

**New Castle Planning and Zoning Commission Special Meeting
Monday, March 5, 2018, 7:00p.m., Town Hall**

Call to Order

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

Roll Call

Present Chair Chuck Apostolik
 Commissioner Copeland
 Commissioner Riddile
 Commissioner Ruggles
 Commissioner Urnise

Absent None

Also present at the meeting were Town Attorney Haley Carmer, Town Planner Tim Cain, Deputy Town Clerk Mindy Andis, Building Inspector Dave Reynolds 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-2018-1.

Conflicts of Interest

Commissioner Urnise said that the civil engineering company working on the Lakota Ridge Senior Apartments had employed him at the beginning of the project. He said he had subsequently left that company and had not been involved with the new proposed design, therefore had no financial gain.

Citizen Comments on Items NOT on the Agenda

There were no citizen comments.

Public Hearing

PUD Amendment

Purpose: PUD Amendment for Lakota Ridge Senior Apartments

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: 705 Castle Valley Blvd., New Castle

Applicant: Lakota Ridge Senior Apartments, LLP

Landowner: Lakota Ridge Senior Apartments, LLP

B. Resolution PZ-2018-01 Recommending Approval of Lakota Ridge Senior Apartments, LLP's Major PUD Development Plan Amendment

Chair Apostolik opened the Public Hearing at 7:01p.m.

Town Planner Cain said during the workshop on February 21, 2018 addressing the Lakota Ridge Senior Apartment's Planned Unit Development (PUD) had come to a consensus of many new design elements to be incorporated into the construction plans.

Town Building Inspector Reynolds said also at the workshop there was conversation regarding the loss of the in floor radiant heating system and its replacement with approximately 100 externally visible HAVAC compact units. Also at the workshop Architect JV DeSousa and Community Resources & Housing Development Corp (CRHDC) representatives were tasked with submitting new drawings and details that captured the redesigned elements and points of conversation.

Upon review of the latest plans submitted February 28, 2018, staff has made the following observations:

- A. The plans do substantially, but not totally, match the conclusions of the workshop.
- B. The plans include a total of (26) Units which have a patio space, (13) Units which have a Balcony space, and (11) Units which remain with no outdoor living space.
- C. The plans are designed to be elevation views in order to demonstrate a reasonable picture of the final project. Final more detailed plans may be required by Staff and P&Z in order to better understand and confirm the dimensions of certain elements such as Trellis lumber dimensions, balcony details, window and HVAC louver vent details, balcony railing details, etc.
- D. The plans do give a greater level of attention to matching exterior design elements found in the Lakota subdivision as well as the neighboring Fire Station as originally represented by CRHDC representatives prior to the original PUD approval.

The newly submitted plans do however fall short of documenting the following items which were captured in the workshop discussions:

- A. The workshop discussion concluded that (10} Units would be left with no outdoor living space. The submitted plans illustrate that (11) Unit will have no outdoor living space.
- B. CRHDC has agreed to have the Lakota Design Review Committee be a contributor in choosing the final exterior paint colors.
- C. CRHDC has agreed to have the Lakota Design Review Committee be a contributor in choosing the final roof shingle colors.
- D. CRHDC has agreed to have the Lakota Design Review Committee be a contributor in choosing the final balcony railing color.
- E. CRHDC has agreed that to the best of their ability they will use landscape features to help mask the appearance of the lower HVAC louvered vents.
- F. CRHDC has agreed to develop an HVAC louver vent cover sample for consideration by the P&Z and the Lakota Design Review Committee.

Although there remain several units without outdoor living space, the new design included the return of many balconies, addition of decorative trellis details, balcony roof details, rusty corrugated metal roof materials, agreement to paint or cover the HVAC louvers and heavy timbers at the balconies. Lakota Design Review Committee would be involved in the final exterior color, shingle and railing detail selections. Final product would be more suitable to the Castle Valley Corridor than the original plans submitted in the PUD amendment application.

Should P&Z determine that the loss of the (11) outdoor living spaces is acceptable, staff recommends the following:

1. Require that CRHDC obtain approval in writing from the Lakota Design Review Committee for the final exterior paint colors, roof colors, balcony railing colors, and heavy timber beam sizes prior to final approval of a PUD amendment.
2. Require that CRHDC provide a mock up job site sample of a HVAC louver cover, as well as a mock up job site sample of the window trim and HVAC Louver trim detail including final paint color. These samples shall be reviewed in field by the Lakota Design Review Committee and a final solution approved prior to final approval of a PUD amendment.
3. CRHDC shall account for the difference of (1) exterior balcony which was presented at the workshop verses the total number of balconies detailed in the newest submitted plans.
4. CHRDC shall provide a final set of working plans for review by staff that detail all changes to the areas of the building's exterior that are under consideration for change. Plans shall include lumber dimension sizes, balcony details, roof details, engineering details and all other details necessary for final plan approval by the Building Department prior to approval of a PUD amendment.
5. CHRDC shall provide all documentation which demonstrates that the proposed changes to the heating and cooling systems shall meet or exceed the requirements of the 2009 National Energy Conservation Code as adopted by the Town of New Castle prior to the approval of a PUD amendment.

