

1 **New Castle Planning and Zoning Commission Meeting**
2 **Wednesday, October 14, 2015, 7:00 p.m., Town Hall**

3
4 **Call to Order**

5 Commission Chair Chuck Apostolik called the meeting to order at 7:02 p.m.
6

7 **Roll Call**

8 Present Commissioner Apostolik
9 Commissioner Borgard
10 Commissioner Riddile
11 Commissioner Slack
12 Commissioner Stuckey
13 Commissioner Urnise

14
15 Absent Commissioner Taylor
16

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

19 **Meeting Notice**

20 Deputy Town Clerk Mindy Andis verified that her office gave notice of the meeting
21 in accordance with Resolution TC-2015-1.
22

23 **Conflicts of Interest**

24 There were no conflicts of interest.
25

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

27 There were no citizen comments.
28

29 **Public Hearing**

30 Planned Unit Development

31 Purpose: Planned Unit Development Final PUD Plans

32 Legal description: Lot1, Section 2 Township 6, Range 9, Riverside Park
33 Subdivision, Town of New Castle, Garfield County, Colorado
34 State

35 Common Address: 7051 County Road 335, New Castle, CO 81647

36 Applicant: Riverside RV Park, INC.

37 Landowner: Robert Chatmas
38

39 Resolution PZ 2015-3
40

41 Chair Apostolik opened the Public Hearing at 7:03 p.m.
42

43 Town Planner Cain stated he has received the landscaping plan, reclamation plan,
44 and estimated taps of .1 EQR per space which can be reviewed in one year, revised
45 rules and regulations from the developer. Also received was the mediation meeting
46 report between the developer and Riverview Park. Received the Department of the
47 Army Corps of Engineers report, however there can't be a trail from the RV Park to
48 Grand River Park because of wetlands.

1 Planner Cain also said there are a couple of issues that Planning & Zoning
2 Commission needs to decide: 1) applicant has agreed to limited the number of days
3 to less than 30, however would like to reserve the right to allow someone to stay
4 another 29 days and sign a new contract. 2) Don't want to see storage of RV's and
5 become a place where people will park their RV's for an extended period of time.
6 Don't want people to live in the RV Park and work in the community. That is not the
7 purpose of the application. Don't want these requirements to be relieved.

8
9 Town Attorney Carmer stated park guests would be limited to stays of less than 30
10 days. However Riverside also expressed its willingness and desire to allow certain
11 guests to stay at the park for more than thirty (30) days if they meet Riverside's
12 requirements. Riverside is committed to ensuring that management of the Park is
13 top priority. Riverside has decided that it would alright with limiting all guests'
14 reservations to less than thirty (30) days, provided that guests would not be
15 prohibited from making consecutive reservations.

16 Section 3.32.030 of the Town Municipal Code establishes a 2.5% lodging tax on the
17 price paid for "short-term lodging." "Short-term lodging" is defined as "the leasing
18 or renting of rooms or other accommodations for a period of time less than thirty
19 (30) consecutive days." As such, it is Town Staff's position that park guests should
20 be limited to stays of less than thirty (30) days to ensure the town receives the
21 lodging tax. This same tax applies to patrons of the Econo Lodge.

22 Whether a limit should be placed on the number of times a guest can renew a
23 reservation or whether park guests should be required to leave the park in between
24 stays is a decision for the commission. If guests are allowed to renew reservations
25 indefinitely, the town runs the risk that the park will turn into something akin to
26 storage lot or mobile home park which may or may not fit with the purpose of the
27 zone district.

28
29 The property is zoned as Highway Business; the purpose of that zone district is "to
30 provide an area for highway-oriented commercial development along major arterial
31 and collector highways in such a manner as to minimize interruption of traffic flow,
32 safeguard pedestrian movement and optimize the aesthetic to passing motorists."

33
34 Mr. Chatmas said he agreed with the less than 30 day stay requirement.
35 Management would be the one that would approve another contract for additional
36 29 days. If, the guest would renew at the kiosk it would only be night to night stay
37 not for an extended time.

38
39 Commissioner Borgard asked Mr. Chatmas if he would be willing to limit the length
40 of the RV that can stay in the park. Don't want to see a truck with a camper staying
41 in the park.

42
43 Mr. Chatmas replied he would limit the RV's to class A, B and C class plus towable
44 RV's in the park and that would eliminate the truck and camper issue.

45
46 Mr. Chatmas said is fine with not becoming an RV storage park he don't want that
47 either.

48
49 Commissioner Borgard said the RV should not be unoccupied for any length of time
50 and someone needs to be with the RV at all time.

1 Mr. Chatmas said he himself with leave on business for a few days but comes back.
2 This is the place that he leaves from and returns back to. The RV will be unoccupied
3 for a few days but will tell management and have the water turned off and please
4 keep an eye on it.

