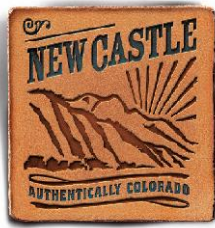


Posted: _____

Remove: _____



Town of New Castle

450 W. Main Street
PO Box 90
New Castle, CO 81647

Administration Department

Phone: (970) 984-2311

Fax: (970) 984-2716

www.newcastlecolorado.org

Agenda

New Castle Planning and Zoning Commission Regular Meeting

Wednesday, January 24, 2024, 7:00 PM

Full packets of P&Z meetings are available online by visiting

<https://www.newcastlecolorado.org/meetings>

or by scanning the **QR code** below.

Virtual Meetings are subject to internet and technical capabilities.

To join by computer, smart phone or tablet:

<https://us02web.zoom.us/j/7096588400>

Meeting ID: 709 658 8400

If you prefer to telephone in, please call: 1-346-248-7799

Be sure to set your phone to mute until called on.



Call to Order, Roll Call, Meeting Notice

Conflicts of Interest

Citizen Comments on Items NOT on Agenda

Items For Consideration

A. 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 (Page 2)

B. R2 Group Castle Valley Multifamily Sketch Plan Application (Page 5)

Comments/Reports

- Items for Next Planning and Zoning Agenda
- Commission Comments/Reports
- Staff Reports

Review Minutes of Previous Meetings

C. Draft Minutes of January 10, 2024 (Page 17)

Adjournment



Town of New Castle
450 W. Main Street
PO Box 90
New Castle, CO 81647

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Fax: (970) 984-2716
www.newcastlecolorado.org

Memorandum

To: Planning & Zoning Commission
From: Dave Reynolds
Re: Agenda Item: Consider Resolution PZ 2024-01
Date: 1/18/24

Purpose:

The purpose of this agenda item is to consider Resolution PZ 2024-1.

During a regular Planning and Zoning meeting held on January 10, 2024, the Commission considered a Resolution which would define a “Micro Brewery” as a *Permitted* use in the C-1 Zoning District. The Commission asked that this item be continued to January 24, 2024, in order to allow time for the Town’s Public Works Department to study the impacts of wastewater discharge from various brewing processes. The Commission also asked staff to provide greater detail regarding the possible water consumption of a “Micro Brewery” operation and address how the Town might consider and calculate EQR use and Tap fees for this type of business.

Given the Commissions direction along with the information studied, the application of the Town’s existing Wastewater Discharge Regulations, and the application of State Wastewater Discharge Regulations, staff believes that a proper definition of “Micro Brewery” as a Permitted Use can give sufficient protections to the Town relative to suitable wastewater discharge.

Staff is working to prepare a revised definition for “Micro Brewery” and will report our findings for the Commission’s consideration during the meeting.

**TOWN OF NEW CASTLE, COLORADO
RESOLUTION NO. 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.**

WHEREAS, pursuant to Chapter 17.08 of the New Castle Municipal Code (“Code”), the Town of New Castle (“Town”) has established a Planning & Zoning Commission (“Commission”); and

WHEREAS, pursuant to Section 17.92.030(B) of the Code, the Commission must consider and provide a recommendation regarding amendments to Title 17 of the Code; and

WHEREAS, Chapter 17.36 of the Code establishes the use, dimensional, and other zoning regulations for the C-1 commercial zone district; and

WHEREAS, there is a growing interest to operate microbreweries in the Town; and

WHEREAS, microbreweries are not listed as permitted, conditional, or prohibited uses in Chapter 17.36; and

WHEREAS, based on the characteristics of the C-1 zone district, the nature of microbreweries, and how other Colorado municipalities define and regulate microbreweries, Town staff believes that microbreweries would be an appropriate permitted use in the C-1 zone district; and

WHEREAS, Town staff believes that allowing microbreweries in the Town will promote economic development; and

WHEREAS, in accordance with Section 17.92.030(B) of the Code, the Commission held a public hearing on January 10, 2024, to consider whether Section 17.36.040 of the Code should be amended to include microbreweries as a permitted use in the C-1 district; and

WHEREAS, based on the testimony and evidence presented at the hearing, the Commission now desires to recommend that the Town Council approve an amendment to Chapter 17.36 of the Code as set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE NEW CASTLE PLANNING AND ZONING COMMISSION AS FOLLOWS:

1. Recitals. The foregoing recitals are incorporated by reference herein as findings and determinations of the Commission.

2. Recommendation. The Commission recommends that “microbrewery” be added as a permitted use in the C-1 zone district and that the Code be amended as set forth in the following section to accomplish the same.

