

**New Castle, Colorado
Planning and Zoning Commission
Wednesday, June 26, 2024, 7:00 PM**

Call to Order

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

Roll Call

Present	Chair Apostolik Commissioner McDonald Commissioner Carey Alternate Commission Rittner Alternate Commissioner Parks Commissioner Cotey Commissioner Westerlind
Absent	Commissioner Sass Commissioner Martinez

Also present at the meeting was Town Administrator Dave Reynolds, Town Planner Paul Smith, Assistant Town Attorney Mike Sawyer, Public Works Director John Wenzel, Town Engineer Jeff Simonson, Deputy Town Clerk Remi Bordelon, and members of the public.

Meeting Notice

Deputy Town Clerk Bordelon verified that her office gave notice of the meeting in accordance with Resolution TC 2024-1.

Conflicts of Interest

There were no conflicts of interest.

Citizen Comments on Items NOT on the Agenda

There were no citizen comments.

Public Hearing

Chair Apostolik opened the public hearing at 7:03 p.m.

Consider Resolution PZ 2024-4, A Resolution of the New Castle Planning and Zoning Commission Approving a Preliminary PUD Development Plan and Preliminary Subdivision Plat for Number 212329300194 (R2 Partners)

Town Administrator Dave Reynolds discussed the process for land use development applications. He shared the location of the project that would be discussed that night and referred to a town resource that explained the process for a land use development application (Exhibit A).

Town Planning Paul Smith said the R2 Partners project included 130 rental units in Castle Valley Ranch, east of VIX Park. Planner Smith introduced the town's legal counsel, Town Attorney Mike Sawyer. He introduced R2 Partners team. Project Lead Barry Rosenberg stated that R2 Partners had been in operation for 62 years and noted most developments had not been sold to third parties. He said that was important to

highlight illustrating that R2 Partners had a long term vision. Mr. Rosenberg introduced other members of the team: Planner and Landscape Architect Jason Jaynes, Land and Shelter Architect Andrea Korber, R2 Partners Attorney Chad Lee with JVAM Law, DHM Design Charlotte Francisco and R2 Partners Team Member Paul Schirmer.

Staff Report
9 North Wild Horse
Castle Valley Ranch PA 8 & 9 Preliminary Plan
Resolution PZ #2024-4
Planning & Zoning Commission – June 26th, 2024

Report Compiled: 6/20/2024

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

I Introductory Summary

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

- Model 1: "Empty-nester" targets retirees valuing convenience and practicality (~765-1,365sf);
- Model 2: "Live/Work" focuses on professionals looking for adaptive designs and multi-functional space focused on a work-from-home end user (~690-960sf);
- Model 3: "Townhomes" are conventional urban/suburban concepts available for starters or those looking to downsize (~1,420sf);

Dispersed over approximately 47.6 total acres, the proposal contemplates 43.6 acres of passive & active open space (91.6% of total acreage) and includes the completion of the N Wild Horse Dr. connector and VIX parking. The Applicant will maintain and allow public access to several existing single track trails that traverse the property from VIX park to the BLM property. Prior to the current preliminary hearing, the Applicant convened for public meetings on the following dates:

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

The preliminary plan submittal was completed on May 3rd, 2024 as the second of three application steps required for new planned unit developments ("PUD") & subdivisions. At this

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step the plan shall demonstrate zoning conformance, compliance with the Town code, provisions for utilities and infrastructure, compatibility with the comprehensive plan, and address any adverse impacts to the Town. Unlike the sketch plan, the preliminary plan is assessed through a public hearing, culminating with an approval decision by the Planning & Zoning Commission (P&Z).

Within thirty (30) days after the close of the public hearing, or within such time as is mutually agreed by P&Z and the Applicant, P&Z shall make one of three decisions regarding the application: 1) approve the application unconditionally; 2) approve the application with conditions; 3) deny the application. A continuance may be granted pursuant to Section 16.08.040(G) of the code.

II Changes from October, 2023 Sketch Plan

At the January 24th P&Z meeting, the Commissioners unanimously endorsed the Applicant’s revisions to site plan. Key changes included (See **Exhibit AB**):

- Reconfiguration and shortening of the main ring-road;
- Relocation of two live/work buildings, reducing five total buildings to four;
- Increasing two, two-story live/work buildings to three stories;
- Reorientation of the two empty-nester buildings;
- Redesigned parking area for the live/work buildings;
- Townhomes altered to duplexes and triplexes from triplexes and fourplexes (increasing townhome building total from 8 to 10);

The table below previews essential updates made since the Community Open House Meeting on December 7th, 2023:

Sketch Plan	Preliminary Plan
• 130 residential rental units: 26townh, 80 apartments, 24 empty nesters	• No change
• 2.73 units/acre	• No change
• 91.6% gross area open space	• No change
• 229 off-street residential parking spaces	• No change
• Netzero construction: discussed/intendedf	• No change
• 15 buildings including triplexes and quads	• 16 buildings including duplexes & triplexes
• 5 apartment buildings; 8 townh buildings	• 4 apartment buildings; 10 townh buildings
• All buildings two story or less	• Apartments B-3 & B-4 are three story
• Two active open space areas	• Replaced with passive open space areas
• MF-1 zoning; 35' building height	• MF-2 zoning; 40' building height
• Tallest building: Empty Nesters @ 33'	• Tallest building: B3/B4 (Live/Work) @ 38.1'
• 2,200 sf minimum lot area	• 1,600 minimum lot area
• Snow storage: discussed	• Snow Storage: 20.5% of road area;
• Live/Work units balconies included	• Live/Work units balconies removed
• Open space: Town owned & maintained	• Open space: Applicant owned & maintained
• Parking on both sides of N Wild Horse @ VIX Park	• Parking on one side of N Wild Horse @ VIX Park
• Townhomes: two-story, three and four-plexes	• Townhomes: two-story duplexes and triplexes
• Workforce housing: 2 live/work units	• Workforce housing: 5 live/work @ 75% FMV

Planner Smith reminded the commission that R2 Partners met with the Planning & Zoning (P&Z) commission in January, 2024, for a second sketch plan review where the development was considered to revise the site plan. He compared the previous site

plan to the current site plan and explained the changes to the designs as being more compact with a smaller road footprint (Exhibit B). He referred to the Illustrative Site Plan (Exhibit C). He identified the layout for each of the unit types: Live/Work, Empty Nester, Townhouse (Exhibit D). He reviewed the bullet points summary comparing the development changes from Sketch Plan to Preliminary.

II Staff Review:

Throughout the application process, application documents will be reviewed pursuant to the criteria outlined in the Municipal Code (MC) for planned unit developments (PUDs) and subdivisions. At the preliminary plan stage, an application shall show conformity to the following criteria (MC 17.100.050(H)):

1. Consistency with the comprehensive plan;
2. Compliance with zoning and density requirements;
3. Compatibility to neighboring land uses;
4. Availability of town services from public works (including water and sewer services), fire, and police;
5. Adequacy of off-street parking and vehicle, bicycle, and pedestrian circulation;
6. The extent to which any required open space or parks are designed for active or passive use by residents of the subdivision or the public; and
7. Development 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**). The checklist below, though not exhaustive, provides a tool for reviewers to assess conformance to the CP:

- Foster distinctive, attractive communities with a strong sense of place and quality of life.
- Demonstrate that individual project fits into a fully-balanced community land use structure.
- Ensure a mix of uses that complement the existing New Castle land-use patterns.
- Create walkable communities with non-vehicular interconnection between use areas.
- Guarantee a balance of housing types that support a range of affordability.
- Preserve open space, farmland, natural beauty, critical environmental areas, and wildlife habitat.
- Encourage economic development and supporting hard & soft infrastructure.
- Concentrate development in ways which provide efficient and cost-effective services.

