.C.R. 1101-14, § 2-4-2).

Additionally, because the Town has an easement over the Property, the Town and Rippy RV entered into an Environmental Indemnification Agreement. Under that agreement, Rippy RV or its successors, grantees, or assigns shall indemnify the Town against any losses, liabilities, damages, costs and expenses" arising out of the existence of any hazardous waste, substance, or environmental condition resulting from the previous use of the Property as a gas station. Because the agreement "runs with the land," the current owner of the Property (Riverside Partnership, LLC) is subject to the Indemnification Agreement.

6. **Signage issues.** Riverside has not provided any information regarding the size, color, and materials of the signage proposed for the Property. Such information is necessary to determine whether the signs comply with the Town's Sign Code (Ch. 17.18).

CONDITIONS

In addition to the foregoing, the Town Attorney recommends that approval of the Application be conditioned upon the following:

1. Proof that Riverside has secured the water rights necessary for the use of the Property as proposed, including providing the Town with a copy of Riverside's West Divide Water Conservancy contract;
2. Submission of a raw water irrigation application/plan as provided in Chapter 13.38 of the Town code;
3. Executing an agreement with the Town regarding construction of the bike path and berm, with appropriate security and provisions for future maintenance of the berm;
4. Obtaining a business license; and
5. Payment of tap fees including the Tap Fee Surcharge (\$1,500/EQR for water taps and \$2,000/EQR for sewer taps) prior to construction or development of the property.

Riverside should be advised of the monthly user fee surcharge (\$6.00) to cover lift station costs. Both surcharges were established pursuant to Ord. No. 2005-E-1.



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

Staff Report
Riverside RV Park, INC.
Preliminary PUD Development Plan
Planning & Zoning Commission – September 9, 2015

Report Date: September 1, 2015

Project Information

Name of Applicant: Robert Chatmas DBA Riverside RV Park, Inc.

Applicant's Mailing Address /Phone: 3363 S. Grand Ave., Glenwood Springs, CO 81601
(970) 948-2018

Property Address: 7051 CR 335, New Castle, CO 81647

Property Owner/Address: Riverside Partnership, LLC in care of Sterling Peak Properties,
600 E. Main St., Suite 103, Aspen, CO 81611

Legal Description: Lot 1, Section 2, Township 6, Range 91, Riverside Subdivision

Proposed Use: RV Park

Size of Site: 5.84 acres (3.32 acres above the water surface of the Colorado River)

Street Frontage: County Road 335 (owned and maintained by the Town of New Castle)

Existing Zoning: Highway Business

Surrounding Zoning: West – Industrial, East – Open Space/PUD & Residential/3/PUD,
South – County – Rural, North – Colorado River

Mineral Rights Owners: CB Minerals Company, LLC, POB 1827, Pebble Beach, CA 93953

Engineer: Gamba & Associates

Engineer Address/Phone: 113 9th St., Suite 214, POB 1458, Glenwood Springs, CO 81602, (1)

I Description of Application:

This application is a request to create an RV Park with 18 spaces. The applicant, Robert Chatmas, has alluded to the RV Park as one that is “motel lite” in the absence of developing a motel/hotel which requires a conditional use permit. Mr. Chatmas has stated that before his lease with an option to buy is terminated in 5 years, he will have secured a motel/hotel to replace the RV Park. According to Mr. Chatmas, the RV use of this land is temporary until the economic climate allows for building a motel/hotel.

There is no certainty that a motel/hotel will be constructed within 5 years due to unforeseen economic volatility. If approved, the applicant is advised to keep the Town notified prior to a change in use during the period where the land is being used as an RV Park. There will also be a reclamation plan required to address maintenance, safety and security if the RV Park is abandoned.

The type of Recreation Vehicles allowed are the ones which contain their own showers and restrooms. No tent camping will be allowed. Other high end amenities like pool, laundry, community showers, public restrooms or community building will not be located on the lot.

