

**New Castle, Colorado
Planning and Zoning Commission
Wednesday, January 24, 2024, 7:00 PM**

Call to Order

Commission Chair Apostolik called the meeting to order at 7:01 p.m.

Roll Call

Present	Chair Apostolik Commissioner Martinez Commissioner Carey Commission Alternate Rittner (coin toss) Commissioner Westerlind Commissioner Alternate Parks Commissioner Sass Commissioner McDonald
Absent	Commissioner Cotey

Also present at the meeting was Town Administrator David Reynolds, Town Planner Paul Smith, Public Works Director John Wenzel, Assistant Town Attorney Haley Carmer, Deputy Town Clerk Remi Bordelon, and members of the public.

Meeting Notice

Deputy Town Clerk Bordelon verified that her office gave notice of the meeting in accordance with Resolution TC 2024-1.

Conflicts of Interest

There were no conflicts of interest.

Citizen Comments on Items NOT on the Agenda

There were no citizen comments.

Items For Consideration

Consider Resolution PZ 2024-1, A Resolution of the New Castle Planning and Zoning Commission Recommending the Amendment of Sections 17.04.050 and 17.36.040 of the Town Municipal Code to add Microbrewery as a Permitted Use in the C-1 Zone District

Chair Apostolik clarified that the agenda item for Resolution PZ2024-1 was a continuation from the previous meeting but not a continuation of the Public Hearing. Town Administrator Dave Reynolds discussed the conversation staff had with Public Works. He said the town was able to handle the capacity for breweries in town. He verified that a brewery had the potential for waste discharge. He explained that there were protections for such discharge which included filter systems that could collect the discharge before it reached the Wastewater Plant. He said there was municipal code that was already in place regarding discharge that would allow the town to enforce and address any discharge issues. He said staff looked at the definition for microbreweries

and adjusted the barrel production from 5,000 barrels to 1,000 barrels. Administrator Reynolds read the revised microbrewery definition as:

"Microbrewery" means a facility or establishment that (1) manufactures no more than one thousand (1,000) barrels per year of fermented malt beverages or malt liquors on its licensed premises and (2) has a public-facing commercial component such as, but not limited to, a restaurant or other food and beverage establishment. For purposes of this definition, fermented malt beverage and malt liquors have the meaning assigned to them in the Colorado Liquor Code, as amended from time to time, and a barrel shall equal 31 US gallons. A brew pub is included in this definition, provided that it meets the production limitation set forth herein.

He identified the permitted use of a microbrewery to be categorized under Personal Service Establishments and read:

Microbrewery, subject to compliance with Town discharge codes and requirements as may be amended in effect from time to time.

Public Works Director John Wenzel said there were a lot of protections for non-acceptable discharge within the town code as well as remedies. He said the biggest remedy was requiring the microbrewery to conduct a pre-treatment. Public Works Director Wenzel expressed his comfortability with the definition for a microbrewery and what was established in the town code previously addressing discharge.

Administrator Reynolds identified the three elements the commission highlighted as concerns: discharge of the microbrewery, demand for water, and a microbrewery displaying a forward-facing component. He said the forward-facing element was met within the definition of a microbrewery. Public Works Director Wenzel had discussed the discharge concerns. Administrator Reynolds explained the breakdown in water demand to the commission as follows:

One Beer Barrel = 31 gallons of beer.

Water to Beer Ratio: 8 gallons of water for every one gallon of beer produced.

31 gallons of produced beer x 8 gallons of water = 248 gallons of water per barrel of beer.

500 barrels of beer x 248 gallons of water per barrel of beer = 124,000 gallons of water needed.

One EQR (equivalent residential unit of water) = 3.5 people using 100 gallons each per day.

3.5 people x 100 gallons of water x 365 days in a year = 127,750 gallons of water per year per EQR.

Staff suggested that one EQR is the equivalent to *500 barrels of produced beer.

*Excluding the operation of the business.

Administrator Reynolds explained the concept of an EQR as the amount of water sold to a new home in New Castle (3.5 people within the household). He explained the formula (above) would be how the town would charge for the water. He said there were enough EQRs at the moment but that could change once the town was completely developed/built out. He reminded the commission that the town also had water rights to the Colorado River. He clarified that if water became tight, Council could put a moratorium in place.

Commissioner McDonald asked how a restaurant was charged for EQRs and what the cost for an EQR was. Administrator Reynolds said retail restaurants had a sliding scale where the EQRs was based on the number of seats available for that restaurant. He clarified that no two restaurants were alike with EQRs. He said the cost was \$9,700 per EQR for water and \$9,700 for discharge/sewer.

Commissioner Martinez asked how it would be handled if a microbrewery purchased the EQRs but produced far less than 500 barrels. Administrator Reynolds said Council had some discretion to figure out the cost or review the production of beer versus what was purchased for EQRs. He clarified that water usage would always be metered, so if a microbrewery were to use more water than anticipated the town would see that.

MOTION: Chair Apostolik made a motion to approve Resolution PZ 2024-1, A Resolution of the New Castle Planning and Zoning Commission Recommending the Amendment of Sections 17.04.050 and 17.36.040 of the Town Municipal Code to add Microbrewery as a Permitted Use in the C-1 Zone District. Commissioner Carey seconded the motion, and it passed on a roll call vote: Chair Apostolik: Yes; Commissioner Sass: Yes; Alternate Commissioner Rittner: Yes; Commissioner Martinez: Yes; Commissioner Westerlind: Yes; Commissioner McDonald: Yes; Commissioner Carey: Yes.