3. Code Amendment. The Commission recommends that Code Sections 17.04.050 and 17.36.040 be amended as set forth below, with added language in **bold** and underlined:

17.04.050 – Definitions

“Microbrewery” means a facility or establishment that manufactures no more than five thousand (5,000) barrels per year of fermented malt beverages or malt liquors on site. 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.

17.36.040 – Permitted Uses

...

C. Personal service establishment, including:

...

9a. Microbrewery

4. Effective Date. This Resolution shall be effective upon adoption.

THIS RESOLUTION PZ 2024-1 was adopted by the New Castle Planning and Zoning Commission by a vote of ___ to ___ this 10th day of January, 2024.

TOWN OF NEW CASTLE, COLORADO,
PLANNING & ZONING COMMISSION

By: _____
Chuck Apostolik, Chair

ATTEST:

Remi Bordelon, Deputy Town Clerk



Town of New Castle
450 W. Main Street
PO Box 90
New Castle, CO 81647

Administration Department
Phone: (970) 984-2311
Fax: (970) 984-2716
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To: Planning and Zoning Commission

From: Paul Smith

Re: P&Z – Hear and comment on a revised sketch plan resubmitted by **R2 Partners** for Castle Valley Ranch PA 8 & 9.

Date: 1/24/2024

Purpose:

On October 25th 2023, the Planning and Zoning Commission reviewed and commented on the sketch plan application submitted by R2 Partners for 130 multifamily units among 15 buildings on approximately 68 acres in Castle Valley Ranch (PA 8 & 9) located directly east of VIX Park. The application, furthermore, was presented to Town Council on November 7, 2023 and at a community meeting on December 7th, 2023. At the public meeting, P&Z raised numerous questions and provided the recommendations summarized below:

Q&A from P&Z (Questions in black/Answers in blue):

- Do leases restrict units types to certain tenant demographic (e.g. Are only retirees able to rent “empty nester” units)? **No; Unit types are open to anyone, but each is better suited for a certain type of tenant through unit layout and/or price-points.**
- Will lease agreements cap the number of occupants who can live in a unit at one time? **Yes**
- Will there be onsite management? **Not sure yet on property management provider.**
- Are you open to rent reduced units for local employees (i.e. teachers, first responders, etc.)? **We are open to a discussion. It is not offered on our other properties.**
- Do you have other developments in the state of Colorado? **We have developed in other others in the state but nothing to this level.**
- Have you used this type of niche specific development (i.e. three different models on one property) successfully? **Yes, outside the state.**
- Who is responsible for the infrastructure improvements? **Staff answer: The developer. N Wildhorse and the ring road will be conveyed to the Town.**
- Are you considering passive and/or active solar capacity? **All is on the table. We start with making units efficient. Then, solar production is considered for every project we do. Net zero is a priority.**
- Are the empty nesters single level? **Yes, they are flats...some open from lower floor, the others from the upper floor in the rear.**
- What are the projected rental prices? **Still early on this, but perhaps \$4,000-\$5,000 for the empty nesters and townhomes. \$2000-\$3000 for live/work units.**
- Who will manage the trails? **Still being decided.**
- What are the trail surfaces? **Still early but considering a more primitive type surface.**
- Are you considering more native, drought resistant vegetation? **Yes, native/natural landscaping is becoming standard in the Valley as a matter of water conservation.**

- Is there a private clubhouse amenity for residents similar to other developments you've built? Outdoor space is not fully designed yet. Priority will be to "amenitize" the outdoor space versus indoor type recreation. Outdoor lifestyle is a New Castle value, but community gathering areas will be considered.
- Is snow storage shown on the site plan? Staff response: No fully addressed at this time, however separated sidewalk buffers will be main areas for storage. N Wildhorse storage will need to be clarified.
- Why does Staff want a 58' ROW near the townhomes? Staff response: it provides for better quality of life and was the preferred cross-section for recently approved street design. Residents tend to expect parking on the street in front of homes. Speeding will be addressed with narrower drive and parking lanes.

