

**New Castle Planning and Zoning Commission Meeting  
Wednesday, June 8, 2016, 7:00p.m., Town Hall**

**Call to Order**

Commission Chair Chuck Apostolik called the meeting to order at 7:00p.m.

**Roll Call**

Present    Chair Apostolik  
              Commissioner Borgard  
              Commissioner Gates  
              Commissioner Metzger  
              Commissioner Ruggles  
              Commissioner Urnise

Absent     Commissioner Slack

Also present at the meeting were Town Planner Tim Cain, Assistant Town Attorney Haley Carmer, Deputy Town Clerk Mindy Andis and members of the public.

**Meeting Notice**

Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC-2016-1.

**Conflicts of Interest**

Commissioner Urnise said the civil engineering company that was working on the Lakota Ridge Senior Apartments employed him. He asked to be recused from the public hearing regarding their application. The Commission agreed. Commissioner Urnise left the council chambers at 7:00 pm.

Commissioner Gates said the soils laboratory company that was working on the Lakota Ridge Senior Apartments employed him and he was the one who processed all the soils samples. He asked to be recused from the public hearing regarding their application. The Commission agreed. Commissioner Gates left the council chambers at 7:01 pm.

**Citizen Comments on Items NOT on the Agenda**

There were no citizen comments.

**Public Hearing**

Final Planned Unit Development

Purpose: Application for Final Planned Unit Development (PUD)

Legal description: Lot 2A, Amended Final Plat, Lot 2, Lakota Canyon Ranch, Phase 7, According to the Plat thereof Recorded July 30, 2010  
Under Reception No.789213

Common Address: T.B.D. Castle Valley Blvd., New Castle

Applicant: Lakota Ridge Senior Apartments, LLC

Landowner: Town of New Castle

Resolution PZ 2016-4 A Resolution of the New Castle Planning and Zoning Commission Recommending Approval of Lakota Ridge Senior Apartments, LLC's Final PUD Development Plan Application.

Chair Apostolik opened the Public Hearing at 7:02p.m.

Town Planner Tim Cain reported there had been no public opposition to the development, however; the Lakota Canyon Ranch Design Review Board felt that the subject property should comply with their concerns regarding the exterior of the proposed structures. Technically, the Lakota Senior Apartments were not subject to the Design Board requirements because the development will not be subject to annexation in to the Master Lakota Canyon Ranch Homeowner's Association.

Planner Cain said that Community Resources and Housing Development Corporation (CRHDC) was requesting that many of the engineering requirements be deferred until the time of building permit application. CRHDC's preliminary budget did not include the expense to provide engineering as required by the Municipal Code. Town Engineer Jeff Simonson agreed to allow CRHDC to submit detailed construction drawings for his review prior to approval of building permits.

Planner Cain said the application was generally compatible with adjacent properties that included single-family and multi-family units, as well as vacant land. . The parcel on the west side is owned by the RE-2 School District; the acreage of the parcel is typically too small to be developed for a school. However, the land might be used for another school district function, although it was unknown what it might be. The land on the eastern border is zoned Mixed Use and is on the market to be sold. Land on the southern edge of the subject property is precipitously steep, however, the property further south is entitled to be developed for either single or multiple family homes.

Planner Cain said the application was consistent with the Town's Comprehensive Plan Section 5 – Housing, Goal HO-1 of the Town's Comprehensive Plan was to "*preserve and create affordable housing*" for the community. Part A and B of the goal stated that the town would like to partner with non-profit agencies to promote and create affordable housing. CRHDC was working to utilize low income housing tax credits for the development.

Section 5 of the Comprehensive Plan, Housing, Goal HO-2 aligned well with the development because the applicant proposed a housing density that will vary from the surrounding community. The density exceeded the allowable number of units by close to 15. But without 50 units, the applicant felt the project would not be able to obtain funding.