The use of the 18 spaces will be occupied by three types of tenants: 1) 2 sites will be reserved for full-time park management and a “host camper”, 2) Up to 6 sites will be for the seasonal traveler staying more than 30 days and 3) 10 sites will be short term only (less than 30 days). The Planning & Zoning Commission must consider granting approval for sites that are for seasonal travelers’ (more than 30 days)

Site amenities for each space will include: 1) Hook-ups for 50/30/20 amp electrical service, 2) Water connections, 3) Sewer connection (3” attachment/clean-out drain), 4) Picnic table and 5) Wi-Fi service. Mr. Chatmas met with Police Chief, Tony Pagni, who advised that a campfire using the proposed fire ring is not allowed from April 1st to November 1st therefore Mr. Chatmas will eliminate this amenity. There should be little need for RV generators since electric service is provided.

There will be 4’ – 5’ wide footpaths leading to 5 picnic tables located on a “bench” above the Colorado River. Signs will be posted along the river indicating it is private land.

Mr. Chatmas stated in his cover letter that the transition from RV Park to a motel/hotel will be seamless and economically practical. Until this happens, the Town will benefit from the 2.5% lodging tax and increased sales tax and other economic impacts from travelers who stay at the RV Park.

II Development Application Contents:

1. Applicant cover letter/development application
2. Proof of legal ownership (Addresses of ownership, authorization to leasees & mineral ownership)
3. Existing topography
4. Site plan with emergency vehicle traffic circulation
5. Utility infrastructure plan
6. Traffic study
7. Rock fall mitigation and grading plan
8. Stormwater analysis engineering report
9. Signage, lighting, bike path and landscaping

10. Irrigation report
11. Names/addresses of adjacent property owners within 250 feet
12. Pictures of “overlays” of RV’s at the proposed RV Park
13. Pictures of RV guests at Silt and No Name RV parks
14. Rules and Regulations (Draft)
15. Proposed Signage

III Preliminary PUD Development Plan Illustration Requirements & Staff Comment

1. Adjacent land uses

Staff Comment: The adjacent land uses are on the Topographical Survey Map. They are: east – open space and R/3PUD, west – industrial, south – Garfield County/rural and north – Colorado River.

2. Boundary & size of site

Staff Comment: The boundary & size of the site can be found on the Topographical Survey Map. The total acreage is 5.84 with 4.21 acres that are unusable except for footpaths and picnic tables. The RV Park will occupy 1.63 acres for 18 RV spaces, a kiosk, vehicle circulation road and a 6 ½ foot berm to act as a barrier due to rock fall mitigation that is required.

3. Existing topographic character of land at contour level of 2 feet if slope is less than 10 percent and 5 feet if slope is greater than 10 percent

Staff Comment: The Preliminary Grading Plan and Rockfall Mitigation Berm Map illustrates this with a contour level of 2 feet as the slope is less than 10 percent

4. Proposed land uses and their respective acreage

Staff Comment: The Topographical Survey Map shows the acreage and the Preliminary Site Plan with Traffic Circulation depicts the useable portion of the lot with 18 RV spaces, kiosk or check-in station, rockfall mitigation berm and 5 picnic tables located on a bench south of the Colorado River’s edge

5. Location and size of proposed public & semi-public uses both dedicated and other, including water, sewer and drainage infrastructure to service the project and all utility infrastructure

Staff Comment: The concrete bicycle/pedestrian trail will meet the Public Works required specifications according to Mr. Chatmas. The Preliminary Utility Map includes location of water and sewer. The Stormwater Analysis Post-Development Conditions Map demonstrates the drainage plan

6. Existing & proposed vehicle circulation system, including arterial, collector & local streets, proposed bicycle/pedestrian paths, off-street parking areas, service and loading areas & major points of access to public rights-of-way

Staff Comment: The Preliminary Site Plan with Traffic Circulation Map proposes a circular traffic pattern on the lot. The main entrance is located at the east end of the lot and access is by way of using CR 335. RV guests will enter through this access point and exit as well. The roadway will consist of road base and not be paved. The applicant is advised to continue to maintain the road so that it

remains dustless.

(3)

Colorado River Fire Rescue has required there be an emergency access to CR 335 on the west end of the inland road with a gate across it. CRFR also requested an additional fire

hydrant on the west end as well. In addition, CRFR requires that the footpaths be at least 4 feet wide to support a gurney if CRFR needs to transport a sick or injured RV guest.

According to Mr. Chatmas, the proposed concrete bike/pedestrian trail will meet New Castle Public Works Manual specifications.

