

1 **New Castle Planning and Zoning Commission Meeting**
2 **Wednesday, September 9, 2015, 7:00 p.m., Town Hall**

3
4 **Call to Order**

5 Commission Vice-Chair Larry Borgard called the meeting to order at 7:00 p.m.
6

7 **Roll Call**

8 Present Commissioner Apostolik (arrived 7:04 p.m.)
9 Commissioner Borgard
10 Commissioner Riddle
11 Commissioner Slack
12 Commissioner Stuckey
13

14
15 Absent Commissioner Taylor
16 Commissioner Urnise
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

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 2015-2
41

42 Assistant Town Attorney Carmer explained what the process for the public hearing
43 would be. She further explained that the time to take evidence, comments from
44 staff, the applicant and the public would be once the public hearing was opened.
45 Once the public hearing is open that is the time to take any evidence and
46 comments from staff, applicant and the public. At that time the commission could
47 ask questions of the applicant, planner and attorney. During the public hearing was
48 not the time for the commission to make comments or make a decision. Once the

1 commission felt they had received all the evidence and information they need, then
2 the public hearing should be closed. Once the hearing is closed, no more evidence
3 should be presented from the applicant or the public.
4 Attorney Carmer also stated that the hearing is for a preliminary Planned Unit
5 Development (PUD) application, not a final. Any approval for the preliminary PUD is
6 good for one year during which the developer must submit the final PUD. Any
7 conditions on the preliminary PUD will need to be satisfied before the final
8 application approval.
9
10 Town Planner Cain explained that the commission could make a recommendation of
11 approval, approval with conditions, do nothing, or deny the application.
12
13 Chair Apostolik opened the Public Hearing at 7:08 p.m.
14
15 Planner Cain explained the application, which is a request to create an RV Park with
16 18 spaces. The applicant, Robert Chatmas, has alluded to the RV Park as one that
17 is "motel like" in the absence of developing a motel/hotel which will require a
18 conditional use permit. Mr. Chatmas has stated that before his lease with an option
19 to buy is terminated in 5 years, he will have secured a motel/hotel to replace the
20 RV Park. According to Mr. Chatmas, the RV use of this land is temporary until the
21 economic climate allows for building a motel/hotel.
22
23 The 18 spaces will be occupied by three types of tenants: 1) 2 sites will be reserved
24 for full-time park management and a "host camper", 2) Up to 6 sites will be for the
25 seasonal traveler staying more than 30 days and 3) 10 sites will be short term only
26 (less than 30 days). The Planning & Zoning Commission must consider granting
27 approval for sites that are for seasonal travelers (more than 30 days). The onsite
28 manager and two campground hosts will enforce the rules and regulations.
29
30 Amenities for each space will include: 1) Hook-ups for 50/30/20 amp electrical
31 service, 2) Water connections, 3) Sewer connections, (3" attachment/clean-out
32 drain), 4) Picnic tables and 5) Wi-Fi service. Mr. Chatmas met with Police Chief,
33 Tony Pagni who advised that a campfire using the proposed fire ring is not allowed
34 from April 1 to November 1 therefore Mr. Chatmas will eliminate the fire rings.
35 There should be little need for RV generators since electric service will be provided.
36
37 The type of Recreational Vehicles allowed are the ones that contain their own
38 showers and restrooms. No tent camping will be allowed. Other high end amenities
39 like a pool, laundry, community showers, public restrooms or community buildings
40 will not be included.
41
42 There will be 4' – 5' wide footpaths leading to 5 picnic tables located on a "bench"
43 above the Colorado River. Signs will be posted along the river indicating private
44 land.
45
46 As required there will be a rock fall mitigation berm on the property. It will be
47 designed for a higher exceedance value for the RV Park and if/when permanent
48 housing (i.e., future hotel) is constructed it could be a lower exceedance value.
49
50 Colorado River Fire Rescue (CRFR) required there be an emergency access to CR