Planner Cain said that the applicant expressly noted Policy HO-2E of the Town's Comprehensive Plan in which the town would support development that provided housing for those with special needs, such as senior housing. The section also

stated the town would like the Garfield County Housing Authority (GCHA) to be more engaged in affordable housing development. The applicant has partnered with GCHA as a Special Limited Interest which will allow the property to be property tax exempt which will help with the operating budget and to ensure the rents will remain affordable. Planner Cain felt the application demonstrated substantial compliance with the Comprehensive Plan.

Planner Cain said that the town had the capacity to serve the proposed use with water and sewer services as well as fire and police protection. The Fire Marshall and Town Police Chief supported the application and protective services are very satisfactory. The fire station is located less than 300 feet from the proposed senior housing project and will be able to respond extremely quickly to an emergency call.

Planner Cain stated that the subject property was zoned Mixed Use in the Lakota Canyon Subdivision. The purpose and intent of the zone district was "To provide standards and criteria for development of a compatible mix of conventional and clustered commercial, service, entertainment, low impact business and residential uses.... And to also encourage clustered development..." The proposed development is a "use by right."

He also said that the number of dwelling units permitted by the underlying zone district is not exceeded by the PUD Plan.

The PUD utilized the natural character of the land, included compatible land uses, and provided fire and police protection, off-street parking, vehicular, pedestrian, and bicycle circulation and outdoor recreation. The project is of overall compatible architectural design, has achieved adequate screening, buffering and aesthetic landscaping, avoided development of areas of potential hazard, ensured compliance with performance standards, and has met all other provisions of the applicable ordinances of the Town.

Therefore, the staff recommended approval of the Final Development PUD Plan with the following conditions:

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 reimburse the Town for any and all expenses incurred by the Town, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs.
3. The applicant will provide construction drawings that are in compliance with the March 23, 2016 Memorandum from Public Works Director, John Wenzel Town Engineer and Colorado River Fire & Rescue Fire Marshall, Orrin Moon prior to building permit application.

4. The applicant will pay for all water, sewer and water rights dedication fees as approved by Town Council prior to the first building permit approval.
5. All disturbed land shall be predominantly weed free during and after development and re-seeded according to the seed mix used by the Town of New Castle Park's Department.
6. CRHDC will enter into a Subdivision Improvement Agreement with the Town as approved by Town Council.

Carly Johansson, Director of Real Estate Development for CRHDC, said they had been negotiating an agreement with the neighboring property owned by Jim Columbo, but could not reach a mutual understanding.

Ms. Johannssen said they had submitted an application to Colorado Housing and Finance Authority (CHFA) for funding. She believed they had a strong application. CRHDC will continue to move through the PUD process regardless of approval from CHFA.

JV DeSousa, Architect for CRHDC, said in the submission to CHFA for funding of the property, CRHDC was required to have full site control. Mr. DeSousa said that submitting a design where half of the access road was on neighboring property where CRHDC does not have site control would void the CHFA application. Since there was not an agreement reached early on in the application process, the road had been shifted entirely onto CRHDC's property.

Ms. Johansson said a Traffic Study and Geotechnical Study had been completed. CRHDC once again requested that the drainage report/calculations, water design calculations, sewer design calculations be completed and delivered to the Town of New Castle when the project was ready for a building permit. The findings of the study are as follows:

1. The grading and drainage plan will need to assure that not only the finish grade contours are provided for the roadway construction, but also for the whole site. The development will properly design the finish grade contours to assure that the grading and drainage plan requirements are met. This will be submitted at the time of a plan review for permits.
2. There appears to be a need for either drain inlets or valley pans to mitigate shoulder/ditch erosion into the receiving borrow ditch. The small portion of the road that is below the double inlet will not be captured or treated for water quality due to site and topography constraints. However, the net runoff from the site will meet all water quality and detention standards. A valley pan will be provided to direct flows into the ditch and mitigate erosion. This will be submitted at the time of a plan review for permits.
3. The site plan for the bike path crossing at the entrance onto Castle Valley BLVD needs to be better defined identifying the cross walk striping as well as the need (or not) for ADA accessible ramps across

the driveway. All crossing paths will be further defined and all ADA accessible routes will conform to all ADA requirements. This will be submitted at the time of a plan review for permits.