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

As part of a Smart Growth strategy, policy **Goal CG-4** expects large residential development (greater than 50 units) to integrate commercial services and conveniences. Though not planned within this application, commercial development is anticipated on the vacant parcel south of VIX Park. To meet Smart Growth objectives, the Planning Commission should consider how the current application will balance with the adjoining commercial venture. Though independently owned, the Town should be mindful as to how these two developments can mutually complement each other.

Trails/Open Space/Recreation: The trails shown on **Exhibit A, page 12**, align with currently existing use-trails and trail agreements. Two trails will originate from VIX Park and lead east towards the locally dubbed "Sunset Trail" that terminates with public lands to the north. The goal is for a seamless trail experience with trails already prized by residents (**Goal POST-3**). Preservation of these trail corridors should also be supportive of existing wildlife habitat (**Goal POST-4**). Other walking trails are dispersed within the

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development's interior. Taken together the trail network will be conducive to recreational opportunities and non-vehicular access to adjoining developments.

Planner Smith said R2 Partners focused on New Castle's emphasis on quality of life for its residents. He said R2 Partners design preserved the majority of the existing trail paths with little modification. He noted the trails would be retained as public access.

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

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

For its part, the Town regulates off-leash dogs, excessive light trespass, preservation of native vegetation, and/or limiting fences in certain areas. In some development applications, the Town has encouraged additional landscape buffers to neutralize the effects of an urban setting on wildlife habitat.

Planner Smith said Colorado Parks and Wildlife (CPW) shared feedback regarding environmental impacts. He said CPW focused on bear resistant containers, wildlife friendly fencing, native habitat preservation and prohibiting the use of feeders/feeding wildlife. Planner Smith noted that CPW's concerns were met with Condition I under staff's recommendation for approval.

*New Castle has also made progress in terms of energy conservation. The current building codes require sustainable building practices, that reduce fuel consumption and promote use of renewable energy (**Goal EN-7**). All buildings will comply with the state of Colorado's solar and electrical readiness provisions. Moreover, the Applicant has expressed a commitment to Netzero construction. A Netzero building is one that is optimally efficient and generates energy onsite using clean renewable resources in a quantity equal to or greater than the total amount of energy consumed onsite. Net-zero/all-electric appliances paired with solar PV or ground source heating are feasible methods to exploit especially considering the multitude of local, state, and federal incentives currently available.*

Planner Smith said moving forward with netzero products for all construction would be ideal. He said Condition M of staff's recommendations had language targeting netzero construction.

At Sketch Plan, the Applicant proposed raw water as the means to irrigate landscaping. Raw water is non-potable water which bypasses the town's treatment facility thereby eliminating the processing step. The Applicant also receive a 25% reduction in water tap fees as a result of implementation. Opting for raw water is ultimately an economical and sustainability win for all.

Planner Smith stated this development would have raw water for irrigation, addressed as Condition H in the staff report.

Affordability: *The rental aspect of the proposed community is a unique attribute. Rental communities provide a fully managed property for tenants who do not have the time nor inclination to fuss with general repairs and upkeep. Rental communities also provide a way for retirees to downsize in communities dominated by larger single-family homes and a way for younger families to participate in communities in which they may otherwise be priced-out. The proposal also offers units for professionals seeking adaptable space that serves dual functions as a home and work area. The live/work units, for example, have adjustable dividers to repurpose space as needed. In sum, the diversity of housing works to stratify rent prices and makes housing attainable for varying income demographics.*

9 North Wild Horse offers a community promoting quality of life. Price points will vary with unit type and should track the market rates of New Castle and Glenwood Springs. Of the 130 total units (**Exhibit A, page 33**), the types include 80 live/work units; 24 empty nester units, and 26 conventional townhome units. Live/work & Empty Nester units will consist of 1-2 bedroom units with the townhomes all at 3-bedroom. For context, Garfield County "Fair Market Rent" for 2023 is \$1,357 for 1-bedroom, \$1,861 for 2-bedroom, and \$2,275 for 3-bedroom. Locally, a Staff search has found asking prices ranging from \$1,650 (850sf) to \$4,000 (2,000sf) with an average two-bedroom asking price of \$2,600.

Discussions around affordable housing in New Castle are bracketed by several features: 1) There are currently no price caps per vested rights required on rent (or sales) prices; 2) the Comprehensive Plan indicates only that the town will create and preserve affordable housing as an **element** of all new development (**Goal HO-2**); 3) the comprehensive plan does not define "affordability" though the US Department of Housing and Urban Development (HUD) maintains that monthly housing expenses should not exceed 30% of household income. Market values aside, the Applicant has generously offered the town five, one-bedroom live/work units at 25% off the then-current market rate on a rolling availability (**Exhibit H** and **Exhibit X**). Furthermore, the Applicant has also agreed to a housing provision for an onsite property manager in response to the Town's concerns with property oversight. To conclude, the Applicant has made significant adjustments to the site plan and building architecture to produce a more economically viable product that reduce costs and makes housing more attainable.

Planner Smith said the topic of affordability was discussed at length during R2 Partners Sketch Plan. He said affordability was in the town's comprehensive plan but it was not a condition for approval. He reiterated that affordability was not in the criteria for approval.

He reminded the commission that requiring price caps was not an option. He said the comprehensive plan did not define what the term affordability means, however the Housing and Urban Development (HUD) general definition explained affordability as 30% of household income. He shared the fair market value research staff conducted that was presented in the staff report. He said Condition W spoke to the related topic regarding the Live/Work units.

Fiscal Impact: *A fiscal impact study (**Exhibit G**) was performed (Triple Point Strategic Consulting) comparing estimated revenues with costs associated with the new development. The study helps determine whether the Town can meet the new demand on services (**Policy CG-7B, CP pg. 54**). The analysis projects a population increase of 2,004 for the entire town of New Castle with approximately 313 associated specifically with the new development. The analysis then projects revenues and costs based off of the town's budget averaged between the tax years of 2021 and 2024. The results, illustrated in **Exhibit A, page 5**, show an annual net benefit to the town of \$190,177. The cumulative net benefit by 2045 is estimated to be \$7 million with \$3.2 million coming in*

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

Planner Smith said the annual net benefit was projected to be estimated at \$190,000. He said based on the current budget from the last few years, the projection looked consistent.

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

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

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

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

The Master PUD allows for the following density standards:

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

Density: *As demonstrated in the submittal packet (Exhibit A, page 10) overall bulk density reaches 2.73 units per acre which is far below the 27.2 units per acre allowed. The live/work units have the highest localized density within the overall 46.7 acres. However, the live/work density is no more than 12.3 units/acre which is one unit/acre less than Eagle's Ridge Ranch and five units/acre less than the Senior Housing. Setbacks for each building lot will be finalized at final application.*

Planner Smith emphasized how R2 Partners development density was less than that of Eagle's Ridge Ranch and Senior Housing. He reviewed the unit mix summary, outlining each type of unit.

Building Height: *The maximum building height for the three story live/work buildings (Exhibit A, page 38) was increased to 38.1 feet, which was a topic of interest at the amended site plan meeting on January 24th, 2024. At that meeting P&Z expressed concern with the visual impacts of the increased height on the views to the north and east and discussed ways to mitigate conflicts. At least two of these methods were explored in the updated design: 1) obscure east elevations using the 2-story Buildings B-1 & B-2. In this way building mass will step gradually with the grade from N Wild Horse to the east; 2) Blunting of roof pitches (compare Live/Work gables with sketch plan exhibits) With*

massing alternatives, structure orientation, and roof articulation, the Applicant feels that concerns with increased building height on the surrounding views will be alleviated.

Mr. Jaynes discussed the efforts of the design team working with the grade and incorporate the different types of units to complement each other in regard to height. He explained that by tucking the units into the grade, it maintained the height of the building from breaking the ridge view. He said that there would always be a vantage point where the units would break the ridgeline, however he said the design team worked to focus on important community views.