A Vehicle Trip Generation Analysis has been prepared by the Gamba & Associates Engineering firm. At full occupancy, the Average Daily Traffic Rate is 74.38 per acre, and the PM Peak Hour rate of trip generation is .39 vehicle trips per acre. The Calculated Average Daily Traffic is 121 vehicle trips per day and at PM Peak Hour Traffic is 1 vehicle trip per hour. However, this study was based on a single traffic study which was performed several years ago. Accordingly, for comparison purposes, Gamba & Associates reviewed Trip Generation Rates for a Mobile Home Park, which are an Average Daily Traffic Rate of 4.99 per residential unit and a PM Peak Hour Rate of 11 vehicle trip per hour.

There will be no public streets on the lot and there is no need for off-street parking, service and loading areas. An addendum to this application includes RV Park Rules and Regulations. Rule #3 states there will be no parking of vehicles or storage of personal items outside of designated guest RV spaces.

Also, the Riverpark emergency access with a gate across it is located on the east end of the lot and signs need to be posted indicating something like PARKED VEHICLES WILL BE TOWED at this emergency access point.

Rule #5 addresses additional vehicle that guests may bring to the site. They are not allowed unless they are towed behind RV's and registered. Vehicles not registered will pay a rental fee of \$25/day and or be towed.

In addition, Rule #11 requires that all vehicles have full liability insurance and if the guests cannot provide evidence of insurance, they will not be allowed.

7. Areas of potential hazards, including the 100 year flood plain & floodway, geologic hazards including subsidence or other similar hazards, & if mineral extraction value may be economically feasible

Staff Comment: A Stormwater Analysis study was completed by Gamba & Associates Engineers. The conclusion from this report states, "This stormwater analysis demonstrates that the proposed development of the RV Park will not result in a post-development increase in the peak rate of stormwater runoff in accordance with the Town of New Castle town code." Please see Jeff Simonson's report regarding this.

HP Geotech completed a review of Rockfall Mitigation Plan. HP reviewed CTL/Thompson report where CTL said the rocks on the property and the uphill slope were observed to be typically 4 – 6 feet in size (Report dated July 22, 1997, job No. GS-2204). HP conducted a rockfall simulation analysis for an average rockfall size of 5 feet and developed recommended barrier wall heights.

(4)

Essentially there will be a vegetated berm/barrier irrigated by using raw water from the Colorado River on the south boundary extending from the entrance on the east end of the lot and extending west 480 feet. It consists of "an uphill, vertical face mechanically stabilized earth (MSE) embankment of 6.5 feet high with a top width of 5 feet and graded back slope of 2 horizontal to 1 vertical down toward the RV Park." The applicant will have to

deliver to the Town a contract with West Divide Water Conservancy District to supply raw water from the Colorado River to water landscape on the berm and elsewhere on the lot. Mr. Simonson will also comment on required rockfall mitigation as well.

Included in the application is a letter from the Colorado Department of Labor and Employment Division of Oil and Public Safety. This letter confirms that after the former building that was razed in 2008 and gas tanks removed that, a “No Further Action Report has been prepared.”

8. Written Statement including:

- a. Nature, design, & appropriateness of proposed land use arrangement for size & configuration of property involved

Staff Comment: The application appears to utilize the land as most efficiently as possible with only 1.63 acres available for use as an RV Park. Since there are no structures except for a check-in kiosk, there seems to be of no other concerns not already discussed. However, landscaping will be required and Mr. Chatmas has not yet submitted a plan. Staff request that P & Z members allow Mr. Chatmas address this issue at the hearing.

- b. Statement of present ownership & legal description of all land within PUD

Staff Comment: Both are included in the application. Mr. Chatmas has a lease with option to purchase the land for 5 years.

- c. General indication of the anticipated development schedule

Staff Comment: In the application Mr. Chatmas anticipates infrastructure improvements will occur during the fall of 2015 and the park will open during spring of 2016 pending Town approvals with the P & Z Commission and Town Council.

- d. Comparison of comprehensive plan to proposed land use including discussion supporting any modifications to or lack of compliance with the comprehensive plan

Staff Comment: It seems the land use is in basic compliance with the comprehensive plan. One goal of the plan is to promote tourism and the proposed RV Park will accomplish that. Constructing a motel/hotel would be the highest and best use of the land according to Mr. Chatmas, but the economic reality is there is probably not the demand yet for one or the other.