Recommendations from P&Z:

- Provide way for fulltime property management to live onsite (as necessary).
- N Wildhorse at VIX park looks busy and potentially congested. Partner with town for traffic calming strategies such as bump outs near trail access points. Provide N Wildhorse cross-section in plan set.
- Consider fire resistant materials and defensible space around buildings.
- Show which trails are public (town maintained) and which are private.
- Provide hi-visibility crosswalk at N Wildhorse towards central trail and at the central trail where it crosses the ring road, towards BLM.
- The mix of unit types and site planning is commendable.
- Provide building heights on plan set.
- 1300-1400sf for three bedroom unit is a tight space. Could be difficult from a livability/practicality perspective.
- Projected price points seem competitive with home ownership prices.
- Be clear on public and private open space so the public can know that trails will still be accessible to the entire Town.
- During grading, consider salvaging as many existing plants and trees (junipers, pinyons, shrub oak, rabbit brush, etc.) as possible, in light of their age and history in New Castle.
- Work hard to make sure roof lines do not exceed ridge lines such as Sunset Trail.
- Provide viewshed image looking from Sunlight Trail back west.
- 52' ROW of ring road should be reconsidered by Staff in order to limit further sprawl.
- RV space requirement does not seem pertinent to this development.

Upon consideration of all comments, including follow-up discussions with Staff, the applicant has elected to revise several aspects of the site plan. The revisions include:

- Re-configuration of the ring-road;
- Re-location of two live/work buildings and reducing five buildings to four;
- Three stories for two of the four live/work buildings;
- Re-orientation of the two empty-nester buildings
- Re-designed parking for the live/work buildings;
- Townhomes dispersed among duplexes and triplexes (from 8-10 buildings);

P&Z is being asked once again to provide further commentary on the updates.

Thank you,
Paul

January 17, 2024

Mr. Paul Smith
Town Planner /Inspector
Town of New Castle
New Castle, CO 81647

RE: CRV 130-unit PD Sketch Plan Modifications

Mr. Paul Smith:

As the development plans were advanced during the Sketch Application, one component of the conversation was directed towards market rents and the need for affordable housing. The developer expressed an interest in working with the Town to provide at least 5 affordable units, offered to individuals committed to working within the community (teachers, police, fire-fighters, etc.)

To help achieve this goal, the developer has tasked us with refining the plan in a way that would help reduce costs, but not compromise the quality of the development. Generally, we believe we have achieved this by reducing the overall footprint of the development, while increasing the perimeter, future dedicated open space; additional modifications were applied as well either focused on aesthetics and /or constructability. The outline below discusses individual modification in more detail:

1. Townhomes: originally proposed as clusters of 3 and 4 unit buildings have been changed to clusters of 2 and 3 unit buildings. This change allows this cluster of housing to better conform to the slope /grading of the public ring road; in addition, this change provides more desirable 'end-cap' units.
2. Live /Work Units: Previously these units were shown as (2) separate clusters of 2-story buildings, five buildings in total. The new plan reduces the number of buildings to 4 and clusters these 4 buildings into an area tucked between the townhomes and North Wildhorse. In order to eliminate one of the buildings, the two buildings farthest away from North Wildhorse are proposed as 3-story buildings.
3. Empty-Nester Units: There is minimal change to these buildings other than a refinement of the building orientation and parking /circulation. Originally, the parking was integrated into the future public right-of-way, which presented some level of complication regarding ownership and long-term maintenance; the new layout completely separates public vs private paving and is better oriented with site grading.
4. Public Spaces: We feel the public spaces provided in the revised plan are better than originally proposed during the original Sketch Application. The trail extending from the park along Wild Horse is now proposed to run along-side of the public right of way; previously, this trail cut directly thru the development. The overall consolidation of uses results in the increase of public open space, surrounding the development.

DHM DESIGN

We believe the changes outlined above provide a better plan going forward.

Sincerely,

DHM Design, on behalf of R2

CASTLE VALLEY RANCH MULTIFAMILY SKETCH PLAN APPLICATION (UPDATE)



