

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

4
5 **Call to Order**

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

7
8 **Roll Call**

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

15
16 Absent Commissioner Taylor

17
18 Also present at the meeting were Town Planner Tim Cain, Assistant Town Attorney
19 Haley Carmer, Deputy Town Clerk Mindy 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-2015-1.

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 **Public Hearing**

31 Planned Unit Development

32 Purpose: Planned Unit Development Final PUD Plans

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

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

37 Applicant: Riverside RV Park, INC.

38 Landowner: Robert Chatmas

39
40 Resolution PZ 2015-3

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

43
44 Town Planner Tim Cain stated he had received the landscaping plan, reclamation
45 plan, and the revised rules and regulations from the developer. He had also
46 received the meeting report on the mediation between the developer and River
47 Park, as well as the report from the Army Corps of Engineers. Taps were estimated
48 at .1 EQR per space and could be reviewed in one year. Planner Cain said there

1 were several issues that the Commission needed to decide:
2 1) The applicant had agreed to limit the number of days to less than 30, however,
3 he wanted to reserve the right to allow someone to stay an additional 29 days and
4 sign a new contract.
5 2) No RV storage. Planner Cain said that the town did not want to see storage of
6 RV's and for it to become a place where people will park their RV's for an extended
7 period of time.
8 3) No residential use. Planner Cain said the town did not want people to live in the
9 RV Park and work in the community. He felt these requirements should not be
10 relieved.

11
12 Assistant Town Attorney Haley Carmer stated that park guests would be limited to
13 stays of less than 30 days. However, Riverside RV Park (RRVP) had expressed its
14 willingness and desire to allow certain guests to stay at the park for more than
15 thirty (30) days if they met RRVP's requirements. RRVP was committed to ensure
16 that management of the Park was top priority. RRVP agreed to limit all guests'
17 reservations to less than thirty (30) days, provided that guests would not be
18 prohibited from making consecutive reservations.

19 Attorney Carmer said that section 3.32.030 of the Town Municipal Code established
20 a 2.5% lodging tax on the price paid for "short-term lodging." "Short-term lodging"
21 is defined as "the leasing or renting of rooms or other accommodations for a period
22 of time less than thirty (30) consecutive days." As such, it is Staff's position that
23 park guests should be limited to stays of less than thirty (30) days to ensure the
24 town received the lodging tax. This same tax applied to patrons of the Econo Lodge.
25 Whether a limit should be placed on the number of times a guest can renew a
26 reservation or whether park guests should be required to leave the park in between
27 stays was a decision for the commission. If guests are allowed to renew
28 reservations indefinitely, the town runs the risk that the park will turn into
29 something akin to storage lot or mobile home park that may or may not fit with the
30 purpose of the zone district.

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

37
38 Mr. Chatmas said he agreed with the less than 30-day stay requirement.
39 Management would be the one that would approve another contract for additional
40 29 days. If the guest renewed at the kiosk it would only be for a night-to-night
41 stay, not for an extended time.

42
43 Commissioner Borgard asked Mr. Chatmas if he would be willing to limit the
44 physical length of the RV that can stay in the park.

45
46 Mr. Chatmas replied that he would limit the RV's to class A, B and C, plus towable
47 RV's which would eliminate the truck and camper concern.

48
49 Mr. Chatmas also said he was fine with not becoming an RV storage park, as he
50 does not want that either.

1 Commissioner Borgard said the RVs in the park should not be unoccupied for any
2 length of time.

3 Mr. Chatmas said he himself will leave on business for a few days but would come
4 back. RRVP will be the place that he will leave from and return to. His RV will be
5 unoccupied for a few days but he will tell management to keep an eye on it and
6 have the water turned off.

7 Mr. Chatmas suggested allowing the RVs to be unoccupied for no more than 29
8 days.

9

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

12

13 The commission suggested allowing only 14 days of unoccupied RV.

14

15 Mr. Chatmas said he will have two host campers/managers plus his RV in the park.
16 Mr. Chatmas said he traveled extensively and would like to have the unoccupied
17 restrictions for the guests, but not the staff.

