

**New Castle Planning and Zoning Commission Special Meeting  
Wednesday, November 29, 2017, 7:00 p.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 – arrived 7:01 p.m.  
              Commissioner Riddile  
              Commissioner Ruggles  
              Commissioner Urnise

Absent     Commissioner Ellis

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

**Meeting Notice**

Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting in accordance with Resolution TC-2017-1.

**Conflicts of Interest**

There were no conflicts of interest.

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

Ms. Patricia Sell, 359 Coryell Lane. Ms. Sell wanted to know what the procedure for notification was, if land was going to be vacated by the town for private land use.

Chair Apostolik said that would go through the town planner.

Assistant Town Attorney Haley Carmer said that it depended on the situation and what the applicant wanted to do. She said there were certain procedures for land use and they would include mailing of notice.

**Public Hearing**

Zoning Text Amendment

Purpose: zoning of a property to be annexed into the Town of New Castle

Applicant:    Garfield County

Legal Description: A parcel of land situated in the SW1/4 of Section 32, Township 5 South, Range 90 West of the 6th P.M., and also in the NE1/4 of Section 2, Township 6 South, Range 91 West of the 6th P.M., County of Garfield, State of Colorado, said parcel being more fully described as follows:

Beginning at the Southwest Corner of that parcel of land described and shown on that Annexation Plat, recorded as Reception No. 431501 of the Garfield County records from which the Southwest Corner of said Section 32 bears S.04°11'47"E. a distance of 1315.98 feet;

thence 667.37 feet along the Southerly Line of said parcel, along a non-tangent curve to the right, having a radius of 2138.39 feet, a central angle of 17°52'53", the chord of which bears S 63°11'11" E a distance of 664.66 feet;

thence S 54°14'45" E along said Southerly Line, a distance of 579.81 to the Southeast Corner of said parcel;

thence S 54°14'45" E a distance of 331.99 feet along an offset line being 50.00 feet Northeasterly of, and parallel to, the road surface centerline of the existing County Road No. 335;

thence continuing along said offset line the following three (3) courses;

- 1) 430.98 feet along a curve to the left, having a radius of 3628.46 feet, a central angle of 6°48'19", the chord of which bears S 57°38'54" E, a distance of 430.72 feet;
  - 2) S 61°03'15" E a distance of 484.41 feet;
  - 3) 299.28 feet along a curve to the left, having a radius of 1786.15 feet, a central angle of 9°36'02", the chord of which bears S 65°51'16" E, a distance of 298.93 feet to the Westerly Line of Lot 1 of Riverside Park, as shown on the Plat thereof, recorded as Reception No. 548663;
- thence S 13°22'59" W following said Westerly Line, and said Westerly Line extended, a distance of 100.51 feet;
- thence along a line being 50.00 feet Southwesterly of, and parallel to the road surface centerline of the existing County Road No. 335 the following three (3) courses;

- 1) 326.48 feet along a non-tangent curve to the right, having a radius of 1886.15 feet, a central angle of 9°55'03", the chord of which bears N 66°00'46" W a distance of 326.07 feet;
- 2) N 61°03'15" W a distance of 484.42 feet;
- 3) 350.74 feet along a curve to the right, having a radius of 3726.87 feet, a central angle of 5°23'32", the chord of which bears N 58°21'23" W a distance of 350.61 feet to the easterly most corner of Coal Ridge Industrial Subdivision, as shown on the Plat thereof, recorded as Reception No. 571484; thence along the Northeasterly Line of said Subdivision, the following three (3) courses:
  - 1) 92.11 feet along a non-tangent curve to the right, having a radius of 3726.87 feet, a central angle of 1°24'58", the chord of which bears N 54°57'09" W a distance of 92.11 feet;
  - 2) N 54°14'45" W a distance of 911.80 feet;
  - 3) 595.45 feet along a non-tangent curve to the left, having a radius of 2038.39 feet, a central angle of 16°44'14", the chord of which bears N 62°36'51" W, a distance of 593.34 feet to the Northwest Corner of Tract A of said Coal Ridge Industrial Subdivision, also being at the Westerly Line of said Section 32; thence N 04°11'47" W along said Westerly Line, a distance of 108.35 feet to the point of beginning, said parcel containing 6.376 acres (277747 square feet), more or less.