DHM DESIGN

Land+Shelter
ARCHITECTURE AND PLANNING





Previous Site Plan

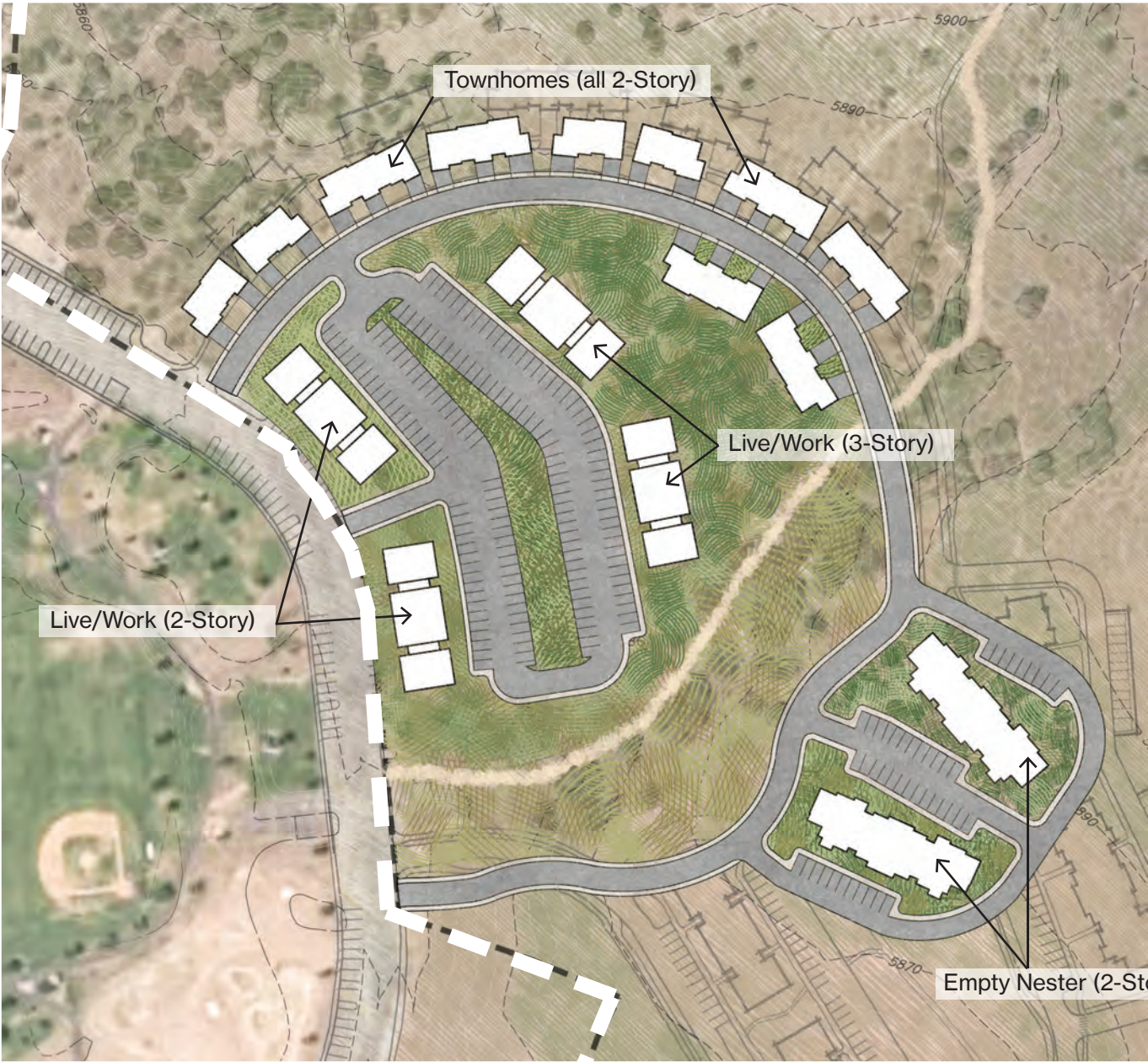


Current Site Plan



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

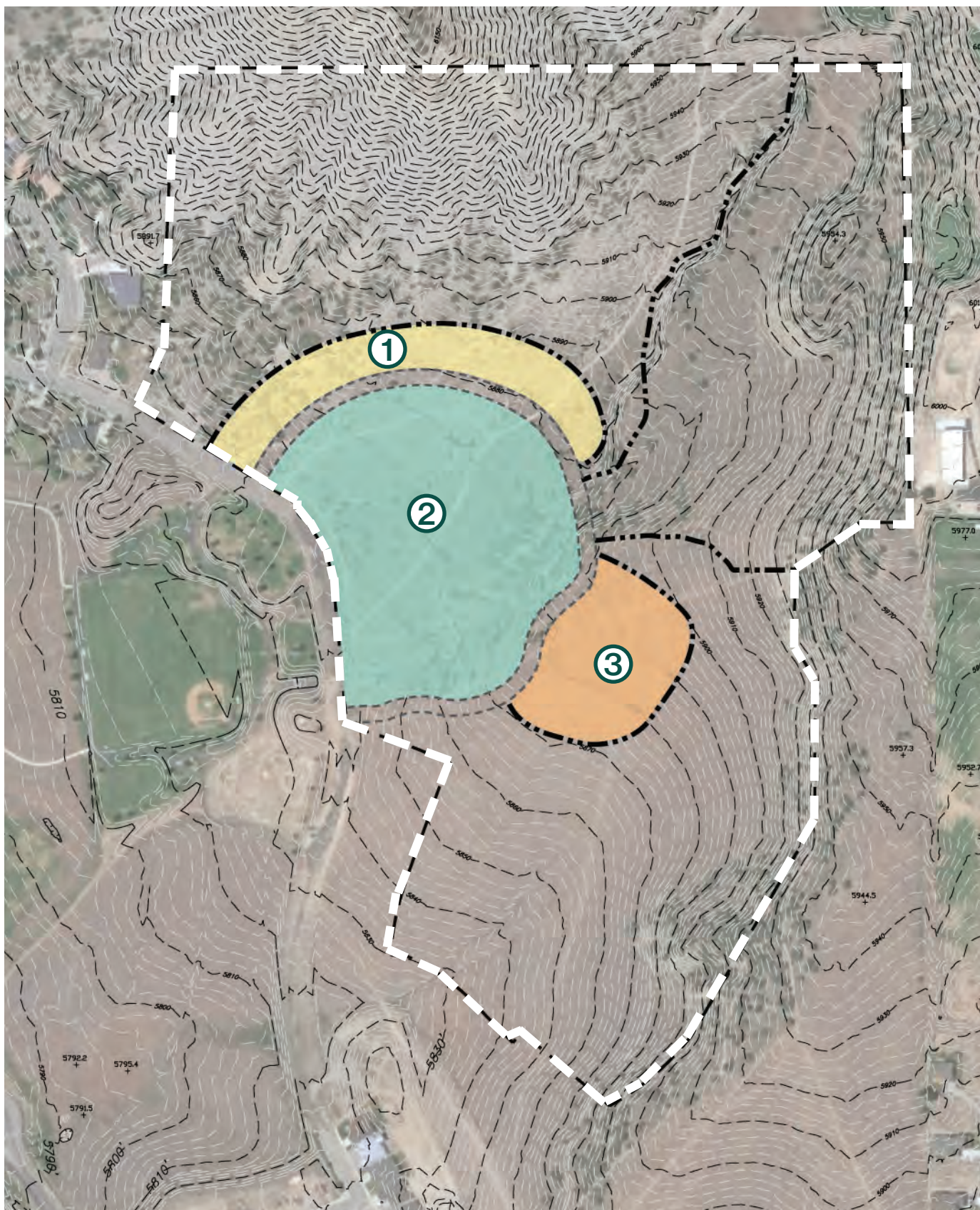


required	proposed
'general parking'	
buildings 1-4 units = 2 spaces/du buildings 5+ units = 1.5 spaces/du required total: 208 spaces *per code 