R2 Castle Valley Multifamily Sketch Plan Application Prior Meeting Verification from October 25, 2023

Deputy Clerk Bordelon explained the purpose of the verification was to ensure the seated voting commissioner(s) had reviewed the prior meeting minutes for the land use application and all documents presented at that meeting.

- Commissioner Martinez verified she read the prior meeting minutes.
- Alt Commissioner Parks verified he read the prior meeting minutes.

Town Planner Paul Smith shared an overview of the changes made by R2 Partners. He introduced DHM Design Principal Jason Jaynes and R2 Partners Principal Barry Rosenberg. Planner Smith said the original sketch plan was reviewed by the commission and Council. He said R2 Partners hosted an open house as well. He said from the feedback they received, they returned with a revised sketch plan.

Mr. Rosenberg said the drive for the changes was based on the feedback from the commission, Council, and the open house. He said R2 Partners received feedback regarding open space and that it was a core focus. From that, he said, there now existed 40 acres of open space in their sketch plan. He identified the tightening of the development specific to the 'ring road' that was once 24,000 linear feet reduced to 14,000 linear feet of road. He said R2 Partners was trying to address the feedback received and by tightening the site and reducing the linear road by 1,000 square feet added a cost benefit. He explained that the new design increased the story height for two housing units from a two-story building to a three-story building making it possible to eliminate a planned housing unit altogether. He said the height addition was still under the 40-foot restriction and was planned around sight line sensitivity.

Mr. Rosenberg addressed the price points of the units and highlighted the inclusion and commitment to 5 units, deed restricted, dedicated to the town. He clarified that \$3,200 was the average rent in Glenwood Springs and \$2,500 for Rifle. He said New Castle's average rent was closer to the average of Glenwood Springs for newer builds. He said he referenced the 2019 Regional Housing Study. He said their beginning rent for a one-bedroom unit would be \$2,285 and a two-bedroom unit would be just under \$3,000. Chair Apostolik referred to the last meeting with R2 Partners and clarified that

it was not the commission's job to dictate the cost or fees of their project. He said the term 'affordable' was listed in the comprehensive plan but reiterated that the commission does not determine how much a developer charges for their product. Mr. Rosenberg said affordability was a message received by the community as well as the commission, so they wanted to address it.

Mr. Jaynes discussed the design changes with the commission and referenced the updated sketch plan design (Exhibit A). He said there were changes made to the site plan with some architectural changes. He said their intention was to explain and explore the revised proposal with the aid of visual designs. He identified the overriding goals as providing open space and lifestyle encouraged by the development, scenic views, ample sunlight, available recreation, maintaining the neighborhood buffer, taking advantage of existing grade and respecting existing recreation corridors available to the public. He reviewed the side-by-side comparison of the original sketch plan to the updated changes (Exhibit A, Page 2). Mr. Jaynes said the visual aid highlighted the change in the footprint of the development, but the proximity to the single-family residences remained mostly the same. He said compacting the site plan allowed for a larger buffer space as well as the chance to develop on less steep grade. He said they had been working with staff and the Fire District to have a wildland fire resilient development proposal. Mr. Jaynes identified the increased compactness of the building layout with the new site plan and said the arrangement of buildings and the unit types remained largely the same (Exhibit A, Page 3). He discussed the 3-story buildings in the middle of the site plan and explained their intent was to integrate the two 'Live/Work' units in the most unimpactful way by tucking the buildings into the grade. He said the first two 'Live/Work' buildings that are 2-stories would screen the back 'Live/Work' units from North Wildhorse Drive.

Planner Smith asked if the design team had a floor plan for the 'Live/Work' 3-story buildings. Andrea Korber with Land and Shelter Architecture clarified there would be units in the front and back of the 'Live/Work' buildings. Planner Smith asked what the building heights would be for the 3-story buildings and the townhomes. Ms. Kober said the townhomes and the 2-story 'Live/Work' measured differently due to existing grade but averaged around twenty-five-feet. She said the 3-story buildings would be in the thirty-four-foot range at the midpoint, but clarified the actual ridge was higher than that.

Ms. Korber said the 3-story units design intention was to create a house sized, gabled form unit with a quiet lower level to preserve the look of a 2-story complex. Chair Apostolik asked if the design team had any concerns about shading out the townhomes behind the 3-story units. Ms. Kober clarified that the townhomes were far enough apart but said they could conduct a shading study. Mr. Rosenberg confirmed a shading study was easy to complete.

Planner Smith noted that the parking significantly changed from the original proposal. He identified the design intention attempting to screen the parking island in the middle of the site plan. Mr. Jaynes said they took advantage of the climbing grade as well to provide another level of screening. Planner Smith asked about the screening for car headlights where grading does not provide assistance. Mr. Jaynes confirmed they

planned to utilize landscaping in order to assist with car headlight screening. He clarified that a landscape buffer was planned after every 8 bays for parking.

Commissioner Carey noted that the trail alignment remained the same in the visual aid of the updated site plan. She asked if the stretch of trail between the 'Empty Nesters' and the rest of the development would retain public access. Mr. Jaynes confirmed the trail traveling in the middle of the development would remain public access.

