

**New Castle Planning and Zoning Commission Meeting  
Wednesday, May 11, 2016, 7:00 p.m., Town Hall**

**Call to Order**

Commission Chair Chuck Apostolik called the meeting to order at 7:03 p.m.

**Roll Call**

Present    Chair Apostolik  
              Commissioner Borgard  
              Commissioner Gates  
              Commissioner Metzger  
              Commissioner Urnise

Absent     Commissioner Slack

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

**Meeting Notice**

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

**Conflicts of Interest**

There were no conflicts of interest.

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

There were no citizen comments.

**Public Hearing**

**Conditional Use Permit**

Brief description of application: Conditional Use Permit

Legal description:

172 N. 7th St.: A tract of land situated in the SE1/4 NW14/4 of section 31, Township 5 South, Range 90 West of the 6th Principal Meridian and as more fully described in Quit Claim Deed recorded in the real property records of Garfield County, Colorado, at reception no. 177822 and the Warranty Deed recorded at reception no. 563076.

190 N. 7th St.: A tract of land situated in the SE1/4 NE1/4 of section 31, Township 5 South, Range 90 West of the 6th P.M. as more fully described in the Warranty Deed recorded in the real property records of Garfield County, Colorado, at reception no. 564688.

Common address: 172 & 190 N. 7th St., New Castle

Applicant: New Castle First Baptist Church

Landowner: New Castle First Baptist Church

Chair Apostolik opened the Public Hearing at 7:04p.m.

Town Planner Tim Cain reported that the applicant proposed a phased development schedule for the construction of a new church. The timing of development will be determined by available discretionary funds. The first phase will involve the demolition of the existing garage at 190 N. 7<sup>th</sup> Street, and construction of a new Sanctuary and Greeting Hall. According to the applicant the eventual buildout, completed through successive phases, would remove the existing house (parsonage) and the church building while expanding the new one being built in Phase 1 as funds are made available."

According to the applicant, a formal development schedule had not been determined. Construction of the project will take six to nine months to complete. A building permit allowed 18 months before it expired. The applicant could apply for an 18-month extension if necessary.

If the Planning & Zoning Commission (P&Z) approved the application, the church would then process a lot line vacation to create a single, buildable lot. The parking area northwest of the parsonage will continue to provide overflow parking during church services which could be any day of the week.

Additionally the project as proposed will require a variance approval which is a separate application for an encroachment into the rear setback. The variance will be considered by the Board of Zoning Adjustment (Town Council) and will need to be decided before construction commenced.

Off-street parking spaces are shown on the site plan. There will be 61 total off-street parking spaces: 4 handicap spaces, 16 compact car spaces and 41 regular-size spaces. One parking space is required for every three attendees, and the proposed parking meets the requirement, however, the town council may increase or decrease the number of off-street parking spaces according to New Castle Municipal Code §17.76.060.

There are two access driveways located on the revised site plan. One is on the southwest side of the lot and the other is located further north of the first access point.

Text on the revised site plan indicated that all exterior lighting will be downcast and dark-sky compliant which will meet the minimum standard of the municipal code. The elevation drawings depict a sign for the church. The applicant will be required to complete a sign permit application and comply with municipal code sign regulations.

All existing utility services except for gas lines were shown on the site plan. There does not appear to be a fire hydrant located on the subject properties. A fire hydrant is located across 7th Street near the southwest section of the property. The

applicant submitted an easement declaration from Public Service of Colorado.

The Comprehensive Plan does not address religious affiliations or their impact on the surrounding zone district. A church is generally an accepted use in residential neighborhoods.

The town has capacity to provide appropriate water and sewer services. Fire and police protection are rated very high due to the location of the police station and firehouse.