Planner Smith asked Mr. Jaynes if he would explain why the design team increased some of the buildings to three stories. Mr. Jaynes said it had to do with the development's footprint and the total amount of infrastructure required. He said they wanted to preserve the alignment of the drainage and the trail access continuity. He said their efforts were to make the development more efficient with less demand on road and utility infrastructure.

Commissioner Cotey asked the design team to clarify the intended parking layout for the Empty Nester units. Mr. Jaynes explained that the design team continually worked to improve the development plan and in between their submittal for the preliminary meeting, they revised the parking layout. He referred to the Illustrative Site Plan (Exhibit C) as the correct parking layout reference. He added that the design team was tackling plan refinements to a level of detail that included involving their civil engineers.

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

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

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

*9 North Wild Horse is a multifamily rental property located within a rural residential setting. As a higher density product, building structures will naturally have more mass and height than those surrounding it (**Exhibit A, page 9**). In anticipation of this, the Applicant includes open space buffering (~150' separation) adjacent to homes along Buckskin Dr. Similar, if not more, distancing is expected to the east and south near future Silverado Dr and N Wild Horse homes. Architectural features derive articulation and texturing from neighboring home design. Townhomes units will have horizontal and vertical displacement (stepping) to better resemble the SF home look. Note, the Applicant has elected to substitute balconies with tall glass windows and two shared open spaces for all live/work buildings as a matter of safety and aesthetics (See*

Application email April 17, 2024 (Exhibit AC). Compare site plan from January 24th, 2024 (Exhibit AB)). Residential buildings without balconies are uncharacteristic for New Castle, the Watts Building across from the Town library being the only exception. Roof pitches have also been reduced to better accommodate the revised building heights. In the end, community feedback has been mixed with respect to the more urban, block style multifamily buildings characteristic of developments in Denver and parts of the Roaring Fork mid-valley, a style that might be deemed less compatible than what was viewed originally at sketch plan.

On the other hand, with a more conventionally urban approach the Applicant successfully minimizes sprawl and champions the more rural side of CVR. Parking for the live/work lots is nested within the interior of the building site plan while Empty-Nester units obscure vehicle volume with covered parking spaces (Exhibit A, page 11). Parking is also restricted to one side of the street on Vista Loop to reduce on-street congestion. Landscaping will be used sparsely to minimize disruption to otherwise unspoiled terrain. All things considered, the Applicant has taken pains to preserve the overarching feel and function of CVR at N Wild Horse Dr. and attempts transitioning features to address instances where compatibility may be questionable.

Planner Smith reviewed how the development demonstrated compatibility with other neighboring land uses. He noted that the townhome units had a separation of approximately 150 feet from North Wild Horse homes. Planner Smith said he wanted to address the removal of the balconies from the Live/Work units. Mr. Rosenberg said eliminating the balconies was a conscious effort to mitigate unauthorized storage from renters which could be a potential fire hazard. He added that the size of those balconies were very small and the design team felt it was best to unencumber the window views of the Live/Work units. Commissioner Carey asked, with the removal of the balconies, if more square footage would be added to the units. Mrs. Korber said the balconies were approximately 5'x8' and confirmed the balcony space would be added to the units.

Alternate Commissioner Rittner asked if the design team considered sun protection for the Live/Work units that had corner windows. Mr. Rosenberg confirmed they had discussed extending the overhang. Commissioner Carey suggested the design team visit the site around 8pm in April during their research for sun mitigation. She said overhangs would not aid sun mitigation. Mrs. Korber recommended window treatments for better relief. Mr. Rosenberg confirmed the floor to ceiling height was nine feet. Commissioner McDonald agreed with the statement that overhangs don't help with sun mitigation and shared his personal experience about his home windows getting blasted by the sun. He agreed with Mrs. Kober regarding window treatments. Commissioner Cotey suggested utilizing specific window treatments that had a high solar rating. She added that the visual of the glass could be very blue but was still an option. Mr. Rosenberg confirmed that all of their properties had some form of window treatment. He said their go-to window treatments had often been blackout roller shades.

Mr. Jaynes spoke on infrastructure design of the townhomes, highlighting the variation in grade and orientation. Commissioner Westerlind asked how the townhomes would display visual variety. Mrs. Korber explained they had discussed a range of paint pallets to accommodate visual variation as well as the architecture. She added that the civil and landscape design was further developed than the architecture.

Planner Smith asked what R2 Partners had designed for storage capacity for their renters. Mrs. Kober confirmed that the Live/Work units had storage rooms, the Townhomes had a mudroom within the garage space, and the Empty Nester units had an exterior carport.

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

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

Planner Smith stated that the police department was fully staffed. He said the development was estimated to house 338 people and said the police department did not feel that capacity would cause concern with the staff they had. Planner Smith stated property management was critical in the role of enforcement.

Fire: In light of the current multi-year drought and the ongoing expansion of the wildland-urban interface, Colorado River Fire Rescue now stresses improving the resiliency of structures and expanding the surrounding defensible space (**Goal EN-8**). Replacing conventional materials with those of more robust fire resistance, particularly in buildings along the perimeter of the development, buys time for firefighters during a wildland fire incident and inhibits fires from spreading from the source. In 2024, the Town adopted standards for the requirement of fire resistant materials and improved defensible space requirements for new structures. To extend their firefighting potential, CRFR requests two-track roads for fire apparatus be designed along the periphery of the outer structures and a singular path extending towards the Lakota Links property. The Applicant has updated the site plan to address this concern **Exhibit A, page 9**. It is important that these routes be improved sufficiently enough to carry the weight of the necessary fire apparatus. These routes should also be permanently signed "Emergency Access Only".

Planner Smith stated staff had discussed with the fire department at length regarding the development. He said the fire department was excited about the adoption of the new building code, specifically the Wildland Urban Interface Code and Resiliency of Structures. Planner Smith confirmed that Class B materials would be required for the exterior of newly constructed buildings. Planner Smith added that fire access roads were discussed since the development abuts to public lands. He outlined on the Illustrative Site Plan (Exhibit C) a direct line, north behind the development, where the fire department would want fire access roads to be established. He clarified this would be an unpaved road. Planner Smith said Fire Marshall Orrin inquired about a fire access road extending north-east to the Lakota boundary. Mr. Jaynes said they would be following up with Fire Marshall Orrin regarding that path as they felt it was inaccessibly steep. He added that below Empty Nester, building B-6, would be a T-turn spur for fire trucks.

Public Works: The CVR PUD is approved for 1,400 residential units and 100,000sf of commercial space. These totals were primarily the result of calculations performed on the basis of water dedicated from Elk Creek. At present the PUD has approximately 895 built units and no commercial development. With 130 proposed units in this Application, the PUD remains well short of the 1,400 total rooftops allocated for CVR. The current

sewer treatment plant is also sufficiently sized to process the full build-out of both CVR and Lakota.

*Streets: The Town contemplates maintenance of Vista Loop and the N. Wildhorse connector once all public improvements are accepted. Remaining streets will be private. Public Works agrees that speed, safety, and costs are priorities in road design. On-street parking serves to accommodate overflow vehicle parking for guests, deliveries, trash collection, extra resident vehicles, and emergency vehicles. Staff's preferred road design (58' ROW) is provided in **Exhibit A, page 17**, in juxtaposition with the Applicant's proposed cross-sections. Public Works has been considering the Applicant's street design alternatives and provides the following recommendations:*

Vista Loop

<i>Applicant: ~52.5' ROW</i>	<i>Town: ~52' ROW</i>
<i>• 5' sidewalks</i>	<i>• 6' sidewalks</i>
<i>• 6' green belts</i>	<i>• 5.5' green belts</i>
<i>• 10' drive lanes</i>	<i>• 10' drive lanes</i>
<i>• 8' parking lane inner radius</i>	<i>• 8' parking lane inner radius</i>

Planner Smith reviewed the changes made to the road design. He discussed the cross sections of the two types of road design, public and private roads. He added that targets for meeting road standards and quality of life were the focus. For Vista Loop, he said, there were two car driveways for the townhomes and parking available on one side of the street. He said the right-of-way was fifty two and a half feet with six foot sidewalks that would be separated by five feet. Planner Smith stated that the ten foot drive lane was narrow, especially with cars parked on the road. Public Works Director John Wenzel said that from a streets design perspective, drivers often did not speed with traffic calming designs or narrow driving lanes. Commissioner Carey asked if 'sharing the road' signing could be provided for pedestrians and bicyclers in the area.