5 Mr. Chatmas suggested having the RV unoccupied for no more than 29 days.

6
7 Commissioner Riddile said that would not keep them from renewing the contract for
8 another 29 days and having the RV unoccupied.

9
10 The commission suggested 14 days of unoccupied RV.

11
12 Mr. Chatmas said he will have 2 host campers/managers plus his RV in the park.
13 Mr. Chatmas travels extensively and would like to have the unoccupied restrictions
14 for the guest and not the staff.

15
16 Mr. Alex Terrell Riverview Park resident said he didn't want to see additions placed
17 on the RV such as RV tarp covers and decks.

18
19 Mr. Chatmas stated he would put in the rules and regulations "no unattached
20 structures or storage" this would also go for the camp hosts and managers as well
21 as the guests.

22
23 George Blocker President of Riverview Park HOA said the majority of the residents
24 are not in favor of this project because there are so many unknown factors. One of
25 the concerns for building 1 and 18 is the look of it, since they have to continually
26 look at it. Then, having headlights coming through their windows. The HOA will try
27 to mitigate some of that with doing landscaping improvements and possibly
28 redirection of the fire vehicles on the HOA's property. There is currently an
29 easement going from the county road to Riverview Drive. The landscaping would
30 start at the property line. Mr. Blocker had asked if there could be a small ditch
31 between the two properties to help with drainage. Mr. Blocker would also like to see
32 the 2 or 3 rail fence the entire length of the property between the two properties.

33
34 Commissioner Stuckey said that he didn't believe was an appropriate development
35 for this location being right off of the interstate.

36
37 Art Riddile resident at 433 Riverview Dr. said as a home owner doesn't want to see
38 his HOA dues going to fund any mitigation and should be warranted by the
39 developer and nothing out of the homeowner's pockets.

40
41 Chair Apostolik closed the public hearing at 7:57p.m.

42
43 The commission briefly discussed the occupancy requirement and short term stay
44 limit.

45
46 **Motion: Commissioner Apostolik made a motion recommending approval**
47 **of PZ-2015-3, A Resolution of the New Castle Planning and Zoning**
48 **Commission approving Riverside RV Park, INC.'s Final PUD Development**
49 **Plan Application That Town Council Approve The Same with conditions:**
50 **limiting the RV Park to allow only Class A,B,C and self-contained towable**

1 **RV, limiting the stay to less than 30 days with 2 additional consecutive less**
2 **than 30 day stay with management approval, limiting no more than 14**
3 **days of unoccupied RV, 3 RV spaces reserved for camp hosts and manager**
4 **and may be allowed to be exempt from the 14 day unoccupied RV stay.**
5 **Staff will review building permit to assure it meet the Comprehensive Plan**
6 **and a PUD Certificate is to be issued by the Town Planner for compliance**
7 **with the Comprehensive Plan. Commissioner Riddile seconded the motion.**
8 **After a roll call vote, Commissioner Stuckey No, Commission Slack Yes,**
9 **Commissioner Borgard Yes, Commissioner Riddile Yes, Commissioner**
10 **Urnise No, and Commissioner Apostolik Yes, the motion passed 4 to 2.**

11
12 **Motion: Commissioner Riddile made a motion recommending approval of**
13 **Riverside RV Park, INC. Final PUD Development Plan as written and as**
14 **amended. Commission Chair Apostolik seconded the motion. After a voice**
15 **vote of 3 to 3, the motion failed.**

16
17 **Items for next Planning and Zoning Agenda**

18 There were no items.

19
20 **Commission Comments and Reports**

21 There were no comments or reports.

22
23 **Staff Reports**

24 Planner Cain reported in December there could be a preliminary development plan
25 for the senior housing. Application is expected to be into the town mid to end of
26 November.

27
28 There will also be a condition use permit application for the First Baptist Church.
29 Planner Cain will be administratively removing a lot line prior to the conditional use
30 permit. Planner Cain explained that a church is required to go through a conditional
31 use permit process any time it expands.

32
33 Another resident has been inquiring about a multi-family use also known as
34 Accessory Dwelling Unit (ADU).

35
36 **Review Minutes from Previous Meeting**

37 **Motion: Commissioner Apostolik made a motion to approve the September**
38 **9, 2015 meeting minutes as amended. Commissioner Riddile seconded the**
39 **motion and it passed unanimously.**

40
41 **Motion: Commission Apostolik made a motion to adjourn the meeting.**
42 **Commissioner Slack seconded the motion and it passed unanimously.**

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1 The meeting adjourned at 8:32 p.m.

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3 Respectfully Submitted,

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Planning and Zoning Commission Chair
Chuck Apostolik

11

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Deputy Town Clerk Mindy Andis