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**New Castle, Colorado
Planning and Zoning Commission
Wednesday, January 14, 2026, 7:00 PM**

Call to Order

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

Roll Call

Present Chair Apostolik
Commissioner Cotey
Commissioner A. Riddile
Commissioner Parks
Commissioner McDonald
Alternate Commissioner Mahaffey
Commission Alternate Rittner
Commissioner Sass

Absent Commissioner Westerlind

Also present at the meeting were Town Planner Paul Smith, Town Administrator David Reynolds and Professional Assistant to the Town Clerk, Michelle Huster and members of the public.

Meeting Notice

Professional Assistant Michelle Huster verified that her office gave notice of the meeting in accordance with Resolution TC 2026-1.

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 7:02 p.m.

Consider PZ 2026-1, A Resolution of the New Castle Planning and Zoning Commission Recommending Approving a Minor Amendment to the Final PUD Development Plan and Plat for the 9 North Wild Horse Multi-Family Housing Development Center

Planner Smith said the applicants were asking for a minor amendment to PZ-2025-1. Planner Smith said the original PUD east of VIX park in Castle Valley Ranch was approved for 130 rental units of townhomes, apartments and condominiums. Planner Smith said the unit count has not changed but there are some minor adjustments in the Staff Report (**Exhibit A**).

49 **Staff Report**

50
51 **9 N Wild Horse, Minor PUD Amendment**
52 **Castle Valley Ranch PA8 & PA9, Filing 13**
53 **Resolution PZ #2026-1**
54 **Planning & Zoning Commission Public Hearing**
55 **January 14th, 2026**

56
57
58 *Report Compiled: 1/8/2022*

59 **Project Information**

60
61
62 **Name of Applicant:** Wildhorse Apartments, LLC.
63
64 **Applicant’s Mailing Address:** 333 E Main Street, Suite 300 Louisville, KY 40202
65
66
67 **Phone/Email:** (502) 572-
68 7880/dkanau@andovermgt.com
69
70 **Property Address:** TBD (east of VIX Ranch Park)
71
72 **Property Owner:** Wildhorse Apartments, LLC.
73
74 **Owner Mailing Address** See above
75
76 **Proposed change:** Minor PUD amendment for the 9
77 N Wild Horse Multi-Family Housing Development, including:
78
79 1) Change of 26 townhome units from rental to for-purchase
80 properties;
81 2) Alteration of the approved 10 buildings of duplexes and
82 triplexes to 6 buildings consisting of 5-plexes and
83 triplexes;
84 3) Increase of all but two units to two-car garages;
85 4) Addition of a 900sf maintenance facility.
86
87 **Existing Zoning:** Residential
88
89 **Surrounding Zoning:** North – Lakota & BLM
90 South – M/U & Residential (TC Midwest/CVR Filings 9-10)
91 East – Residential (TBD CVR)
92 West – VIX Park/Single Family (CVR Filing 5)
93

94 **Introduction**

95
96 *The Applicant requests a minor PUD amendment to the 9 N Wild Horse PUD originally*
97 *approved in 2025 by ordinance TC 2025-1. According to section 17.100.110 of the municipal code,*
98 *minor amendments are alterations to an approved PUD development plan that elevates the review*
99 *process from Staff level to the Planning Commission (P&Z). Minor amendments are approved by*
100 *resolution following a noticed public hearing. P&Z may condition such approval as necessary to*

101 ensure that the development will be compatible with current community standards, infrastructure,
102 and regulations. Minor amendments include, but are not limited to:

- 103
104 1. An increase or decrease equal to or less than three (3) percent of the overall coverage of
105 residential structures as originally approved within the PUD;
106
107 2. A reduction in the number of residential dwelling units not including designated affordable
108 housing units;
109
110 3. An increase of the originally approved common or public open spaces;
111
112 4. Improvements to site circulation such as deceleration lanes, increased street connectivity,
113 improved/expanded non-motorized access routes, etc.;
- 114
115 5. Alterations to the applicable PUD dimensional standard(s) (e.g., setbacks, building height,
116 F.A.R) of less than ten percent (10%).
117