- e. Fiscal impact projections study, as may be more specifically requested by the Town

Staff Comment: The staff does not recommend a fiscal impact study, however, a 2.5% lodging tax at full occupancy may generate approximately \$5,000 per year and sales of other goods and services within New Castle may add another \$5,000 in revenue per year as well.

- f. Names and addresses of owners of property located within 250 feet of the subject site

Staff Comment: The applicant has supplied this information.

(5)

IV Other Factors to Consider for Approval and Staff Comment:

1. Whether the application is generally compatible with adjacent users

Staff Comment: The RV lot is a PUD and zoned Highway Business and does meet the minimum land use criteria for an RV Park (See Attorney memo). The River Park Condominiums are located east of the lot and there appears to be enough distance so as not to

severely impact the residents. However, there will be conditions that will deter RV guests from accessing the nearby River Park Condominiums' lot as well as RV Park Rules & Regulations limiting the noise level (among other rules) and signage to keep RV guests from taking shortcuts using the River Park lot to access Grand River Park.

2. Whether the application is consistent with the Town's Comprehensive Plan

Staff Comment: One of the guiding principles of the Comprehensive Plan is "The Town will strive to support and increase tourism, visitation and recreational development." This application demonstrates substantial compliance with the Comprehensive Plan.

3. Whether the Town has the capacity to serve the proposed uses with water, sewer, fire and police protection

Staff Comment: Access and supply for water and sewer is available. The applicant will be charged additional EQR fees and a monthly surcharge to cover lift station costs. The Fire Marshall and Town Police Chief are supportive of the application after working out an agreement to satisfy both individual's concerns and questions.

4. Whether the uses proposed within the PUD are uses permitted outright within the zone district contained within the PUD

Staff Comment: The description of the Highway – Business zone District states, "The purpose of the highway – business district is to provide an area for highway-oriented commercial development..." Although an RV Park is not listed as a permitted use, nonetheless, it does meet this goal.

5. Whether the number of dwelling units permitted by the underlying zone district is not exceeded by the PUD plan

Staff Comment: This question does not appear applicable with the application.

6. Whether the PUD utilizes the natural character of the land, includes compatible land uses, provides for fire and police protection, off-street parking, vehicular, pedestrian, and bicycle circulation, outdoor recreation, is of overall compatible architectural design, achieved adequate screening, buffering and aesthetic landscaping, avoids development of areas of potential hazard, ensures compliance with performance standards, and meets all other provisions of the applicable ordinances of the Town.

Staff Comment: Many of the items above have been addressed in this report. The applicant will not remove existing natural landscape close to the Colorado River except to construct pathways to picnic benches. A few large cedar trees near the south lot line may need to be removed. Generally, the application appears to satisfy most of the issues above. However, there will be conditions to support further development of this property.

V Staff Recommendation:

Staff recommends the approval of the RV Park with the following conditions:

(6)

1. All representations of the applicant in written and verbal presentations submitted to the Town or made at

public hearings before the planning commission or Town Council shall be considered part of the application and binding on the applicant;

2. The applicant shall comply with all applicable building, residential, electrical and municipal code requirements including all sign code regulations;

3. In the event the Town receives any complaints about the use of the site or observes or becomes aware of any violations of conditions of approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the business license should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the Applicant or owner may present testimony or offer other evidence on its behalf;
4. 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;
5. Proof that Riverside has secured the water rights necessary for the use of the Property as proposed, including providing the Town with a copy of Riverside's West Divide Water Conservancy contract;
6. Applicant will submit a raw water irrigation application/plan as provided in Chapter 13.38 of the Town code;
7. Applicant will execute an agreement with the Town regarding construction of the bike path and berm, with appropriate security and provisions provisions for future maintenance of the berm;
8. Applicant will obtain a business license;
9. Payment of tap fees including the Tap Fee Surcharge (\$1,500/EQR for water taps and \$2,000/EQR for sewer taps) prior to construction or development of the property. Riverside should be advised of the monthly user fee surcharge (\$6.00) to cover lift station costs. Both surcharges were established pursuant to Ord. No. 2005-E-1;
10. Applicant will construct a 2 or 3 rail fence on the east property line extending approximately 80 feet from the southeast lot corner to the south side of the River Park emergency access gate and from the north end of the gate approximately 50 feet;
11. Applicant will keep the lot weed and dust free at all times;
12. All lighting shall be downward facing and dark sky compliant;
13. A reclamation plan is required 10 days before the P & Z final hearing that will ensure the security, maintenance of remaining infrastructure and safety in the event the RV Park is abandoned;
14. 3 -5 signs will be posted along the high water bank of the Colorado River noting that the property south of the river is private property;
15. Install a sign stating the River Park emergency access shall not be blocked with wording like "parked vehicles will be towed" that such wording is subject to Town Staff approval;
16. The concrete pedestrian/bicycle path will be constructed according to New Castle Public Works Manual specifications that is subject to approval of the Public Works staff;
17. Applicant will submit a landscape plan prior to obtaining a grading permit that is subject to planning staff approval;

