



Town of New Castle Administration Department
450 W. Main Street **Phone:** (970) 984-2311
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New Castle, CO 81647 www.newcastlecolorado.org

Posted _____
Remove 1/26/17

Agenda

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

Call to Order, Roll Call, Meeting Notice

Conflicts of Interest (Disclosures are on file with Town Clerk & Secretary of State)

Citizen Comments on Items NOT on Agenda

Public Hearing

A. Brief description of application: Application for Conditional Use Permit Car Detail Shop

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

Common address: 731 W. Main St.

Applicant: Hector Ramos

Landowner: Jon & Leslie Krick

B. Resolution PZ-2017-01 Recommending Approval of a Conditional Use Permit for Property Located in the Commercial Zone District.

Comments/Reports

C. Items for Next Planning and Zoning Agenda

D. Commission Comments/Reports

E. Staff Reports

Review Minutes of Previous Meetings

F. October 26, 2016 Minutes

Adjournment



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Remove 01/26/16

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Agenda

New Castle Planning & Zoning Commission/Town Council
Joint Workshop Meeting
Wednesday, January 25, 2017, 6:00 p.m., Community Center

Commission Workshop to discuss updating Town of New Castle Comprehensive Plan.

MEMORANDUM

TO: Planning Commission
FROM: Doug Dotson
DATE: October 26, 2016
SUBJECT: State of the Plan report for Town Council

At the last Planning Commission meeting, Commissioners suggested that time be given at the meeting Wednesday night to delve into topics related to the implementation of the Comprehensive Plan. In particular the topics for the meeting were:

1. affordable housing, including possible locations for such housing and changes that might be made to the Town's land use regulations, fees and other similar options to promote affordability, and
2. option for increasing the tax base.

After some thought and discussion with others, I believe that it is important for the Planning Commission to meet with the Town Council before it begins to actively pursue implementation actions. Members of the Town Council have also discussed the Plan. While the Council may not have discussed the Plan to the same depth as the Planning Commission, councilmembers may have similar or other objectives and priorities that should be considered. Meeting with the Council and offering councilmembers your suggestions and listening to theirs will likely improve this process and ensure that everyone is on the same page going forward. By doing this, it improves the changes that the Commission and Town Council will quickly come to consensus on how to move the plan update and implementation actions forward.

If acceptable to the Planning Commission I have updated your report to the Town Council. I have added sections (highlighted in red) for your consideration. If the Commission is in agreement, it might approve this document, authorize that it be forwarded to the Town Council and request a meeting with the Council at its earliest convenience to discuss the Plan and the process for moving forward.

Attachments: State of the Community Plan Report
Talking Points for the Planning Commission's Meeting with Council

STATE OF THE COMMUNITY PLAN NEW CASTLE PLANNING COMMISSION October, 2016

PURPOSE

The purpose of this State of the Community Plan report is to provide an assessment of the 2009 planning document. With this report the Planning Commission intends to:

1. identify those elements of the Plan that continue to provide adequate guidance for the community's future;
2. identify those aspects of the current Plan that should be reassessed now and the reasons for doing so;
3. offer possible strategies and actions steps to the Town Council; and
4. hold a joint discussion with Town Council, to receive input from Council on its priorities and objectives and to reach consensus on actions, priorities and the process for advancing the goals and objectives of the Town of New Castle Comprehensive Plan.

2009 PLAN PROCESS

In 2008 the New Castle Town Council appointed an eleven-member Steering Committee made up of local residents, business interests, and Town Council to guide a new vision for the long-term growth and development of the community. This effort was in response to pending growth pressures, for which the community was not fully prepared. **While several members of the Planning Commission were appointed to the steering committee, the Commission as a whole was not involved in the process of developing the Plan.** After some months and considerable community input, however, the Planning Commission recommended and the Town Council adopted the Town of New Castle Comprehensive Plan on May 27, 2009.

Prior to the adoption of the Plan, the National and local economies were strong. As a result, New Castle had begun to experience significant change. The intent of the Plan was to establish a path for community growth that, while accommodating new housing, businesses, services, jobs, parks/open spaces, non-motorized access systems, transportation, environmental protection and community infrastructure, would ensure that growth and change would not

adversely impact the small-town character and community values that residents wanted to preserve.

As the community planning process neared its conclusion, the National economy began to experience a slow-down, which in time became significant. Growth and development in the Roaring Fork and Colorado River Valleys also were affected. This economic downturn fundamentally stopped new development activity in New Castle. In aggregate, property tax valuation in New Castle declined about 51 percent between 2009 and 2012. More recently, while the upper valley resort economy has experienced improvement in recent years, the effect of the up-turn is only now being felt in New Castle's economy.

The Comprehensive Plan states that "the real measure of success of the New Castle Comprehensive Plan will be regular use and application of the principles, goals and policies that it espouses." The stage is set for New Castle to grow and prosper as the local economy improves; provided however, the resulting changes will not harm, but seek to maintain and improve the desired small-town community character and values.

The Comprehensive Plan also states that it should be reviewed and updated every five years. More than five years have passed since the Plan was adopted. The Planning Commission finds that the Plan should now undergo an assessment to ensure that it can continue to guide growth and development in the community in a favorable way. The purpose of this document is to provide that general assessment of the Plan and to make recommendations for the next steps to implement the recommendations in the Plan.

COMMUNITY 2050 VISION

The Comprehensive Community Plan provided a vision for the community's future. That Vision is portrayed as follows:

- A. In the year 2050, New Castle is an attractive, thriving Western Slope town that continues to value both its heritage and community. The Town enjoys a sustainable growth rate, a stable economy and a healthy environment. Balanced land uses ensure economic vitality, support local businesses and provide local employment for a majority of residents. An extensive system of connected trails, parks and open space offers non-motorized pathways, access to public land, wildlife corridors, recreational and public health benefits and economic stimulation for the local economy. Developed parks serve a variety of purposes and have grown in acreage with the town. Passive open space protects high-quality wildlife habitat, conserves native vegetation, maintains view corridors, safeguards riparian areas and preserves other environmental resources.

- B. Town residents support environmental protection of high quality air and water. Clean, renewable, locally-produced energy sources are used to meet many energy demands in the community. Homes and businesses use the area’s abundant solar energy, and building designs minimize energy demand. Construction materials reduce environmental impact by minimizing waste and incorporating products that lessen their environmental footprint. Well-designed exterior lighting reduces energy consumption, eliminates lighting trespass, protects views of New Castle's star-filled night sky and at the same time maintains public safety.
- C. In 2050, historic downtown New Castle retains its traditional architectural character and supports a variety of small businesses that employ local residents and attract many visitors to town. Downtown remains the community focal point for events, parades and local government services including Town Hall, the post office, the library and the community center. The historic architectural character of downtown is retained in all new construction and exterior remodels. Wide sidewalks, landscaping, public gathering spaces, period lighting, two-lane traffic and thriving businesses make downtown a pedestrian-friendly attractive site for commerce.
- D. New residential-focused subdivisions incorporate traditional neighborhood design concepts with front porches, openness to the street, alleyways and separated sidewalks. Narrow streets contribute to neighborhood character with slower traffic speeds and high levels of social interaction. The range in size of dwelling units and unit types within all neighborhoods offers a variety of housing styles and prices. This housing diversity, in conjunction with designated affordable housing units, allows New Castle residents to work and live in their community.
- E. Residential neighborhoods include live/work units with low-impact home occupations to allow residents to work where they live. The mix of uses lessens reliance on automobiles, decreases traffic, reduces noise/air pollution and enhances quality of life.
- F. Land-use policies provide for sequential, logical and cost-effective growth within the Urban Growth Boundary (UGB). Consideration of new annexations is based on demonstrated community benefits and needs. "Smart Growth" policies assure a healthy variation in land use types. Residential, commercial, industrial and recreation land uses have a balanced relationship that supports a sustainable economy. Opportunities for local ownership of business and homes ensure that current and future generations can live in the community.
- G. The Town and Garfield County work together on joint land use reviews in the unincorporated areas around New Castle identified by the Joint Planning Area Boundary

under the guidance of the Town’s Three-Mile Plan. Their mutual goal is to ensure that future annexations are easily and cost-effectively incorporated into town limits in terms of land use and compatible urban infrastructure.

- H. Development within the Urban Growth Boundary is phased to support an adopted annexation plan. New growth avoids inefficient leapfrog development beyond the range of municipal infrastructure/services. The edge of town is discernible from surrounding rural and agricultural areas. Urban sprawl with the resulting taxpayer burdens is avoided by concentrating development in town with adequate services, infrastructure and parks/open space.

COMMUNITY VISION SUMMARY

- A. All action and growth should value the **heritage** of the community.
- B. There should be a **stable economy** and a healthy environment.
- C. **There should be economic vitality locally**, with support for local businesses and opportunities for **local employment** for a majority of residents.
- D. There should be an extensive system of **connected trails, parks and open space**.
- E. There should be a **high quality environment**, including clean air and water and a star-filled night sky.
- F. The historic downtown New Castle should retain its **traditional architectural character** and support a variety of small businesses that employ local residents and attract many visitors to town. There should be wide sidewalks, landscaping, public gathering spaces, period lighting, two-lane traffic and thriving businesses make downtown a pedestrian-friendly attractive site for commerce.
- G. New residential-focused subdivisions incorporate **traditional neighborhood design** concepts with front porches, openness to the street, alleyways and separated sidewalks
- H. There should be **housing diversity**, in conjunction with designated affordable housing units, allowing New Castle residents to work and live in their community

COMPREHENSIVE PLAN GUIDING PRINCIPLES, GOALS AND POLICIES

The guiding principles of the New Castle Comprehensive Community Plan are as follows:

A. COMMUNITY GROWTH

1. Ensure that new development substantially conforms to the New Castle Comprehensive Plan principles, goals and policies.
2. Growth in New Castle shall remain within the established Urban Growth Boundary which is delineated based upon geography, current/future availability of urban services, community input and logical community expansion. This boundary defines the urban edge from surrounding rural/agricultural areas.
3. Annexations and future development outside of the existing New Castle municipal boundary should occur in sequential, cost-effective and logical steps based upon overall benefits to the community.
4. New Castle should strive to achieve a balance of land-use categories (residential, business/commercial, light industrial, open space/parks) to attain a healthy relationship of land use types. A healthy balance of land-use types taken as a whole are considered those that contribute to economic sustainability, job creation, affordable housing, retail and services, recreation, wildlife habitat and overall community enhancement.
5. New Castle embraces the 10 principles of Smart Growth because they provide a framework within which communities can make informed decisions about better ways to grow, create jobs, support economic development, enhance neighborhoods, provide housing, support transit options and achieve a variety of other long-term community benefits. (SMART GROWTH)
 - Mixed land uses.
 - Incorporate compact building design.
 - Create a range of housing opportunities and choices.
 - Create walkable communities.
 - Foster distinctive, attractive communities with a strong sense of place.
 - Preserve open space, farmland, natural beauty and critical environmental areas
 - Strengthen and direct development toward existing communities
 - Provide a variety of transportation options.
 - Make development decisions predictable, fair and cost-effective.
 - Encourage community and stakeholder collaboration in development decisions.

6. New Castle shall implement the provisions of the Comprehensive Plan through its Municipal Code land-use regulations and intergovernmental agreements with Garfield County, the RE-2 School District, Colorado River Fire and Rescue, BLM and other governmental or quasi-governmental agencies.
7. New Castle shall require new development to offset all negative development-related impacts as determined through a quantifiable fiscal impact analysis and a traffic and utility study. Development should pay all costs associated with new infrastructure, infrastructure extensions or parks that it may require and for any related financial impacts that it places on existing municipal services. This requirement shall include adequate collateralization of the improvements and provisions to offset the loss of collateralization value due to inflation.