Commissioner Sass asked if covered parking would be considered for the 'Empty Nesters' buildings. Mr. Jaynes said it had not yet been discussed. Mr. Rosenberg said it would be a positive feature to have car ports with available storage. Commissioner Sass agreed and added it would be a beneficial structure that could allow for solar installation. Commissioner Sass asked about the availability for electric vehicle (EV) charging for cars. Mr. Rosenberg confirmed that they tend to prewire for it in case there was a need or growing need in the future. Planner Smith confirmed that the town adopted updated building codes that addressed EV readiness as part of state requirements. Alternate Commissioner Parks asked if the improvements to parking on North Wildhorse also included the option of an EV charging station. Mr. Rosenberg said they had not discussed that as an option yet.

Commissioner Carey addressed the 'ring road' and asked about parallel parking options. Mr. Jaynes referenced the Loop Road Right of Way (ROW) Update visual and outlined where they planned to provide a single lane of parallel parking (Exhibit A, Page 6). Commissioner Carey noted people were going to park where they wanted and asked if the design would consider a fifty-eight-foot ROW. Public Works Director Wenzel clarified that a 58' ROW was the new street design standard and said the increased road width would allow for an additional parking lane. Commissioner McDonald asked if the design could be adjusted to move the townhomes further back into the hillside to increase the ROW. Mr. Jaynes said it was physically possible, but the steeper grade would be difficult to build on. Planner Smith shared the example of Whitetail Drive where there was a single lane for parallel parking however, he said compliance only existed due to the lots not being filled in. Commissioner Carey proposed increasing the ROW to 58' by widening the road where there was planned grassland in the interior of the site plan design.

Commissioner McDonald asked about the size of the garages for the townhomes with the update from 5 townhome buildings to 9 townhome buildings. He noted that a single car garage was not large enough. Mr. Rosenberg clarified that the updated design had the same number of townhomes but with the addition of more end units allowing for two-car garages for those end units.

Alternate Commissioner Rittner asked if there was further discussion around a property manager on site. She asked that since the development was rental units, if it were possible to restrict the amount of vehicles per unit. Mr. Rosenberg said it was possible and had been done before for other properties. He added it was fairly effective, but it only managed the private driveways and private lots which excluded public parking. Commissioner Martinez said the issue was the 'ring road' public parking, not private lots.

Commissioner Sass asked what was planned to control vehicle speed especially along the 'ring road.' Mr. Jaynes confirmed that they planned to have traffic calming of some kind by the trail crossings. Mr. Rosenberg said they preferred to narrow the lanes rather than installing bump outs.

Commissioner Sass remarked that she liked the changes that were made in the updated design. Commissioner Carey thanked the design team for listening to the feedback and adjusting accordingly. Chair Apostolik said the updated design addressed everything from the last meeting. Chair Apostolik asked if there were any plans to develop the southeastern portion of land that had been condensed with the updated design. Mr. Rosenberg said they had no plans to develop that area and added they planned to designate a portion of the 50 acres of land to the town.

Commissioner Carey discussed the 5 affordable units and asked if they could be available not only for local town employees but also the greater community of local public servants. Administrator Reynolds said there was flexibility similar to the Romero development arrangement to allow for greater availability.

Planner Smith said R2 Partners was looking for direction and feedback on which development design the commission preferred. The commission unanimous agreed they preferred the new design (Exhibit A).

Staff Reports

Deputy Bordelon reminded the commission that three seats were up for reappointment in April 2024. She said she would need a Letter of Interests by March 1st from the three commissioners if they were interested in continuing their service: Commissioner Westerlind, Commissioner Sass, and Commissioner Cotey. She said she would send each of them a reminder by email and stated the vacancies would also be advertised to the public.

Planner Smith reported the next regularly scheduled Planning & Zoning commission meeting would be held on February 14th and involved a sketch plan from TC Fuels. He said there was a conditional use permit also scheduled for that meeting but was canceled.

Commission Comments and Reports

Commissioner Parks reported that the Historic Preservation Commission was planning an open house in May for public outreach regarding historic designations. He said the original pursuit of a historic district on Main Street fell through due to a lack of residential and commercial ownership interest.

Review Minutes from Previous Meeting

MOTION: Chair Apostolik made a motion to approve the January 10, 2024 meeting minutes. Commissioner McDonald seconded the motion and it passed unanimously.

**MOTION: Chair Apostolik made a motion to adjourn the meeting.
Commissioner Westerlind seconded the motion and it passed unanimously.**

The meeting adjourned at 8:41 p.m.