4. The grading in the roadside swale in the vicinity of the detention facility is excessive (particularly next to Castle Valley BLVD). The future of Castle Valley BLVD will be the need of an additional travel lane thus construction of facilities that compromise this will need to be avoided. Note that the 10 foot width of the bike path is unnecessary; rather, an 8' wide path is required. The bike path will be 8' wide rather than 10' wide. Our development will take this design of the future Castle Valley BLVD into consideration to assure coordination. This will be submitted at the time of a plan review for permits.
5. For the storm drain line from the double inlet to the detention pond, at the change in direction of the alignment, a storm drain manhole is necessary. The project will provide a storm drain manhole if it is necessary. This will be submitted at the time of a plan review for permits.
6. Water and sewer separation (including manholes) needs to be 10'. The current alignments do not provide for such. All separation and other design requirements of the Town of New Castle for water and sewer will be met. This will be shown on the plans that will be submitted for permit review.
7. Water service lines off of the main line are identified. Shut off locations, meter locations and line sizes need to be provided. Calculations supporting the service size and meter size need to be submitted for review. Fire service demands need to be identified for the line sizing as well. Detailed design of water service infrastructure as well as calculations supporting the design will be provided on the plans for building permit review.
8. It appears that the location of the sewer service line to building 3 will not work. The finish floor for the lowest level is at an elevation of 71.75 while the finish road grade elevation at the service line location tie to the proposed sewer main is near elevation 74. The sewer service lines that were shown on the Preliminary PUD Plan set were preliminary by nature. The final plans submitted for permit review will be fully designed and functioning.
9. Profiles of the storm drain, sewer and water lines will need to be provided to determine specific vertical installation requirements. All proposed crossings (or potential conflicts) of all utility crossings will need to be identified. Construction level, detailed plan and profiles will be provided for all utilities at the time of building permit review. They will identify crossings and address potential conflicts.

10. Identification of transformer locations, junction boxes and service pedestals need to be identified to assure that no conflicts exist with placement of hydrants, valves, snow storage locations, landscaping, etc.... This will be submitted at the time of a plan review for permits.
11. For the water and sewer termination points in Castle Valley BLVD, the water and sewer will need to be extended/stubbed to a point that is 5 feet beyond the edge of proposed improvements. In the case of the sewer line, the sewer may need to be extended in such a fashion that it is located 5 feet beyond the west termination of the bike path such that future extension of the sewer line will not require reconstruction of the bike path as well. For the waterline, the water line will need to be stubbed at least 5 feet beyond the eventual edge of asphalt. Through the traffic study, there is likely a need to provide a right hand turn into the property (for eastbound traffic). As such, the waterline will need to be installed to a point that is 5 feet beyond the edge of asphalt necessary to construct the turn lane and transition width to such. In this manner, extension of the waterline, in the future will not require cutting the improvements being constructed with this project. The water and sewer mains along Castle Valley BLVD will be realigned and extended to 5 feet beyond the edge of asphalt to eliminate the need for reconstruction of the bike path, driveways, and Castle Valley BLVD. This will be shown on the plans submitted for building permit review.
12. At a minimum, lighting of the roadway tie to Castle Valley BLVD is necessary to promote safety of pedestrians at the trail crossing. Recommendation lighting be in place to highlight pedestrian crossings inside the project as well. This will be submitted at the time of a plan review for permits.
13. Grand River Fire Protection District is in concurrence with the access planning (for fire apparatus) as well as the fire hydrant placements and disbursement throughout the site. The Colorado River Fire Rescue Department has confirmed the fire hydrant locations are appropriate. Building 2 has been altered to address the Fire Departments concerns about the portion of the building that was three story. The entire building is not two stories to conform to the requirements of the Fire Department.
14. Water/storm drain crossings will need to be insulated. The preference is to insulate the storm drain lines to protect the water lines from freezing as the likelihood for the need to access the water line is higher than that of the storm drain. This will be submitted at the time of a plan review for permits.
15. Given the close proximity of the building corners for Building 2 and Building 4 (Buildings 3 and 5 on the Architects plan) to the west property line, either show how construction will not trespass onto the neighboring property or provide the Town the proof of a temporary

