

**New Castle Planning and Zoning Commission Meeting  
Wednesday, June 14, 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  
              Commissioner Ellis  
              Commissioner Gates  
              Commissioner Owens  
              Commissioner Ruggles  
              Commissioner Urnise

Absent    None

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**

There were no citizen comments.

**Public Hearing**

Zoning Text Amendment

Purpose: Add a new Chapter to the Zoning Code-Chapter 17.69- that creates the Mixed-Use Commercial zone district and regulations applicable to the new District.

Applicant:    Town of New Castle

Resolution PZ 2017-4 Recommending Approval of an Amendment to Title 17 of the New Castle Municipal Code to Add a New Zone District Known as the Mixed-Use Commercial District.

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

Town Planner Tim Cain briefly described and reviewed 10 potential issues with the proposed zone text amendment for the new Commercial Zone District.

The Commission discussed the 10 issues and made corrections to the proposed zone district. The corrections were:

- 1) Call the new zone district Mixed-Use Commercial Zone District
- 2) 17.69.020 – Purpose should read: The Mixed-Use Commercial zone district provides for a diversity of commercial, service, and entertainment-related uses in mixed-use buildings allowing for residential units above commercial units. The Mixed-Use Commercial zone advances New Castle’s Comprehensive Plan principles, policies, and goals geared toward a strong and sustainable local and visitor economy with a diversity of commercial opportunities. The Mixed-Use Commercial zone creates economic vitality by providing a mix of commercial uses with greater flexibility in architecture and design, enhancing New Castle’s community character. The Mixed-Use Commercial zone district provides an opportunity to transition from the more intense zone district such as Commercial Retail zone district to the surrounding mixed-use, residential, and lodging uses.
- 3) 17.69.030(2) – change restaurants ~~without bars and without drive-through facilities,~~ to restaurants.
- 4) 17.69.030(3) – change banks and financial institutions ~~without drive-through facilities,~~ to with drive-through facilities.
- 5) 17.69.030(5) - add business and professional offices.
- 6) 17.69.040(6) – take out Medical or dental clinic
- 7) 17.69.040 – add (9) Brewery and Distilleries as a conditional use.
- 8) 17.69.040 – add (10) Restaurant with brewery as a conditional use.
- 9) 17.69.040 – add (11) Temporary Gravel Extraction.
- 10) 17.69.060(A) Minimum: two thousand five hundred (~~2,500~~) (1,750) square feet
- 11) 17.69.060 add minimum lot width 35 feet
- 12) 17.69.060 add maximum impervious ninety percent (90%)
- 13) 17.69.070(A)(i) Minimum: five hundred (~~500~~)(400) square feet per dwelling unit
- 14) 17.69.070(A)(ii) Maximum: one thousand five hundred (~~1,500~~)(1,200) square feet per dwelling unit
- 15) 17.69.080 – Setback Requirements: The following setback requires shall apply in this zone district:

Front setback: 20 0 feet Side setback: 5 20 feet

16) 17.69.090 – Building Stories and Height:

Maximum building height shall be forty (40) feet, allowing no more than two three stories, excluding basements. Allowing for commercial and residential on the second and third floor.

Chair Apostolik closed the Public Hearing at 8:49pm

**Motion: Commission Chair Apostolik made a motion recommending approval of Resolution PZ-2017-4, A Resolution of the New Castle Planning and Zoning Commission Recommending Approval of an Amendment to Title 17 of the New Castle Municipal Code to Add a New Zone District Known as the Mixed-Use Commercial District, with recommended changes. Commissioner Ellis seconded the motion and it passed on a roll call vote: Commissioner Gates: Yes; Commissioner Urnise: Yes; Chair Apostolik: Yes; Commissioner Owens: Yes; Commissioner Copeland: Yes. Commissioner Ellis: Yes; Commissioner Ruggles: Yes.**

Zoning of Property

Purpose: zoning of a parcel of real property to be annexed into the Town of New Castle, Colorado

Legal description: A parcel or tract of land situated in the East 1/4 of the SE 1/4 of Section 32, Township 5 South, Range 90 West of the 6th Principal Meridian, County of Garfield, State of Colorado, said parcel being a portion of that parcel of land described in Reception No. 887954 of the Garfield County records, and being more particularly described as follows:

Beginning at the Southwest Corner of said parcel described in Reception No. 887954, also being at the

Northerly right-of-way of Garfield County Road No. 240, from which the East One-Quarter Corner of said Section 32 bears N44°08'57"E a distance of 1646.86 feet;

thence N 05°22'05" W along the Westerly Line of said parcel described in Reception No. 887954, distance of 846.96 feet;

thence N90°00'00" E a distance of 162.87 feet;

thence S 08°00'00" E a distance of 722.72 feet to the Southerly Line of said parcel described in Reception No. 887954, also being the Northerly right-of-way of Garfield County Road No. 240;

thence S 55°18'00" W along said Southerly Line of said parcel described in Reception No. 887954, and also the Northerly right-of-way of Garfield County Road No. 240, a distance of 224.07 feet to the

point of beginning, said parcel containing 3.237 acres (141,006 square feet), more or less.

Common Address: TBD, New Castle

Applicant: Turtlepoop, LLC

Landowner: Turtlepoop, LLC

Resolution PZ 2017-3 Making Recommendation Regarding Zoning of Certain Real Property Proposed for Annexation into the Town of New Castle, Colorado

Chair Apostolik opened the Public Hearing at 8:50 p.m.

Assistant Town Attorney Haley Carmer said when property was annexed into town, the property needed to be zoned within ninety (90) days of the approval of the annexation ordinance. The first reading of the ordinance was at council on June 6, 2017. Therefore, it will be up to the Planning & Zoning (P&Z) Commission to make a recommendation to the council for the zoning of the property. Council will consider the recommendation and hear the first reading of the zoning ordinance at council on June 20, 2017.

Planner Cain recommended adopting the Mixed-Use Commercial Zone District with the subsequent corrections and changes indicated in resolution PZ-2017-4. He felt zoning the property as Commercial General was not appropriate.

Applicant Mogli Cooper greeted the commission. She said she had initially wanted to move the entire Colorado Department of Transportation (CDOT) operations to New Castle. After speaking with State Patrol and the engineering division of CDOT, the goal was to move only the two into one building and perhaps a medical clinic in the other building.

Chair Apostolik closed the Public Hearing at 9:03 p.m.

**Motion: Commission Chair Apostolik made a motion recommending approval of Resolution PZ-2017-3, A Resolution of the New Castle Planning & Zoning Commission Making Recommendations Regarding Zoning of Certain Real Property Proposed for Annexation into the Town. Denying the zone district proposed with the application and recommending zoning to be Mixed-Use Commercial. Commissioner Ellis seconded the motion. The motion passed on a roll call vote: Commissioner Ellis: Yes; Commissioner Owens: Yes; Commissioner Urnise: Yes; Commissioner Gates: Yes; Chair Apostolik: Yes; Commissioner Copeland: 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**

There were no reports.

**Review Minutes from Previous Meeting**

**Motion: Commission Chair Apostolik made a motion to approve the May 24, 2017, meeting minutes as approved. Commissioner Gates seconded the motion and it passed unanimously.**

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

The meeting adjourned at 9:06 p.m.

Respectfully Submitted,



  
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Planning and Zoning Commission Chair  
Chuck Apostolik

  
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Deputy Town Clerk Mindy Andis