Should the P&Z determine that the loss of the (11) outdoor living spaces is not acceptable, staff recommends one of the following options:

1. The P&Z may recommend denial of the CRHDC application as submitted.
2. The P&Z may allow CRHDC to submit revised plans which meet a request to provide all units with an outdoor living area.

Inspector Reynolds said Mr. DeSousa submitted news plans late afternoon showing (2) more balconies and (1) trellis were added, therefore only (9) units would not have outdoor living space.

Mr. DeSousa said CRHDC wanted to show commitment by showing as much as can be done, so (2) balconies and (1) trellis were added. Some more details were added that was not in the original project plans such as heavy timber trills and

some corrugated metal roofing. CRHDC did agree to work with Lakota Review Design Committee in the final selection of colors for the project including roof color. Also agreed to provide additional elevation on the East end of building (2) and building (4).

Chair Apostolik closed the Public Hearing at 7:09pm.

Commission Riddile asked if the units without balconies would be visible from Castle Valley Blvd.

Mr. DeSousa said some of them would be on the 3rd floor of building (4) those are the East end of the structure would be visible from the Blvd. The units on the 2nd floor has either a trellis or a roof over the unit.

Commissioner Riddile asked about the air conditioning/heating units with the grill.

Inspector Reynolds said his recommendation would be having CRHDC paint them and show a mock up to Lakota Design Review Committee or screen the grills somehow to create an architecture feature. CRHDC must get approval by either the building department, P&Z or Lakota Design Review Committee before painting or screening be applied.

Commissioner Urnise asked what the obligation CRHDC has with Lakota Design Review Committee.

Planner Cain stated it was voluntary and the project was not annexed into Lakota Canyon Ranch HOA.

Inspector Reynolds said when the project was first approved it was on a voluntary bases and agreed Lakota Design Review Committee does not have authority the project. But, it was agreed CRHDC would work with Lakota Design Review Committee to make sure color selections and other structure features matched Lakota Canyon Ranch.

Commissioner Urnise said because the project is across the street from Lakota Canyon Ranch doesn't mean it needs to satisfy the architecture design requirements of Lakota Canyon Ranch. The project should be complementary architecture design throughout New Castle.

Inspector Reynolds said CRHDC had made representation in prior meetings very specific about meeting and brining in design elements from Lakota Canyon Ranch and working with Lakota Design Review Committee.

Commissioner Ruggles asked if tenant in the units without the balconies be charged less rent.

Mr. DeSousa said the units that don't have balconies would be on the top floor of building four (4) with the best views.

Mr. DeSousa said CRHDC is more than willing to work with Lakota Design Review

Committee for the neighborhood in order to come up with solutions. The senior apartments can't be part of the HOA or annex into Lakota Canyon Ranch because it has to stay an independent site. The lender Wells Fargo made that as a specific requirement for the property prior to closing. Also required a letter from the original attorney who prepared the documentation for the HOA that the senior apartment site was not part of HOA and would not be.

Attorney Haley Carmer reviewed the resolution with the commission.

Motion: Chair Apostolik made a motion Recommending Approval of a Major Amendment of Lakota Ridge Senior Apartments, LLP's PUD Development Plan with changes of two (2) of the approval to be March 5, 2018 updated drawings and staff recommendations of items one (1), two (2) and four (4). Commissioner Riddile seconded the motion and it passed on a roll call vote: Commissioner Riddile: Yes; Commissioner Urnise: Yes; Commissioner Copeland: Yes; Chair Apostolik: Yes; Commissioner Ruggles: Yes.

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 said there is an investment group very interested in property between the senior apartments and the fire station. There is also another investment group interested in an RV park on the 10 acres of property just west of town. That project would come to the town as an outside referral from Garfield County since the property is within the town's three (3) miles of influence. The referral would be brought to P&Z and council.

Review Minutes from Previous Meeting

Motion: Commissioner Riddile made a motion to approve the February 7, 2018, meeting minutes as submitted. Commissioner Urnise seconded the motion and it passed unanimously.

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

The meeting adjourned at 8:01 p.m.

Respectfully Submitted





Planning and Zoning Commission Chair
Chuck Apostolik



Deputy Town Clerk Mindy Andis, CMC