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2 **New Castle Planning and Zoning Commission Meeting**  
3 **Wednesday, January 13, 2016, 7:00 p.m., Town Hall**

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5 **Call to Order**

6 Commission Chair Chuck Apostolik called the meeting to order at 7:00 p.m.

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8 **Roll Call**

9 Present Chair Apostolik  
10 Commissioner Metzger  
11 Commissioner Riddile  
12 Commissioner Taylor

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14 Absent Commissioner Borgard  
15 Commissioner Slack  
16 Commissioner Urnise

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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-2016-1.

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24 **Conflicts of Interest**

25 There were no conflicts of interest.

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

28 There were no citizen comments.

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30 **Public Hearing**

31 Planned Unit Development

32 Purpose: Application for Conditional Use Permit (CUP)

33 Legal description: Section: 31 Township: 5 Range: 90 Subdivision: Original  
34 Townsite New Castle Block: 16 Lot: 1 and 2 S1/2 of lots 1&2 Town of New Castle,  
35 Garfield County, Colorado State

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37 Common Address: 702 W. Main St., New Castle CO

38 Applicant: Shannon Murphy

39 Landowner: Shannon Murphy

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41 Resolution PZ 2016-1 A Resolution of the New Castle Planning and Zoning  
42 Commission Recommending Approval of a Conditional Use Permit for Two-Family  
43 Residential Use on Property Located in the Commercial Transitional Zone District.

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45 Chair Apostolik opened the Public Hearing at 7:01p.m.

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47 Ms. Shannon Murphy applicant, said she had spent a lot of time on the property  
48 and would like to turn the smaller building into a Mother-in-Law addition. The

1 building is detached from the main house.

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3 Town Planner Tim Cain reported that the application was a request for a conditional  
4 use permit for a Two-Family Residential unit and applied to both buildings situated  
5 on 702 W. Main St. The zone district does not allow a conditional use for an  
6 Accessory Dwelling Unit (ADU). The only applicable conditional use that was similar  
7 is a two-family residential unit, unlike other zone districts where an ADU is a  
8 conditional use. The principal building had been occupied by Shannon Murphy, and  
9 the other building had been used for various functions such as a dance studio and  
10 food co-op. Ms. Murphy proposed to build a kitchen in the second building and to  
11 rent it out for an individual or family. The request for a two (2) bedroom dwelling.  
12 There will be no exterior changes to either dwelling.

13

14 Planner Cain said that staff recommended approval of the Conditional Use Permit  
15 with the following conditions:

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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 commission  
19 or Town Council shall be considered part of the application and binding on the  
20 applicant.

21

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

24

25 3. In the event the Town receives 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 public  
30 and the Applicant or owner may present testimony or offer other evidence on its  
31 behalf.

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

36

37 5. The applicant will be required to pay additional water and sewer tap fees with  
38 the amount determined at the time of building permit application.

39

40 6. The applicant will pay for a water rights dedication fee prior at the time of  
41 building permit application.

42

43 Planner Cain stated the commission did receive a letter of concern from neighbor  
44 Melody Harrison in regards to on street parking. Ms. Murphy provided a map with  
45 her application showing four parking spaces on 7<sup>th</sup> street across (east) from the  
46 property. Because of the mailboxes and the line of site at the corner, there really  
47 are only two spaces available on 7<sup>th</sup> Street adjacent to the property. Ms. Harrison  
48 stated that on-street parking the area was already problematic, and adding another  
49 living unit could congest the area more. Ms. Harrison also felt the proposed use was  
50 a good use and should be approved, but to carefully consider the parking.

1 Chair Apostolik closed the Public Hearing at 7:08p.m.

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3 Assistant Town Attorney Hailey Carmer reviewed the proposed resolution  
4 recommending approval of the CUP with the commission. The application would  
5 move forward to council if the commission approved the resolution.

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7 **Motion: Chair Apostolik made a motion recommending approval of PZ-**  
8 **2016-01, A Resolution of the New Castle Planning and Zoning Commission**  
9 **Recommending Approval of a Conditional Use Permit for Two-Family**  
10 **Residential Use on Property Located in the Commercial Transitional Zone**  
11 **District. Commissioner Metzger seconded the motion, and the motion**  
12 **passed on a roll call vote: Commissioner Metzger: yes; Chair Apostolik: yes;**  
13 **Commissioner Taylor: yes; and Commissioner Riddile: yes.**

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15 **Items for next Planning and Zoning Agenda**

16 There were no items.

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18 **Commission Comments and Reports**

19 Chair Apostolik asked when reviewing land use application to please make room for  
20 snow removal and storage would be helpful.

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22 **Staff Reports**

23 Planner Cain reported that the town have not received the application for senior  
24 housing. The project still looks promising.

25  
26 Planner Cain also reported that First Baptist Church was going to do a lot line  
27 adjustment and they will need to go to Planning and Zoning, then on to Council for  
28 approval. He said they had not yet submitted their application.

29 Planner Cain said Alpine Bank was working on a lot line adjustment for the ATM  
30 drive thru lane. Alpine Bank would like to expand that lane to the south. The  
31 application will be an administrative review.

32  
33 **Review Minutes from Previous Meeting**

34 **Motion: Chair Apostolik made a motion to approve the October 14, 2015**  
35 **meeting minutes as submitted. Commissioner Riddile seconded the motion**  
36 **and it passed unanimously.**

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

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1 The meeting adjourned at 7:30p.m.

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6 Respectfully Submitted,

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Planning and Zoning Commission Chair  
Chuck Apostolik

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14 Deputy Town Clerk Mindy Andis

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