construction easement from the school district? On the Architects plan, it appears some improvements cross onto the adjacent property (Building 5). Provide proof for the permanent easement for these improvements. Assure that the drainage plan (swale proposed) identified can function properly. The architectural drawings have been revised to illustrate that no improvements will cross the property line at the corners of buildings 3 and 5. The five foot distance to the property line should provide adequate space for any foundation over excavation. If needed the contractor shall shore and protect the edge of any excavation within ten feet of the property line so that the adjacent site is not impacted. The building footprints shown on the PUD plan show the maximum extent of the building footprint. If necessary to make the interceptor swale work properly the southwest corner of building 5 will be redesigned to provide additional clearance. Design calculations and details of the interceptor swale will be provided at the time of submission for plan review.

16. Building number labels between the engineers plans and the architects' plans need to be consistent. This has been addressed to assure all plans are consistent.
17. For final plan, a storm water management plan (SWMP) identifying phasing and BMP's will be necessary to assure contractor compliance with such during construction. This will be submitted at the time of a plan review for permits.
18. For final plan, details for construction will be needed including the applicable details from the Town's Public Works Manual to avoid any confusion as to what is being constructed. This will be submitted at the time of a plan review for permits.
19. A signage and striping plan will be necessary (particularly as it relates to Castle Valley BLVD) to accommodate turn lanes into this project. This will be submitted at the time of a plan review for permits.

Colorado River Fire and Rescue Fire (CRFR) Marshall, Orrin Moon has requested the following:

1. Fire truck turnaround at the end of the street and along the east side of the main entrance road shall have "NO PARKING" signs installed. This signage shall be installed.
2. Buildings shall have separate street addressing. The buildings shall have separate street addressing.
3. Unknown if the Access Street will have a street name. I would suggest the road be named so the buildings can be addressed off of

the street. We will request the Street Name from the Town of New Castle and will address the buildings off this new Street Name.

4. Use 2012 Fire Code when laying out and planning the solar panels. All panel layouts will conform with the 2012 Fire Code.
5. Try to locate the fire riser rooms and locations in the same location at each building as much as possible. All fire riser rooms will be located in the same location on each building, as much as possible given that buildings have different sizes and orientations. The design team will meet with CRFR during subsequent design phases to gain input and approval of all final locations prior to submission of final drawings for plan review.
6. The disconnects and switches are all to be located in the fire riser room. Electrical system disconnects and switches for both the power being provided by the utility company and power being generated by renewable energy systems on site shall be in or adjacent to the Fire Riser rooms subject to the requirements of the National Energy Code and International Fire Code.
7. Plan on having copper phone lines to each building. Copper phone lines will be installed in each building.
8. Exterior back balconies are not going to be permitted to have grills, this will be made available at the community building. CRHDC property management will not allow grills on back balconies and porches. Nor will grills be allowed anywhere that the might be operated beneath an overhanging eave, soffit or balcony. This will be written into our house rules.
9. The elevator will be large enough to accommodate gurneys, for door locations the side is better. Project will include an elevator large enough to accommodate gurneys and the door location will be on the side.
10. CRHDC will contact the surveyor to identify the existing tree locations to make sure they are not too close the building. This is currently in process. The design team will meet with CRFR during subsequent design phases to develop a wildland interface fire protection plan. Removal of trees close to new structures, development of a fire break zone around structures and removal of ladder fuels on all trees within a minimum distance of any structure will be undertaken at the direction of CRFR.
11. Relocate two units on the third story of building 3 so that they are easier to access with the fire departments equipment. These two units have been relocated to the east end of building 6.