Respectfully Submitted,



Chuck Apostolik, Chair



Remi Bordelon, Deputy Town Clerk



Exhibit A

R2 Partners Sketch Plan Design Updates (Pages 8-13)

CASTLE VALLEY RANCH MULTIFAMILY SKETCH PLAN APPLICATION (UPDATE)

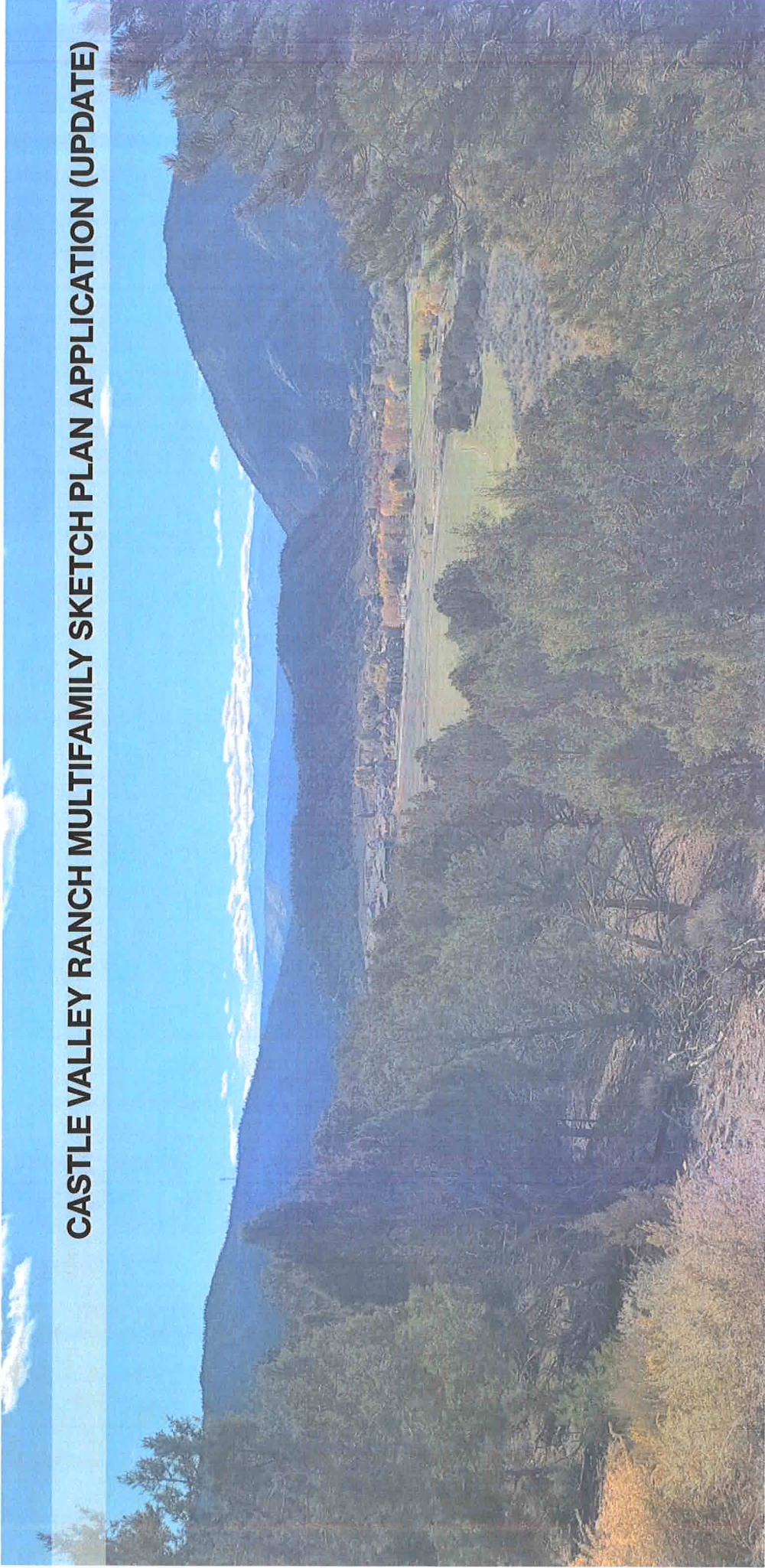