B. INFRASTRUCTURE

1. New Castle will continue to operate its water and wastewater facilities in a manner that provides high-quality service with adequate capacity to meet community needs including fire use, irrigation and wastewater treatment. Fiscally, these systems operate on an enterprise basis and fee structures will be reviewed regularly to ensure that user fees and tap fees (system development fees) are adequate to meet current and long-term financial needs. In addition, the Town will maintain a portfolio of water rights sufficient to serve current and future needs.

C. RECREATION and TOURISM

1. New Castle will work with the BLM and landowners to improve access between the town a public lands and local waterways.
2. New Castle will increase the number and attractiveness of special events in town.
3. Town-owned and managed tourist attractions will be developed and improved.
4. Increase awareness of existing tourist amenities.

D. TRANSPORTATION

1. New Castle will plan for and maintain a high quality interconnected community transportation system that supports all forms of transportation, including public transit, biking and walking, that reduces dependence on the individual automobile and that is designed to meet specific community needs.

E. HOUSING

1. New Castle will investigate, pursue and establish mutually supportive and beneficial partnerships with other agencies to preserve and create affordable/attainable housing.
2. New Castle will create and preserve affordable/attainable housing as an element of all new development.
3. Affordable/attainable housing will be created and preserved in existing neighborhoods.
4. New Castle will create and preserve affordable/attainable housing for renters and essential community service employees.

F. PARKS, OPEN SPACE AND TRAILS

1. New Castle will require dedication of park and trail facilities in conjunction with development and will require that development make appropriate and contributions to that expansion. New development shall dedicate a minimum of 10% of the project gross land area for future parks and open space development purposes.
2. New Castle will acquire, develop and maintain parks in accordance with the standard of the Colorado State Parks and Recreation Planning Guide for Small Towns developed by RPI Consulting under a contract with the Department of Local Affairs.
3. New Castle will acquire, develop and maintain a trail system that provides recreational and public health value and non-motorized access.
4. New Castle will acquire open space in locations and circumstances that protect environmental, scenic and wildlife values and that provide natural buffers between urban uses.

G. ECONOMY

1. New Castle desires to enhance its community retail/service space, thereby increasing needed sales tax revenues to pay for community services. Downtown is an important historic community focal point and should be supported as a key part of the community's economic base. Organizations such as the Main Street

Program education, support and information about enhancing downtowns. Historic Downtown New Castle can be made more pedestrian-friendly and more inviting to residents and visitors alike as a place to go.

2. New Castle will establish a goal of 40% employment of New Castle residents within the Town by the year 2030 by developing a specific plan to achieve this goal.

H. NATURAL ENVIRONMENT

1. Identify and maintain wildlife habitat.
2. Preserve or improve water quality.
3. New Castle will preserve or improve air quality.
4. New Castle will preserve a dark night sky.
5. New Castle will preserve riparian corridors.
6. New Castle will protect ridgelines and viewsheds.
7. New Castle will promote renewable energy, resource conservation and environmental sustainability.
8. New development is prohibited in natural hazard areas. Hazards include falling rock, steep slopes, ground subsidence, wildfire risks, unstable soils, etc.

I. Mineral Extraction and Energy Development

1. All areas within the New Castle Urban Growth Boundary (UGB) will be protected from all adverse impacts associated with mineral extraction or energy development.
2. New Castle and Garfield County should establish an intergovernmental agreement (IGA) that addresses all aspects of mineral extraction and energy development within the Joint Planning Area to ensure that there are no conflicts with future community expansion.

J. HISTORIC DOWNTOWN

1. New Castle will preserve downtown as well as the character of surrounding older neighborhoods. In addition, the Town will pursue programs and efforts of the business community to celebrate New Castle's history.

K. SCHOOLS

1. New Castle will pursue cooperative planning and development with the RE-2 School District to assure that school facilities are developed and expanded as needed while remaining consistent with other Town goals and objectives.
2. New Castle will take a proactive approach towards planning for new or expanded school facilities.

L. COMMUNITY DESIGN

1. New Castle will preserve its historic building character in the downtown as well as the character of surrounding older neighborhoods by building upon and expanding the existing design standards to apply to annexing properties and new building areas.

M. COMMUNITY GATEWAYS

1. New Castle will create and maintain inviting gateways to the community by making aesthetic and design improvements to both its vehicle and pedestrian entry points.

N INTERGOVERNMENTAL COORDINATION AND COOPERATION

New Castle will develop and maintain strong working relationships with surrounding governmental entities that are based upon clear communications and good cooperation to ensure the greatest benefits to the public.

GENERAL EVALUATION

After reviewing the Plan during its work session in July and August, 2016, the Planning Commission has made the following findings about the Comprehensive Plan.

- A. The Commission finds unanimously that the Comprehensive Community Plan, as adopted in 2009 continues to provide a valid direction for the future. The economy did slow after its adoption and growth and development pressures, that were a concern at that time, have diminished. As a result, some of the actions anticipated in the Plan did

not occur. That is not to say that the Plan was ineffective. To the contrary, the Planning Commission does find that it is a matter of time before the level of growth and development previously anticipated will once again come to New Castle.

- B. The Town was not ready for the impending level of growth in 2008-09 and the Plan was prepared in response. The Planning Commission finds that the Plan was a statement of community sentiment about its future. While growth pressures did diminish the Commission finds that the sentiment expressed about the community's future remains valid. The vision of the New Castle community of 2050 that is portrayed in the Plan remains the kind of community for which the citizens and local government should strive.
- C. The Planning Commission finds that clearly some conditions have changed since the Plan was adopted. Growth and development pressures were already at the doorstep at that time. The Plan responded with annexation policies and land use planning that were a "best fit" for the community's needs under those conditions. The economic slow-down all but eliminated those pressures. After evaluating the Plan, the Planning Commission finds that while the Plan continues to provide a sound overall direction for the community's future, some adjustment of certain policies espoused at that time may be appropriate now. By this, the Commission views these as minor, reasonable and strategic. Such adjustments should allow the town to now be more strategic and proactive, rather than coming primarily from a reactionary position that growth and development pressures caused in 2009.
- D. In 2009 the Town was considering many different annexation possibilities in response to pending growth pressures at that time. Those pressures have diminished and some of those annexations are not or may not be possible at this time. The Planning Commission finds that now is the time to refine residential and economic development plans and policies and actively pursue strategic annexations that will best help the community achieve its overall goals.
- E. The Planning Commission finds that New Castle has been for some time and continues to be a bedroom community, with many residents working in Glenwood Springs or elsewhere in the Roaring Fork Valley. This affects the stability of the local tax base as much of the disposable income appears to be spent outside of the New Castle economy. Further, it diminishes the attachment to the community. The lives and work of many of our residents are focused on Glenwood Springs or the resorts in the upper part of the Roaring Fork Valley. The Planning Commission finds that a revival of the growth pressures can move New Castle in a positive direction, one that is more consistent with the 2050 Vision. The economics of the Roaring Fork Valley, including high property values and limits on growth in the upper valley communities, will continue to push growth further down the Valley, adding to the growth pressures on New Castle. The Commission also finds that growth and traffic congestion throughout Glenwood Springs will likely continue to become more problematic over time, further adding the growth pressures

in and around New Castle. Because of these factors, the Planning Commission finds that New Castle will have the opportunity to move beyond its current bedroom community status to one where residents can live and increasingly work and participate. It is likely that the community will continue to have difficulty retaining and seeing expansions in existing local businesses without a critical mass of the population that is connected to the community and works and spends locally.

- F. The Planning Commission now finds that, while such policies are espoused in the Comprehensive Plan, the Town must now focus on strategies and actions aimed at attracting businesses that can provide primary (living wage) jobs for current and future residents. With this in mind, the Planning Commission finds that now is the time to reassess the land use and zoning plans and annexation policies that came out of the 2009 effort to identify the best possible and realistic locations for business development/ job producing uses that are consistent with the desired future. The Commission finds that this should be a high priority.
- G. The Planning Commission now finds that the land use plan developed in 2009 designated significant portions of the community for mixed-use development. The Commission finds that, while mixed land uses continue to be compatible with the 2050 Vision, the Town should gain better understanding about: a) the residential housing needs that will best serve the community going forward while growth pressures remain calm and 2) development patterns that will best reinforce the importance of downtown as a commercial and social center of the community.

In the future, New Castle will likely offer the most affordable supply of housing in the Roaring Fork and nearby Colorado River Valleys. However, the Commission finds that simply providing affordable housing for those that are committed to up valley communities, through schools, work, socially and for other reasons, is not be in the community's best interest. The Commission finds that while there must be a range of affordable housing options, the town should proactively identify and pursue with developers those options that will attract those people (future residents) that will contribute to the community in the future. The Commission also finds that the Town, working with developers, should begin to gain a better understanding of how "affordability" can best be accomplished in the context of mixed-use development, traditional neighborhood development, the standards practices of housing development that occurred in the past in New Castle. This strategy, combined with a proactive economic development strategy described above, should be a priority going forward.

- H. The 2009 Plan states that New Castle should preserve its downtown. The Planning Commission finds this means developing a critical mass of businesses, residents and visitors to downtown. It will require appropriate infill and redevelopment, as well as the preservation of its historical character. All three approaches will be crucial to the success of downtown. Furthermore, the Commission finds that the downtown

improvement strategy should also focus on economic vitality, including strengthening existing businesses and attracting new businesses, design, organization and programming or events and attractions and promotion. To be successful this downtown effort should be closely coordinated with a sound economic development strategy for the community. The Planning Commission similarly finds that the downtown effort should help establish the foundation on which the community branding and marketing strategy is based.

- I. The 2050 Vision statement describes a sustainable and energy efficient community. The Planning Commission finds that there are a number of market, economic and financial forces that will affect the level of sustainability achieved. However, the Commission finds that reasonable and appropriate steps can be taken now to allow this principle to evolve over time. While regulatory requirements may or may not be appropriate now, the Town should consider changes to codes that, within reason, will allow less efficient structures (residential and others) constructed in the past to adapt in the future as a wider range of technologies become available or more affordable.
- J. The Planning Commission find that the community's main intersection, Castle Valley Boulevard and Highway 6, continues to be one of the most significant problems facing the community. It does not present the desired community character and image. Adequate information in a clear and easy to understand format is not offered at or near the intersection to provide direction and information about the community. The Commission finds that this matter should be addressed soon. A detailed plan should be developed to address this concern. The Commission finds that the land use and zoning plan developed in 2009 should be re-evaluated to ensure that it is providing the best possible direction for improving the community character and image, providing appropriate information about the community for both residents and visitors and contributes appropriately to the overall economic development of the community. The Commission finds that this effort may require Interim steps that should commence soon. The overall plan for this area should anticipate past developer commitments for future improvements to the roadways and understanding the triggers for those future improvements.
- K. The Planning Commission find that consideration should be given to taking proactive steps to grow the Town's tax base to support residential and economic growth, while allowing the Town to provide a proper range and amount of services that will maintain/contribute to the quality of life in the community.
 - 1. Without supporting business development New Castle will remain a bedroom community.
 - 2. A considerable amount of potential tax dollars is spent outside of the community now. This will continue unless there is a better means to capture those tax

dollars locally. The Town might consider measures that will it to either capture retail sales locally or gain tax revenues for expenditures made elsewhere.