17.104.100*	proposed: 228 spaces (36 garage + 156 off-street + 36 driveway)
'seasonal + recreational vehicle parking' (1) space for every 5 units of 5-plex or 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)

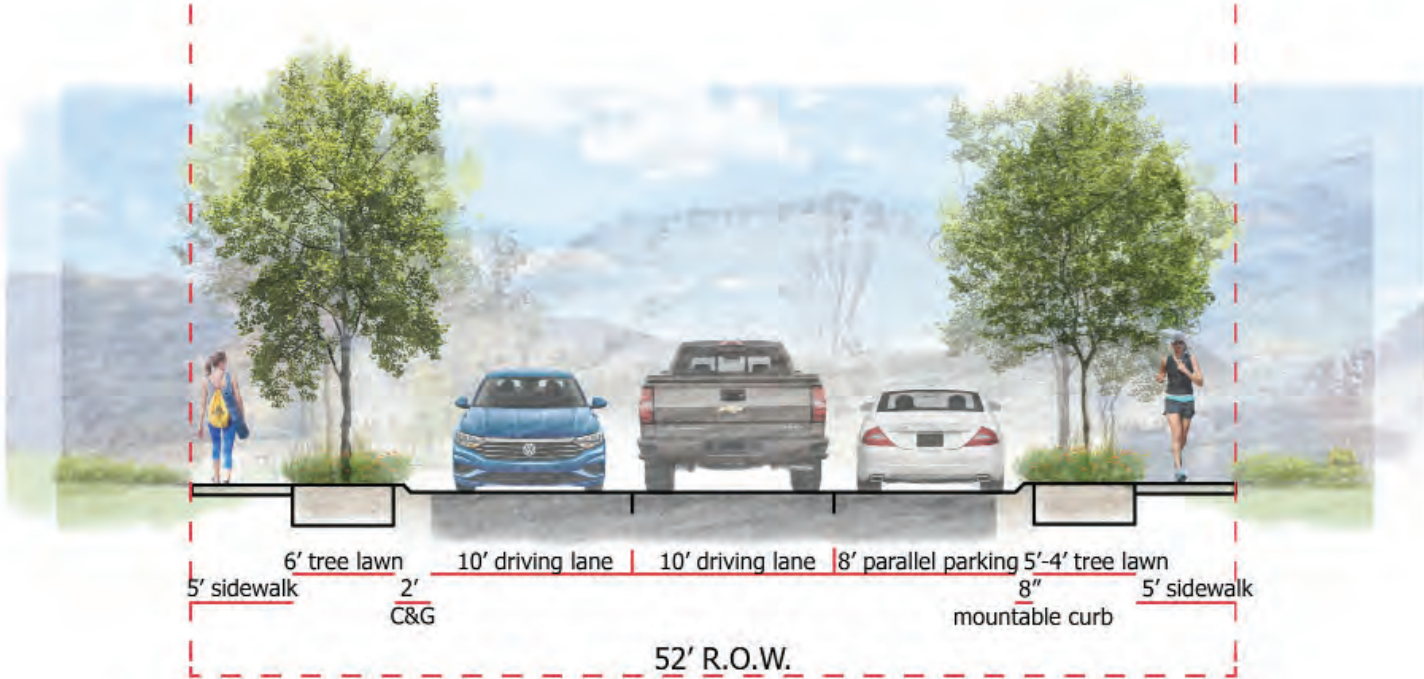
PARCEL	AREA (in s.f.)	# OF UNITS	DENSITY (lot size per unit)
1	97,165 SF	20	4,860
2	324,335 SF	86	3,770
3	83,410 SF	12	6,950