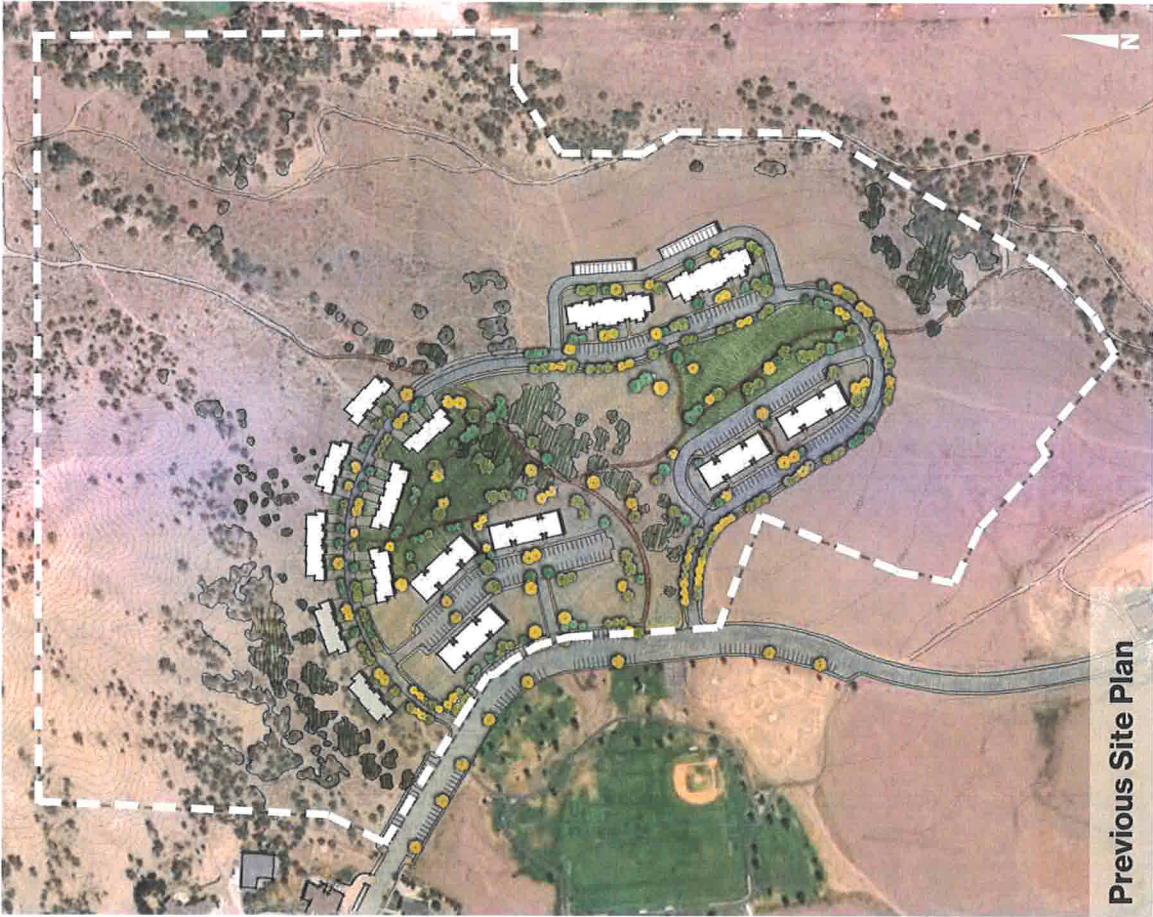
Exhibit A



DHM DESIGN

Land+Shelter
ARCHITECTURE AND PLANNING





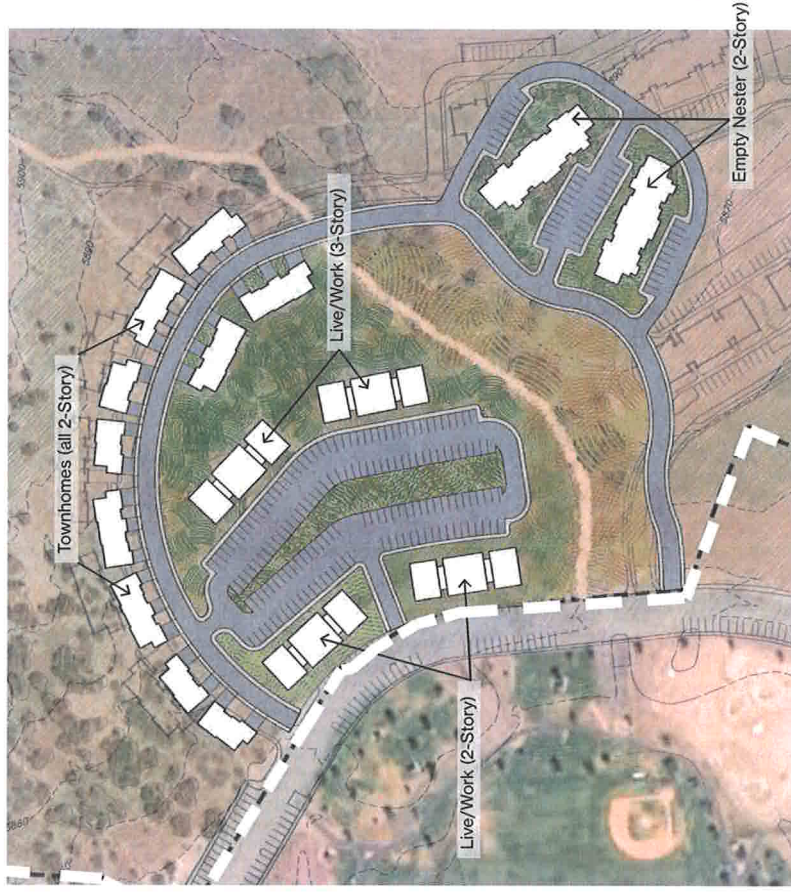
Previous Site Plan



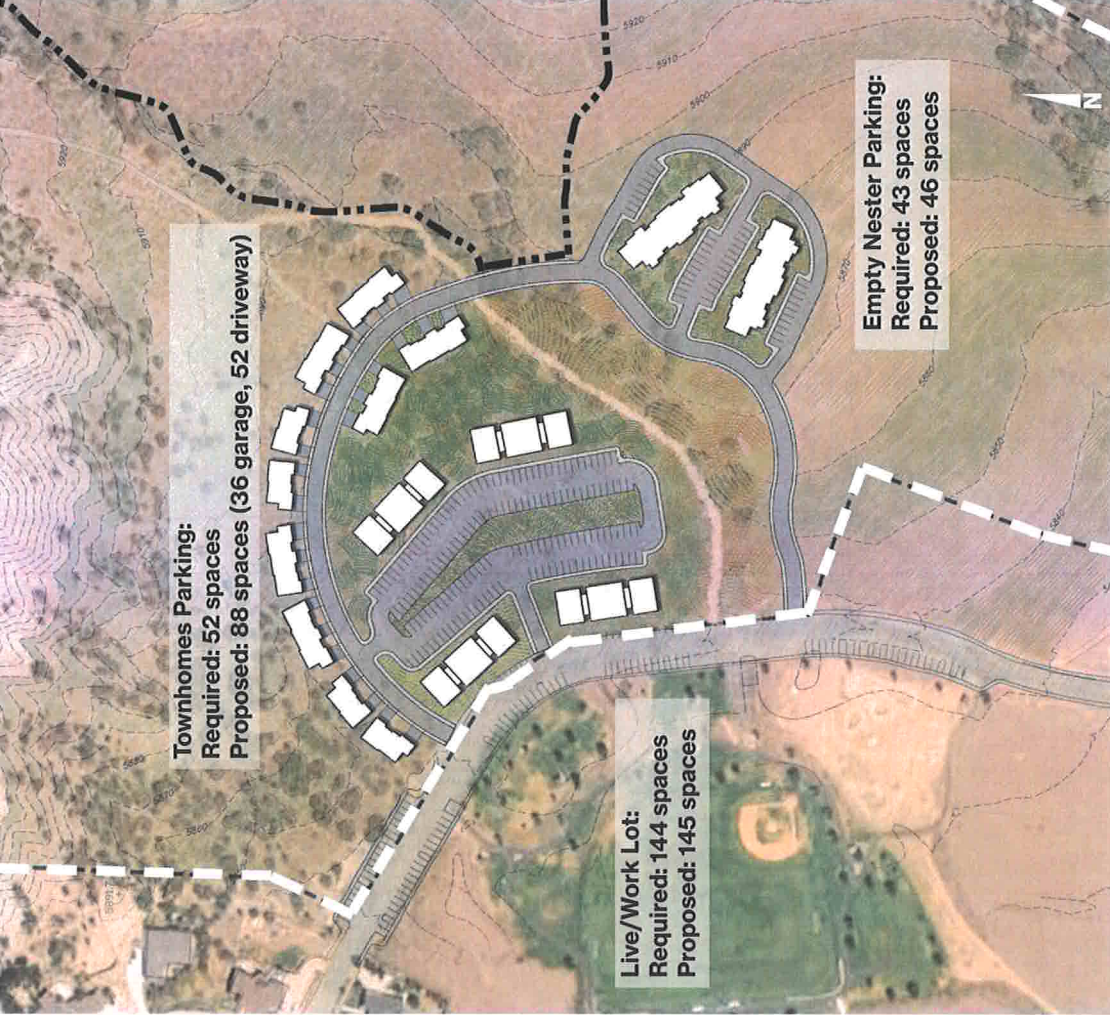
Current Site Plan

Site Plan Adjustments

- Compacted overall layout
- Shortened loop road (Town ROW)
- Eliminated 1 Live/Work building, converted 2 to 3-story Live/Work buildings
- Townhouse buildings more condensed and shorter sets of units
- Increased area of open space