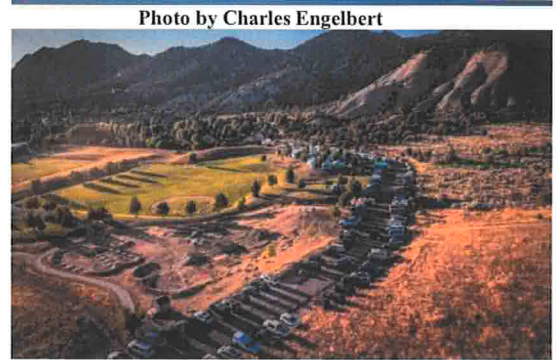
Public Works Director Wenzel expressed parking concerns regarding Vista Loop regarding the first four townhome units. He stated there was not adjacent parking on the road for those units and said that would be a challenge for those residents. He said there was no other example in the town's streets inventory that had that design layout. He stated the same for the last six townhome units on Vista Loop where housing was planned on both sides of the road and only parking on one side of the street. Commissioner Cotey asked if there was any surplus parking within the Live/Work units. Mr. Jaynes said, based on the parking calculations, there was a surplus of parking spaces within the Live/Work units. Mr. Jaynes added that overall, there was a surplus in parking that did not include right-of-way parking. He said the parking requirement tabulated 229 parking spaces needed and R2 Partners provided 282 parking spaces. He clarified the parking spaces included garage and driveway parking, totaling three parking spaces for each townhome, not including right-of-way parking. Public Works Director Wenzel recommended providing on-street parking for the first four townhomes as well as two-sided street parking for the last six townhomes that were located on both sides of Vista Loop road. Mr. Jaynes said R2 Partners would work with Public Works Director Wenzel to formalize a streets plan based on his recommendations.

Commissioner Carey asked what R2 Partners planned to do with renters who owned boats and larger vehicle storage needs. Mr. Jaynes said R2 Partners recognized there was opportunity for storage needs in town and valley wide. Commissioner Carey

expressed concern of storage use from renters on the southside of VIX parking lot. Planner Smith said he and Public Works Director Wenzel had discussed that issue and proposed parking signage options. Commissioner Cotey stated that best practices would involve property management and town enforcement with any parking violations. Alternate Commissioner Rittner asked if R2 Partners was considering an on-site property manager. Mr. Rosenberg confirmed they were planning to have an on-site property manager, specifically to deal with these types of issues.

Similarly, Public Works is motivated to provide extra parking on N Wild Horse Dr to meet parking demand during larger park events. Staff believes that N Wild Horse Dr. adjacent to VIX park needs as much parking as possible. The picture exemplifies the demand swell during annual events such as Rides-and-Reggae.

*The proposed ROW from the plat shows 67.5' from edge of sidewalk. This ROW is inconsistent with the design illustration on **Exhibit A, page 17**, and wider by 5.5'. Staff recommends the following design which, importantly, adds parallel parking on the east side of N Wild Horse:*



N Wild Horse @ VIX

Applicant: ~62' ROW	Town: 66.5' ROW
• 5' sidewalks	• 6' sidewalks
• 6' green belts	• 5.5' green belts
• 13' drive lanes	• 11' drive lanes
• 19' perpendicular parking @ VIX	• 19' perpendicular parking @ VIX
• No parking east side of NWH Dr.	• 8' parallel parking lane east side of NWH Dr.

The Town alternative would result in a 66.5' ROW with an additional 35-40 parking stalls. Further south on N Wild Horse, road design should revert back to the Town standard of 58'.

Planner Smith said the big ask for the continued development of North Wild Horse Drive was parking on both sides of the street due to town events and VIX Park use. He clarified the ask was for nose-in parking on the side of VIX Park and parallel parking along the east side of North Wild Horse Drive. Planner Smith addressed R2 Partners request to only pave the road, curb & gutter, but not buildout the sidewalks for the southern parcel below their development. R2 Partners instead asked for approval to only street scape that portion of road and have the property owner address the sidewalks and increasing the paving when they chose to develop south of R2 Partners. Public Works Director Wenzel had no concerns regarding that request. Commissioner Carey asked if the road paving would be as wide as it needed to be when R2 Partners paved North Wild Horse Drive as she had concerns regarding traffic flow with future road construction. Public Works Director Wenzel clarified that road construction would not close off North Wild Horse Drive but may be reduced down to one lane. Town Engineer Jeff Simonson clarified that the foundation of the road would have already been in place by R2 Partners, so the construction labor would not be demanding when

the time came to expand and add sidewalks. Planner Smith said Condition A could be adjusted for R2 Partners request.

Snow Storage: Snow removal is located on the site plan (Exhibit A, page 14). 20.5% of total roadway area has been designated for snow storage which is 4.5% more than required. Ample snow storage is demonstrated on all separated sidewalks, Staff's preferred storage location. Though snow removal on private roads and parking lots will be managed by the property owners, private storage areas should be illustrated on the site plan.

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

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

Parking: *The purpose of off-street parking in the PUD "is to ensure that safe and convenient off-street parking is provided to serve the requirements of all land uses in the Castle Valley Ranch PUD and to avoid congestion in the streets" (MC 17.104.100). As shown on Exhibit A, page 11, the following Town standards apply:*

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

Off-Street Parking: *Per the standards, required off-street parking totals 229 spaces. The distribution is as follows: The Townhome models provide for a mix of one and two car garages. Regardless of garage size, all units will include two-car driveways (Exhibit A, page 11), or 3-4 off-street parking spaces where only two are required. This provision solves for issues related to garages used as miscellaneous storage rather than vehicles. The Code reduces parking to 1.5 spaces per unit for Empty Nester and Live/Work models. The Applicant, familiar with the complications of high density residential parking, has offered at least two spaces per unit for the Empty Nester models and has exceeded the parking for the Live/Work units. Based on P&Z input, no differentiation will be made between seasonal/RV parking and other parking, but seasonal spaces will be included in the over parking count. One dilemma to the parking total will be the requirements for EV charging equipment. Approximately eight spaces in the live/work parking area will require charging equipment, designated solely for EV use per state statute. These spaces may only be occupied by electric vehicles which may result in less overall parking for tenants. Fortunately, there appears to be an overage of eight units on the site plan. Nonetheless, the Applicant is considering how to address the matter. Staff recommends a parking plan be added to the covenants prior to final application with provisions for reserved parking in shared lots and prohibitions on overnight parking along N Wildhorse Dr adjacent to VIX park.*

Planner Smith reiterated that two parking spaces would be required for the Townhome units and one and a half spaces for the Empty Nester units and Live/Work units. He spoke of the requirement to provide electric vehicle (EV) charging stations for new construction and proposed a couple EV stations be provided in the VIX parking area on North Wild Horse Drive. He clarified that the town would maintain the EV stations made available to the public on North Wild Horse Drive. Planner Smith mentioned Staff Recommendation F and the need for reserved parking, especially within the Live/Work unit parking lots.

Vehicular Circulation: *Road, sidewalk, and trail design is a critical component to any new development in New Castle. To optimize circulation, the applicant is committed*

to connecting N Wild Horse Dr. completing the underdeveloped section between Alder Ave. and Castle Valley Blvd. Of note, nearly 1/5th of this new road section is outside the applicant's property boundary. However, because of the importance of circulation and public safety, the applicant has agreed to work with the neighboring property owners, particularly CVR Investors, to complete this link. Staff anticipates that the connector will match the 58' Town standard ROW, including detached sidewalks with landscaping.