3. The Town might reconsider current Town policies that may restrict some tax revenue growth that could otherwise be possible immediately.
- L. The Town has begun to build momentum in implementing the Comprehensive Plan. The Town has made significant trail improvements since 2009 and there are plans to continue to build upon this success.
1. The construction/improvement of trails in and near New Castle will have a significant/ positive impact on the community in the future.
 2. The pedestrian bridge across the interstate and the river has been a big success.
 3. The Town Trails Group is working on the Town Loop trail, which will be a significant improvement.
 4. Will need a connection to Glenwood Springs in the future – the LOVA trail with a connection to a river park and tie to the community north of the interstate. This will have a major positive effect.
 5. Continue to work with the BLM to improve access to public lands and for trail improvements on the public lands.
 6. The RFTA park and ride near the intersection of Castle Valley Boulevard and Highway 6 is now under construction.
 7. Downtown streetscape improvements have been completed. The improvements include curbing and drainage, landscape planters and historic lights.
 8. The Town now carries out numerous community events, the objective of which it to bring together community residents to create community cohesiveness.
- M. The Planning Commission finds that as the community pursues a sustainable residential growth and economic development strategy, it should also establish develop a community branding and marketing plan. The brand should be a "promise delivered" about the quality and affordability of our community as a place to live, or why businesses should look to New Castle for the environment in which they can innovate, expand and where there is a suitable labor force that meets its needs, as well as to visitors and tourist and why they should stop and experience this community. Our brand has everything to do with identity; “why” should someone remember New Castle.

Once this story is “clearly articulated” and understood, it must be communicated to the masses or our target market, the role of our marketing plan.

ACTIONS AND NEXT STEPS

The Planning Commission finds that, while growth pressures have moderated for the time being, this is the time to take specific steps to implement and proactively pursue those types of development and community improvements that are more generally recommended in the Comprehensive Plan. The Commission expects that growth and development pressures will once again return to New Castle. When it does, rather than responding to it, the Town should direct growth in ways that reinforces and add to the desired small-town community character and values that residents desire.

To do this, the Planning Commission recommends that the Town pursue the following action steps at this time. However, as noted at the beginning of this report, the Commission believes that it is important for the Town Council and Commission hold a dialogue where all actions and priorities are discussed and a unified approach for advancing the goals of the Plan is determined. To begin this dialogue, the Commission recommends the following action steps for consideration.

- A. The community should develop an **Economic Development and Business Attraction and Expansion Strategy**.
- B. The Town, working with local businesses and property owners and with citizen input, should develop a special area concept plan for the **redevelopment, infill and historic character preservation of downtown** as well as mixed-use opportunities that will add to the critical mass in and around the downtown.
- C. The Town should work with local developers to develop a **special area concept plan that integrates affordable traditional neighborhoods** into the community fabric of New Castle, as recommended in the Comprehensive Plan, and evaluate current zoning and subdivision regulations of the Town to determine if new techniques are possible to further promote affordable housing in the community.
- D. The Town, working with local businesses and property owners and with citizen input, should develop a special area concept plan for the **community gateway** (Castle Valley Boulevard-Highway 6 intersection)
- E. The Town should develop a special area concept plan for the **improvement of the Colorado River Corridor** through New Castle.
- F. The Town, in support of involved citizens, should continue to actively pursue **construction/improvement of trails** in and near New Castle.

- G. The Town should continue to actively pursue a strategy for creating a **community brand** that connects the community's image, vision and opportunities to current residents and both potential residents and businesses that are attracted to the community because of the shared values and opportunities that New Castles offers them. With a community brand the Town should develop the means to **actively market** New Castle to the intended customer base.
- H. The Town should develop a **community investment strategy**, as part of its traditional municipal budgeting, identifying ways the Town will gather and invest in on-going community improvement beyond it's normal service requirements and capital commitments.
- I. The Town Council should consider potential options for **initiating expansion of the local tax base** in the near future to support this action plan.

PROCESS

The Planning Commission recommends that the Town Council authorize a process for carrying out the work outlined herein. When the 2009 Plan was developed a citizen steering committee was formed. It disbanded upon approval of the Plan. Today, there are currently isolated efforts in the community attempting to advance certain policies of the Plan. However, there is no coordination or clearinghouse of information that is needed to effectively and efficiently advance the Plan. The Commission, recommends that going forward the Planning Commission be designated to fill this coordinating role. Why the Commission? First, it is the role of the Commission to serve as the community's stewards of its comprehensive plan. Second, the Commission is a well-established, standing committee that is available to serve this function. A steering committee is valuable for only as long as it is in existence. The Commission believes that this work will require a sustained effort and that a standing committee is in the best position to effectively coordinate, advance the work and ensure continuity over an extended period. The Commission recognizes that significant public involvement will be necessary to help the Commission carry out the recommendations herein.

In fulfilling this role, the Planning Commission will require appropriate resources. Therefore, the Commission further recommends that, with the assistance of the Town Administrator, the Town Council authorize the Commission to further define refine the specific public process described here and the resources that will be needed at various points and move forward in an expeditious manner.

The Planning Commission looks forward to a constructive dialogue with Town Council. The suggestions and recommendations herein are provided stimulate a discussion with Town Council. The Commission believes that it is important to gain input from Council regarding its goals and priorities and to develop a consensus for going forward. Commissioners believe that

the time is right to advance the implementation of the 2009 Plan and its members look forward to working with Town Council to accomplish this important task.

TALKING POINTS WITH THE TOWN COUNCIL NEW CASTLE PLANNING COMMISION

- A. ECONOMIC DEVELOPMENT AND BUSINESS ATTRACTION AND EXPANSION STRATEGY**
1. While Town leadership is appropriate, this should be a broad-based effort.
 2. It will require evaluating the current Land Use Plan to identify the most viable locations for such economic development activity. Consideration should be given to annexation areas, the Castle Valley Boulevard-Highway 6 area, opportunities on Town-owned lands, and the redevelopment on infill of the downtown.
 3. Appoint a committee to work with the Commission (Town Council members, Town staff, and those with financial and real estate expertise).
 4. Identify appropriate annexation areas and work with appropriate property owners to annex and zone those lands for purposes that promote the economic development objectives of the Town.
 5. Consider traditional as well as “out-of-the-box” strategies including, but not limited to, joint ventures, public-private partnerships, engaging local entrepreneurs, and development incentives to foster and promote appropriate economic development within the community.
- B. SPECIAL AREA CONCEPT PLAN FOR THE REDEVELOPMENT, INFILL AND HISTORIC CHARACTER PRESERVATION OF DOWNTOWN**
1. Identify mixed-use opportunities that will add to the critical mass in and around the downtown.
 2. This work should be closely linked to the economic development strategy and it should help establish the foundation on which the community branding and marketing strategy is based.
 3. The strategy should include economic vitality, including strengthening existing businesses and attracting new businesses, design and historical character, organization and programming or events and attractions and promotion.
- C. AFFORDABLE TRADITIONAL NEIGHBORHOOD DEVELOPMENT STRATEGY**
-

1. The Town should proactively identify and pursue with developers and property owners those options that will attract the type and amount of residential growth (future residents) that will contribute to the community's future.
2. The Town, working with developers, should start now to better understand how "affordability" can best be accomplished, whether in the context of mixed-use development, traditional neighborhood development, or within the standard housing development practices that occurred have occurred in the past.
3. The Town should evaluate current zoning and subdivision regulations of the Town to determine if new techniques are possible to further promote affordable housing in the community.

D. SPECIAL AREA CONCEPT PLAN FOR THE COMMUNITY GATEWAY (CASTLE VALLEY BOULEVARD-HIGHWAY 6 INTERSECTION)

1. The Town, working with local businesses and property owners and with citizen input, should develop addressing existing and future land use and the configuration of development that will best promote community values and contributes appropriately to the overall economic development of the community.
2. The Plan should address congestion and ways to provide appropriate information about the community for both residents and visitors.
3. The Commission recommends that both interim and long-term actions and financing strategies be developed.

E. SPECIAL AREA CONCEPT PLAN FOR THE IMPROVEMENT OF THE COLORADO RIVER CORRIDOR THROUGH NEW CASTLE

1. The Plan should consider both periphery and in-river improvements (e.g., water park).
2. It should provide a plan of development for a variety of safe uses and attractions for residents and that are easily visible from I-70 to help attract travelers/tourists to the community.

F. TRAILS AND CONNECTIVITY PLAN

1. Continue working with local groups to pursue **construction/improvement of trails** in and near New Castle.
2. The Town should work with the BLM and others to improve access to the public lands and actively pursuing a connection to Glenwood Springs.

G. A COMMUNITY BRANDING AND MARKETING PLAN.

1. The Town should continue to actively pursue a strategy for community branding and marketing that connects the community's image, vision and opportunities to current residents and both potential residents and businesses that are attracted to the community because of the shared values and opportunities that New Castles offers them.
2. This brand, as it develops, should drive the actions for improving the community, from the way we go about meeting the needs of our residents to the ways the Town will entice new residents or businesses to New Castle.
3. With a community brand the Town should develop the means to actively market New Castle to the intended customer base.
4. This work must be well-connected to all of the work in this action plan, in particular the housing, economic development and downtown improvement strategies. Moreover, a branding and marketing budget should be a component of a community investment strategy.

H. COMMUNITY INVESTMENT STRATEGY

1. The Town should develop, as part of its traditional municipal budgeting, identifying ways the Town will gather and invest in on-going community improvement beyond it's normal service requirements and capital commitments.
2. This strategy should also channel appropriate available capital, (e.g., financial, social, intellectual or human), to create partnerships and joint ventures and establish a variety of other actions focused on "the Big Picture."

I. EXPAND THE LOCAL TAX BASE

1. The Town Council should consider potential options for in the near future to support this action plan, from buying local educational campaigns, improving information about what New Castle has to offer its residents and ways to capture tax dollars that are now being spent outside of the community.
2. This should be a priority.
3. Additional financial resources will be required soon and over time to help promote affordable residential development, community improvements and infrastructure development that will be required to advance the goals of the community Plan.

Administration Department
 (970) 984-2311
 Fax: (970) 984-2716
www.newcastlecolorado.org



Town of New Castle
 PO Box 90
 450 W. Main Street
 New Castle, Co 81647

DEVELOPMENT APPLICATION

Applicant: Hector E Ramos	
Address: 721 Pine Ct New Castle CO 81647	Phone: (970) 366-8592 FAX: E-mail:
Property Owner: Jon & Leslie Krick	
Address: 91 Riverbend Drive New Castle CO 81647	Phone: 970-319-1799 Jon FAX: 970-319-1798 Leslie E-mail:
Contact Person: Jon & Leslie Krick	
Address: 91 Riverbend Drive New Castle Co 81647	Phone: 970-319-1799 Jon FAX: 970-319-1798 Leslie E-mail:
Property Location/Address: 731 W. Main St New Castle CO 81647	
Legal Description: Block 14 Lot 11 Thru 15 - west 1/2 of Lot 10	Acres: 13,750. Sq. Ft.
Existing Zone (Not sure? Click here for help): C-1	
Existing Land Use: Old Fire Station	
TYPE(S) OF LAND USE(S) REQUESTED	
<input type="checkbox"/> Pre-Annexation Agreement <input type="checkbox"/> Annexation <input type="checkbox"/> Subdivision (Including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) <input type="checkbox"/> Amended Plat <input type="checkbox"/> Planned Unit Development (Including PUD Sketch Plans, Preliminary PUD Development Plans, PUD Master Plans and Final PUD Development Plans) <input type="checkbox"/> Floodplain Development Permit	<input type="checkbox"/> Lot Line Adjustment or Dissolution <input type="checkbox"/> Site Specific Development Plan/Vested Rights <input type="checkbox"/> Variance <input type="checkbox"/> Zoning <input type="checkbox"/> Zoning Amendment <input type="checkbox"/> Re-zoning <input type="checkbox"/> R-1-HC Identification <input checked="" type="checkbox"/> Conditional Use Permit or Special Review Use Permit <input type="checkbox"/> Other
This development would create <u>0</u> residences and <u>2400</u> square feet of commercial space.	
Applicant must also complete and submit the appropriate checklist for the type of land use requested. Both the applicant and the property owner must sign this application.	
Applicants are encouraged to schedule a pre-application meeting with the Town Administrator and/or Town Consultants prior to submitting this application.	