118 In its consideration of the relevant amendment review process (i.e. administrative, minor, or
119 major), Staff ultimately discounted the applicability of the major amendment process (17.100.110
120 (C)), specifically with regards to provisions #1 & #4 of section 17.100.110(C). These provisions
121 (among others) prompt a major review if the updates are characterized by:

- 122
123 (1) A change in the use of character of the development;
124
125 (4) Movement of approved building footprints more than ten (10) feet.
126

127 With respect to (1) it was determined that the use or character (multifamily, residential) was
128 generally unaffected, though a change from rental to for-purchase may be cost prohibitive or
129 unattainable to a certain demographic, With respect to (2), the process of condensing duplexes
130 and triplexes to 5-plexes did move building footprints more than ten feet in certain instances. The
131 alteration, however, was not deemed substantial enough to warrant a higher level of scrutiny.
132 Therefore, pursuant to section 17.100.110 (D), the Town Administrator has determined the
133 appropriateness of the minor amendment process and has determined, in consultation with Staff,
134 that the application materials provided are sufficient evidence for P&Z's review.
135

136 **II Proposed Changes**
137

138 In consideration of the amendment, the Applicant underscores that the proposed changes
139 do not affect the overall style and function of the approved Live/Work units, Empty Nester units,
140 parks & open space, or streets designs and shows general consistency with the original site plan,
141 architectural design, and landscaping throughout. The modest alterations are intended merely to
142 improve the community's livability and marketability. The main details of the amended PUD are as
143 follows:
144

<u>Original Plan</u>	<u>Revised Plan</u>
• Total #Units: 130 total units/16 total buildings - 26twnh, 80 apartments, 24 condominiums;	• Total #Units: 130 total units/12 total buildings - 26twnh, 80 apartments, 24 condominiums; ;
• Density: 2.73 units/acre	• Density: No Change
• Townhomes: Duplexes and triplexes.	• Townhomes: Triplexes & 5-plexes.
• Garages: Townhomes with 1-car garages will have driveways sized to two-car.	• Garages: All but two 1-car garages converted to two-car garages;
• Open Space: 91.6% active + passive OS	• Open Space: No Change

• Parking: 229 off-street parking spaces	• Parking: 243 w/ 14 additional garage spaces
• Snow Storage: 18.7% of road area	• Snow Storage: No Change
• VIX Park Parking: Pull-in parking included on west side of N Wild Horse for VIX Park users	• VIX Park Parking: No Change
• Building Height: 40ft building height limit. 6 buildings exceed limit.	• Building Height: No Change
• Affordable Housing: one 1-bed & two 2-bed live/work units at 75% market rate;	• Affordable Housing: No Change
• Maintenance Bld: None proposed	• Maintenance Bld: 900sf structure added

Upon review of the submittal packet, Staff concludes that the proposed changes:

1. **Are** consistent with the comprehensive plan;
2. **Comply** with zoning and density requirements;
3. **Are** Compatibility to neighboring land uses;
4. **Have** sufficient access to town services including water and sewer services, fire, and police;
5. **Have** adequate off-street parking as well as vehicle, bicycle, and pedestrian circulation;
6. **Meet** open space and park requirements;
7. **Are** consistent with the natural character, contours, and viewsheds of the land.

III Staff Recommendations

With the provisions of the original approving Ordinance TC 2025-1 withstanding, Staff recommends the following conditions in consideration of **PZ 2026-1**:

- a. The sale of individual lots or units within 9 N Wild Horse may not occur until an amended plat creating the lot or unit is recorded with Garfield County. Amended plats memorializing said lots or units shall be reviewed and approved by Town staff and the Town attorney prior to recordation.
- b. At the time of recordation of the amended Plat, Applicant shall record an amendment to the Declaration of Covenants, Conditions, and Restrictions for 9 N Wild Horse. Said amendment shall be subject to review by the Town attorney.
- c. All updated construction drawings, grading permits, and drainage requirements shall be subject to review and approval by the Public Works Department and Town Engineer.
- d. All representations of the Applicant in written and verbal presentations submitted to the Town or made at public hearings before the Commission and reflected in the minutes and/or recordings of such hearings shall be considered part of the Application and binding on the Applicant.
- e. 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.