Planner Smith said there was concern about the intersection of Castle Valley Boulevard and North Wild Horse Drive. He said a traffic report would study all future developments, that are known, and report the demand and flow of traffic after full buildout. He said that report was something to be mindful of, however R2 Partners development did not trigger the high use of full buildout of Castle Valley Boulevard.

Nonvehicular Circulation: *The applicant has made a point not to disrupt the general trail alignment between VIX Park and the BLM land. Separated sidewalks allow easy circulation to all inhabited portions of the property with additional soft trails extending to the periphery for easier interface with surrounding neighborhoods (Exhibit A, page 12). To meet pedestrian safety concerns, high visibility crosswalks with bump outs were added per P&Z request.*

Planner Smith highlighted the crosswalks for high pedestrian traffic areas, including bump outs. Alternate Commissioner Rittner asked about separating the sidewalks from the parking lot within the Live/Work units. Mr. Jaynes said the sidewalks were intentionally connected for the reason of providing a direct walking path from residents' vehicles. Mr. Jaynes said they would review the walking path.

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

As previously discussed, 91.6% of the property will remain as open space. Within that area, the Applicant has preserved existing public use trails with various connecting trails added (Exhibit A, page 12). To reduce the overall development footprint, small, active parks have been replaced with passive open space and two small sitting areas (Exhibit A, page 13). Since the open space requirements for CVR have already been met, no open space will be dedicated to the Town. However, the Applicant contemplates ongoing public access to all residents with an easement agreement.

Commissioner Cotey asked if the easement agreement included Sunset Trail, which weaved in and out of two property owners lands. She asked if there was any dedicated easements for the trail. Mr. Jaynes said the other property owner had agreed to keeping the existing trail agreements. Commissioner Cotey asked if a condition could be added to guarantee the preservation of the trail. Planner Smith said they would not be able to establish a guarantee with outside property owners for the R2 Partners development. He added that for the trails within the development, they could and had made an agreement that all trails within the development were public access. R2 Partners Attorney Chad Lee stated that the trails had operated under a license agreement. He said the trails were a great amenity to the public so R2 Partners decided to keep them open in perpetuity by agreeing to dedicate an easement in perpetuity with their portion of the land. Attorney Lee clarified that the area in question the trail weaves onto was not R2 Partners land and would be a completely different application to consider. Town Attorney Mike Sawyer said guidance would be needed by the commission regarding the width of the trail easements, based on the type of trail use. Commissioner Carey said the standard was 10 feet for biking and

pedestrian use. Mr. Rosenberg agreed and stated that was the assumption on their end. Attorney Lee clarified that the intent was to continue use as it was currently.

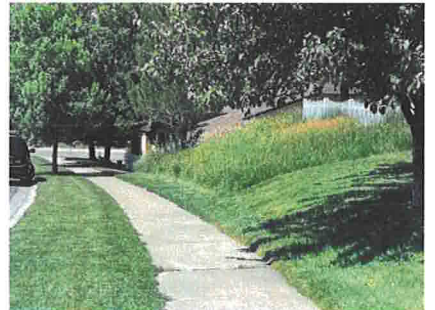
7) Is the development consistent with the natural character, contours, and viewsheds of the land?

The site plan (**Exhibit A, page 12**) follows the sloping topography downhill from northeast to southwest. Each unit or block of units generally steps gradually with the slope (**Exhibit A, pages 44-52**). Displacement between units helps to limit cut-and-fill and reduce the need for extensive landscape retention. Terracing of grade and structure softens the blunt, "blocky" appearance, and is a preferred fit with rolling terrain. The lot designs appear to maintain existing drainage features such as that found on the central single-track trail which bisects the development.

The ridgeline associated with Sunset Trail to the west is a prominent geologic feature enjoyed by New Castle residents. Per Policy EN-6B, visual access to the ridgeline is anticipated and illustrated by the Applicant in **Exhibit A, pages 48-50**. To mitigate building mass at the southwest elevation, modestly sized berms and drought resistant trees or shrubs could provide sustainable and more organic screening methods. It is relevant that the development slated for the parcel owned by TC Midwest will likely impact views from CVB to the east to such an extent that the buildings contemplated with this application will be obscured.

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.

Planner Smith advised to be mindful of the ridgeline and the development near the roundabout (different owner) that would obscured some of the blocky structures and visual impacts of the R2 Partners development from Castle Valley Boulevard.



IV P&Z Comments from October 25th, 2023 Sketch Plan Meeting:

The Applicant introduced the proposal to the Planning Commission on October 25th, 2023. The Commissioners provided constructive feedback, some of which is summarized below:

A. P&Z Questions/Applicant Answers

- Do leases restrict units types to certain tenant demographic (e.g. Are only retirees able to rent "empty nester" units)? **No; Unit types are open to anyone, but each is better suited for a certain type of tenant through unit layout and/or price-points.**
- Will lease agreements cap the number of occupants who can live in a unit at one time? **Yes**
- Will there be onsite management? **Not sure yet on property management provider.**
- Are you open to rent reduced units for local employees (i.e. teachers, first responders, etc.)? **We are open to a discussion. It is not offered on our other properties.**

- Do you have other developments in the state of Colorado? *We have developed in other others in the state but nothing to this level.*
- Have you used this type of niche specific development (i.e. three different models on one property) successfully? *Yes, outside the state.*
- Who is responsible for the infrastructure improvements? *Staff answer: The developer. N Wildhorse and the ring road will be conveyed to the Town.*
- Are you considering passive and/or active solar capacity? *All is on the table. We start with making units efficient. Then, solar production is considered for every project we do. Net zero is a priority.*
- Are the empty nesters single level? *Yes, they are flats...some open from lower floor, the others from the upper floor in the rear.*
- What are the projected rental prices? *Still early on this, but perhaps \$4,000-\$5,000 for the empty nesters and townhomes. \$2000-\$3000 for live/work units.*
- Who will manage the trails? *Still being decided.*
- What are the trail surfaces? *Still early but considering a more primitive type surface.*
- Are you considering more native, drought resistant vegetation? *Yes, native/natural landscaping is becoming standard in the Valley as a matter of water conservation.*
- Is there a private clubhouse amenity for residents similar to other developments you've built? *Outdoor space is not fully designed yet. Priority will be to "amenitize" the outdoor space versus indoor type recreation. Outdoor lifestyle is a New Castle value, but community gathering areas will be considered.*
- Is snow storage shown on the site plan? *Staff response: No fully addressed at this time, however separated sidewalk buffers will be main areas for storage. N Wildhorse storage will need to be clarified.*
- Why does Staff want a 58' ROW near the townhomes? *Staff response: it provides for better quality of life and was the preferred cross-section for recently approved street design. Residents tend to expect parking on the street in front of homes. Speeding will be addressed with narrower drive and parking lanes.*

B. Recommendations

- Provide way for fulltime property management to live onsite (as necessary).
- N Wildhorse at VIX park looks busy and potentially congested. Partner with town for traffic calming strategies such as bump outs near trail access points. Provide N Wildhorse cross-section in plan set.
- Consider fire resistant materials and defensible space around buildings.
- Show which trails are public (town maintained) and which are private.
- Provide hi-visibility crosswalk at N Wildhorse towards central trail and at the central trail where it crosses the ring road, towards BLM.
- The mix of unit types and site planning is commendable.
- Provide building heights on plan set.
- 1300-1400sf for three bedroom unit is a tight space. Could be difficult from a livability/practicality perspective.
- Projected price points seem competitive with home ownership prices.
- Be clear on public and private open space so the public can know that trails will still be accessible to the entire Town.
- During grading, consider salvaging as many existing plants and trees (junipers, pinyons, shrub oak, rabbit brush, etc.) as possible, in light of their age and history in New Castle.
- Work hard to make sure roof lines do not exceed ridge lines such as Sunset Trail.
- Provide viewshed image looking from Sunlight Trail back west.
- 52' ROW of ring road should be reconsidered by Staff in order to limit further sprawl.
- RV space requirement does not seem pertinent to this development.