(7)

18. All pathways to picnic tables on the bench above the Colorado River will be constructed of road base or rock and shall be at least 4 feet wide and

19. Subject to approval by the Town engineer, Applicant shall address the concerns and conditions set forth in the memorandum attached to Resolution No. PZ-2015-02 as **Exhibit "A"**.



Colorado River Fire Rescue

Tim Cain
Town of New Castle
450 W. Main St.
New Castle, CO 81647
Reference: Riverside RV Park

September 1, 2015

Tim:

I have reviewed the packet from Riverside RV Park and I have the following comments:

- The site plan shows fire rings in the RV Park and along the river. You advised me today that the fire rings have been removed from the proposal due to the conflict with New Castles ordinance on open burning. I support this decision.
- The plans show proposed picnic spots along the Colorado River. My conversation with Robert Chatmas about the walk path to the river was, "they should be wide enough for us to remove a sick or injured person from that location with a rescue litter or ambulance gurney". I am asking for at least a 4' wide path that will have road base or rock installed on the path for traction. Once the path is designed or built and the grade determined, then we may need an anchor devise installed at the top of the path to anchor our rope rescue systems. This will aid with the rescue if we cannot get close enough with our apparatus.

I will need a revised full size site and utility plans along with digital drawings sent to me for my records.

The plans show the requested revisions that Robert and I have previously discussed and I have no further comments.

Please feel free to contact me with any questions or concerns.

Thank you,

Orrin D. Moon,

Acting Division Chief/Fire Marshal.



Colorado River Fire Rescue

Mindy Andis

From: Tony Pagni
Sent: Monday, August 31, 2015 12:35 PM
To: Tim Cain
Subject: RE: RV Park addendum-Rules & Regulations-draft

The New Castle Police Department

450 West Main - Post Office Box 90

New Castle, Colorado 81647

(970) 984-2302

"Burning Mountain" - 1888

To: Tim Cain:
Building Dept.

From: Tony Pagni
Chief of Police

Mr. Cain,

I have read through the newly revised rules and regulations reference the Riverside RV Park, after a long discussion with Mr. Robert Chapmas he adequately addressed all concerns I have.

(1) The burn ban / the slated fire pits on plan he stated they would be Natural Gas or Propane fired with Simulated-Logs. Item #6 listed burn ban and no wood fires in individual camp sites.

(2) Long Term Rentals allowing unsavory guests. He addressed in item #1 immediate evictions of parties who breach the peace and need Law Enforcement Interventions.

Given the dialogue and documentation I have no problems endorsing this project

Tony Pagni

From: Tim Cain
Sent: Friday, August 28, 2015 4:55 PM
To: David H. McConaughy <dmcconaughy@garfieldhecht.com>; Haley Carmer <hcarmer@garfieldhecht.com>; jeffs@sgm-inc.com; John Wenzel <jwenzel@newcastlecolorado.org>; Tony Pagni <apagni@newcastlecolorado.org>
Subject: RV Park addendum-Rules & Regulations-draft

FYI

Thank you,

Tim Cain

Town Planner/Code Administrator

POB 90

450 W. Main St.

Office: (970) 984-2311

Fax: (970) 984-2716



Homeowners Association

August 31, 2015

Tim McCain

Via email timc@newcastlecolorado.org

We are writing this letter to address our concern about the proposed RV park adjacent to Riverpark Condominiums.

We believe that all of the homeowners should have been notified of the upcoming hearing, not just the immediately 2 contiguous buildings.

