

**New Castle Planning and Zoning Commission Meeting  
Wednesday, January 25, 2017, 6:00p.m., Town Hall**

**Call to Order**

Commission Vice-Chair Graham Riddile called the meeting to order at **6:00p.m.**

**Roll Call**

Present Chair Chuck Apostolik Arrived 6:05pm  
Commissioner Copeland  
Commissioner Gates  
Commissioner Riddile  
Commissioner Ruggles  
Commissioner Urnise – Arrived 6:02pm

Absent Commissioner Borgard

Also present at the meeting were Town Planner Tim Cain, 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**

None reported

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

There were no citizen comments.

**MOTION: Commissioner Ruggles made a motion to appoint Commissioner Gates as Commission Vice-Chair. Commissioner Riddile seconded the motion and passed unanimously.**

**Public Hearing**

Conditional use Permit

Purpose: Application for Conditional Use Permit for Car Detail Shop

Legal description: Block 14, West ½ Lot 10 and Lots 11-15, Original Townsite New Castle

Common Address: 731 W. Main Street, New Castle

Applicant: Hector Ramos

Landowner: Jon & Leslie Krick

Resolution PZ 2017-1 Recommending Approving Conditional Use Permit For

Property Located in the Commercial Zone District.

Vice -Chair Gates opened the Public Hearing at **6:04p.m.**

Town Planner Tim Cain reported the application was a request for a conditional use permit (CUP) to allow for a car detail shop located at 731 W. Main St. The applicant, Hector E. Ramos, intended to operate the business part time until there was increased daytime traffic. Based upon need, Mr. Ramos may train another individual to perform the necessary work. Mr. Ramos had previous experience operating a car detail shop and performed car detail sporadically for his employer, Bighorn Motors where he is a salesman. Mr. Ramos had secured permission for the car detail shop from his landlord, Jon Krick, in the form of a letter, which was included in the application. Mr. Ramos will be using one of 3 bays to perform work where the only drain is located. He will be offering hand & mechanical car wash, carpet shampoo, polish and wax. Mr. Ramos will be selling car detail and other retail products once he is established. There will be no toxic material dumped into the sewer system or dangerous chemicals released in the air. However, work involving the need to wash vehicles will be limited to the bay that has a drain. There will be no need for on-street parking or an increase in a proportional water/sewer tap EQR due to limited water use.

The service area will always be located inside the building as there will be no need to detail cars outside. There will be a limited amount of trash generated.

No approved conditional use may be altered, structurally enlarged, expanded in parking area or expanded in ground area unless the site plan is amended and approved in accordance with the procedures applicable to approval of a conditional use as set out in chapter 17.84 – Conditional Uses.

The staff recommended approval of the Conditional Use Permit for a car detail shop operated by Hector E. Ramos located at 731 W. Main St. with the following conditions:

1. All representations of the applicant in written and verbal presentations submitted to the Town or made at public hearings before the planning commission or Town Council shall be considered part of the application and binding on the applicant.
2. In the event the Town receives any complaints about the use of the site or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the Applicant or owner may present testimony or offer other evidence on its behalf.
3. 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.

4. Applicant shall obtain all permits or licenses from all applicable federal, state, and local authorities that may be necessary for the lawful operation of the proposed business on the Property.

5. Applicant will comply with all federal, state, and local laws applicable to the operation of the proposed business and use of the property including, but not limited to environmental laws and workplace safety laws.

6. Applicant shall pay all necessary fees, if any, as directed by Town Council.

7. Applicant shall not materially alter, structurally enlarge, or expand in parking area or in ground area the conditional use beyond what is set forth in the Application unless the site plan is amended and approved in accordance with Chapter 17.84 of the Town Code.

8. Applicant shall comply with the Town's sign and other applicable code requirements; and

9. The use approved in the Application shall not be conducted until the Town Planner has issued a conditional use certificate. That certificate shall be issued only after Applicant has entered into an agreement with the Town specifying that all conditions imposed by the Town Council will be completed and that the use and improvements will be in accordance with the approved Application site plan and development schedule. The conditional use certificate must be issued within one year of the date of final approval by Town Council, or the Application is deemed withdrawn by the Applicant and is of no further force and effect.

Planner Cain introduced Charles Engelbert who has been in the car detail business for more than 30 years.

Commissioner Urnise asked what type of chemicals would be used. Mr. Charles Engelbert said the chemicals were the same that you would use in your home to clean such as soaps, degreasers and wax.

Commissioner Ruggles asked Mr. Ramos if he would be hiring locally. Mr. Ramos said that he would be.

Vice-Chair Gates asked Mr. Ramos if the business hours would be part time. Mr. Ramos said that initially it would be part time by appointments only. All the work would be done inside the shop, with no work to be performed outside.

Commissioner Urnise asked property owner Mr. Krick if there was plans for landscaping the property. Mr. Krick said yes. They are going to do some grade work around the building, re-seed some of the grass and speak with the neighbors to fix the fence on the west side.

Vice-Chair Gates closed the Public Hearing at 6:19 p.m.

**Motion: Vice-Chair Gates made a motion recommending approval of PZ-2017-1, Recommending Approving Conditional Use Permit Property**

**Located in the Commercial Zone District. Commissioner Riddile seconded the motion and it 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: Vice-Chair Gates made a motion to approve the October 26, 2016, meeting minutes as corrected. Commissioner Urnise seconded the motion and it passed unanimously.**

**Motion: Chair Apostolik made a motion to adjourn the meeting. Vice-Chair Gates seconded the motion and it passed unanimously.**

The meeting adjourned at 6:40p.m.

Respectfully Submitted,



  
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Planning and Zoning Commission Vice-Chair  
Brad Gates

  
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Deputy Town Clerk Mindy Andis