V Staff Recommendations

Planning & Zoning Commission
Wednesday, June 26, 2024

Staff suggests that P&Z explore the following recommendations to the preliminary PUD application prior to deciding on Resolution PZ 2024-4:

A. Staff recommends the following road designs for proposed public rights-of-way:

Vista Loop: ~52' ROW

- 6' sidewalks
- 5.5' green belts
- 10' drive lanes
- 8' parking lane inner radius (as illustrated in Exhibit A site plan)

N Wild Horse Dr adjacent to VIX Park: ~66.5' ROW

- 6' sidewalks
- 5.5' green belts
- 11' drive lanes
- 19' perpendicular parking @ VIX
- 8' parallel parking lane east side of NWH Dr.

N Wild Horse Dr south of VIX Park: ~58' Town standard

- 6' sidewalks
- 5.5' green belts
- 11' drive lanes
- 8' parallel parking lane

Planner Smith said Staff Recommendation A would be adjusted to speak about added street parking potential.

- B. *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.*
- C. *The applicant shall comply with all recommendations of the Town Engineer, Town Public Works Director, and Town Attorney provided in response to review of the Application.*
- D. *All exterior lighting to be dark-sky compliant per the comprehensive plan. Demonstrate that all exterior lighting will limit trespass. Parking lot lighting should be on timers to reduce the light duration at night while maintaining security lighting as needed.*

Planner Smith said night sky compliance was not discussed however it was addressed by the applicant.

- E. *All outside parking areas facing residential-only use shall incorporate landscape buffers to obscure vehicles from view per Code Section 17.104.100. In event the aforementioned code section conflicts with the building code, the building code shall control.*
- F. *Pursuant to House Bill HB22-1362, specifically Section CV502.1 of the Colorado Model Electric Ready and Solar Ready Code, the Applicant shall collaborate with Public Works to site the required Electric Vehicle Supply Equipment (EVSE) within the N Wild Horse Dr. right of way adjacent to VIX Park. Public Works shall have the ultimate discretion of the EVSE supplier.*
- G. *Fire access routes should be semi-impervious (compacted road base), two-track roads permanently signed "Emergency Access Only". Extend an additional access road from Loop Rd. to Lakota Links property boundary to the north. Locations of fire access routes should be approved by the Fire Marshal.*

- H. *Extend raw water infrastructure from existing stub-outs into the new development with an extension along N Wildhorse Dr. Design plans to be approved by the Town Engineer.*
- I. *Minimize construction traffic along N Wild Horse Dr. with provisions for a temporary construction easement that includes an impervious road surface that accommodates construction vehicle circulation for the buildout of PA 8 & 9 (R2 Partners LLC) and PA 12 (TC Fuels Midwest LLC) until the completion of either PA 12 or PAs 8 & 9, whichever is first.*

Planner Smith suggested R2 Partners have a shared temporary easement through the existing parcel to reduce traffic impacts during construction. He said the route for construction traffic would come off of North Wild Horse Drive and go directly to the roundabout. He added that the owner of the parcel, TC Midwest, was in agreement.

- J. *All trash dumpsters shall be located within an approved trash enclosure that extends six feet high and includes a bear resistant latching mechanism.*
- K. *A declaration of covenants for the common interest community that are to the satisfaction of the Town Attorney.*
- L. *A parking plan shall be added to the covenants prior to final application with provisions for reserved parking in shared lots as necessary. Signage on both sides of N Wild Horse Dr adjacent to VIX park shall read "No Overnight Parking at Any time".*
- M. *The Applicant shall submit a memorandum proposing Netzero building strategies to be included with the development.*

Planner Smith said as R2 Partners moved toward 'Final' that the expectation would be for them to get close to a netzero range commitment. He clarified netzero to mean producing as much energy on site as energy used.

- N. *A subdivision improvements agreement containing an engineer's stamped cost estimate of public improvements, to the satisfaction of the Town Attorney.*
- O. *Provide a construction phasing plan for inclusion in a subdivision improvements agreement. Identify, at minimum, each of the following components:*
 - *Buildout phases if necessary;*
 - *Schedule that identifies the sequencing of construction, sequencing of occupancy, traffic flow, and traffic control plans during construction;*
 - *Storage and staging areas for construction equipment and materials;*
 - *Illustrate drainage and erosion control best management practices (BMP's);*
 - *Conformance to all requirements and specifications approved by the fire marshal concerning temporary access to the project;*

Planner Smith said the development would be a one phase construction project. Mr. Rosenberg clarified that each building would be constructed separately with a timeline for completed construction estimated to take 18-24 months in total. Commissioner Cotey asked if there was a plan in place to preserve sensitive species in the area. Mr. Jaynes said a tree protection plan would be part of their final development plan. He explained that the team would review the staging for construction and landscape impact to better formulate a preservation plan. Commissioner Cotey stressed the importance of preserving the native plants as R2 Partners moved forward with that

step in planning.

- P. Landscaping shall incorporate native grasses and plants that minimize maintenance, moving, and irrigating. The landscaping plan shall be approved by the Parks Department. 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 Municipal Code.*
- Q. All disturbed areas in the project shall be revegetated and maintained in a predominantly weed free condition.*
- R. Reach agreement with the Town about ownership and maintenance of roadways, trails and sidewalks.*
- S. 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.*
- T. 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.*
- U. Request approval of street names through Garfield County Communications to avoid any duplication of names in the county dispatch area.*

Planner Smith mentioned a road name discrepancy and R2 Partners confirmed the street name that was Sunset was changed to Sunrise.

- V. The sale of individual lots, parcels or units may not occur until a plat creating the lot, parcel or unit is recorded with Garfield County and security for the public improvements has been received by the Town.*
- W. As part of its Final Application, Applicant shall include provisions for Applicant's plan for providing affordable or community housing units, together with covenants to be recorded in the public record.*

VI Duration of Preliminary Plan Approval

Preliminary plan approval granted pursuant to this Section 17.100.050 will remain in effect for one (1) year from the date of the P&Z's resolution. If the Applicant does not submit a final PUD plan application within said year or if the preliminary PUD plan application includes substantial changes (e.g., proposes new uses, higher density development, changed layout, new or additional variances, etc.) from the as-approved preliminary PUD plan, then, at the discretion of the Town Administrator, the applicant may be required to obtain approval of a new preliminary PUD plan application before filing a final PUD plan application.

Planner Smith spoke of the agreed upon 5 units that would be rotated with a 25% rent reduction and asked about the clause that would sunset the agreement after 20 years. Mr. Rosenberg said R2 Partners felt 20 years was a good range of time and they tried to follow what the Romero development had done as a standard. Town Administrator Reynolds clarified that the Romero development agreement was in perpetuity. Planner Smith asked if R2 Partners would be agreeable to coming back in 20 years to revisit the agreement. Mr. Rosenberg agreed.

Town Attorney Sawyer said the affordable housing units agreement and the applicant's

application was a submission and reminded the commission that they did not have to accept it. He noted that the limitation for affordable housing units reserved only for town employees seemed restrictive to him. He said if the town was trying to incentivize workforce housing, then the town would need to broaden the group of potential recipients that could benefit from that agreement.

Commissioner Carey said she was in agreement with broadening the group of recipients. Mr. Rosenberg said R2 Partners was open to expanding the group of recipients. Commissioner Cotey expressed concerns of not capturing enough of the workforce community within the group of recipients, even after expanding to public servants outside of town employment. She asked if there was a possibility to expand the group of recipients further, given the first right of refusal. Mr. Rosenberg said the assumption from R2 Partners was that the 5 units would always be used and they were open and agreeable to expanding that opportunity to the greater community. Town Administrator Reynolds clarified that the 5 units would first be offered to town employees, followed by public servants and other community members.