IV Exhibits

- A. Land Use Application
- B. Applicant Narrative
- Revised Site Plan

- 188 C. Amended Plat
- 189 D. Revised Elevations/Floorplans of Townhomes
- 190 E. Restricted Covenants
- 191 F. Property Owners within 250'
- 192 G. Affidavit of Public Notice
- 193 H. Engineer Comment
- 194 I. Public Works Comment

195
196 Planner Smith introduced applicants Barry Rosenberg, Architect Kendra Oester and Attorney John
197 Petisto from R2 Partners. Mr. Rosenberg said they were amending the approved PUD to meet the
198 demand for home ownership as well as diversity in rental units. Mr. Rosenberg said the developers
199 added two car garages to all the units except for two (**Exhibit B**). Mr. Rosenberg said the
200 developers increased the square footage of the townhome units from 1400 to 1800 square feet. Mr.
201 Rosenberg said the town homes were mostly three bedroom units. Mr. Rosenberg said the units
202 were grouped into larger buildings of five units per building instead of the original four units. Mr.
203 Rosenberg said the characteristics of the buildings stayed the same and did not look imposing or
204 longer by adding the fifth unit. Mr. Rosenberg said they added maintenance building for equipment
205 storage and office space for the manager of the development because it was overlooked in the
206 previous application.

207
208 Ms. Kendra Oester said some of the materials on the exterior of the buildings have changed to
209 accommodate five units per building but to keep a single family feel. (**Exhibit C**) Ms. Oester said
210 each of the units step with the grade and added highlighting under the gable. Ms. Oester said they
211 alternated the greens between the units to blend back into the landscape. Ms. Oester said there
212 was still a natural wood component to the fronts of the buildings. Mr. Rosenberg said because of
213 the way these buildings were placed, they would not look like one long continuous building. Mr.
214 Rosenberg pointed out the buildings were built into the landscape.

215
216 Commissioner Cotey asked how the consolidated buildings impact the overall grade of the site. Ms.
217 Oester said the foundations are moving up with the grade and there were breaks between each
218 unit. Ms. Oester said the break between buildings would have a rock retaining wall. Ms. Oester said
219 the driveways may differ a couple of feet due to the grade between buildings. Ms. Oester said that
220 each back yard would be longer. Ms. Oester said there is now a zero grade entry into the garage
221 whereas before there was one step into the unit to make design more accessible than originally
222 planned. Mr. Petaisto said the end units were now further back from the road and that would affect
223 the grading behind the unit as well as the hill behind the buildings.

224
225 Commissioner Parks said he was concerned that the driveways would 10-12 percent grade and Mr.
226 Petaisto said the driveways were all five to six percent slopes on the downhill side and one to two
227 percent on the uphill side. Chair Apostolik clarified the back yards were 10-12 percent, but the
228 driveways were not.

229
230 Ms. Oester said before the amendment, the units were a bit straighter in line. Ms. Oester said with
231 the amendment, they slid some units back and forth to better meet the curve of the site. Ms. Oester
232 said potential residents' backyard would be closer to the hill to match the curve of the road and
233 create a feeling that each unit was individual. Planner Smith reiterated each building is longer and
234 MS. Oester said each unit had to slide in relation to each other.

235
236 Commissioner Cotey asked if the slope was a two to one with the curve that cuts more into the hillside.
237 Mr. Petaisto said the slope was the same as the original plan and they would work with a landscape
238 architect to help with the vegetation.

239

240 Planner Smith said there was a change to the fire access road that was not in the staff report. Planner
241 Smith said the access roads were behind the triplexes on the original approval, but now it would be
242 between two of the 5-plexes. Planner Smith said it would convert back to the request of the fire
243 department back to the north.

244
245 Commissioner McDonald asked if the garages changed on the triplex units. Ms. Oester said that all
246 the units except two would now be two car garages. Ms. Oester said two units had to stay with a
247 single car garage because of the density.