Illustrative Site Plan Update

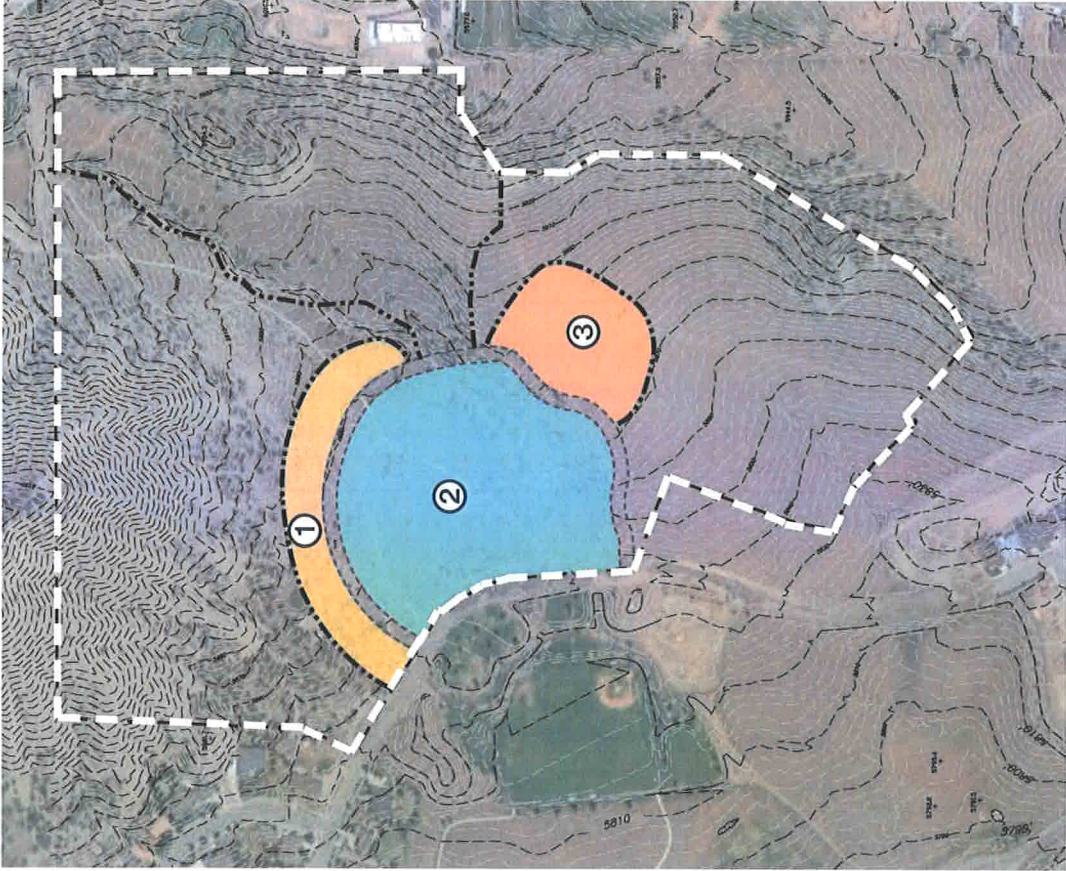


required	proposed
'general parking'	
buildings 1-4 units = 2 spaces/du buildings 5+ units = 1.5 spaces/du required total: 208 spaces *per code 17:104.100*	proposed: 228 spaces (36 garage + 156 off-street + 36 driveway)
'seasonal + recreational vehicle parking' (1) space for every 5 units of 5-plex or greater required: 21 *per code 17:104.100*	proposed: 25
TOTAL REQUIRED SPACES: 229	TOTAL PROPOSED SPACES: 253
	*additional on-street parking provided in parallel parking lane of ROW

N Wildhorse Parking:

Existing Perpendicular Parking at Vix Park (estimated): 67 spaces
Proposed Paved Perpendicular Parking at Vix Park: 75-80 spaces

Site Plan - Parking Update



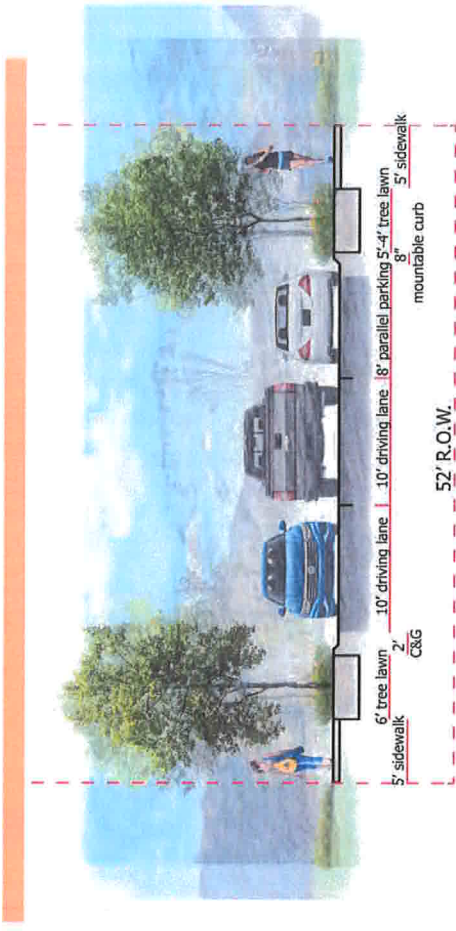
DENSITY AND AVERAGE LOT SIZE PER UNIT = after removing dedicated open space, ROW, and seller retained parcel, the development area is broken into four parcels (1-4); parcel 4 remains as private open space for screening/buffering, landform, and trail access. Density is calculated per individual parcel.

2,200 SF lot area per unit (19.8 du/ac) max density (per CVR MF-1 Zone District)

PARCEL	AREA (in s.f.)	# OF UNITS	DENSITY (lot size per unit)
1	97,165 SF	20	4,860
2	324,335 SF	86	3,770
3	83,410 SF	12	6,950