1 335 on the west end of the inland road with a gate across it. CRFR also requested
2 an additional fire hydrant on the west end.
3
4 In the application, Mr. Chatmas anticipated infrastructure improvements will occur
5 during the fall of 2015 and that the park will open during spring of 2016 pending
6 Town approvals.
7
8 Mr. Robert Chatmas explained his application. Mr. Chatmas said that his vision was
9 to eventually build a boutique hotel. A small hotel that is not a chain, but one with
10 a little coffee shop, breakfast and lunch restaurant and a couple offices for river
11 sport businesses, taking advantage that it's on the river.
12
13 Mr. Chatmas said that economically, it is not the time for a boutique hotel, but he
14 would like to control the land until the time is right. Currently Mr. Chatmas does not
15 own the property however, he is under contract with the option to purchase
16 pending the outcome of the application. The RV Park would be for the higher end
17 RVs and will not be designed as a man camp. The park will not have a pool, Jacuzzi,
18 laundry mat, recreation center, showers or restrooms.
19
20 Mr. Chatmas stated he could put in the RV Park with very minimal impact to the
21 land. Would like to do is take the existing flat ground and turn it into some kind of
22 productive asset for the town, traveler and the land. All the reservations will be
23 made over the internet.
24
25 There will be an onsite manger and two host campers during the summer months.
26 The host campers are strictly there to uphold the rules and regulations of the park.
27 The manger will be behind the scenes. The function is not to man an office but to
28 have a kiosk. The kiosk will be a stand-alone building with an office and a computer
29 for people who lost their reservation or passers-by wanting to spend the night in
30 the park. There will be brochures and information on the walls. If something more
31 substantial were built on the lot, then it would not fit into the flow of the future
32 hotel. Things can be done to the property (i.e. the berm, sidewalk, additional fire
33 hydrant and the physical connection to the infrastructure) that will be applicable to
34 the potential motel. In the meantime the land is not being productive or doing
35 anything for New Castle, the traveler on the interstate or the land owner.
36
37 Ms. Lisa Moreau New Castle Riverview Park resident. Ms. Moreau asked if the park
38 is opened all year but there is only camp host for the summer months, who will be
39 there the rest of the time? Mr. Chatmas responded by stating he had misspoken
40 and wants to have a host there year 'round. If a camp host can't be found then the
41 park will be closed. Mr. Chatmas anticipated the park to be occupied from March
42 through November. The other months the big RV's are not typically traveling the I-
43 70 corridor. Wintertime months are unknown at this time and will be market-
44 driven.
45
46 Mr. Art Riddile New Castle Riverview Park resident. Mr. Riddile stated he recently
47 moved to Riverview Park and been a resident of the area for 23 years. He felt
48 Riverview Park was a fantastic place to live and an amenity to New Castle. Mr.
49 Riddile stated he recognized some economic value to having the RV Park bringing
50 people to town, but had concerns. He said he was concerned about the following:

1 the intersection of I-70 exit 105 and County Road 335 (i.e. realignment of
2 crosswalks, downward lighting at the stop sign); fire issues with the coal ridge
3 being right there; the 30 day camping being too long; sewer odor; a lack of lighting
4 and landscaping. Mr. Riddile asked if the conditional use could be reviewed
5 annually. He asked what determined economic feasibility.

6
7 Mr. Chatmas responded: He said he would utilize the sign that was already at the I-
8 70 and County Road 335 intersection there by putting RV Park on the sign with
9 downward lighting. The plan of having fire pits with a grill grates on top has been
10 removed, and the entire area where the RV's will be parked will be graveled.
11 Charcoal grills will be allowed because they are allowed within the town limits of
12 New Castle and the park is within town limits. However, open fires are not allowed.
13 The 30 days would be case-by-case situation and approval by the manager. All the
14 sites pull in and pull through. There are very strict rules and regulations that
15 will not allow outside furniture or things hanging off the camper. No popup tents
16 will be allowed. There will be a picnic table on each site. Each site will have its own
17 sewage connection, both ends will be positive which means it will be sealed just like
18 your home.