Common address: TBD, New Castle

Proposed zoning: Industrial

Resolution PZ-2017-05: A Resolution of the Town of New Castle Planning and Zoning Commission Making Recommendations Regarding Zoning of Certain Real Property Proposed for Annexation into the Town of New Castle, Colorado

Chair Apostolik opened the Public Hearing at 7:05p.m.

Town Planner Tim Cain briefly described that the town approved several parcel annexations many years ago that included the Coal Ridge Industrial Subdivision, Riverside Industrial Park, Talbot Subdivision, Frank Breslin Park, Town Open Space and industrial lots on the northwest and southwest side of County Road 335. However, a portion of County Road 335 was never annexed into the Town. The portion extended from the east near the new Talbot trail to the entrance of Mr. T's. For quite some time the town had been in discussions with Garfield County about annexing the portion of County Road 335. It was agreed that the town would annex the road and take over the maintenance and repair. Staff recommended zoning County Road 335 as Industrial.

Attorney Carmer said the job of the Planning and Zoning Commission was to make a recommendation of how the property should be zoned. The purpose of zoning the road was in the event it was ever vacated then there would be zoning in place for the property.

There were no citizen comments.

Chair Apostolik closed the Public Hearing at 7:09pm

**Motion: Commission Chair Apostolik made a motion to approve Resolution PZ-2017-5, A Resolution of the New Castle Planning and Zoning Commission Recommending Zoning of Certain Real Property Proposed for Annexation into the Town of New Castle, Colorado. Commissioner Riddile seconded the motion and it passed on a roll call vote: Commissioner Copeland: Yes; Chair Apostolik: Yes; Commissioner Riddile: Yes; Commissioner Ruggles: Yes; Commissioner Urnise: Yes.**

### **Items for Discussion**

#### **Referral from Garfield County (GARCO) – Land Use Change Permit**

Planner Cain explained that GARCO Community Planning Department referred land use applications to cities and towns when the application was within the three mile area of influence. Other agencies like Colorado Parks and Wildlife, CDOT, Army Corp of Engineers and Colorado River Fire & Rescue receive referral applications as well.

The application referred to New Castle was a request submitted by Tom & Naomi Laidlaw for a Land Use Change Permit for Public Gathering. The application included Public Concerts, Public Festivals, Vender and Concession Facilities, large scale

parking areas, a shuttlebus drop off area, a performance stage, production area, sound and light systems, boat landing area, nature park area, restroom facilities, and large scale camping.. The idea would be a music event somewhat like Country Jam in Mack, Colorado.

Events hosting 2000 -3000 people, or potentially much larger are anticipated to be scheduled between the months of May to October. Events may include on-site camping of up to 3,000 people on a portion of the 79-acre parcel which was located 3.5 miles West of New Castle along River Frontage Road and the Colorado River. The Laidlaw's were represented by Jason Segal, General Manager for Peach Valley River Park, LLC. The application called for the 79-acre parcel to be converted into a park, "Peach Valley River Park" (PVRP), which along with hosting public events would serve as a low traffic fishing and nature park with a focus on wildlife.

The event site area was zoned by the county as "rural". The parcel is defined as "park", which is a use-by-right, however, public gatherings of such magnitude are somewhat unusual. As such, the GARCO Community Development Director issued a "call-up" which required a hearing with the Board of County Commissioners.

In order to host large public events, the applicants intended to use public transportation as much as possible. Part of the plan was to have concert goers, park on private vacant property within New Castle town limits, and utilize Roaring Fork Transit Authority (RFTA) Park N Ride system / Shuttle Bus system.

Planner Cain said that the application request asked for PVRP to be developed as a Public Use with low traffic fishing and a nature park. The request seemed to be in extreme conflict with the developers desire to have an ongoing funding source provided by very large-scale festival and concert events.

Planner Cain said that the application was within the town's three mile area of influence, therefore must be considered by the Town of New Castle as a permanent concert and festival venue, and less as a public access fishing and nature park.

