

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

3
4 Call to Order

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

6
7 Roll Call

8 Present Chair Apostolik
9 Commissioner Borgard
10 Commissioner Gates
11 Commissioner Metzger
12 Commissioner Urnise

13
14 Absent Commissioner Slack

15
16 Also present at the meeting were Town Planner Tim Cain, Assistant Town Attorney
17 Haley Carmer, Deputy Town Clerk Mindy Andis and members of the public.

18 Meeting Notice

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

21
22 Conflicts of Interest

23 There were no conflicts of interest.

24
25 Citizen Comments on Items NOT on the Agenda

26 There were no citizen comments.

27
28 Public Hearing

29 Conditional Use Permit

30
31 Brief description of application: Conditional Use Permit

32
33 Legal description:

34
35 172 N. 7th St.: A tract of land situated in the SE1/4 NW14/4 of section 31,
36 Township 5 South, Range 90 West of the 6th Principal Meridian and as more fully
37 described in Quit Claim Deed recorded in the real property records of Garfield
38 County, Colorado, at reception no. 177822 and the Warranty Deed recorded at
39 reception no. 563076.

40
41 190 N. 7th St.: A tract of land situated in the SE1/4 NE1/4 of section 31,
42 Township 5 South, Range 90 West of the 6th P.M. as more fully described in the
43 Warranty Deed recorded in the real property records of Garfield County, Colorado,
44 at reception no. 564688.

45
46 Common address: 172 & 190 N. 7th St., New Castle

47
48 Applicant: New Castle First Baptist Church

1
2 Landowner: New Castle First Baptist Church

3
4 Chair Apostolik opened the Public Hearing at 7:04p.m.

5
6 Town Planner Tim Cain reported that the applicant proposed a phased development
7 schedule for the construction of a new church. The timing of development will be
8 determined by available discretionary funds. The first phase will involve the
9 demolition of the existing garage at 190 N. 7th Street, and construction of a new
10 Sanctuary and Greeting Hall. According to the applicant the eventual buildout,
11 completed through successive phases, would remove the existing house
12 (parsonage) and the church building while expanding the new one being built in
13 Phase 1 as funds are **made available.**"

14
15 According to the applicant, a formal development schedule had not been
16 determined. Construction of the project will take six to nine months to complete. A
17 building permit allowed 18 months before it expired. The applicant could apply for
18 an 18-month extension if necessary.

19
20 If the Planning & Zoning Commission (P&Z) approved the application, the church
21 would then process a lot line vacation to create a single, buildable lot. The parking
22 area northwest of the parsonage will continue to provide overflow parking during
23 church services which could be any day of the week.

24
25 Additionally the project as proposed will require a variance approval which is a
26 separate application for an encroachment into the rear setback. The variance will be
27 considered by the Board of Zoning Adjustment (Town Council) and will need to be
28 decided before construction commenced.

29
30 Off-street parking spaces are shown on the site plan. There will be 61 total off-
31 street parking spaces: 4 handicap spaces, 16 compact car spaces and 41 regular-
32 size spaces. One parking space is required for every three attendees, and the
33 proposed parking meets the requirement, however, the town council may increase
34 or decrease the number of off-street parking spaces according to New Castle
35 Municipal Code §17.76.060.

36
37
38 There are two access driveways located on the revised site plan. One is on the
39 southwest side of the lot and the other is located further north of the first access
40 point.

41
42 Text on the revised site plan indicated that all exterior lighting will be downcast and
43 dark-sky compliant which will meet the minimum standard of the municipal code.
44 The elevation drawings depict a sign for the church. The applicant will be required
45 to complete a sign permit application and comply with municipal code sign
46 regulations.

47
48 All existing utility services except for gas lines were shown on the site plan. There
49 does not appear to be a fire hydrant located on the subject properties. A fire
50 hydrant is located across 7th Street near the southwest section of the property. The

1 applicant submitted an easement declaration from Public Service of Colorado.

2
3 The Comprehensive Plan does not address religious affiliations or their impact on
4 the surrounding zone district. A church is generally an accepted use in residential
5 neighborhoods.

6
7 The town has capacity to provide appropriate water and sewer services. Fire and
8 police protection are rated very high due to the location of the police station and
9 firehouse.

10
11 The subject property is zoned R-1. All churches in the R-1 zone district require a
12 conditional use permit

13
14 Staff recommended approval of the First Baptist Church of New Castle Conditional
15 Use Permit with the following conditions:

16
17 1. All representations of the applicant in written and verbal presentations
18 submitted to the Town or made at public hearings before the planning
19 commission or Town Council shall be considered part of the application and
20 binding on the applicant.

21
22 2. The applicant shall comply with all applicable building, residential, electrical
23 and municipal code requirements including all sign code regulations.