19
20 George Blocker president of the Home Owners Association (HOA) of Riverview Park,
21 stated he was not opposed to the plan. Mr. Blocker asked where the dumpsters
22 were going to be place on site. Mr. Chatmas stated he was not sure yet, but they
23 will be in an area near the exit. Mr. Blocker asked about the 90-day stay, not
24 wanting it to become a permanent trailer site or man camp, and felt there seemed
25 to be no limit on how long someone could stay there. Mr. Chatmas stated there
26 were rules and regulations regarding the stay, and that the only way to keep it
27 from turning into a man camp was management. Mr. Blocker asked when he was
28 ready to build the hotel would they have go through the same hearing process. Mr.
29 Chatmas stated he would have to start the process all over again from the
30 beginning.

31
32 Susan Christensen Riverview Park HOA Manager, asked about the signs on the
33 property. In the application there are signs that direct pedestrians to walk east on
34 the sidewalk to Park Drive to the park and to the river. Ms. Christensen said she
35 understood that Park Drive is not the HOA's road but Mr. Chatmas has direct access
36 to the river and the park through his own property. Mr. Chatmas replied that direct
37 access goes through wetlands, therefore there cannot be a direct access. Mr.
38 Chatmas also stated he would be putting up a fence between the RV Park and
39 Riverview Park. He would like to be a good neighbor and work with the HOA. Would
40 like to work together with the HOA on putting up the fence on the east side of the
41 property that would extend all the way and the pedestrians would have to stay on
42 the sidewalk when going to the park or the river.

43
44 Alex Terrell New Castle Riverview Park resident, stated that looking at the
45 application it appears that the small things are not amenable towards the neighbors
46 (i.e. the entrance is on east side compared to the west side. Mr. Chatmas stated
47 the reason why the entrance is on the east, is because RV's are designed as the
48 driver side is the drive side and the passenger side is the view side. The park had to
49 be designed for the view toward the river. RVs will pull in on the east, which will
50 situate the RV's view side to face the river. If the entrance was on the west side

1 then all the headlights would be pointing towards Riverview Park. Rather than
2 everyone pointing in the same direction, Mr. Terrell stated the kiosk could be in a
3 different location because that the residents will not see it. Mr. Chatmas stated the
4 kiosk will not be maned and will have only internal lights that will turn on when the
5 door is opened so it doesn't collect bugs. Checking in is completely done over the
6 internet.

7
8 Scott Grosscup, Attorney for Michelle and Rodney Pool, residents of Riverview Park,
9 asked if an RV park was a proper use of the property. He said that in the current
10 code there is no provision that either allows for conditional or use by right for an RV
11 park. It doesn't seem to fit within the context of the code. River Park has a special
12 provision for lot 1 highway business PUD zone district. The code talks about
13 buildings with compatible architectural design, utilizing brick, stone, stucco, wood
14 siding, logs, or other similar materials as the predominant material. The zoning
15 contemplates buildings in similar quality that would match and correspond to what
16 Riverview Park already is. RVs do not fit the uniformity of what was currently there.
17 Mr. Chatmas responded by listing some of the conditional uses for the lot that are
18 allowed: farm animals, vehicle sales lot, industrial use, storage of oil, gasoline or
19 petroleum products, outdoor storage, excavation and/or road construction facility
20 and parking lot.

21
22 Rafael Martinez residence of Riverview Park, asked about the port-a-potty that
23 would be in the RV Park. Mr. Chatmas stated the port-a-potty would be hooked to
24 the sewer connection and would not be a typical port-a-potty with a holding tank.

25
26 Mr. Chatmas said he anticipated infrastructure improvements will occur during the
27 fall of 2015 and the park will open during spring of 2016 pending Town approvals
28 with the P & Z Commission and Town Council. Mr. Chatmas will also give written
29 notice to Riverview Park residences when construction will begin.

30
31 Attorney Carmer addressed a few zoning issues. Proof will be necessary that
32 Riverside RV Park has secured the water rights necessary for the use of the
33 property as proposed, including providing the town with a copy of Riverside's West
34 Divide Water Conservancy contract. Payment of tap fees including the Tap Fee
35 Surcharge (\$1,500/EQR for water taps and \$2,000/EQR for sewer taps) prior to
36 construction or development of the property. Riverside RV Park should be advised
37 of the monthly user fee surcharge (\$6.00) to cover lift station costs. Both
38 surcharges were established pursuant to Ord. No. 2005-E-1.