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AGREEMENT TO PAY CONSULTING FEES AND EXPENSES

It is the policy of the Town of New Castle that all land use applications must be filed in the Office of the Town Clerk to receive formal consideration. Please refer to the Town Clerk's Office for all applicable procedures.

However, the Town encourages land use applicants to consult informally with members of the Town Staff, including outside consultants, prior to filing applications if the applicant has questions regarding areas within Staff members' particular expertise; PROVIDED THAT THE POTENTIAL APPLICANT AGREES TO REIMBURSE THE TOWN FOR ALL FEES AND EXPENSES RELATING TO SUCH INFORMAL MEETINGS.

The Town employs outside consultants for engineering, surveying, planning, and legal advice. These consultants bill the Town on an hourly basis as well as for expenses including but not limited to copies, facsimile transmissions, and long distance telephone calls.

It is the Town's policy that all persons wishing to hold informal meetings with members of the Town Staff acknowledge responsibility for all fees and expenses charged by outside consultants by signing this Agreement below.

I acknowledge and agree to pay the Town of New Castle all actual costs incurred by the Town in relation to legal, engineering, surveying, planning, or other services performed by consultants to the Town as a result of such consultants' review and comment upon, or other services related to, land use proposals and/or applications proposed by me or on my behalf, regardless of whether or not such application is formally filed with the Town. Interest shall be paid at the rate of 1.5% per month on all balances not paid within thirty (30) days of the date of the statement. In the event the Town is forced to pursue collection of any amounts due and unpaid, the Town shall be entitled to collect all costs of collection in addition to the amount due and unpaid, including but not limited to reasonable attorney's fees and costs.

SO AGREED this 14 day of Dec, 2016

HECTOR E RAMOS
Applicant (Print Name)

[Signature]
Signature

(970) 366-8592
Telephone

721 PINE CT New Castle CO 81647
Mailing Address

Jon Krick Leslie Krick
Property Owner

91 Riverbank Drive New Castle CO 81647
Mailing Address If Different From Above

Landlord
Relationship to Applicant or Potential Applicant

Type of application: Conditional use permit

Property description: See previous page

Car Detailing Shop:

December 15, 2016

Dear Residents of New Castle,

The purpose of this letter is to notify you that I, Hector Ramos, plan to open a **car detailing business** at the following location: 731 W. Main St New Castle, Co 81647. I have spoken to Mr. Jon R Krick, current owner of the property. He has given me permission to lease his property so I may conduct business (see letter from him). I will be offering the Town of New Castle a friendly automotive detailing service, that include Car Wash, Exterior, Interior, Carpet Shampooing , Polishing and Waxing of vehicles and also I plan to sell detail products to the public. Some of the products will include car wax, air freshener's as well as some of the finest car products to help protect your vehicles from the tough weather elements.

We will not be using any toxic chemicals that will be airborne or dumped in sewer or affect the environment; there will be no off street parking as well as no trash or debris around the facility or any illegal parking on the sewer manhole and line (see site plan).

Our hours of operation are the following: 10am to 6pm Monday through Saturday once business gets up and going. Hours will be extended according to business needs. We will be conducting business according to all laws, rules, requirements and regulations of the Town of New Castle and the State of Colorado.

I have spoken to the fire marshal to make sure we have the proper equipment in the warehouse. Mr. Moon said I need to strategically place fire extinguishers in the building. As a current resident of New Castle, I would like to keep my business local, so I may have the opportunity to offer my services and give back to the Town of New Castle, as I believe strongly in education and building strong communities.

Thank you for time and attention and I would appreciate that the Town would approve of my car detailing business.

Sincerely,

Hector Ramos



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BUILDING DEPARTMENT



← 23' →

CHECKLIST CONDITIONAL USE PERMIT APPLICATION

Authority: New Castle Municipal Code §§16.08.060 & §§17.84.010 et seq.

This is a helpful checklist and is not necessarily all inclusive for all Municipal Code requirements. It is still your responsibility to read and comply with all code requirements. All applications must include a non-refundable Application fee.

Signature [Signature] Date 12/16/16



The following items must be submitted to the Town Clerk:

- Development Application - Submit 15 copies
- Proof of legal ownership of all property involved
- Names and addresses of all property owners, mineral owners (if new surface development anticipated), and lien holders of all property involved
- Complete site plan, drawn to scale, illustrating:
 - Adjacent land uses and location of adjacent structures, including sidewalks, alleys or streets
 - Boundary and size of site
 - Building location, height and setbacks; include any building modifications that the variance may create
 - Off-street parking and loading areas (see attached)
 - Points of ingress and egress
 - Service and refuse areas
 - Signs and exterior lighting
 - Fencing, landscaping and screening
 - Compliance with performance standards (see attached)
 - Location and size of easements, power poles, fire hydrants, gas lines, water and sewer lines and other items which might impact the property, as well as anticipated utility requirements
- Time schedule for development
- If you believe that any of the above requirements are not applicable, provide a statement explaining why you believe the requirements are not applicable.
- Other information supporting your application
- List of owners of property within 250 feet of your property along with their mailing addresses. Source: Assessors Office.
- \$250.00 Non-refundable Application Fee

December 8, 2016,

Tim Cain, City of New Castle,

We, Jon and Leslie Krick owners of the warehouse at 731 West Main Street, New Castle, would like to lease our property to Hector Ramos. Hector will use the warehouse and property to operate a vehicle detail shop.

Sincerely,


Jon and Leslie Krick

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TOWN OF
NEW CASTLE, CO
BUILDING DEPARTMENT

December 8, 2016

Tim Cain, City of New Castle,

We, Jon and Leslie Krick, have full ownership of the property at 731 West Main Street, New Castle, CO 81647. We purchased the property on November 29, 2016. We have no liens or outstanding debts against this property.

Sincerely,



Jon and Leslie Krick

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Account: R380325

<u>Location</u>	<u>Owner Information</u>	<u>Assessment History</u>			
Account Number R380325	Owner Name KRICK, JON R & LESLIE J	Actual (2015)	\$260,550		
Parcel Number 2123-313-02-004		Assessed	\$75,560		
Situs Address 000731 W MAIN ST	Owner Address 91 RIVERBEND DRIVE	Exempt	(\$75,560)		
City New Castle	NEW CASTLE, CO 81647	Adjusted Taxable Total	\$0		
Tax Area 038 - 2-3SF - 038		Tax Area: 038 Mill Levy: 49.5080			
Legal Summary Section: 31		Type	Actual	Assessed Acres	SQFT Units
Township: 5 Range: 90 Subdivision: ORIGINAL TWNSTE NEW CASTLE Block: 14 Lot: 10, Subdivision: ORIGINAL TWNSTE NEW CASTLE Lot: 11 THRU:- Lot: 15 W1/2 OF		Improvement	\$136,800	\$39,670	0.000 0.000 1.000
		Land	\$123,750	\$35,890	0.000 13750.000 0.000

Transfers

<u>Sale Date</u>	<u>Sale Price</u>	<u>Doc Description</u>
11/25/1921	\$0	WARRANTY DEED
06/05/1978	\$0	QUIT CLAIM DEED
11/29/2016	\$291,000	WARRANTY DEED

Tax History

Images

<u>Tax Year</u>	<u>Taxes</u>	
*2016	\$0.00	• Map
2015	\$0.00	• Sketch
		• GIS

* Estimated

Focusing On: 000731 W MAIN ST NEW CASTLE 81647

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TOWN OF
NEW CASTLE, CO
BUILDING DEPARTMENT

Garfield County Land Explorer

Parcel	Physical Address	Owner	Account Num	Mailing Address
212331200016	802 W MAIN ST NEW CASTLE	KYLE, SHANNON B & STEVEN W	R380172	PO BOX 68 NEW CASTLE, CO 81647
212331200019	804 W MAIN ST NEW CASTLE	GARFIELD COUNTY SCHOOL DISTRICT RE-2	R380321	839 WHITERIVER AVENUE RIFLE, CO 81650-3515
212331200035	Not available NEW CASTLE	STOREY ENTERPRISES, INC	R045707	PO BOX 2223 GRAND JUNCTION, CO 81502
212331223015	644 W MAIN ST NEW CASTLE	SHRULL, JAMES O & SAMANTHA J	R380179	PO BOX 294 NEW CASTLE, CO 81647
212331224002	748 WHEELER LN NEW CASTLE	OVERALL, MACEL C	R380137	23 FAIRMONT DRIVE LITTLE ROCK, AR 72204
212331224003	758 WHEELER LN NEW CASTLE	PFALZGRAFF, BOBBI LEE & JUSTIN	R380007	PO BOX 171 NEW CASTLE, CO 81647
212331224004	792 WHEELER LN NEW CASTLE	JOHNSON, STEVEN W	R380080	PO BOX 171 NEW CASTLE, CO 81647-0982
212331224006	792 W MAIN ST NEW CASTLE	PARKER, ANNETTE	R380132	792 W MAIN STREET NEW CASTLE, CO 81647
212331224009	752 W MAIN ST NEW CASTLE	ENGELBERT, CHARLES R	R380242	PO BOX 21 NEW CASTLE, CO 81647
212331224010	742 W MAIN ST NEW CASTLE	GORDON, ROBERT JUDY	R380049	230 N 7TH STREET NEW CASTLE, CO 81647
212331224011	732 W MAIN ST NEW CASTLE	RIEGER, MICHAEL THOMAS & JOHANN G & SHARON K	R380133	PO BOX 412 NEW CASTLE, CO 81647
212331224018	702 W MAIN ST NEW CASTLE	VAN GORP, EMILY ANN	R380381	702 W MAIN STREET NEW CASTLE, CO 81647
212331224019	782 W MAIN ST NEW CASTLE	TURTLE, DAVID J	R380548	840 COUNTY ROAD 137 GLENWOOD SPRINGS, CO 81601-9707
212331224020	720 W MAIN ST NEW CASTLE	GILMORE, MARION B & TERESA A	R380634	PO BOX 56 NEW CASTLE, CO 81647
212331225001	111 N 7TH ST NEW CASTLE	HARRISON, MELODY	R380353	111 N 7TH STREET NEW CASTLE, CO 81647
212331302001	677 W MAIN ST NEW CASTLE	SAMUELSON, WARD A & KERN A	R380279	1260 COUNTY ROAD 325 RIFLE, CO 81650
212331302002	681 W MAIN ST NEW CASTLE	BRESLIN, FRANCIS JOSEPH	R380001	518 MAIDEN STREET THERMOPOLIS, WY 82443
212331302003	721 W MAIN ST NEW CASTLE	MCFARLAND, RONALD P & LINDA G	R380126	PO BOX 885 NEW CASTLE, CO 81647-0885
212331302004	731 W MAIN ST NEW CASTLE	KRICK, JON R & LESLIE J	R380325	91 RIVERBEND DRIVE NEW CASTLE, CO 81647

SFL

PERFORMANCE STANDARDS

I, Hector E Ramos, ON THIS DATE 12/14/16 agree to abide by the following PERFORMANCE STANDARDS:

Performance Standards

- (A) Smoke. No use shall be permitted in any district unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to emission of smoke.
- (B) Particulate Matter. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to emission of particulate matter.
- (C) Dust, Odor, Gas, Fumes, Glare or Vibration. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to emission of dust, odor, gas, fumes, glare or vibration.
- (D) Radiation Hazards and Electrical Disturbances. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to radiation control.
- (E) Noise. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to noise.
- (F) Water Pollution. No operation shall be conducted unless it conforms to the standards established by the Colorado Department of Public Health's rules and regulations pertaining to water pollution.