24
25 3. In the event the Town received any complaints about the use of the site or
26 observed or became aware of any violations of the conditional use approval, the
27 Applicant and/or owner may be summoned before the Town Council in a public
28 meeting to show cause why the permit should not be revoked, suspended, or
29 additional conditions imposed. Such show-cause hearing shall be open to the
30 public and the Applicant or owner may present testimony or offer other evidence
31 on its behalf.

32
33 4. The applicant shall reimburse the Town for any and all expenses incurred by
34 the Town regarding the approval, including without limitation all costs incurred
35 **by the Town's outside consultants such as legal and engineering costs.**

36
37 5. Prior to construction, the applicant will apply for a lot line vacation that will
38 be processed administratively by the New Castle Building and Planning
39 department.

40
41 6. The Applicant will apply for a variance to be heard by the Board of Zoning
42 Adjustment prior to building permit approval.

43
44 Additionally, no approved conditional use may be altered, structurally enlarged,
45 expanded in parking area or expanded in ground area unless the site plan is
46 amended and approved in accordance with the procedures applicable to approval of
47 a conditional use as set out in chapter 17.84 – Conditional Uses.

48
49 Graham Riddile, spokesperson for applicant, said the church was hoping to break
50 ground for the project in summer 2016, but, did not know how long it would be

1 until the project was completed.
2
3 Jeff Simonson, Engineer for the applicant, said that since the existing church
4 building would be six feet away from the new building, there was a requirement to
5 install a new four-inch water line from the church to the street for the purpose of a
6 fire-sprinkling system. Additionally, the walls between the current church building
7 and the new building will be a fire-resistant wall.
8
9 Assistant Town Attorney Haley Carmer said that the resolution making a
10 recommendation to the council should clearly state that the proposed CUP was for
11 190 N 7th Street. The existing church located at 172 N 7th Street currently had a
12 CUP.
13
14 Mr. Vernon Peiffer, 144 N. 7th Street. Mr. Peiffer asked if the steep hillside would be
15 disturbed by digging into it.
16
17 Mr. Riddile said that the hillside and terraces would remain undisturbed.
18
19 Mr. Steve White, 221 N. 7th Street. Mr. White said when he purchased his home in
20 2002 it had just gone through a renovation with the concept that rest of the street
21 would have improvements on it. That had not happen yet. Mr. White viewed the
22 project as an improvement and supported the CUP.
23
24 Chair Apostolik closed the Public Hearing at 7:25p.m.
25
26 Motion: Chair Apostolik made a motion to approve Resolution PZ-2016-01,
27 A Resolution of the New Castle Planning & Zoning Commission
28 Recommending Approval of a Conditional Use Permit for Church Use on
29 Property Located in the Residential-1 Zone District with an address of 190 N.
30 7th Street. Commissioner Metzger seconded the motion.
31
32 The motion passed on a roll call vote: Chair Apostolik: Yes; Commissioner
33 Gates: Yes; Commissioner Metzger: Yes; Commissioner Borgard: Yes; and
34 Commissioner Urnise: Yes
35
36 Items for Discussion
37
38 Affordable Housing
39 Commissioner Gates stated that he believed there needed to be more affordable
40 housing in New Castle but was not sure how to approach the issue.
41
42 After a lengthy conversation, the commission thought it may be appropriate to
43 review the comprehensive plan and start on updating on the plan. The
44 comprehensive plan is supposed to be revised every ten years and the town was
45 coming upon the ten year mark in 2019.
46
47 Items for Consideration
48
49 Consider Appointing Commission Chair and Vice-Chair.
50

1 Motion: Commissioner Metzger made a motion to appoint Commissioner
2 Apostolik as Commission Chair. Commissioner Borgard seconded the
3 motion and passed unanimously.
4 MOTION: Commissioner Metzger made a motion to appoint Commissioner
5 Borgard as Commission Vice-Chair. Commissioner Urnise seconded the
6 motion and passed unanimously.
7
8 Items for next Planning and Zoning Agenda
9 Planner Cain reported that the final Planned Unit Development Plan for the senior
10 housing project would be heard on June 8, 2016.

11
12 Chair Apostolik asked for a discussion on the June 8 agenda to set a workshop to
13 review the comprehensive plan.

14
15 Commission Comments and Reports
16 There were no comments or reports.

17
18 Staff Reports
19 There were no reports.

20
21 Review Minutes from Previous Meeting
22 Motion: Chair Apostolik made a motion to approve the April 27, 2016
23 meeting minutes as amended. Commissioner Borgard seconded the motion
24 and it passed unanimously.

25
26 Motion: Chair Apostolik made a motion to adjourn the meeting.
27 Commissioner Borgard seconded the motion and it passed unanimously.

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29 The meeting adjourned at 8:24p.m.
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37 Respectfully Submitted,
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43 Planning and Zoning Commission Chair
44 Chuck Apostolik

45 Deputy Town Clerk Mindy Andis
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