Planner Cain said that it was the opinion of staff that although there may be the possibility of increased sales tax revenue to the Town during the large events hosted by PVRP, the application and development of such a venue was not consistent with the rural nature of the Town of New Castle, or with the desire of the town and Garfield County to maintain the historically agricultural and natural feel of the Colorado River Basin in the valley between New Castle and Silt.

It was also noted that without the addition of the required building and infrastructure to the site, it would not be feasible to host such large events on a regular basis. The needed infrastructure would likely include stages, parking lots, transit bus lots, park and ride shelters, ticket booths, security booths, camping facilities, production facilities, lighting, and sound equipment, handicap parking and facilities, restroom facilities, concession facilities, offices, waste facilities, roads and sidewalks, and more.

Planner Cain said that the addition of the infrastructure needed in order to properly and safely host such events would certainly mark a permanent change to the

desired rural and agricultural feel of the area along Hwy. 6, I-70, and the Colorado River Frontage Road.

In addition, Planner Cain said that the applicant intended to use land within the Town of New Castle as a commuter park and ride/shuttle location to serve concert and festival guests. It was unclear how having the town act as a staging area for a venue outside of town would benefit the town. In fact, it was possible that most of the revenue generated during such events would remain outside of town limits and would not benefit the town at all.

Planner Cain said that Staff recommended that the long-range goals of both the town and the county do not appear well served by the application when viewed as a concert venue. It was apparent that with the application came permanent changes that will have a serious impact on the planned agricultural and rural nature of the area.

An entertainment venue for thousands of people required urban services that only a metropolitan area was capable of providing. This type of venue was out of place in a rural and small-town environment.

Planner Cain said that such a large and permanent public event venue must come with great consideration to all affected, including the neighboring towns, property owners, master plans, future development, and property values. Agricultural land uses are part of the local heritage and identity. New Castle created the tag line "Authentically Colorado" to identify that New Castle was a true western small town surrounded by ranching and farming.

Based on the information available in the application, and the lack of conformity to the county's rural zoning for the area, it was staff's recommendation that the applicant's proposal as presented would not be in the best interest of the Town of New Castle or the surrounding area.

Jason Segal, Partner of Peach Valley River Park, LLC. Mr. Segal said that the goal of the Laidlaw property was not to have an event venue, but to create a public river-front park for residents and tourists to use.

Mr. Segal; said that in 2014 PVRP approached Colorado Parks and Wildlife (CPW), Trout Unlimited, Great Outdoors Colorado (GOCO) about creating the park because there is no public-use property on the North side of the Colorado River from New Castle to Rifle. There are places to hunt but nowhere to fish on the Colorado River unless you are in a boat.

Mr. Segal said that the idea would be to have one event over one weekend to fund the rest of the year as a park. He said PVRP was not necessarily an event space, but they needed a way to fund a \$3 million dollar park. 2014 PVRP only had the Laidlaw property for a park and 39 employee housing unit on 78 acres. The housing units would be one per two acres which fits into GARCO's master plan.

Mr. Segal said the idea was not have an event every weekend, but to have one event in the off-season to pay for the property. He said PVRP had applied for one signature event for Memorial Day weekend in May 2018 with 3,000 people. Having

the event would bring revenue to Glenwood Springs, New Castle and Silt for one weekend. Mr. Segal said that PVRP wanted to obtain a special events permit from the county in order to create a revenue stream and to get an investor to back the \$2.7 million dollars needed in order to make it a public park for the people. He also stated that there might be Planned Unit Development (PUD) for an RV park or employee housing. The events that would go on at the park may not all be music oriented as there are also options for outdoor recreation events.

Town Building Inspector David Reynolds asked how many events needed to happen to pay for the property.

Mr. Segal said if done right, one per year, but if that does not go well, they would find a better use such as ranching.

Inspector Reynolds asked if there would be permanent structures on the property.

Mr. Segal said there would be no permanent structures, and after each event, the property would be turned back to an open park.

Mr. Segal said he contact Patagonia to have the retail store on the property since there was so much outdoor recreation in the area.

Mr. Segal said PVRP was trying to create public water access, public parks and a better community. PVRP would not be the event planners, only land planners to put the basics in place such as parking, traffic, noise control and working with local towns for support.

Mr. Segal said PVRP would be able to park every vehicle for a 3,000 person event on the property. He said they would not use RFTA, but would work with a private bus company to get people from Silt, New Castle and Glenwood Springs to the venue.