We would request that this RV park be limited to less than 30 day stays. We believe that seasonal stays would encourage vacationers to get comfortable with the area and walk through Riverpark Condos. We would like to see a no generators after 10pm rule as the proposed sites are close to our residences. Of course, we would like to see regulations within the park to control pets and lighting that does not disturb Riverpark. If there is any waste disposal equipment above ground, we would like that at the west end (we understand there is not a dump station).

We have been told that there will not be a community shower building, laundry facilities, recreational building, check in building, outdoor game areas, tent camping, or pool.

We appreciate these not being present and are relying on these statements.

We would like to see a 6' high stone wall built as a barrier to insulate Riverpark Condos from noise and people and dogs along the entire contiguous property line of Riverpark Condos. We are asking for stone as it is more esthetically pleasing than a wood fence that would deteriorate faster. We do not think metal fencing is appropriate at all in this situation. We understand that there will be a stone fence on the front of the property for the rock fall area.

We would like to see an improvement to the intersection of the County road 335 and Castle Valley Blvd. Lighting, stop signs, painted crosswalks are some of the ideas we have to emphasize to cars that there will be increased foot traffic crossing that street to access the pedestrian bridge.

Professional Property Management
Homeowners Association & Rental Management
Post Office Box 1500, Edwards, CO 81632
Phone 970-926-2299 ♦ 970-984-0327 ♦ Fax 970-926-8690
riverpark@polarstarproperties.com





Homeowners Association

We will be encouraging homeowners to attend the planning & zoning hearing on September 9th.
Thank you for your time last week.

Sincerely,
Riverpark Condominiums Homeowners Association

Professional Property Management
Homeowners Association & Rental Management
Post Office Box 1500, Edwards, CO 81632
Phone 970-926-2299 ♦ 970-984-0327 ♦ Fax 970-926-8690
riverpark@polarstarproperties.com





REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

August 14, 2015

Regulatory Division SPK-2015-00715

Mr. Robert Chatmas
Riverside RV Park
3363 South Grand Avenue
Glenwood Springs, Colorado 81601

Dear Mr. Chatmas:

We are responding to the Town of New Castle's Development Application Referral received August 10, 2015, requesting comments on the Riverside RV Park project. The approximately 5.84-acre project site is located at 7051 County Road 335, Latitude 39.564°, Longitude -107.515°, New Castle, Garfield County, Colorado.

The Corps of Engineers' jurisdiction within the study area is under the authority of Section 404 of the Clean Water Act for the discharge of dredged or fill material into waters of the United States. Waters of the United States include, but are not limited to, rivers, perennial or intermittent streams, lakes, ponds, wetlands, marshes, wet meadows, and seeps. Project features that result in the discharge of dredged or fill material into waters of the United States will require Department of the Army authorization prior to starting work.

To ascertain the extent of waters on the project site, the applicant should prepare a wetland delineation, in accordance with the "Minimum Standards for Acceptance of Preliminary Wetlands Delineations" and "Final Map and Drawing Standards for the South Pacific Division Regulatory Program" under "Jurisdiction" on our website at the address below, and submit it to this office for verification. A list of consultants that prepare wetland delineations and permit application documents is also available on our website at the same location.

The range of alternatives considered for this project should include alternatives that avoid impacts to wetlands or other waters of the United States. Every effort should be made to avoid project features which require the discharge of dredged or fill material into waters of the United States. In the event it can be clearly demonstrated there are no practicable alternatives to filling waters of the United States, mitigation plans should be developed to compensate for the unavoidable losses resulting from project implementation.

We have assigned identification number SPK-2015-00715 to this site. Please refer to this number in any correspondence concerning this project. If you have any questions, please contact Ben Wilson at the Colorado West Regulatory Branch, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at *Benjamin.R.Wilson@usace.army.mil*, or telephone at 970-243-1199 ext#12. For more information regarding our program, please visit our website at *www.spk.usace.army.mil/Missions/Regulatory.aspx*.

Sincerely,

Original Signed

Susan Bachini Nall
Chief, Colorado West Branch
Regulatory Division

cc:

Ms. Mindy Andis, Deputy Town Clerk, Town of New Castle, Post Office Box 90, New Castle, Colorado 81647