

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

Call to Order

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

Roll Call

Present Chair Apostolik
Commissioner Metzger
Commissioner Riddile
Commissioner Taylor

Absent Commissioner Borgard
Commissioner Slack
Commissioner Urnise

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

Planned Unit Development

Purpose: Application for Conditional Use Permit (CUP)

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

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

Applicant: Shannon Murphy

Landowner: Shannon Murphy

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

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

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

building is detached from the main house.

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

Planner Cain said that staff recommended approval of the 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 receives 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. The applicant will be required to pay additional water and sewer tap fees with the amount determined at the time of building permit application.
6. The applicant will pay for a water rights dedication fee prior at the time of building permit application.

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

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

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

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

Items for next Planning and Zoning Agenda

There were no items.

Commission Comments and Reports

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

Staff Reports

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

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

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

Review Minutes from Previous Meeting

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

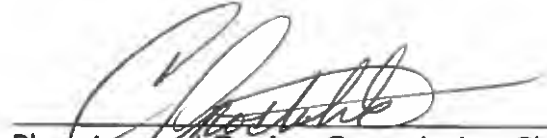
Motion: Chair Apostolik made a motion to adjourn the meeting. Commissioner Metzger seconded the motion and it passed unanimously.

The meeting adjourned at 7:30p.m.

Respectfully Submitted,




Deputy Town Clerk Mindy Andis


Planning and Zoning Commission Chair
Chuck Apostolik