Source: Ord. 261, Sec. 15.04.090, 1983

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NEW CASTLE, CO
BUILDING DEPARTMENT

Car Detailing Shop:

December 15, 2016

Dear Residents of New Castle,

The purpose of this letter is to notify you that I, Hector Ramos, plan to open a **car detailing business** at the following location: 731 W. Main St New Castle, Co 81647. I have spoken to Mr. Jon R Krick, current owner of the property. He has given me permission to lease his property so I may conduct business (see letter from him). I will be offering the Town of New Castle a friendly automotive detailing service, that include Car Wash, Exterior, Interior, Carpet Shampooing , Polishing and Waxing of vehicles and also I plan to sell detail products to the public. Some of the products will include car wax, air freshener's as well as some of the finest car products to help protect your vehicles from the tough weather elements.

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Our hours of operation are the following: 10am to 6pm Monday through Saturday once business gets up and going. Hours will be extended according to business needs. We will be conducting business according to all laws, rules, requirements and regulations of the Town of New Castle and the State of Colorado.

I have spoken to the fire marshal to make sure we have the proper equipment in the warehouse. Mr. Moon said I need to strategically place fire extinguishers in the building. As a current resident of New Castle, I would like to keep my business local, so I may have the opportunity to offer my services and give back to the Town of New Castle, as I believe strongly in education and building strong communities.

Thank you for time and attention and I would appreciate that the Town would approve of my car detailing business.

Sincerely,

Hector Ramos



Town of New Castle **Planning & Code Administration**
450 W. Main Street **Department**
PO Box 90 **Phone:** (970) 984-2311
New Castle, CO 81647 **Fax:** (970) 984-2716

(1)

Staff Report
Hector E. Ramos – Conditional Use Permit – Car Detail Shop
New Castle Planning and Zoning – Hearing – January 25, 2017

Report Date: 1/9/2017

Project Information

Name of Applicant: Hector E. Ramos

Applicant’s Mailing Address: 721 Pine Ct., New Castle, CO. Telephone – (970) 366-8592
/Phone/Email E-mail: Not provided

Property Address: 731 W. Main St., New Castle, CO 81647

Property Owner: Jon & Leslie Krick

Owner Mailing Address 91 Riverbend Dr., New Castle, CO 81602. Telephone – Jon (970) 319-1799

Proposed Use: Car detail shop

Municipal Code Reference: Chapter 17.84 – Conditional Uses, Chapter 17.36.050 (A)(D)

Street Frontage: W. Main St.

Existing Zoning: Commercial (C-1)

Surrounding Zoning: North – Commercial (C/T), South – public alley, West – Commercial (C-1) and East Commercial (C-1)

Hours of Operation: Monday – Saturday from 10:00 A.M. to 6:00 P.M. or later on a case-by-case basis

I Description of application:

This application is 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, intends to operate the business part time until there is increased daytime traffic. Based upon need, Mr. Ramos may train another individual to perform the necessary work. Mr. Ramos has previous experience operating a car detail shop and

performs car detail sporadically for his employer, Bighorn Motors where he is a salesman. Mr. Ramos has secured permission for the car detail shop from his landlord, Jon Krick (see letter from Jon). 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 is 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.

II Development Application Contents:

1. Development Application
2. Cover letter
3. CUP checklist
4. Permission letter from Jon Krick
5. Letter from Jon Krick – RE: no liens/encumbrances
6. Proof of ownership from GARCO Assessors Office
7. List of property owners within 250 feet
8. Performance Standards agreement
9. Site Plan
10. Comment from public

III Application Issues/Concerns:

The applicant has submitted a site plan of 731 W. Main St. The requirements for a site plan are:

- (1) Adjacent land uses and location of adjacent structures

Staff Comment – The site plan identifies the location of the car detail shop and including adjacent structures east and north of the property.

- (2) Boundary and size of lot

Staff Comment – The submitted site plan depicts the boundary and size of the lot. One reason for the need for a car detail shop CUP is all land use applications in the C-1 zone district are conditional land uses when the lot size exceeds 10,000 sq. feet.

- (3) Building location, height and setbacks

Staff Comment – The building location is identified on the site plan and the height of the building is well under the permitted allowance. The setbacks are located on the site plan as well. There will be no additions in the near future.

- (4) Off-street parking and loading areas

Staff Comment – There will be 5 lined parking spaces and there is much more room on this 13,750 sq. ft. lot if needed. There will be very limited need for large delivery trucks to bring products to the shop and a loading area is placed on the site plan.

- (5) Points of ingress and egress

Staff comment – Access is from the south and north boundary where vehicle and pedestrian travel is easily accomplished. Most, if not all vehicles, will be entering and leaving from the northeast part of the lot.

(6) Service and refuse areas

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

(7) Signs and exterior lighting

Staff Comment – Mr. Ramos will be installing a sign that meets the municipal code requirements. Exterior lights are downcast and dark sky compliant.

(8) Fencing, landscaping and screening

Staff Comment – There is very little existing landscaping and no plans to plant trees or shrubs. There is a split rail fence on the west property boundary. Screening is not applicable for this application.

(9) Compliance with performance standards

Staff Comment – The applicant has submitted a signed document stating the applicant comply with all performance standards.

(10) Location and size of easements, power poles, fire hydrants, gas lines, water and sewer lines; anticipated utility requirements

Staff Comment – Easements are prescriptive in the Original Town of New Castle; the applicant and owner have identified a 20 foot prescriptive sewer/utility easement. Gas and water lines are not shown on the site plan. This is of no major concern.

IV 17.84.070 Alterations

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

V Staff Recommendation:

The staff recommends 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

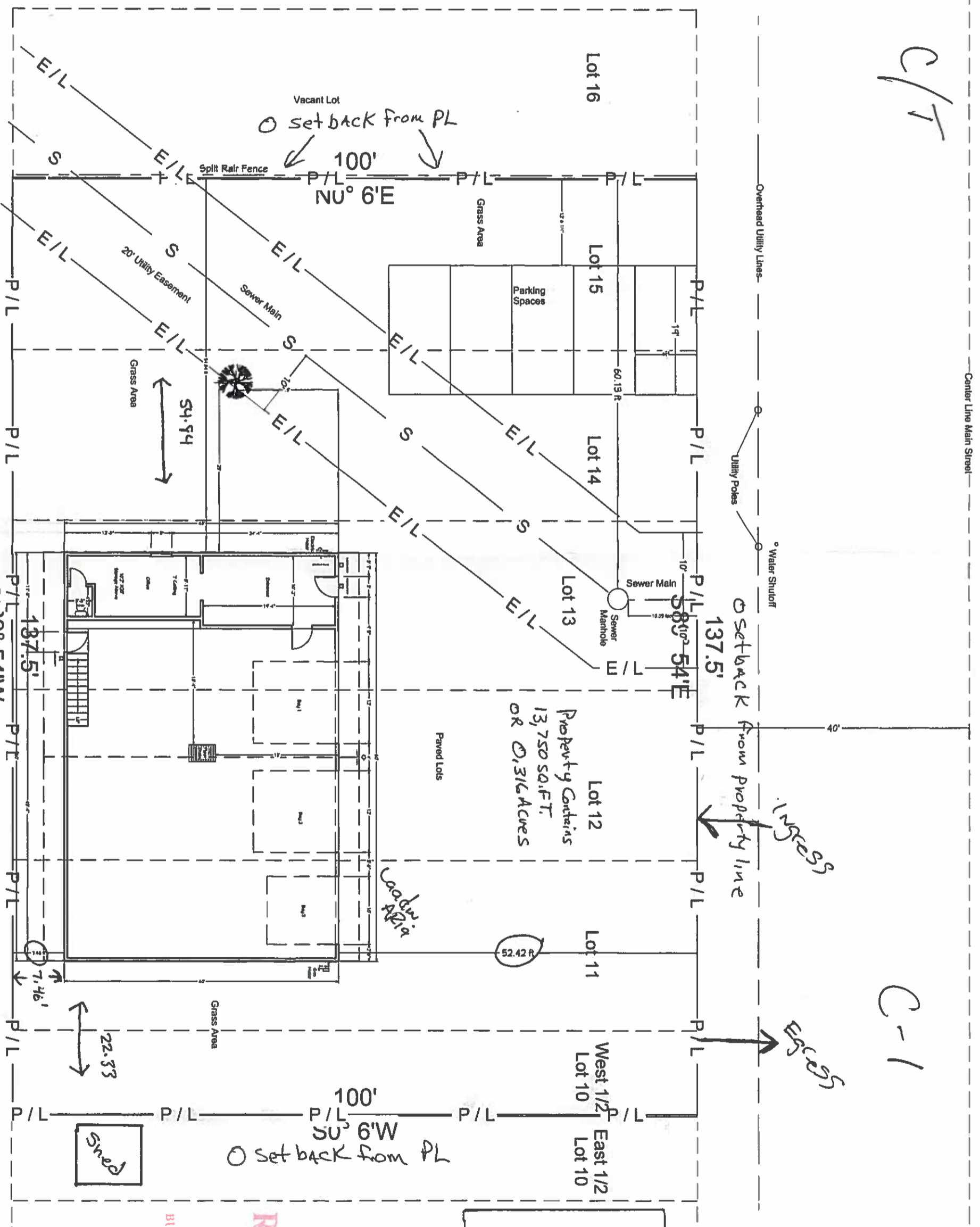
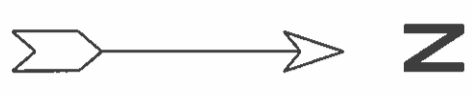
be open to the public and the Applicant or owner may present testimony or offer other evidence on its behalf.

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.

C/T

C-1

Home
C-1



Vacant Lot
 O Setback from PL
 100'
 NU° 6'E

137.5'
 O Setback from property line
 Ingress
 Egress

100'
 SU° 6'W
 O Setback from PL

West 1/2 Lot 10 And 11 Thru 15
 Block 14
 New Castle, Co.