The subject property is zoned R-1. All churches in the R-1 zone district require a conditional use permit

Staff recommended approval of the First Baptist Church of New Castle Conditional Use Permit 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. The applicant shall comply with all applicable building, residential, electrical and municipal code requirements including all sign code regulations.
3. In the event the Town received any complaints about the use of the site or observed or became 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.
4. The applicant shall reimburse the Town for any and all expenses incurred by the Town regarding the approval, including without limitation all costs incurred by the Town's outside consultants such as legal and engineering costs.
5. Prior to construction, the applicant will apply for a lot line vacation that will be processed administratively by the New Castle Building and Planning department.
6. The Applicant will apply for a variance to be heard by the Board of Zoning Adjustment prior to building permit approval.

Additionally, 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.

Graham Riddile, spokesperson for applicant, said the church was hoping to break ground for the project in summer 2016, but, did not know how long it would be

until the project was completed.

Jeff Simonson, Engineer for the applicant, said that since the existing church building would be six feet away from the new building, there was a requirement to install a new four-inch water line from the church to the street for the purpose of a fire-sprinkling system. Additionally, the walls between the current church building and the new building will be a fire-resistant wall.

Assistant Town Attorney Haley Carmer said that the resolution making a recommendation to the council should clearly state that the proposed CUP was for 190 N 7<sup>th</sup> Street. The existing church located at 172 N 7<sup>th</sup> Street currently had a CUP.

Mr. Vernon Peiffer, 144 N. 7<sup>th</sup> Street. Mr. Peiffer asked if the steep hillside would be disturbed by digging into it.

Mr. Riddile said that the hillside and terraces would remain undisturbed.

Mr. Steve White, 221 N. 7<sup>th</sup> Street. Mr. White said when he purchased his home in 2002 it had just gone through a renovation with the concept that rest of the street would have improvements on it. That had not happen yet. Mr. White viewed the project as an improvement and supported the CUP.

Chair Apostolik closed the Public Hearing at 7:25p.m.

**Motion: Chair Apostolik made a motion to approve Resolution PZ-2016-01, A Resolution of the New Castle Planning & Zoning Commission Recommending Approval of a Conditional Use Permit for Church Use on Property Located in the Residential-1 Zone District with an address of 190 N. 7<sup>th</sup> Street. Commissioner Metzger seconded the motion.**

**The motion passed on a roll call vote: Chair Apostolik: Yes; Commissioner Gates: Yes; Commissioner Metzger: Yes; Commissioner Borgard: Yes; and Commissioner Urnise: Yes**

### **Items for Discussion**

#### **Affordable Housing**

Commissioner Gates stated that he believed there needed to be more affordable housing in New Castle but was not sure how to approach the issue.

After a lengthy conversation, the commission thought it may be appropriate to review the comprehensive plan and start on updating on the plan. The comprehensive plan is supposed to be revised every ten years and the town was coming upon the ten year mark in 2019.

### **Items for Consideration**

**Consider Appointing Commission Chair and Vice-Chair.**

**Motion: Commissioner Metzger made a motion to appoint Commissioner Apostolik as Commission Chair. Commissioner Borgard seconded the motion and passed unanimously.**

**MOTION: Commissioner Metzger made a motion to appoint Commissioner Borgard as Commission Vice-Chair. Commissioner Urnise seconded the motion and passed unanimously.**

**Items for next Planning and Zoning Agenda**

Planner Cain reported that the final Planned Unit Development Plan for the senior housing project would be heard on June 8, 2016.

Chair Apostolik asked for a discussion on the June 8 agenda to set a workshop to review the comprehensive plan.

**Commission Comments and Reports**

There were no comments or reports.

**Staff Reports**

There were no reports.

**Review Minutes from Previous Meeting**

**Motion: Chair Apostolik made a motion to approve the April 27, 2016 meeting minutes as amended. Commissioner Borgard seconded the motion and it passed unanimously.**

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

The meeting adjourned at 8:24p.m.

Respectfully Submitted,



*Mindy Andis*  
Deputy Town Clerk Mindy Andis

*Chuck Apostolik*  
Planning and Zoning Commission Chair  
Chuck Apostolik