Density Calculations

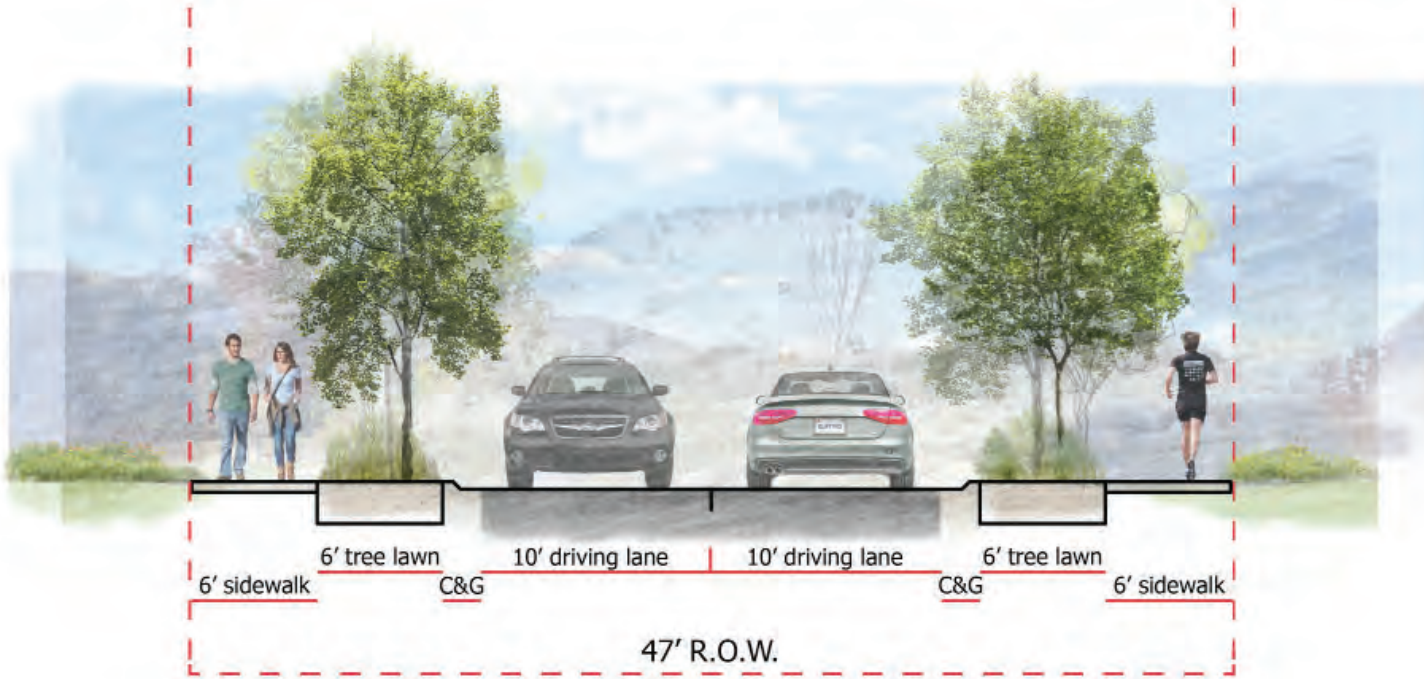


Parallel Parking Capacity: 35-40 spaces

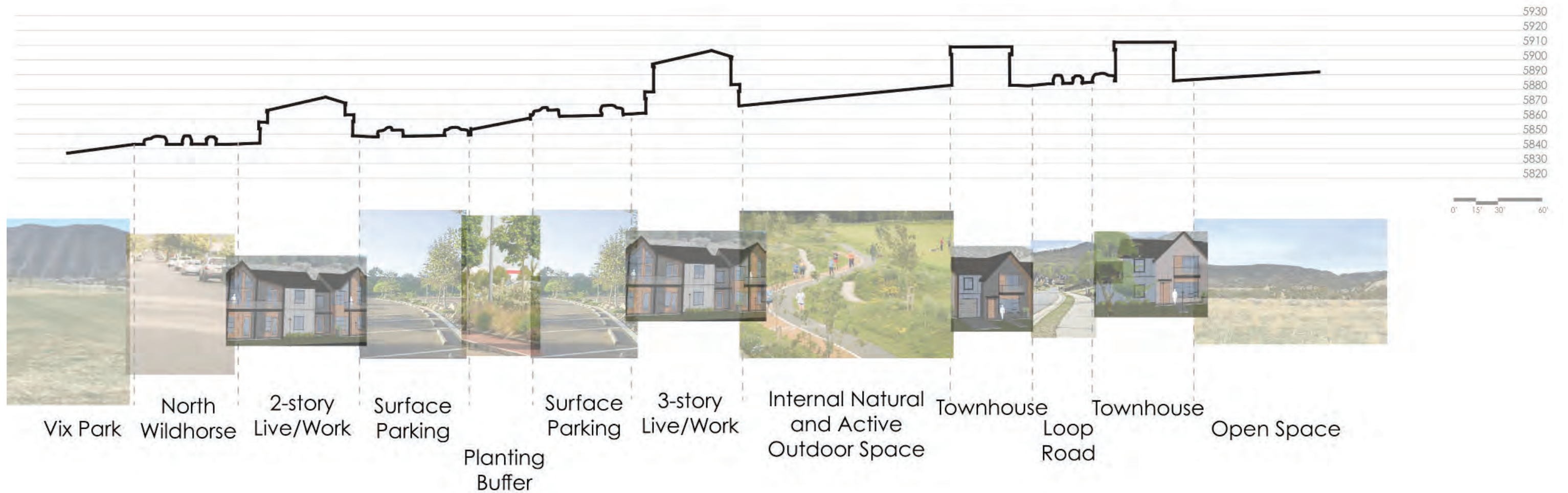
Parallel Parking ROW



No Parking Needed ROW



Loop Road ROW Update



Site Section



Viewshed from Roundabout

**New Castle, Colorado
Planning and Zoning Commission
Wednesday, January 10, 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 Cotey
	Commissioner Martinez
	Commissioner Carey
	Commission Alternate Rittner
	Commissioner Westerlind
	Commissioner Alternate Parks (coin toss)
	Commissioner Sass
Absent	Commissioner McDonald

Also present at the meeting was Town Administrator David Reynolds, Town Planner Paul Smith, 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.

Public Hearing

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 opened the public hearing at 7:03 p.m.

Town Administrator Dave Reynolds discussed the intent of the resolution and clarified the difference between permitted use by right and a Conditional Use Permit (C.U.P.). He said staff recommended, for Planning & Zoning's consideration, a code change to allow microbreweries to be a permitted use by right as that business type was not mentioned in either category – permitted use or conditional use. He shared the Town code for the C-1 Commercial District. He said Town Council, acting as the Board of Zoning Adjustments, was interested in zoning microbreweries in the C-1 District but

wanted the Planning & Zoning Commission to review and consider microbreweries to be a permitted use. Administrator Reynolds read the proposed definition of 'microbrewery' as:

Microbrewery means a facility or establishment that manufactures no more than five thousand (5,000) barrels per year of fermented malt beverages or malt liquors on site. 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.

Administrator Reynolds identified the 5,000 barrels (155,000 gallons) as an arbitrary number and said other municipalities listed 15,000 to 20,000 barrels. He said staff reduced that number for New Castle, realizing both the commission and Council would not appreciate a large corporate manufacturer on Main Street. He clarified that the production number of 5,000 barrels was completely negotiable for the commission's consideration. He said the intent was to be friendly to businesses with the potential of not having a microbrewery go through the C.U.P. process but simultaneously mindful of the need for Main Street. He clarified that the cap on production in barrels would allow the commission to review any business wanting to produce more than the allotted amount with the C.U.P. process to make an appropriate determination.

