

**TOWN OF NEW CASTLE, COLORADO  
RESOLUTION NO. PZ-2016-02**

**A RESOLUTION OF THE NEW CASTLE PLANNING & ZONING  
COMMISSION APPROVING LAKOTA RIDGE SENIOR APARTMENTS,  
LLC'S PRELIMINARY PUD DEVELOPMENT PLAN APPLICATION.**

WHEREAS, Lakota Ridge Senior Apartments, LLC ("Applicant") submitted a Preliminary PUD Development Plan application ("Application") for the property located at TBD Castle Valley Boulevard in the Town of New Castle, Colorado, and as more fully described as:

LOT 2A, AMENDED FINAL PLAT, LOT 2, LAKOTA CANYON  
RANCH PUD, PHASE 7, ACCORDING TO THE PLAT THEREOF  
RECORDED JULY 30, 2010, UNDER RECEPTION NO. 789213

("Property"); and

WHEREAS, the Town of New Castle owns the Property and has given Applicant permission to submit and pursue the Application; and

WHEREAS, the Application was deemed complete by the Town planner; and

WHEREAS, pursuant to Sections 16.08.050 and 17.100.070 of the Town Municipal Code the Planning & Zoning Commission ("Commission") held a public hearing on April 27, 2016, to consider testimony from the Applicant, staff, and the general public regarding the Application; and

WHEREAS, the Commission has considered the criteria set forth in Section 17.100.090 of the Town Municipal Code and hereby finds that:

1. The Application is generally compatible with adjacent land uses;
2. The Application is consistent with the comprehensive plan;
3. The Town has the capacity to serve the proposed use with water, sewer, fire and police protection;
4. The uses proposed within the PUD are uses permitted outright or by special review within the zoning district or districts contained within the PUD;
5. The number of dwelling units permitted by the underlying zoning districts is not exceeded by the Application; and
6. The PUD utilizes the natural character of the land, includes compatible land uses, provides, as applicable, for fire and police protection, off-street parking, vehicular, pedestrian and bicycle circulation, outdoor recreation, is of overall compatible architectural design, achieves adequate screening, buffering and aesthetic landscaping, avoids development of areas of potential hazard, ensures compliance with the performance standards and meets all other provisions of the Town Municipal Code.

WHEREAS, based on the testimony and evidence presented, by this Resolution, the Commission approves the Application subject to the conditions set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING & ZONING COMMISSION OF THE TOWN OF NEW CASTLE, COLORADO:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the Commission.

2. HOA Recommendation. The Commission does not recommend that the Property become a part of the Lakota Canyon Ranch HOA.

2. Approval. The Commission hereby approves the Application subject to the following conditions:

- A. 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;
- B. 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;
- C. The applicant will provide a detailed response to the March 23, 2016, Memorandum from Public Works Director, John Wenzel at least three (3) weeks before the Final PUD Development hearing before Planning and Zoning Commission which is projected to be June 8, 2016, although this date is not certain;
- D. The applicant will provide a detailed response and/or request a waiver of certain items noted in the March 11, 2016, Preliminary Plan Review from the Town Engineer at least three (3) weeks before the Final PUD Development hearing before Planning and Zoning Commission which is projected to be June 8, 2016, although this date is not certain; and
- E. The applicant will respond accordingly to the recommendations dated April 21, 2016, as provided by Colorado River Fire & Rescue Fire Marshall, Orrin Moon.

THIS RESOLUTION PZ 2016-02 was adopted by the New Castle Planning and Zoning Commission by a vote of 4 to 4 on the 27th day of April, 2016.



NEW CASTLE PLANNING AND  
ZONING COMMISSION

By: \_\_\_\_\_

Chuck Apostolik, Chairman

ATTEST:

Mindy Andis  
Mindy Andis, Deputy Town Clerk