Planner Cain said that in the application to GARCO there would be RV parking and tent camping.

Mr. Segal said there would be a certain area for day parking and another area for car camping. This would place a vehicle in every other parking space for camping at the upper portion of the property. With a 3,000 person regional event, there wouldn't be many campers. He felt there was enough parking for 1400 cars which would be one vehicle per five people.

Commissioner Riddile said the parking lots in New Castle they intended to use were temporary, and would be dismantled in the near future.

Mr. Segal said that he would not be using those lots as they were just examples. He said spoke with RFTA and RFTA does not want PVRP to use their lots. He said there were plenty of 5-acre parcels for sale around City Market. Silt also had plenty of lots for sale.

Commissioner Riddile asked Mr. Segal how PVRP would obtain lots for parking in New Castle to shuttle people to and from the event.

Mr. Segal said he did not need the extra parking for the May event. If, there were 5,000 – 10,000 people at the event then there would be a need for extra parking in town.

Inspector Reynolds asked what the May event was.

Mr. Segal said there is no event, just the construction of a commercial space. Currently there was no event planner for the event in May.

Inspector Reynolds asked how the private property would become a public park.

Mr. Segal said the private property would have a conservation easement on it that would allow it to be insured to safeguard the owner. PVRP would like to place several picnic benches and construct a foot path around the park. Mr. Segal said that the original plan was to create 16 tent camping sites with a vault toilet and no power, but that couldn't be done because it would have required a PUD.

Inspector Reynolds said that he felt the major appeal would be for people rafting on the Colorado River.

Mr. Segal said it would be an attraction for the local CPW and fly anglers because the boat ramp could be easily accessed without having to go to Silt. The park is equal distance between New Castle and Silt, and tentatively slated to be the bike route from Silt to New Castle. The bike path currently goes to Apple Tree, and the goal is to cross the river at Logan Ranch to River Frontage Road . The park located in the middle allows for a stopping point.

Mr. Segal said that if a person puts a boat in at New Castle, they have to go 7.5 miles to Silt in order to take out.

Mr. Segal said that the Lower Cactus Valley Ditch ran through the middle of the Laidlaw property, and PVRP was working with the ditch company concerning safety and pollution of the ditch.

Commissioner Riddile said PVRP sent Town Clerk Melody Harrison an e-mail stating there was a Board of County Commissioners (BOCC) meeting set for December 4, 2017. However, PVRP was not on the agenda for that meeting.

Mr. Segal said PVRPs application had been pushed back to December 18, 2017 BOCC meeting.

Commissioner Riddile also said that the e-mail it stated that at a Town of Silt meeting the Silt Town Planner said that the Town of New Castle had endorsed the project. Commissioner Riddile stated that the project had not been endorsed by the Town of New Castle, and that the information was false.

Mr. Segal said Silt Town Planner Janet Aluise said she had received the referral from the Town of New Castle who liked the project.

Mr. Cole and Martha Moulton, adjacent property owner. Mr. Moulton said the letter that was sent to them via certified mail had not been addressed properly. He felt there had been plenty of time for PVRP to personally meet and talk with them about the project to understand how they felt about it. Mr. Moulton stated that PVRP made no attempt to come to their house and speak with them. He felt that the problem was that there seemed to be nothing defined on the application. It appeared they only wanted to make money to buy the land. Mr. Moulton said his property had been in the Moulton family for 75 years and they had paid for the access to the river for all of those years. He said they had never had a problem with people stopping on the river on their property. He also said there was access on the south side of the river for people to put in and take out. Mr. Moulton said that if PRVP would have come in with a real development with real money behind it to create something special, it would have been better than coming in with bits and pieces. He said they would have a lot less problems with the project. However, the way it was being presented, there were a lot of issues, and they were the closest neighbor and would be the most impacted.

### **Colorado Department of Transportation (CDOT) Wayfaring Sign System**

Planner Cain said the Town has a vested interest in informing residents and visitors alike of the location of civic, cultural and recreational attractions. One way to accomplish it was by posting signs in the Colorado Department of Transportation (CDOT) right-of-way (ROW). Staff had been working with CDOT on an application for a program called, "Community Wayfaring Sign System" (CWSS). CDOT required a minimum of three signs which are designed to guide travelers to highlighted destinations.