Town Attorney Sawyer noted that if that was the town's intent, then the condition would need to be written that the proposal, presented by the applicant, be broadened to 5 units made available to the town of New Castle for workforce housing. Mr. Rosenberg stated that was acceptable. R2 Partners Attorney Lee confirmed that R2 Partners was amendable to expanding the pool of occupants. He said he would work with the town's counsel to refine a proposal. Town Attorney Sawyer recommended that the commission modify the condition to state that the workforce housing proposal will be modified so that it applies to workforce housing for the town of New Castle. Mr. Rosenberg was in agreement and said he would leave it up to the town to decide.

Commissioner Carey suggested town administrative procedures be in place to manage such agreements, including an application process. She added her concern regarding the units reserved being one bedrooms. She asked for R2 Partners to consider adding a two bedroom into the pool of 5 units reserved as affordable housing. Mr. Rosenberg commented that he was open to the idea.

Chair Apostolik opened for public comment.

Myrna Candreia, a New Castle resident, commented that she appreciated the project and felt things were coming along nicely. She asked how parking would be enforced based on the number of occupants. She asked how the number of occupants would be managed. Mr. Rosenberg clarified that the lease agreements stated the limit in occupants per unit. He said guest passes would be required and they would tow cars in violation. Mrs. Candreia asked if the garages would be used as storage or for vehicle parking. Mr. Rosenberg said that was not something they typically regulated. Mrs. Candreia expressed the importance of zero scaping and Mr. Rosenberg agreed and shared examples of their planned incorporation of natural vegetation. Lastly, Mrs. Candreia expressed the importance of fire mitigation during construction of the development. Mr. Rosenberg confirmed that there were fire mitigation standards set to follow during construction that the development team reviews with the town and the fire marshal.

DeeAnn Landeros, a New Castle resident, asked how dogs would be managed with the new development. Mr. Rosenberg responded saying R2 Partners typically had a limit on pets and size of the pet. Mr. Rosenberg shared that the management team had conducted DNA testing in the past for animal feces and planned to with this development, which he said was a good deterrent for animal waste. Mrs. Landeros asked about the pricing for rent of the units. Mr. Rosenberg spoke of the rents for each of the three products the development would offer and said he felt the rent pricing was comparable to what Glenwood Springs was at the time. Mrs. Landeros asked about the noticing for meetings as she only heard about the meeting via Facebook. Planner Smith and Town Administrator Reynolds listed the many noticing publications available to town residents including: the town website, the local posting boards around town and the weekly town 'e-NewsLetter.' Town Administrator Reynolds added that residents within 250 feet of the development received a certified letter noticing of the meeting. Commissioner Cotey added that there was a public notice posted on the site of the property. Town Administrator Reynolds said there was a responsibility by residents to follow what P&Z and Council was doing and he suggested residents sign-up for the town e-NewsLetter to better stay informed. He also mentioned the town's government Facebook page to follow.

Tannis Kitchner, a New Castle resident, asked if R2 Partners planned to expand the road of South Wild Horse Drive or if that was later for Lot 13. Mr. Jaynes explained that their proposal was for full streetscaping, connecting the road that was currently a dirt road traveling to VIX Park through to the other side, connecting both paved roads. He clarified that on-street parking would be provided along VIX Park. He explained the streetscaping for the southern section of the road was an interim for the future developers/owners of that parcel of land. He said the interim paved road would be 11 foot single driving lanes with a two foot shoulder. He said that would be widened in the future by future developers. Mrs. Kitchner asked if any of the units would be for sale. Mr. Jaynes said the development was entirely rental units. Mrs. Kitchner asked if R2 Partners planned to install solar panels. Mr. Rosenberg said they had begun to look into that option but needed further research. He noted that R2 Partners had utilized solar for other developments in the past.

Steve Craven, a New Castle resident, asked how the town would resolve the conflict of having EV stations available to the public but not allow overnight parking along North Wild Horse Drive. Town Administrator Reynolds said he thought the answer to that was having the town manage and monitor those EV stations. Public Works Director Wenzel commented that most EV parking stalls had a few hours restriction. Commissioner Carey shared an example of the Target EV stations that charged money after a certain amount of charging time. She asked if there would be a way to have a fee after a certain amount of time. Planner Smith commented that there would be other infrastructure for EV charging that would be installed within the development. Mr. Rosenberg commented that they were not able to know what EV stations would look like in 5-10 years and said R2 Partners planned to install the conduit for EV stations that would accommodate demand and growth in the future. Mrs. Kitchner commented that putting EV stations in public spaces would detract from available public parking spaces. She added that at the expense of the town taxpayers, splitting the cost for EV charging stations would be a good compromised in order to provide a service to the town.

Chair Apostolik closed the public hearing at 9:29 p.m.

Alternate Commissioner Parks expressed concerns about the concentration of flow rate for the drainage systems. R2 Partners Engineer Nichole Yancey commented that Town Engineer Jeff Simonson had requested more detail between the Preliminary and Final meetings. He said more detail was to come with refined drawings addressing the drainage. Alternate Commissioner Parks suggested moving the trail connections away from the drainage points. R2 Partners Engineer Yancey said he would take that comment into consideration.

Commissioner Carey stated she was caught off guard by the affordability study competitive markets targeting Glenwood Springs, Carbondale and Vail. She stated New Castle's affordability index was closer to Silt, CO. Mr. Rosenberg explained the study having two components: the primary area and the expanded area. He said rents from Carbondale and Vail were not part of the thought process for determining rent in New Castle. Mr. Rosenberg said establishing rents comparable to Glenwood Springs was something he felt strongly about. He added R2 Partners development was offering a lifestyle and not just an apartment. He confirmed that he compared living in New Castle comparable to living in Glenwood Springs.

Commissioner Carey asked if the detour of construction traffic may not pass through the roundabout, what then would be the alternative. She added that if blasting was necessary, there would need to be established times for that activity. She mentioned not entertaining the option from the traffic impact study to limit to one direction on the egress to the south side of Castle Valley Boulevard during peak hours. She also asked for consideration to zero scape some of the green belts within the development.

Commissioner Westerlind said he appreciated the incorporation of the grade related to the building heights, however he noted he felt the height of 38 feet seemed disproportionately high for the town of New Castle.

Commissioner Cotey thanked the development team for continuing to work with staff, receiving comments as well as considering New Castle trails and open spaces.

Chair Apostolik asked Planner Smith to clarify Condition 5A. Planner Smith explained the parking recommendation made by Public Works Director Wenzel was to add on-street parking on Vista Loop. He clarified that the only adjustment would be adding on-street parking for the first four Townhome units and on-street parking on both sides of the street for the last six Townhome units on Vista Loop. Public Works Director Wenzel confirmed the street design for North Wild Horse Drive to be two travel lanes with on-street parking and six foot sidewalks resulting in a cross section of 66.5 feet.

Chair Apostolik asked if Attorney Sawyer was satisfied with how Condition W was written regarding the final application. Attorney Sawyer advised that while the commission was approving the preliminary plan, he said the commission would be setting the stage for final conditions of approval by the town Council. He said if the commission had a specific desire to have something presented in front of Council, he advised the commission to be as specific as they could be. Chair Apostolik asked for

clarification if specific details needed to be established at Preliminary or addressed at Final. Attorney Sawyer said the commission should memorialize any details or policy goals as a condition of approval during Preliminary. Chair Apostolik said the commission was unclear on the goals as of yet with specific wording in the staff report stating that the applicant shall include remissions. Attorney Sawyer advised staff to continue to work with the applicant to revise a plan that meets what the Planning & Zoning Commission believed to be the best for New Castle. Commissioner Carey agreed that more detail was better and stated she was drafting a list of recommendations during the meeting. Commissioner Carey read aloud the written conditions as:

- As part as the final application, applicant shall include provisions to provide an agreement between the applicant and the town of New Castle to provide a mechanism for utilizing the five affordable units at the discretion of the town of New Castle together with covenants recorded. The request included four one-bedrooms and one two-bedroom units.