Plot Plan
 Scale: 1"=15'

N89° 54'W
 5' setback from PL
 C-1

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Jon Krick
 Warehouse
 731 W. Main
 New Castle, C
 970-319-179

COMMITMENT for TITLE INSURANCE

issued by



TITLE COMPANY
of the rockies

as agent for

WESTCOR LAND TITLE INSURANCE COMPANY

Reference:

Commitment Number: 1200617-C2

Commitment Ordered By:

Renee Morrison
Cheryl & Co.
120 W. 5th Street
Rifle, CO 81650
Phone: 970-625-4441 Fax: 970-625-4447
email: renee.prowest@gmail.com

Inquiries should be directed to:

Kari Arneson
Title Company of the Rockies
111 E. 3rd Street
Floor 1, Suite 101
Rifle, CO 81650
Phone: 970-625-5426 Fax: 844-269-2759
email: KArneson@titlecorockies.com

Reference Property Address:

731 W Main Street, New Castle, CO 81647

SCHEDULE A

1. **Effective Date: October 19, 2016, 7:00 am** **Issue Date: October 26, 2016**

2. **Policy (or Policies) to be issued:**

ALTA Owner's Policy (6-17-06)	Policy Amount:	\$275,000.00
	Premium:	\$967.00

Proposed Insured: Jon R. Krick and Leslie J. Krick

3. **The estate or interest in the Land described or referred to in this Commitment is:**

Fee Simple
and Title to said estate or interest is at the Effective Date vested in:

Silt-New Castle Fire Protection District

4. **The Land referred to in this Commitment is located in the County of Garfield, State of Colorado, and is described as follows:**

**The West 1/2 of lot 10 and all of Lots 11, 12, 13, 14 and 15,
Block 14,
TOWN OF NEW CASTLE**

COMMITMENT FOR TITLE INSURANCE

**SCHEDULE B - SECTION I
REQUIREMENTS**

THE FOLLOWING ARE THE REQUIREMENTS TO BE COMPLIED WITH:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to wit:

1. Deed from Silt-New Castle Fire Protection District to Jon R. Krick and Leslie J. Krick.

NOTE: Duly executed real property transfer declaration, executed by either the Grantor or Grantee, to accompany the Deed mentioned above, pursuant to Article 14 of House Bill No. 1288-CRA 39-14-102.

The Owner's Policy, when issued, will not contain Exceptions No. 1, 2, 3 and 4 provided that:

(A) The enclosed form, of indemnity agreement or final affidavit and agreement is properly executed and acknowledged by the party(ies) indicated and returned to the Company or its duly authorized agent, and

(B) The applicable scheduled charges in the amount of \$75.00, are paid to the Company or its duly authorized agent.

EXCEPTION NO. 5 UNDER SCHEDULE B, SECTION 2 OF THIS COMMITMENT WILL NOT APPEAR IN THE POLICY OR POLICIES TO BE ISSUED PURSUANT HERETO, PROVIDED THAT (A) THE DOCUMENTS CONTEMPLATED BY THE REQUIREMENTS SET FORTH IN SCHEDULE B, SECTION 1 OF THIS COMMITMENT ARE SUBMITTED TO AND APPROVED AND RECORDED BY THE COMPANY OR ITS DULY AUTHORIZED AGENT, AND (B) AN EXAMINATION OF THE RECORDS IN THE OFFICE OF THE CLERK AND RECORDER FOR GARFIELD COUNTY, COLORADO BY THE COMPANY OR ITS DULY AUTHORIZED AGENT DISCLOSES THAT NO DEFECTS, LIENS, ENCUMBRANCES, ADVERSE CLAIMS OR OTHER MATTERS HAVE BEEN RECORDED IN SUCH RECORDS SUBSEQUENT TO THE EFFECTIVE DATE HEREOF.

COMMITMENT FOR TITLE INSURANCE**SCHEDULE B - SECTION II
EXCEPTIONS**

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

Any loss or damage, including attorney fees, by reason of the matters shown below:

1. Any facts, right, interests, or claims which are not shown by the Public Records but which could be ascertained by an inspection of said Land or by making inquiry of persons in possession thereof.
2. Easements or claims of easements, not shown by the Public Records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land.
4. Any lien, or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any created, first appearing in the Public Records or attaching subsequent to the effective date hereof, but prior to the date of the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
7. Right of the Proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as reserved in United States Patent recorded May 26, 1888 in Book 15 at Page 188, February 13, 1889 in Book 12 at Page 7 and April 30, 1893 in Book 25 at Page 567.
8. Any vein or lode of quartz or other rock in place bearing gold, silver, cinnabar, lead, tin, copper, or other valuable deposits, claimed by or known to exist within subject property as of April 30, 1886, as expressly excepted and excluded in United States Patent recorded April 30, 1892 in Book 25 at Page 567.
9. Terms, agreements, provisions, conditions and obligations as contained in Ordinance No. 196 recorded April 23, 1979 in Book 527 at Page 287.

DISCLOSURE STATEMENTS

Note 1: Colorado Division of Insurance Regulations 3-5-1, Paragraph C of Article VII, requires that

"Every Title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the Title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed." (Gap Protection)

Note 2: Exception No. 4 of Schedule B, Section 2 of this Commitment may be deleted from the Owner's Policy to be issued hereunder upon compliance with the following conditions:

- A. The Land described in Schedule A of this commitment must be a single-family residence, which includes a condominium or townhouse unit.
- B. No labor or materials may have been furnished by mechanics or materialmen for purpose of construction on the Land described in Schedule A of this Commitment within the past 13 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against unfilled mechanic's and materialmen's liens.
- D. Any deviation from conditions A through C above is subject to such additional requirements or information as the Company may deem necessary, or, at its option, the Company may refuse to delete the exception.
- E. Payment of the premium for said coverage.

Note 3: The following disclosures are hereby made pursuant to §10-11-122, C.R.S.:

- (i) The subject real property may be located in a special taxing district;
- (ii) A certificate of taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent; and
- (iii) Information regarding special districts and the boundaries of such districts may be obtained from the County Commissioners, the County Clerk and Recorder, or the County Assessor.

Note 4: If the sales price of the subject property exceeds \$100,000.00, the seller shall be required to comply with the disclosure or withholding provisions of C.R.S. §39-22-604.5 (Non-resident withholding).

Note 5: Pursuant to C.R.S. §10-11-123 Notice is hereby given:

- (a) If there is recorded evidence that a mineral estate has been severed, leased or otherwise conveyed from the surface estate then there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property, and
- (b) That such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note 6: Effective September 1, 1997, C.R.S. §30-10-406 requires that all documents received for recording or filing in the clerk and recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half inch the clerk and recorder may refuse to record or file any document that does not conform.

Note 7: Our Privacy Policy:

We will not reveal nonpublic personal customer information to any external non-affiliated organization unless we have been authorized by the customer, or are required by law.

Note 8: Records:

Regulation 3-5-1 Section 7 (N) provides that each title entity shall maintain adequate documentation and records sufficient to show compliance with this regulation and Title 10 of the Colorado Revised Statutes for a period of not less than seven (7) years, except as otherwise permitted by law.

Note 9: Pursuant Regulation 3-5-1 Section 9 (F) notice is hereby given that

"A title entity shall not earn interest on fiduciary funds unless disclosure is made to all necessary parties to a transaction that interest is or has been earned. Said disclosure must offer the opportunity to receive payment of any interest earned on such funds beyond any administrative fees as may be on file with the division. Said disclosure must be clear and conspicuous, and may be made at any time up to and including closing."

Be advised that the closing agent will or could charge an Administrative Fee for processing such an additional services request and any resulting payee will also be subjected to a W-9 or other required tax documentation for such purpose(s).

Be further advised that, for many transactions, the imposed Administrative Fee associated with such an additional service may exceed any such interest earned.

Therefore, you may have the right to some of the interest earned over and above the Administrative Fee, if applicable (c.g., any money over any administrative fees involved in figuring the amounts earned).

Note 10: Pursuant to Regulation 3-5-1 Section 9 (G) notice is hereby given that

"Until a title entity receives written instructions pertaining to the holding of fiduciary funds, in a form agreeable to the title entity, it shall comply with the following:

1. The title entity shall deposit funds into an escrow, trust, or other fiduciary account and hold them in a fiduciary capacity.
2. The title entity shall use any funds designated as "earnest money" for the consummation of the transaction as evidenced by the contract to buy and sell real estate applicable to said transaction, except as otherwise provided in this section. If the transaction does not close, the title entity shall:
 - a. Release the earnest money funds as directed by written instructions signed by both the buyer and seller; or
 - b. If acceptable written instructions are not received, uncontested funds shall be held by the title entity for 180 days from the scheduled date of closing, after which the title entity shall return said funds to the payor.
3. In the event of any controversy regarding the funds held by the title entity (notwithstanding any termination of the contract), the title entity shall not be required to take any action unless and until such controversy is resolved. At its option and discretion, the title entity may:
 - a. Await any proceeding; or
 - b. Interplead all parties and deposit such funds into a court of competent jurisdiction, and recover court costs and reasonable attorney and legal fees; or
 - c. Deliver written notice to the buyer and seller that unless the title entity receives a copy of a summons and complaint or claim (between buyer and seller), containing the case number of the lawsuit or lawsuits, within 120 days of the title entity's written notice delivered to the parties, title entity shall return the funds to the depositing party."

TITLE CHARGES

These charges are based on issuance of the policy or policies described in the attached Commitment for Title Insurance, and includes premiums for the proposed coverage amount(s) and endorsement(s) referred to therein, and may also include additional work and/or third party charges related thereto.

If applicable, the designation of "Buyer" and "Seller" shown below may be based on traditional settlement practices in Garfield County, Colorado, and/or certain terms of any contract, or other information provided with the Application for Title Insurance.

Owner's Policy Premium:	\$892.00
Loan Policy Premium:	
Additional Lender Charge(s):	
Additional Other Charge(s):	
Tax Certificate:	\$25.00
Total Endorsement Charge(s):	\$75.00
TBD Charge(s):	
TOTAL CHARGES	\$992.00

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Original 31
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**RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:**

TOWN OF NEW CASTLE
Attn: Town Administrator
450 W. Main Street
New Castle, Colorado 81647

(SPACE ABOVE FOR RECORDER'S USE ONLY)

File Folder 1461-93

SPECIAL WARRANTY DEED

Special warranty deed made on this 26th day of September, 2002. UNION PACIFIC RAILROAD COMPANY, a Delaware corporation (formerly known as Southern Pacific Transportation Company, a Delaware corporation), whose mailing address is 1416 Dodge Street, Omaha, Nebraska 68179, Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, sells and conveys to TOWN OF NEW CASTLE, a municipal corporation of the State of Colorado, whose mailing address is 450 W. Main Street, New Castle, Colorado 81647, Grantee, the real estate (the "Property") in New Castle, Garfield County, Colorado, more particularly described in Exhibit A attached hereto and hereby made a part hereof, with all its appurtenances, and Grantor warrants the title to such real estate against all persons claiming under it, but against none other.

EXCEPTING from this conveyance and RESERVING unto Grantor, its successors and assigns, forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods suitable to Grantor, its successors and assigns, but without entering upon or using the surface of the Property, and in such manner as not to damage the surface of the Property or to interfere with the use thereof by Grantee, its successors or assigns.

This deed is made SUBJECT to the following:

(a) All taxes and all assessments, or, if payable in installments, all installments of assessments, levied upon or assessed against the Property which became or may become due and payable for the year 2002 shall be prorated as of the date of delivery of this deed by Grantor to Grantee, said date being the 30th day of September, 2002; and Grantee assumes and agrees to pay, or to reimburse Grantor for, if paid by it, all such taxes and assessments and installments of assessments applicable to the period subsequent to the date of delivery of this deed and assumes all



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taxes and all assessments and all installments of assessments which may become due and payable after said year.

(b) All liens, encumbrances, clouds upon, impairments of and defects in the title created or permitted to be created by Grantee on and after the date of delivery of this deed by Grantor to Grantee, and any and all restrictions and limitations imposed by public authority, and any and all outstanding rights of record, and exceptions, reservations and conditions contained in prior deeds or open and obvious on the ground, including, without limitation, the following:

(i) Public streets and rights of way;

(ii) The effect of inclusions in any general or specific water conservancy, fire protection, soil conservation or other district or inclusion in any water service or street improvement area.

(iii) Any and all easements, rights of way, plat notes, etc. as shown on the Map of Certain Lots Lying in Grand Butte recorded as Reception No. 0935.