18

19 Mr. Alex Terrell, Riverview Park resident, said he did not want to see additions
20 placed on the RVs such as RV tarp covers and decks.

21

22 Mr. Chatmas stated that he would put in the rules and regulations "no unattached
23 structures or storage." This would also apply to the camp hosts and managers as
24 well as the guests.

25

26 George Blocker, President of Riverview Park HOA, said that the majority of the
27 residents were not in favor of the project because there are so many unknown
28 factors. One of the concerns for buildings 1 and 18 was the look of the park, since
29 they will have to look at it. Another concern was having headlights shining through
30 their windows. The HOA will try to mitigate some of that with landscape
31 improvements and possibly redirection of the fire vehicles on the HOA property. The
32 landscaping would start at the property line. Mr. Blocker had asked if there could be
33 a small ditch between the two properties to help with drainage. Mr. Blocker would
34 also like to see the 2 or 3 rail fence the entire length of the property, between the
35 two properties.

36

37 Commissioner Stuckey said that he did not believe it was an appropriate
38 development for the location being right off of the interstate.

39

40 Art Riddile, resident at 433 Riverview Dr., said that as a homeowner he did not
41 want to see his HOA dues going to fund any mitigation. He felt the developer should
42 be required to mitigate the impacts, not River Park homeowners.

43

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

45

46 The commission briefly discussed the occupancy requirement and short-term stay
47 limit.

48

49 **Motion: Commissioner Apostolik made a motion recommending approval**
50 **of PZ-2015-3, A Resolution of the New Castle Planning and Zoning**

1 **Commission approving Riverside RV Park, Inc.'s Final PUD Development**
2 **Plan Application That Town Council Approve The Same with the following**
3 **conditions:**

- 4 • **limiting the RV Park to allow only Class A,B,C and self-**
5 **contained, towable RVs;**
- 6 • **limiting the stay to less than 30 days with two additional,**
7 **consecutive, less than 30-day stays with management**
8 **approval;**
- 9 • **limiting no more than 14 days of unoccupied RV;**
- 10 • **three RV spaces will be reserved for camp hosts and manager**
11 **and may be allowed to be exempt from the 14-day unoccupied**
12 **RV rule;**
- 13 • **Staff will review building permit to assure it meets the**
14 **Comprehensive Plan and a PUD Certificate is to be issued by**
15 **the Town Planner for compliance with the Comprehensive Plan.**

16
17 **Commissioner Riddile seconded the motion.**

18 **The motion passed on a roll call vote: Commissioner Stuckey: No;**
19 **Commissioner Slack: Yes; Commissioner Borgard: Yes; Commissioner**
20 **Riddile: Yes; Commissioner Urnise: No; and Commissioner Apostolik: Yes.**

21
22 **Motion: Commissioner Riddile made a motion recommending approval of**
23 **Riverside RV Park, INC. Final PUD Development Plan as written and as**
24 **amended. Commission Chair Apostolik seconded the motion. After a voice**
25 **vote of 3 to 3, the motion failed.**

26 27 **Items for next Planning and Zoning Agenda**

28 There were no items.

29 30 **Commission Comments and Reports**

31 There were no comments or reports.

32 33 **Staff Reports**

34 Planner Cain reported that in December there could be a preliminary development
35 plan for the senior housing. The application is expected to be submitted to the town
36 by the end of November.

37
38 There will also be a conditional use permit application for the First Baptist Church.
39 Planner Cain will be administratively removing a lot line prior to the conditional use
40 permit. Planner Cain explained that a church is required to go through a conditional
41 use permit process any time it expands.

42
43 Planner Cain said he also has a resident inquiring about a multi-family use also
44 known as Accessory Dwelling Unit (ADU).

45 46 **Review Minutes from Previous Meeting**

47 **Motion: Commissioner Apostolik made a motion to approve the September**
48 **9, 2015 meeting minutes as amended. Commissioner Riddile seconded the**
49 **motion and it passed unanimously.**

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

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

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8

9 Respectfully Submitted,

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Planning and Zoning Commission Chair
Chuck Apostolik

17 _____
Deputy Town Clerk Mindy Andis

18

DRAFT