39
40 Attorney Carmer also stated that the PUD is a zoning issue, as is whether the RV
41 Park is permitted or is a conditional use. If the Commission determines that the
42 proposed use of the property is not encompassed within the listed uses, the
43 Commission can recommend a text amendment to Chapter. 17.124.010 to clarify
44 that an RV Park is permitted within the zone district. This can be accomplished by
45 the same ordinance approving a PUD Development Plan. Any such amendment
46 could include provisions limiting the number of RV spaces and/or stay duration. This
47 is similar to lodging such a hotel/motel which are conditional uses in the zoning.

48
49 Chair Apostolik asked Mr. Chatmas wat type of landscaping buffers if any were
50 going to put in on the east side of the property to help buffer noise from the RV

1 park to the Riverview Park residences. Mr. Chatmas stated he was not going to
2 remove any of the vegetation that is currently on the property at this time, with the
3 exception of a patch of scrub oak and he would put in a split rail fence.

4
5 Commissioner Stuckey asked what the plan would be for the property if the
6 economy does not recover sufficiently and the hotel doesn't happen. Mr. Chatmas
7 stated that there is a reclamation plan that will ensure the security, maintenance of
8 remaining infrastructure and safety in the event the RV Park is abandoned so the
9 property can be returned back to its original state.

10
11 Chair Apostolik closed the public hearing at 8:49 p.m.

12
13 Commissioner Stuckey stated that the idea of an RV Park is good and having a
14 boutique hotel is perfect for this location, the only concern is the long-term stay.
15 With the long-term stay individuals would become comfortable with living in a
16 location, having a tendency to collect more personal items that may not be able to
17 fit into the RV, and turn into a storage area outside of the RV. Then, anything past
18 30 days would not be considered a temporary living location. Commissioner
19 Stuckey did not believe it would fit the zoning if the stay goes past 30 days.

20
21 Chair Apostolik stated RVs are on wheels, not on a permanent foundation. They are
22 not a permanent structure.

23
24 Commissioner Slack felt that at the motel there is not a restriction on the length of
25 stay, therefore, he felt they can't place the restriction on the RV Park. With the
26 clientele Mr. Chatmas was looking for it should not be a problem. The use will be a
27 lot less intrusive than the other potential conditional uses.

28
29 Commissioner Borgard stated that he believed it fit within the zoning, and liked the
30 idea of an RV Park.

31
32 Commissioner Riddile stated that he also believed it fit the zoning, but there are
33 concerns with an RV park. Commissioner Riddile suggested approving the resolution
34 with conditions. One of the conditions should be having Mr. Chatmas set up a
35 meeting with Riverview Park and address some of the concerns of the residents.

36
37 **Motion: Commissioner Apostolik made a motion recommending approval of**
38 **PZ-2015-2, A Resolution of the New Castle Planning and Zoning**
39 **Commission approving Riverside RV Park, INC.'s preliminary PUD**
40 **Development Plan Application with additional conditions: If there are no**
41 **camp hosts then the park will not operate, shall submit a weed and dust**
42 **mitigation plan to be followed once the RV Park is operational, prior to the**
43 **final hearing before the Commission, Applicant shall meet with the**
44 **Riverside HOA Board of Directors to discuss the concerns of Riverside**
45 **residents brought up at the September 9, 2015, public hearing, develop**
46 **solutions thereto, and submit a report detailing the results of the meeting,**
47 **Commissioner Slack seconded the motion. After a voice vote, the motion**
48 **passed unanimously.**

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

2 There were no items.

3

4 **Commission Comments and Reports**

5 There were no comments or reports.

6

7 **Staff Reports**

8 There were no comments or reports.

9

10

11 **Review Minutes from Previous Meeting**

12 **Motion: Commissioner Apostolik made a motion to approve the August 12,**
13 **2015 meeting minutes as amended. Commissioner Borgard seconded the**
14 **motion and it passed unanimously.**

15

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

18

19 The meeting adjourned at 9:19 p.m.

20

21 Respectfully Submitted,

22

23

24

25

26

27

28

Planning and Zoning Commission Chair
Chuck Apostolik

29 Deputy Town Clerk Mindy Andis

30