(iv) Right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the Property, as reserved in United States Patent recorded February 13, 1889 in Book 12 at Page 7 as Reception No. 8445.

(v) Any and all easements, rights of way, road dedication, plat notes, etc. as shown on the Plat recorded June 25, 1887 as Reception No. 4701.

(vi) Matters disclosed in Warranty Deed recorded May 16, 1890 in Book 25 at Page 47 as Reception No. 10388.

(vii) Ordinance recorded July 29, 1908 in Book 69 at Page 316 as Reception No. 35509.

(viii) Incorporation recorded March 24, 1890 in Book 15 at Page 468 as Reception No. 10183.

(ix) Ordinance No. 196 recorded April 23, 1979 in Book 527 at Page 287 as Reception No. 293623.

(x) Town of New Castle Ordinance No. 425 recorded August 22, 1994 in Book 913 at Page 267 as Reception No. 467535.

(xi) Instrument recorded March 5, 1997 in Book 1011 at Page 74 as Reception No. 505396.

It is expressly understood that the subjacent support of the Property may have been impaired by mining operations heretofore carried on beneath the surface thereof, and the conveyance of the Property is upon the condition that Grantor, its successors and assigns, shall not be liable for damages resulting therefrom.

IN WITNESS WHEREOF, Grantor has caused these presents to be signed by its duly authorized officers, and its corporate seal to be hereunto affixed the day and year first above written.

Attest:

UNION PACIFIC RAILROAD COMPANY,
a Delaware corporation

Barbara Holden (Seal)
Assistant Secretary

By: Gavner E. Kuech
Title: Assistant Vice President - Law



STATE OF NEBRASKA)
) ss.
COUNTY OF DOUGLAS)

On September 26, 2002, before me, a Notary Public in and for said County and State, personally appeared LAWRENCE E. WZOREK and Barbara Holder, Assistant Vice President and Assistant Secretary, respectively, of UNION PACIFIC RAILROAD COMPANY, a Delaware corporation, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

WITNESS my hand and official seal.

Donna M. Coltrane
Notary Public



UNION PACIFIC RAILROAD COMPANY
New Castle, Garfield County, Colorado

EXHIBIT "A"

A parcel of land located in Blocks 13 and 18 of The Town of New Castle Townsite Map, also being in the SW ¼ of Section 31, Township 5 South, Range 90 West of the 6th Principal Meridian, Town of Newcastle, Garfield County, Colorado being more particularly described as follows:

Beginning at a point on the West line of Lot 16, Block 10, Town of New Castle Townsite from which the street monument (No. 4 rebar) at the intersection of Main Street and Sixth Street as shown on said New Castle Townsite Map bears North 21° 03'43 "East a distance of 386.87 feet, with all bearings herein being relative to a bearing of South 89°24'37"East between said street monument and the street monument (No. 4 rebar) at the intersection of Main Street and Fifth Street of said New Castle Townsite Map; thence South 00°15'35"East along the Westerly line of said Lot 16 for a distance of 59.32 feet to the Southwest corner of said Lot 16; thence leaving said Block 10 South 89°44'25"West along the Southerly line of the North one-half of Block 13 and Block 18 of said New Castle Townsite 720.00 feet to the Southwest corner of Lot 8, Block 18, Town of New Castle Townsite; thence North 00°15'35"West along the Westerly line of said Lot 8 for a distance of 48.16 feet; thence 238.56 feet along the arc of a non-tangent curve to the right, having a radius of 1952.45 feet, a central angle of 07°00'02" and subtending a chord bearing of North 77°10'57"East a distance of 238.41 feet to an angle point between said Block 18 and said Block 13; thence leaving said non-tangent curve North 89°44'25"East along the North line of said Block 13, 252.29 feet to a fence also being the Northeast corner of Lot 8, Block 13, Town of New Castle Townsite; thence South 82°59'02"East along the fence for a distance of 49.81 feet to an angle point in the fence; thence South 79°46'05"East along the fence for a distance of 188.75 feet to the Point of Beginning.

Containing 1.424 acres, more or less.

Also a parcel of land known as Lots 13, 14, 15 and 16, Block 9, of the Town of New Castle Townsite Map also located in the SW ¼ of Section 31, Township 5 South., Range 90 West of the 6 Principal Meridian, Town of New Castle, Garfield County, Colorado being more particularly described as follows:

Beginning at the Northeast corner of said Lot 13 from which the street monument (No. 4 rebar) at the intersection of Main Street and Sixth Street as shown on said New Castle Townsite Map bears North 41°42'56"East a distance of 60.79 feet, with all bearings herein being relative to a bearing of South 89°24'37"East between said street monument and the street monument (No. 4 rebar) at the intersection of Main Street and Fifth Street of said New Castle Townsite Map; thence South 89°44'25"West along the North line of

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6 of 6 R 31.00 D 0.00 GARFIELD COUNTY CO

said Block 9 a distance of 100.00 feet to the Northwest corner of Lot 16, thence South 00°15'35"East along the Westerly line, of said Lot 16 a distance of 100.00 feet to the Southwest corner of said Lot 16; thence North 89°44'25"East along the Southerly line of the North one-half of said Block 9 a distance of 100.00 feet to the Southeast corner of Lot 13; thence North 00°15'35"West along the Easterly line of said Lot 13 a distance of 100.00 feet to the Point of Beginning.

Containing 0.230 acres, more or less.

Containing a combined area of 1.653 Acres more or less.

OFFICE OF REAL ESTATE
OMAHA, NEBRASKA
WRITTEN BY: JCO
September 27, 2002
146193.leg

Approval of Sale and Deed
State of Iowa }
Mills County } a.d.

In Probate

The within and foregoing Deed of Conveyance executed by J. C. Wickham Administrator as stated therein, being presented to the Court the 6th day of March 1893 for its approval by said Administrator and it appearing to the Court that said Administrator has complied with all the requirements of the law and of the Court in making such sale and conveyance, it is hereby ordered that said sale and the within conveyance, to the said Fred G. Ewing he and the same, is hereby approved.

Dated at Glenwood, Iowa, the 7th day of March, 1893.
C. C. Patten



Clerk of the District Court of Mills County, Iowa

Filed for record April 29, A.D. 1893 @ 10⁴⁵ o'clock a.m.

Paul Blount, Recorder
By S. J. Dickson, Deputy

#15736

General Land Office
No. 225699

Mineral Certificate
No. 18, U.S. Series

The United States of America,
to all to whom these presents shall come, Greeting:
Whereas, in pursuance of the provisions of the Revised Statutes of the United States, Chapter Six, Title Thirty-two, and legislation supplemental thereto, there has been deposited in the General Land Office of the United States the certificate, No. 18, U.S. Series, of the Register of the Land Office at Glenwood Springs in the State of Colorado as amplified by other evidence, whereby it appears that Jasper Ward and D. C. Friedrichs did, on the first day of July A.D. 1886 duly enter and pay for thirty certain placer mining claims, and described as the south-west quarter of the north-east quarter of Section thirty-one, in Township five south of range ninety-west, sixth Principal Meridian, situated in Garfield County, Colorado, and containing forty acres of land, more or less.

Now know Ye, that there is therefore hereby granted by the United States unto the said Jasper Ward and D. C. Friedrichs, and their heirs and assigns, the said places mining premises hereinbefore described,

to have and to hold, said mining premises, together with all the rights, privileges, immunities and appurtenances of what power nature themselves belonging unto the said grantee abovesaid, and to their heirs and assigns forever; subject nevertheless to the following conditions and stipulations:

First. That the grant hereby made is restricted in its exterior limits to the boundaries of the said mining premises, and to any veins or lodes of quartz or other rock in place bearing gold, silver, iron, copper, lead, zinc, tin, or other valuable deposits which, under the

within said limits subsequent to and which were not known to exist on the thirtieth day of April A.D. one thousand eight hundred and eighty six.

Second. That should any vein or lode of quartz or other rocks in place bearing gold, silver, iron, copper, lead, tin, cobalt, or other valuable deposits, be claimed or known to exist within the above described premises at said last named date, the same is expressly excepted and excluded from these presents.

Third. That the premises hereby conveyed may be entered by the proprietor of any vein or lode of quartz or other rocks in place bearing gold, silver, iron, copper, lead, tin, cobalt, or other valuable deposits for the purpose of extracting and removing the ore from such vein or lode, should the same in any part thereof be found to penetrate, intersect, pass through or dip into the mining ground or premises hereby granted.

Fourth. That the premises hereby conveyed shall be held subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to detached and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local laws, customs and decisions of courts. And also subject to rights of way of the Colorado and Land Railroad.

Fifth. That in the absence of necessary legislation by Congress, the Legislature of Colorado, may provide rules for working the mining claims on premises hereby granted, including easements, drainage and other necessary means to the complete development thereof.

In Testimony Whereof I Grover Cleveland President of the United States of America, have caused these letters to be signed, printed and the seal of the General Land Office to be hereunto affixed.

Given under my hand at the City of Washington the fifth day of April, in the year of our Lord one thousand eight hundred and ninety three, and of the Independence of the United States the one hundred and seventeenth.

By the President: Grover Cleveland

By M. McKean Secretary

J. R. Conwell, Recorder of the General Land Office



Recorded Vol. 185. Pages 437 to 438, inclusive.

Filed for record May 1st A.D. 1893 at 8⁰⁰ o'clock A.M.

Paul Blount

Recorder

THE UNITED STATES OF AMERICA,

U.S. Seal

Certificate No. 20

To all to Whom these Presents shall come, GREETING:

Whereas, Jasper Ward of Gasfield County, Colorado

has deposited in the General Land Office of the United States a Certificate of the Register of the Land Office at Glenwood Springs, Colorado whereby it appears that full payment has been made by the said Jasper Ward

according to the provisions of the Act of Congress of the 8th of April, 1880, entitled "An Act making further provision for the sale of the Public Lands," and the acts supplemental thereto, for The North half of the South West quarter, the North west quarter of the South East quarter and the South East quarter of the West West quarter of Section Thirtyone, in Township five South of Range ninety West of the Sixth Principal Meridian in Colorado containing one hundred and sixty acres

according to the Official Plat of the Survey of the said Lands, returned to the General Land Office by the Surveyor General, which said Tract has been purchased by the said Jasper Ward

Now Know Ye, That the United States of America, in consideration of the premises, and in conformity with the several Acts of Congress in such case made and provided, have given and granted, and by these presents do give and grant unto the said Jasper Ward

and to his heirs, the said Tract above described: To Have and to Hold the same, together with all the rights, privileges, immunities and appurtenances, of whatsoever nature, therunto belonging, unto the said Jasper Ward

and to his heirs and assigns forever; subject to any vested and accrued water rights for mining, agricultural, manufacturing or other purposes, and rights to ditches and reservoirs used in connection with such water rights as may be recognized and acknowledged by the local customs, laws and decisions of Courts, and also subject to the right of the proprietor of a vein or lode to extract and remove his ore therefrom, should the same be found to penetrate or intersect the premises hereby granted, as provided by law.

In Testimony Whereof, I, James Cleveland President of the United States of America, have caused these letters to be made patent, and the Seal of the General Land Office to be hereunto affixed.

Given under my hand, at the City of Washington, the Sixth day of February, in the year of our Lord one thousand eight hundred and Eighty nine, and of the Independence of the United States the one hundred and thirtieth.



BY THE PRESIDENT: James Cleveland
By W. M. Keane Secretary
Robt. W. Ross Recorder of the General Land Office.