248
249 Commissioner Parks asked if some units had walkout basements. Mr. Rosenberg said yes. Ms.
250 Oester said the units in the triplexes have basements. Commissioner McDonald asked if those units
251 were three stories. Mr. Rosenberg said they are considered two stories because the elevation does
252 not change. Mr. Rosenberg showed the location of the walk-out basements. **(Exhibit c pg. 37)** Mr.
253 Rosenberg said there would be an empty cavity if they had not turned those into walkout basements.
254 Ms. Oester said the basement is open space that the owner could use, however they choose, or
255 upgrade to include rough in plumbing for a bathroom.

256
257 Commissioner Cotey asked what the backyard plans would look like with some units being for sale.
258 Commissioner Cotey asked if the buyers would own the space behind those units and if the owners
259 would be required to maintain them. Mr. Rosenberg said the owners would have a specific yard to
260 care for and it would be addressed in their covenants. Mr. Rosenberg said the covenants would apply
261 to renters also. Commissioner Cotey asked how the space would be divided and whether there would
262 be fencing. Ms. Oester said the units were single family attached and the owner would own from the
263 ground to the sky and the line to the street like a standard single family homeownership model. Ms.
264 Oester did not know if the developer would provide the fencing, or if it would be the homeowner's
265 responsibility. Ms. Oester said there was a steep hill behind the units, and it would be difficult to fence
266 in. Commissioner Cotey was concerned with amending the PUD because it was originally open.
267 Commissioner Cotey said potential residents would make it their own and modify the yard.
268 Commissioner Cotey was concerned that the fencing would look like yards in Castle Valley Ranch
269 backing Mount Medaris with visible fencing going uphill. Mr. Rosenberg said they had not considered
270 plans for fencing. Mr. Rosenberg said they could address the fence through covenants specifying the
271 height and type of fence at the time of sale. Attorney Chad Lee said fencing would be promulgated
272 by rule later in the development process.

273
274 Commissioner McDonald asked the applicants if they would need an HOA and if they would manage
275 it themselves. Mr. Rosenberg said they would manage the property themselves. Mr. Rosenberg said
276 when all the units are sold, the owners could form an HOA if they did not want R2 Partners to manage
277 it anymore. Commissioner McDonald said they must be licensed by the state to manage an HOA and
278 asked the applicants if they were licensed. Mr. Rosenberg said he did not know but they were
279 managing a few HOA's in the Midwest. Commissioner McDonald said there were laws in Colorado,
280 and it was complicated. Commissioner McDonald encouraged the applicants to read the declarations.
281 Mr. Rosenberg said they did not have a problem reviewing the declarations and R2 Partners have
282 experience managing HOA's. Commissioner McDonald pointed out that the applicant's property
283 would be unique and said all the landscaping should all be managed as one.

284
285 Myrna Candreia New Castle resident said the applicants' tenants should be required to use their
286 garages for parking instead of storage so there wouldn't be so many cars parked on the street. Mr.
287 Lee said that would be too difficult to enforce. Mr. Lee said he did not agree with that suggestion.
288 Ms. Candreia said that emergency vehicles cannot access the street because of illegal parking near
289 Foxwood Lane. Ms. Oester there was 540 Square feet of garage space. Ms. Oester said it is not
290 practical to stop people from putting toys in their garage, but you could stop them from blocking
291 emergency vehicles. Ms. Oester said a covenant could enforce the issue of blocking of emergency