12. The fire sprinkler system shall be installed to National Fire Protection Association (NFPA) 13 R. The fire sprinkler system shall be installed as per NFPA 13 R.
13. Fire Alarm system shall be installed to NFPA 72. The Fire Alarm system shall be installed as per NFPA 72.
14. CRHDC design team will meet with CRFR during subsequent design phases to develop an approved addressed monitoring system and Knox boxes will be provided in locations to be approved by CRFR. Fire zones and other wildland fire protection plans shall be developed as described.

Town of New Castle Public Works, John Wenzel has requested the following:

1. Sidewalks located in the Public Right-of-Way shall be concrete and a minimum of five feet wide. A green belt (4 to 5 feet wide) shall be placed between the edge of sidewalk and back of curb to provide for improved walkability and additional snow storage. Asphalt is an acceptable material for the 10 foot trail that runs parallel to Castle Valley Blvd. CRHDC project team will provide a multi-use trail along the north property line in compliance with Town of New Castle standards. Please note that differing departments of the Town are currently requiring differing widths. The project will provide detached sidewalks with a minimum four foot wide planted parkway along portions of the new street that do not provide space for parallel car parking. In areas of parallel car parking the sidewalk shall be attached to the back side of the curb.
2. Mr. Wenzel suggest combining/enlarging the parking islands to provide for additional snow storage. The suggestion is appreciated and duly noted. CRHDC and the project design team will carefully consider and balance needs for snow storage space with the desire to provide an attractive landscape character for the parking areas that may require multiple peninsulas to support a tree canopy.
3. Fire Hydrant type to be Kennedy. Fire hydrants must be set at proper elevation, with a 3 inch minimum clearance between breakaway flange and finished grade. Mega lug fittings shall be used for fire hydrants and fire hydrant isolation valves. CRHDC will comply.
4. Tracer wire shall be placed with water main lines. It's recommended that tracer wire also be placed with water service lines. CRHDC project will comply.
5. At a minimum, each building should have its own water meter. Water meter touch pads should be placed in a convenient location for ease of use. (Ground level, close proximity to each other). CRHDC project will comply. Each building will have a separate water

meter. Locations of water meters shall be coordinated with the Town and CRHDC requirements. Meters will be grouped in close proximity while recognizing that CRHDC also needs to limit the length of lines on the private side of the meter. Thus meters for buildings 1, 2 and 3 may be grouped fairly close together near the north end of the site and meters for buildings 4, 5 and 6 may be grouped fairly close together near the south end of the site.

6. A man hole shall be placed at the termination point of the sewer main line. CRHDC will comply.
7. Detailed utility As-Built plans shall be submitted. As-Built plans shall include the location of water/sewer main lines and the point of connection for all water/sewer service lines. CRHDC will comply.
8. Developer shall be responsible for disinfection, testing, sampling, and reporting for all newly placed potable water and sewer lines. A Public Works representative shall be contacted to observe the disinfection, testing, sampling, and reporting process. CRHDC will comply.
9. Street lights shall be placed at intersections for pedestrian safety. CRHDC will comply. Street lights shall be placed in accordance with Town requirements.
10. The Final Plot plan shall clearly define boundaries between public and private roads, parking, and sidewalks. The Final Plot plan will show and define the subdivision of the existing parcel into two smaller parcels, one for residential development and the second to be deeded to the Town of New Castle for public right-of-way. All improvements within the right-of-way shall become the property of the town and shall be the town's responsibility to maintain. All improvements within the residential property shall be owned and maintained by CRHDC. The proposed property line location provides a clear separation between systems owned and maintained by the Town and owned and maintained by CRHDC with the exception of the ADA accessible trail near the south end of the property. During subsequent design phases the design team will meet with Town staff to design and detail this system so that the boundary between public and private ownership and responsibility is clear.
11. Work in or directly adjacent to the roadway will require a right-of-way permit. The Developer's contractors can pick up a right-of-way permit from the Town Clerk. CRHDC will comply.