Density Calculations

Parallel Parking ROW



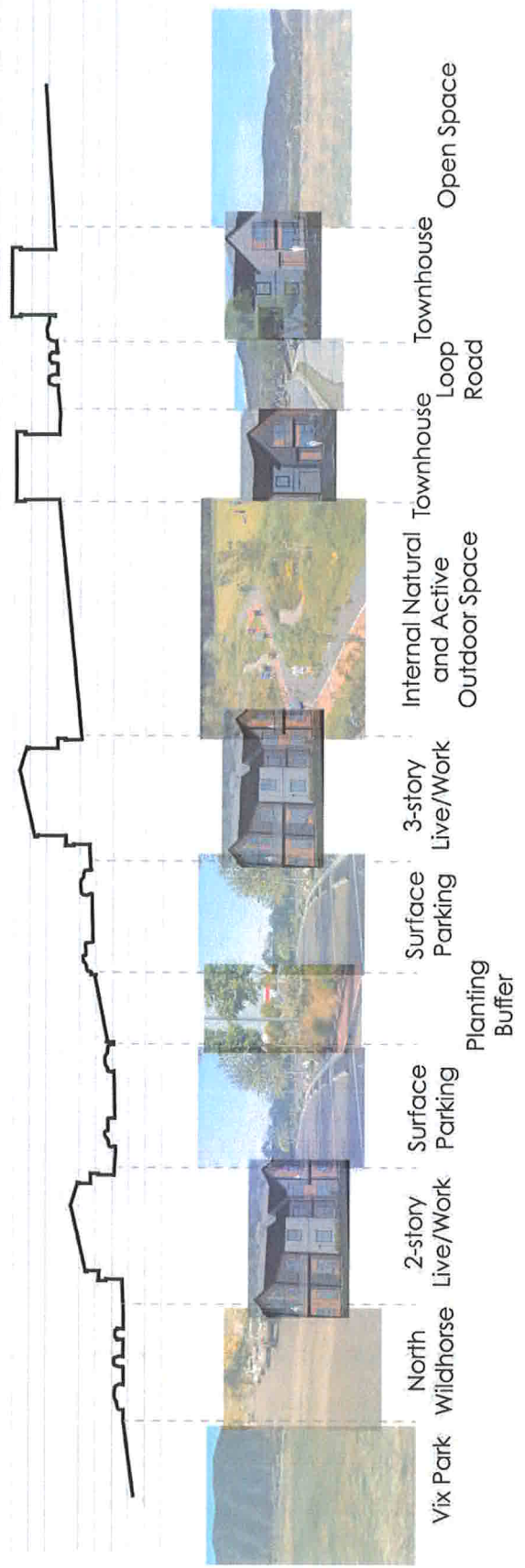
No Parking Needed ROW



Parallel Parking Capacity: 35-40 spaces

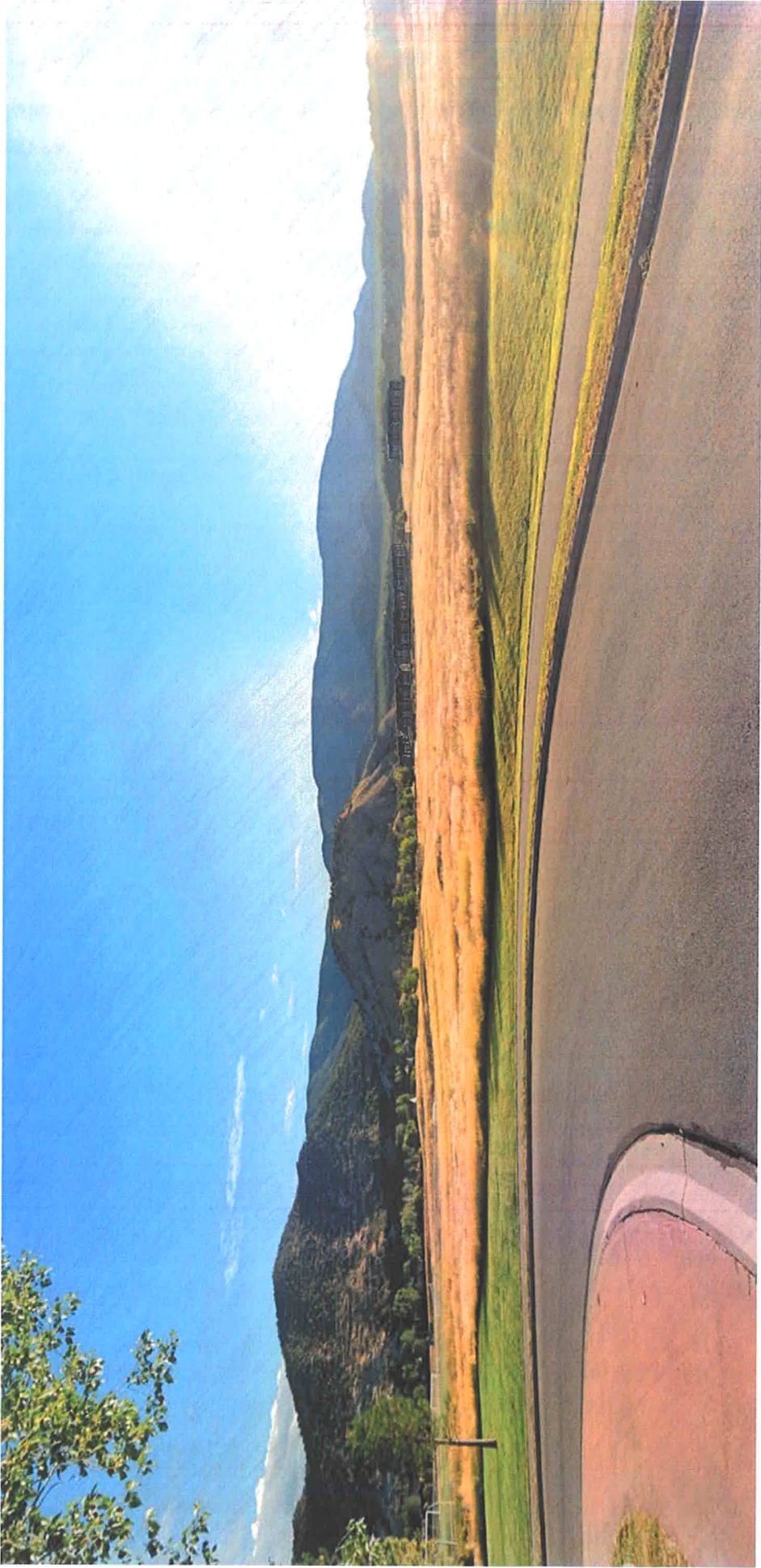
Loop Road ROW Update

5930
5920
5910
5900
5890
5880
5870
5860
5850
5840
5830
5820



Vix Park Wildhorse
North
2-story Live/Work
Surface Parking
Planting Buffer
Surface Parking
3-story Live/Work
Internal Natural and Active Outdoor Space
Townhouse
Townhouse Loop Road
Open Space

Site Section



Viewshed from Roundabout