292 vehicles because it could cause harm or safety. Commissioner Cotey said if there is an issue with
293 the roadway itself, the town should take responsibility along with the police department.
294 Commissioner Cotey said she would like to separate the developer's responsibility and the towns.
295 Mr. Rosenberg showed an area in the garage that can be used as additional storage.
296
297 Commissioner Alternate Mahaffey asked about parking for families with children, two cars who cannot
298 park in the garage. Mr. Rosenberg said two cars would fit in the driveways in addition to the garage.
299 Mr. Rosenberg said that with the proposed amendment, there would be more parking spaces than
300 the original PUD. Commissioner McDonald asked if parking was allowed on only one side of the
301 street. Planner Smith said parking was allowed on the south side of the street. Mr. Rosenberg said
302 there were parallel spots on the side of the street. Commissioner Cotey reminded the other
303 commissioners that the parking issue was discussed in earlier development approvals and the
304 applicants created more than was originally approved. Commissioner Mahaffey said he was curious
305 if parking would spill over into the park and if overnight parking would be allowed where it currently is
306 not allowed. Mr. Rosenberg said those spaces in the park were dedicated to the town and that would
307 be the responsibility of the town. Ms. Oester said there is signage at the park that says, "no overnight
308 parking".
309
310 Jean Heiser, New Castle Resident asked if there would be a management office on site for the 130
311 rental units. Mr. Rosenberg said there would be 130 units in total, with twenty-six units for sale, so
312 the rental pool would be less than originally approved. Mr. Rosenberg said there was not onsite office.
313 Since the townhouse units are for sale, there would not be a manager living in one of those. Ms.
314 Oester said the maintenance building does have an office, but no one will be living there. Ms. Heiser
315 asked if that maintenance room would be staffed. Mr. Rosenberg said it would not be staffed twenty
316 four hours a day, but there would be someone there during business hours to receive packages,
317 manage rentals and take complaints.
318
319 Denise Scheberle, New Castle resident on Zoom asked what the impact would be on VIX park, it's
320 parking spaces and the dog park because there was no other green space she could see on the plan.
321 Ms. Scheberle was concerned about the impact because the park was already heavily used. Planner
322 Smith said extra parking was approved with the original application. Planner Smith said that was an
323 improvement to VIX to the town on behalf of R2 Partners. Planner Smith said the town asked the
324 applicants to aid with the parking in that area. Planner Smith said there would not be much of an
325 impact on the park open space. Planner Smith said if anything, it will improve the walkability of the
326 park and make it more user friendly. Planner Smith said a couple of EV chargers would be available
327 at VIX Park too. Planner Smith said the original PUD was approved by P&Z and voted on by council
328 because nobody felt it would have a negative impact on VIX Park. Town Administrator David
329 Reynolds said the spots along the edge of VIX Park were not designed for the development and were
330 add-ons that formalize and put additional sidewalk in front of the park. Ms. Scheberle said she
331 understands the parking and still has concern for the green space, considering the other proposed
332 townhome development. Mr. Rosenberg said the applicants own 60 acres and they plan to develop
333 less than ten acres and leave the rest as open space. Mr. Rosenberg said the roads and hiking trails
334 that go through their property will be maintained and available for public use. Commissioner Cotey
335 said that this is private property and the developers have been very thoughtful in allowing public
336 access.
337
338 Commissioner Alternate Mahaffey asked if the trail dedicated to the town, was an easement. Mr.
339 Rosenberg said it is not ownership, but a perpetual easement to the town. Planner Smith said the
340 applicants preserved those trails.
341
342 Jim Lord, New Castle resident, said he had seen more activity this year and asked when
343 construction would start. Mr. Rosenberg said work could start in April or May 2026 and estimated it

344 could take up to 18 months. Mr. Rosenberg said the order of construction would start with 80
345 apartments, next town homes, and finally the empty nest units. Mr. Lord asked if North Wild Horse
346 Drive would open where it is currently closed to accommodate more parking. Mr. Rosenberg said
347 since that will be owned, the town has asked the developer to provide more parking. Mr. Rosenberg
348 said it will be open to connect to Castle Valley Boulevard with additional parking.
349

350 Commissioner McDonald asked if there would be a temporary service road back on the construction
351 track. Mr. Rosenberg said R2 Partners was working on an agreement with TC Midwest because they
352 own the property. Planner Smith said Attorney Mike Sawyer and TC Midwest were still working on it.
353 Commissioner McDonald said he would like to see that road take pressure off Castle Valley Boulevard
354 from construction traffic.
355

356 Ms. Heiser, New Castle resident, said there was a lot of traffic on North Wild Horse Drive and
357 wanted to know if there would be plans to improve the road. Planner Smith said there were
358 approvals that connect North Wild Horse Drive and the blockades would be removed. Planner
359 Smith said more parking spaces would be added, and TC Midwest development would connect at
360 another connection point at the roundabout. Ms. Heiser asked if North Wild Horse Drive would be
361 halted in any way and Planner Smith said no.
362