Staff contacted Ms. Andi Staley of CDOT who would be contact person for this project. Ms. Staley will be one of the CDOT personnel to review the application and submitted documents for the "Community Wayfaring Sign System".

Staff sent Ms. Staley a preliminary plan for the location of three signs as well as suggested wording on each sign. The process will take time, but staff borrowed a template from the Town of Rangeley, which should help guide staff through the process.

Staff had also been in contact with a contractor who specialized in the CWSS program. They have worked with several cities and towns on the western slope who are involved in the program. The contractor, Elderado Sign, will manufacture and install the signs. The cost for each installed sign ranged from \$2,500 to \$2,800. It would also be possible for the public works department to perform the installation.

Planner Cain said there were a number of criteria that must be followed:

- 1) Signs must comply with the Manual on Uniform Traffic Control Devices (MUTCD).
- 2) The CWSS application must include specific plans showing construction details, location information, sign design and wording information.



- 3) Destinations listed must be key civic, cultural, visitor, and recreational; no business or road names.
- 4) "Historic Downtown" cannot be included because New Castle did not have an official state designated historical district.
- 5) Specific neighborhoods such as "Lakota Canyon Ranch" cannot be identified.
- 6) Acceptable wording examples included:
  - Visitors Information
  - Town Hall
  - Shopping/Restaurants
  - Chamber of Commerce
  - Parks (can list specific parks such as "Hot Shot Park")
  - National Forest
  - Camping
  - Neighborhoods
  - Golf Course (cannot list Lakota Canyon Ranch Golf Course because it is a "for-profit" enterprise)
- 7) Wording must be brief as possible and font size must be large enough to be legible.
- 8) Signs must be crash worthy (e.g. - compliant break-away bases).
- 9) Signs must be coordinated and continuous (e.g. - consistent style).
- 10) Signs must be reflective.
- 11) Signs cannot block sight distance and must be seven (7) feet to the bottom of the sign in pedestrian areas.
- 12) Prior to installation, staff needs to submit a Traffic Control Plan.

After a brief discussion the commission reached a decision on where to place the signs and the wording on them as follows:

Sign A: Traveling north on the overpass towards HWY6 before intersection will read:

 DOWNTOWN  
NEW CASTLE

 RESTAURANTS  
SHOPS

 TRAILS

 FLAT TOPS  
WILDERNESS

Sign B: Traveling straight at the intersection of HWY 6 and Castle Valley Boulevard, sign would be placed on Alpine Bank's property and will read:

 GOLF COURSE


 NEIGHBORHOODS

 FLATOPS  
WILDERNESS

 FIELDS  
SPORTS PARKS

Sign C: Traveling West on HWY 6 just before Walters Lane on the right will read:

 LIBRARY  
TOWN HALL

 VISTOR INFORMATION  
COMMUNITY CENTER

 FLAT TOPS  
WILDERNESS

**Delivery of Draft Comprehensive Plan Requesting Chair to set date for review of Draft Comprehensive Plan**

After a brief discussion, the commission decided to hold a workshop to discuss the comprehensive plan on January 24, 2018 starting at 6:00 p.m.

**Consider Appointing a Commissioner to the Historic Preservation Commission.**

Commission had a brief discussion and decided to table item until the next Planning and Zoning meeting.

**Consider Appointing Vice-Chair**

**Motion: Commission Chair Apostolik made a motion to appoint Commissioner Urnise as Commission Vice-Chair. Commissioner Ruggles seconded the motion and passed unanimously.**

**Items for next Planning and Zoning Agenda**

There were no items.

**Commission Comments and Reports**

There were no comments or reports.

**Staff Reports**

There were no reports.

**Review Minutes from Previous Meeting**

**Motion: Commission Urnise made a motion to approve the June 14, 2017, meeting minutes as submitted. Commission Chair Apostolik seconded the motion and it passed unanimously.**

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

The meeting adjourned at 9:17 p.m.

Respectfully Submitted,



  
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Planning and Zoning Commission Chair  
Chuck Apostolik

  
Deputy Town Clerk Mindy Andis