Colorado Department of Parks and Wildlife, Brian Gray requested the following:

1. A buffer of vegetation could be planted at the southern border of the property in order to screen the apartments from the land to the

south. The ridge directly to the south of the property does provide habitat for many wildlife species. The vegetative buffer could possibly lessen visual, noise and lighting impacts to the south. Additionally, prohibiting pets from wandering to the south of the property would help lessen impacts to wildlife. CRHDC design team will carefully design the landscape of the southern portion of the site, particularly near building 6, the edge of the coniferous forest and the sharp ridge that falls away to the south to balance the needs and desires for wildlife, the residents of the community (both on the site and within the broader neighborhood and town), the local fire department and the Town of New Castle requirements. If a vegetative buffer can be provided without creating issues, wildfire risk for example, it will be.

Mr. DeSousa explained the following list of comments received from Lakota Canyon Ranch Design Review Board members meeting:

1. Stucco is not an acceptable material in the Lakota Ridge neighborhood. CRHDC is redesigning to have either no stucco cladding or no stucco cladding visible from Castle Valley Boulevard.
2. Stone cladding is preferred at the base of walls. Stone cladding is beyond the budget of the project but the design team will look at using other materials in similar way to give buildings a "grounded" appearance with a heavy base material.
3. Rooflines should be broken up. The design of the project has been modified to eliminate long unbroken ridge lines on the roof.
4. Dormers should have gable roofs or at a minimum steeper shed roofs. CRHDC will explore gable dormers although those add considerable cost to the project and may not be feasible. Steeper shed dormers will be used if gable dormers cannot be implemented.
5. Acceptable colors are earth tones. Beige is not allowed. CRHDC has studied the color schemes of many of the houses with the Lakota Ridge neighborhood and will implement a color scheme drawing upon those examples.

Chair Apostolik closed the Public Hearing at 7:51p.m.

**Motion: Chair Apostolik made a motion recommending approval of PZ-2016-04, A Resolution of the New Castle Planning and Zoning Commission Recommending Approval of a Conditional Use Permit for Lakota Ridge Senior Apartments, LLC's Final PUD Development Plan Application. Commissioner Metzger seconded the motion.**

**The motion passed on a roll call vote: Commissioner Ruggles: Yes; Commissioner Metzger: Yes; Chair Apostolik: Yes; and Commissioner Borgard: Yes.**

Commissioner Urnise and Commissioner Gates returned to the council chambers at 7:54p.m.

**Items for Consideration**

Consider Setting a Date for Workshop for Reviewing Comprehensive Plan. Commission had a brief discussion possible having a combined workshop with council to review the Comprehensive Plan.

Planner Cain suggested reviewing the Comprehensive Plan and Master Zoning at the same time.

Commissioner Metzger agreed to speak with council about setting the date for the workshop for July 27, 2016.

**Items for next Planning and Zoning Agenda**

There were no items.

**Commission Comments and Reports**

There were no comments or reports.

**Staff Reports**

Planner Cain reported that building was up from last year. There were 14 building permits in 2015, and there are 20 building permits in 2016. He also said that Roaring Fork Transit Authority (RFTA) had broken ground for the Park and Ride.

**Review Minutes from Previous Meeting**

**Motion: Commissioner Borgard made a motion to approve the May 11, 2016 meeting minutes as submitted. Commissioner Urnise seconded the motion and it passed unanimously.**

**Motion: Chair Apostolik made a motion to adjourn the meeting. Commissioner Metzger seconded the motion and it passed unanimously.**

The meeting adjourned at 8:10p.m.

Respectfully Submitted,



*Mindy Andis*  
Deputy Town Clerk Mindy Andis

*Chuck Apostolik*  
Planning and Zoning Commission Chair  
Chuck Apostolik