363 Commissioner Alternate Rittner thanked the applicants for adding the maintenance building and
364 office. Commissioner Alternate Rittner thanked the applicants for the thoughtfulness of adding
365 ownership to the townhomes.
366

367 Commissioner Sass said the application has improved with the addition of larger garages.
368

369 Commissioner Alternate Mahaffey said he would like to see future connections with open space and
370 trail networks.
371

372 Commissioner Cotey said she would like to have a condition added to the covenant concerning
373 fencing for private ownership units. Commissioner Cotey said the change from rentals to private
374 ownership changes the maintenance from a property manager to individual homeowners.
375 Commissioner Cotey recommended working with Planner Smith and town staff on creating
376 appropriate covenants. Commissioner Cotey suggested a three foot or split rail in the covenants. Mr.
377 Rosenberg said he was fine with a unified fencing plan because he said it would look bad if fences
378 were taller than the rooflines. Planner Smith agreed with a three split rail like in Lakota Canyon Ranch.
379 Planner Smith asked if the fence should have a specific elevation. Commissioner McDonald said the
380 lot lines would require a survey before fencing. Commissioner Parks asked about covenants to
381 prevent sheds and other storage pads. Mr. Rosenberg agreed and said he would work with Planner
382 Smith to address those concerns. Chair Apostolik suggested a meeting with Administrator Reynolds
383 and the Town Attorney to create covenants to keep fencing and outbuildings consistent with
384 neighboring communities.
385

386 Commissioner Parks said the applicants may want an agreement with homeowners about
387 maintaining the grounds. Mr. Rosenberg said the applicants would maintain the front yards and the
388 homeowners would maintain the back yards. Commissioner McDonald said White Horse Village
389 would be a good comparison for the applicants to work from regarding HOA maintained front yards
390 and homeowner maintained back yards.
391

392 Chair Apostolik closed the public hearing at 8:00 p.m.

393 **MOTION: Commissioner Riddile made a motion to approve PZ 2026-1, A**
394 **Resolution of the New Castle Planning and Zoning Commission**
395 **Recommending Approving a Minor Amendment to the Final PUD Development**

396 **Plan and Plat for the 9 North Wild Horse Multi-Family Housing Development**
397 **Center with a change to item B with staff recommendations. Chair Apostolik**
398 **seconded the motion and it passed on a roll call vote. Commissioner**
399 **McDonald: yes; Commissioner Cotey: yes; Commissioner Parks: yes;**
400 **Commissioner Sass: yes; Chair Apostolik: yes; Commissioner Riddile: yes;**
401 **Commissioner Alternate Mahaffey: yes.**

402 **Commission Comments and Reports**

403 Commissioner Alternate Mahaffey asked if the commission would consider work session
404 to clarify what would be discussed during a meeting. Commissioner Cotey said there
405 were rules that forbid two or more commissioners to discuss an open application off
406 the record. Chair Apostolik said the commission needed to focus on the agenda but
407 also hear public comments. Commissioner Cotey said that the code dictates
408 commission alternates review prior applications before voting and due diligence to
409 review the materials. Commissioner Alternate Rittner said it is important for alternate
410 commissioners to know the applications before voting by reviewing the record.

411 Planner Smith said Commissioner Alternate Mahaffey could reach out to the owner of
412 the property at some point and discuss ideas for new trails. Commissioner Riddile
413 suggested holding a refresher course for the planning commission once a year covering
414 ethics, procedures, and expectations with the town attorney.

415 **Staff Reports**

416 Planner Smith said he would schedule Xcel Energy CUP for the substation and plan the
417 noticing. Planner Smith said he is trying to schedule a sketch plan with TC Midwest.

418

419

420 Chair Apostolik adjourned the meeting at 8:30 p.m.

421

422 Respectfully Submitted,

423

424

425

426

427 _____
Chuck Apistolik, Commission Chair

428

429

430

431

432 _____
Michelle Huster, Professional Assistant to
433 the Town Clerk

434

435

Exhibits

436

437 Exhibit A – New Castle Center Sketch Plan

438

439

440