R2 Partners Attorney Lee reiterated that one of the conditions of approval is that all representations on the record were binding. He said R2 Partners had made representations that they were open to expanding the five affordable units to more than just town employees.

Commissioner McDonald asked if there were any staff recommendations that R2 Partners had any issues with. Mr. Rosenberg confirmed that nothing that was discussed in the meeting that night was an issue. R2 Partners Attorney Lee clarified the need for Condition M clarification on a clear definition for net zero.

MOTION: Chair Apostolik made a motion to approve Resolution PZ 2024-4, A Resolution of the New Castle Planning and Zoning Commission Approving a Preliminary PUD Development Plan and Preliminary Subdivision Plat for Number 212329300194 (R2 Partners) with corrections to 5A and representation for 5W. Commissioner Westerlind seconded the motion, and it passed on a roll call vote: Commissioner Westerlind: Yes; Alternate Commissioner Parks: Yes; Commissioner Carey: Yes; Chair Apostolik: Yes; Alternate Commissioner Rittner: Yes; Commissioner Cotey: Yes; Commissioner McDonald: Yes.

Staff Reports

Planner Smith said there would be a meeting held on July 26,2024, for a lot line consideration.

Commission Comments and Reports

Commissioner Parks reported Historic Preservation Commission was considering pursuing designating the town cemetery.

Review Minutes from Previous Meeting

MOTION: Chair Apostolik made a motion to approve the May 8, 2024 meeting minutes. Commissioner Westerlind seconded the motion and it passed unanimously.

MOTION: Chair Apostolik made a motion to adjourn the meeting. Commissioner McDonald seconded the motion and it passed unanimously.

The meeting adjourned at 9:53 p.m.

Respectfully Submitted,



Chuck Apostolik, Chair



Remi Bordelon, Deputy Town Clerk



Exhibits

- A. Land Use Development Process Flyer
- B. Site Plan Comparison
- C. Illustrative Site Plan
- D. Unit Types

Town of New Castle
Land Use
Development
Application Process

*The public is always
welcomed & encouraged
to attend any and all
town meetings.

All completed
applications are posted
on the town's website:
www.newcastlecolorado.org

Town Hall staff are always
available to answer any
questions about projects.
(970) 984-2311
450 W Main St.

PHASE 1

Sketch Plan

(First) Planning & Zoning Commission

The sketch plan is the
very first introduction to
the development
proposal.

This meeting lets the
commission look at the
plans for the very first
time and provide
feedback to the
applicant/owner.

(Second) Town Council

Next, the
applicant/owner
then presents the sketch
plan to Town Council for
their very first look at the
development proposal.

Town Council also
provides feedback to the
applicant/owner.

PHASE 2

Open House

Community

Next, they will host
an Open House to hear
from the Community.

All members of the public
are welcomed and
encouraged to speak with
the applicant/owner.

This Open House provides
the opportunity for the
applicant/owner to have
an intimate conversation
with the public and hear
any comments & concerns.

The applicant/owner will
process the feedback
received from the public.

PHASE 3

Preliminary

Planning & Zoning Commission and Community

Preliminary occurs after
consideration of the
feedback received from:

- Planning & Zoning,
- Town Council,
- and the public at
Open House.

The applicant/owner may
consider design changes.

They will return to the
commission with a revised
design for everyone to
review.

The Preliminary Meeting
includes a Public Hearing
where members of the
public are welcome to
comment on the proposal.

PHASE 4

Final

(First) Planning & Zoning Commission and Community

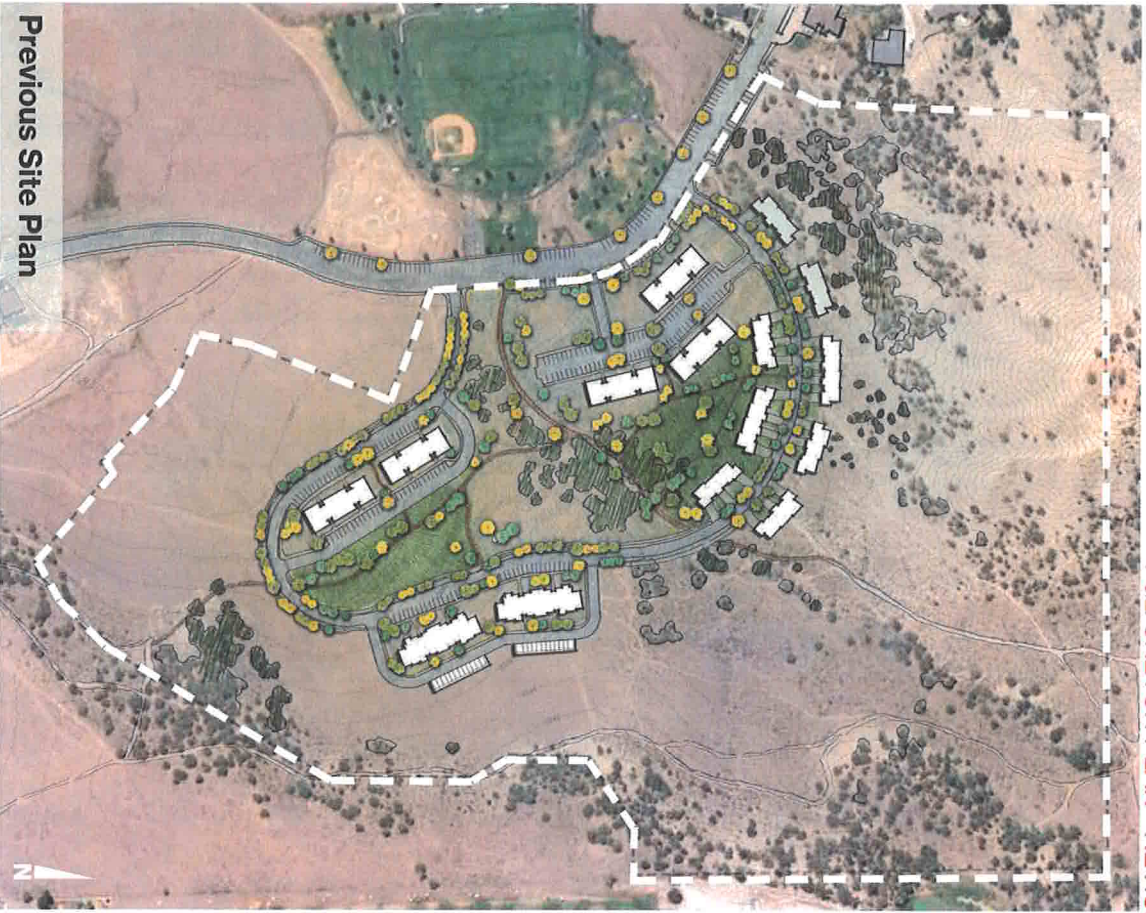
The applicant/owner
considers the feedback
and may make additional
design changes.

They will return to
the commission with a
final design for either
recommendation or denial.

The Final Meeting includes
a Public Hearing where
members of the public are
welcome to comment.

(Second) Town Council and Community

Next, they will return to
Town Council with a final
design for either approval
or denial.



Previous Site Plan



Current Site Plan

ILLUSTRATIVE SITE PLAN

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



UNIT MIX SUMMARY

Exhibit A

Building Type:	Number of Buildings:	Total Units:	Units/building:	Bedrooms/unit:
Live/Work	4	80	16 or 24	1-2
Empty Nester	2	24	12	1-2
Townhouse	10	26	2-3	3
Totals:	15	130		238