Recorded, Vol. 1 Page 3

Filed for Record the 12th day of February A. D. 1889, at 2^o o'clock P. M.
John W. Leonard Recorder
By Robt. L. Harris Deputy

Joint Notice of Privacy Policy

of

Westcor Land Title Insurance Company

and

The Title Company of the Rockies

Westcor Land Title Insurance Company ("WLTIC") and The Title Company of the Rockies value their customers and are committed to protecting the privacy of personal information. In keeping with that philosophy, we each have developed a Privacy Policy, set out below, that will endure the continued protection of your nonpublic personal information and inform you about the measures WLTIC and The Title Company of the Rockies take to safeguard that information. This notice is issued jointly as a means of paperwork reduction and is not intended to create a joint privacy policy. Each company's privacy policy is separately instituted, executed, and maintained.

Who is Covered

We provide our Privacy Policy to each customer when they purchase a WLTIC title insurance policy. Generally, this means that the Privacy Policy is provided to the customer at the closing of the real estate transaction.

Information Collected

In the normal course of business and to provide the necessary services to our customers, we may obtain nonpublic personal information directly from the customer, from customer-related transactions, or from third parties such as our title insurance agent, lenders, appraisers, surveyors and other similar entities.

Access to Information

Access to all nonpublic personal information is limited to those employees who have a need to know in order to perform their jobs. These employees include, but are not limited to, those in departments such as closing, legal, underwriting, claims and administration and accounting.

Information Sharing

Generally, neither WLTIC nor The Title Company of the Rockies shares nonpublic personal information that it collects with anyone other than those individuals necessary needed to complete the real estate settlement services and issue its title insurance policy as requested by the consumer. WLTIC or The Title Company of the Rockies may share nonpublic personal information as permitted by law with entities with whom WLTIC or The Title Company of the Rockies has a joint marketing agreement. Entities with whom WLTIC or The Title Company of the Rockies have a joint marketing agreement have agreed to protect the privacy of our customer's nonpublic personal information by utilizing similar precautions and security measures as WLTIC and The Title Company of the Rockies use to protect this information and to use the information for lawful purposes. WLTIC or The Title Company of the Rockies, however, may share information as required by law in response to a subpoena, to a government regulatory agency or to prevent fraud.

Information Security

WLTIC and The Title Company of the Rockies, at all times, strive to maintain the confidentiality and integrity of the personal information in its possession and has instituted measures to guard against its unauthorized access. We maintain physical, electronic and procedural safeguards in compliance with federal standards to protect that information.

The WLTIC Privacy Policy can be found on WLTIC's website at www.wltic.com



ALTA Commitment Form (6-17-06)
COMMITMENT FOR TITLE INSURANCE

ISSUED BY

WESTCOR LAND
TITLE INSURANCE COMPANY

Westcor Land Title Insurance Company, a California corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six (6) months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

IN WITNESS WHEREOF, WESTCOR LAND TITLE INSURANCE COMPANY has caused its corporate name and seal to be hereunto affixed and by these presents to be signed in facsimile under authority of its by-laws, effective as of the date of Commitment shown in Schedule A.

Issued By:



WESTCOR TITLE INSURANCE COMPANY

HOME OFFICE
201 N. New York Avenue, Suite 200
Winter Park, Florida 32789
Telephone: (407) 629-5842



By: Mary O'Connell
President
Attest: Patricia Johnson
Secretary

Jan. 29, 2016

Lib Gardner
164 Limbepine Circle
Bitterroot Mesa, Idaho 81633

731 W. Main Street is a perfect location for
a car detail shop.

Thank you Son & Leslie Wick for your foresight.

And thank you Hector Ramos for your entrepreneurship ship

That is a great and healthy sign when folks have the

confidence in the town to invest in a new business.

Good job town of New Castle. Proud of you.

Always,
Bob Gardner

**NOTICE OF PUBLIC HEARING
Town of New Castle**

Date: January 25, 2017
Time: 6:00 PM
Place of hearing: New Castle Town Hall, 450 West Main Street, New Castle, CO
Public body conducting hearing: Planning & Zoning Commission
Brief description of application: Application for Conditional Use Permit for Car Detail Shop
Legal description: Block 14 Lot 11 Thru 15-West 1/2 of Lot 10
Common address: 731 W. Main Street, New Castle
Applicant: Hector Ramos
Landowner: Jon & Leslie Krick

RECEIVED
JAN 12 2017
TOWN OF
NEW CASTLE, CO
BUILDING DEPARTMENT

The complete application is available at the Town Clerk's office at 450 West Main Street, P. O. Box 90, New Castle, CO 81647. All interested persons are invited to appear and state their views, protests or objections. If you cannot appear personally at such hearing, then you are urged to state your views by letter.

JAN. 8. 2017

SOME
I HAVE ~~SOME~~ CONCERNS WITH A CAR DETAIL SHOP:
• I DON'T WANT IT TO INTERFERE WITH RMP OR JIM SHRULL'S BIZ.
• ADEQUATE PARKING; NO VEHICLES ON SIDEWALKS. ^{PARKED PUBLIC}
(THIS SHOULD APPLY TO RMP + SHRULL'S GARAGE DAILY!)
• PROPER DISPOSAL OF HARSH CHEMICALS IF USED.
• HOW WILL THIS BIZ AFFECT SURROUNDING RESIDENTS?

NOISE
TRAFFIC
PARKING

THANK YOU FOR THE NOTIFICATION -
GOOD LUCK TO HECTOR'S NEW
BIZ!

Max E. Breslin
1-8-2017

NOTICE OF PUBLIC HEARING Town of New Castle

Date: January 25, 2017

Time: 6:00 PM

Place of hearing: New Castle Town Hall, 450 West Main Street, New Castle, CO

Public body
conducting hearing: Planning & Zoning Commission

Brief description
of application: 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

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TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. PZ 2017-01

A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING
COMMISSION RECOMMENDING APPROVAL OF A CONDITIONAL USE
PERMIT FOR PROPERTY LOCATED IN THE COMMERCIAL ZONE
DISTRICT.

WHEREAS, on December 16, 2016, Hector E. Ramos (“Applicant”) submitted a Conditional Use Permit Application (“Application”) for the property located at 731 W. Main Street in New Castle, Colorado (“Property”) located in the Commercial (C-1) zone district; and

WHEREAS, Jon and Leslie Krick (“Owners”) own the Property; and

WHEREAS, the Owners have authorized Applicant to pursue the Application; and

WHEREAS, the Property comprises approximately 13,750 square feet; and

WHEREAS, Applicant seeks a permit allowing Applicant to operate a car detailing business on the Property; and

WHEREAS, pursuant to § 17.36.050 of the New Castle Municipal Code (“Code”), the use proposed by Applicant is a conditional use in the C-1 zone district, requiring the issuance of a conditional use permit pursuant to § 17.84 of the Code; and

WHEREAS, as required under § 17.84.040(B), the New Castle Planning and Zoning Commission held a duly-noticed public hearing on January 25, 2017, to consider the Application; and

WHEREAS, pursuant to Code § 17.84.050 the Planning Commission hereby finds that the Application:

1. is eligible for conditional review under Section 17.84.040;
2. is generally compatible with adjacent land uses;
3. meets all requirements of Section 17.84.020, is in compliance with Title 17 of the Code, and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;
4. is consistent with the comprehensive plan; and
5. the Town has the capacity to serve the proposed use with water, sewer, fire and police protection.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the New Castle Planning and Zoning Commission.

2. Listing of Approved Uses. The following constitute the uses for this Property that the Commission recommends be approved under the Application:

A. Automobile detailing, washing, and detail products retail facility with a single wash bay.

3. Recommendation. The Planning and Zoning Commission hereby recommends that the Town Council approve the Application pursuant to § 17.84.050 of the New Castle Municipal Code subject to the following conditions:

A. 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 and reflected in the minutes thereof shall be considered part of the Application and binding on the Applicant;

B. In the event the Town receives any complaints about the use of the Property or observes or becomes aware of any violations of the conditional use approval, Applicant and/or the Owners 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, with such show-cause hearing open to the public and the Applicant or owner being able to present testimony or offer other evidence on their behalf;

C. 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;

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

E. Applicant shall 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;

F. Applicant shall not materially alter, structurally enlarge, or expand in parking area or in ground area the approved 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;

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

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

I. 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.

THIS RESOLUTION PZ 2017-01 was adopted by the New Castle Planning and Zoning Commission by a vote of __ to __ on the 25th day of January, 2017.

NEW CASTLE PLANNING AND
ZONING COMMISSION

By: _____
Chuck Apostolik, Chairman

ATTEST:

Mindy Andis, Deputy Town Clerk

1
2 New Castle Planning and Zoning Commission Meeting
3 Wednesday, October 26, 2016, 7:00p.m., Town Hall

4
5 Call to Order

6 Commission Vice-Chair Larry Borgard called the meeting to order at 7:00 p.m.

7
8 Roll Call

9 Present Chair Apostolik arrived 7:18pm
10 Commissioner Borgard
11 Commissioner Copeland
12 Commissioner Gates
13 Commissioner Metzger
14 Commissioner Ruggles

15
16 Absent Commissioner Urnise

17
18 Also present at the meeting were Town Planner Tim Cain, Deputy Town Clerk Mindy
19 Andis and members of the public.

20 Meeting Notice

21 Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting
22 in accordance with Resolution TC-2016-1.

23
24 Conflicts of Interest

25 There were no conflicts of interest.

26
27 Citizen Comments on Items NOT on the Agenda

28 There were no citizen comments.

29
30 Items for Discussion

31
32 **Discussion of Revisions to the Town's Comprehensive Plan.**

33 Mr. Doug Dodson presented his report to the commission. Mr. Dodson summarized
34 the discussion from the September 28, 2016 meeting, and stated that he believed
35 that it was important for the planning commission to meet with the town council
36 before it began to actively pursue implementation of the comprehensive plan. While
37 council may not have discussed the plan to the same depth as the planning
38 commission, council may have similar or other objectives and priorities that should
39 be considered. Meeting with council, offering suggestions, and listening to theirs,
40 will likely improve the process and ensure that everyone was on the same page. He
41 felt that the commission and town council would quickly come to a consensus on
42 how update and implement the comprehensive plan.

43
44 Mr. Dodson said he had updated his report for the town council. If the planning and
45 zoning commission agreed they could move to approve the report and authorize the
46 report be forwarded to the town council. Then the commission could request a
47 meeting with the council to discuss the plan.
48

1 The commission discussed the report and agreed to approve the report and
2 authorized it to be given to town council for their review and input.

3
4 Motion: Commissioner Gates made a motion to approve **Mr. Dodson's**
5 report and authorize the report to be given to town council for review, and
6 to request a workshop with town council. Commissioner Ruggles seconded
7 the motion and it passed unanimously.

8
9 Items for next Planning and Zoning Agenda
10 There were no items.

11
12 Commission Comments and Reports
13 There were no comments or reports.

14
15 Staff Reports
16 There were no reports.

17
18 Review Minutes from Previous Meeting
19 Motion: Commission Chair Apostolik made a motion to approve the
20 September 28, 2016, meeting minutes as submitted. Commissioner
21 Borgard seconded the motion and it passed unanimously.

22
23 Motion: Commissioner Borgard made a motion to adjourn the meeting.
24 Commissioner Gates seconded the motion and it passed unanimously.

25
26
27 The meeting adjourned at 8: 15p.m.

28
29
30 Respectfully Submitted,

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37

Planning and Zoning Commission Chair
Chuck Apostolik

38
39

Deputy Town Clerk Mindy Andis, CMC