Administrator Reynolds introduced Joe Hemelt as the new owner of the Texaco Building (645 W Main Street) who desired to open a microbrewery at that location. He said Mr. Hemelt did not intend to produce even half the amount of the capped limit of 5,000 barrels with his proposed business plan.

Joe Hemelt, a New Castle resident, shared his desire and intent to open a microbrewery on Main Street. He introduced his business partner Brad Williams. Mr. Hemelt described his plan for manufacturing and shared some of his design elements for his planned infrastructure. Chair Apostolik expressed serious concerns regarding the wastewater discharge in relation to a brewery. Mr. Hemelt clarified that his brewing process would be proprietary as a 'smart brew system' that separated the 'hot' and 'cold' brewing process, making for a cleaner operation. He said the hot brewing process that involved speck grains and wastewater would be manufactured off location and shipped in. Mr. Hemelt explained that they would only be brewing the second half of the beer process, the cold brew, on location eliminating the majority of the yeast process. He said their design incorporated a self-cleaning system that involved little wastewater.

Chair Apostolik asked if Mr. Hemelt planned to have a primary containment system for hauling the remaining solids produced. Mr. Hemelt said the brewing process included a proprietary self-cleaning system that would rinse out the solid remains. He said the current piping under the Texaco was large enough for the planned microbrewery. Chair Apostolik expressed concern regarding Public Works ability to handle the discharge to the wastewater treatment plant and water availability for brewery production. He said a 5,000-barrel production would equate to 7.5 million

97 gallons of water; however, he acknowledged that Mr. Hemelt's smart system
98 production would be less than half of that since he would not be managing the hot
99 brew process in New Castle. Chair Apostolik explained that from beginning of
100 production to end, including the cleaning system, an estimated 1,500 gallons of
101 water was required for every barrel of brew produced, or 5 to 6 gallons of water for
102 every gallon of produced beer. Mr. Hemelt said his maximum capacity production
103 would be below 1,500 barrels a year and would use significantly less water than
104 Chair Apostolik's estimation. Business Partner Brad Williams added that the initial
105 smart system they would start with, and planned to install, had a maximum
106 capacity of 960 barrels per year. He said the initial projections of manufacturing
107 reported half that amount at beginning production. Mr. Williams confirmed that
108 5,000 barrels per year was a big operation and not a number he or Mr. Hemelt was
109 looking to produce. He said their microbrewery intended to serve the local
110 community and planned to produce only 10% of the arbitrary cap of 5,000 barrels
111 a year.

112
113 Commissioner Cotey said that the consideration of the code change not only involved
114 upcoming prospective businesses but that of all future microbreweries to establish
115 themselves in New Castle.

116
117 Chair Apostolik expanded on the wastewater discharge concerns he had and said for an
118 average brewery production, even with the separation of solids, there would still be
119 solids present in the wastewater. He said that can cause pH issues in the discharge
120 and the alkaline can rot the pipes that lead to the sewer system, and he added that
121 surface solids can change the filtration of the wastewater treatment system. He
122 commented that EPA regulations would be a concern as brewery byproducts would not
123 be considered a domestic sanitary waste product. Chair Apostolik explained he opened
124 a brewpub in Eagle County and gained a lot of experience from it. He noted that the
125 commission needed to ensure the town was prepared for breweries and not just Mr.
126 Hemelt's business proposal and reiterated Commissioner Cotey's previous statement
127 regarding changing the town code.

128
129 Chair Apostolik stated his intention was protecting the town's best interest and ensuring
130 preparedness for such businesses. He stated that breweries are one of the highest
131 demanding water uses and asked what the town's water capacity was measured to be.
132 Administrator Reynolds explained that the Town of New Castle had water rights for the
133 entire buildout of the town in addition to reserve water rights of the Colorado River. He
134 said adding a couple EQRs (equivalent residential unit of water) for a business is
135 currently not an issue, however he stated in the case of a drought, that situation could
136 change. Chair Apostolik stressed his concern of water demand from a common brewery
137 that could potentially establish themselves in town, not including the wastewater
138 discharge issue. Commissioner Cotey agreed with Chair Apostolik and shared the
139 hypothetical example of the Mattivi Building (298 W Main St.) becoming a large
140 microbrewery location with a high water use demand. Administrator Reynolds asked
141 Assistant Attorney Carmer how the amount of EQRs could be determined/distributed in
142 the case of a business operating at a specific location. Administrator Reynolds said
143 there was potential to create a limiting factor for a larger brewery with limiting the
144 availability in purchasing additional EQRs. Assistant Attorney Carmer said the expansion

of a use would have to match the EQRs needed, and the selling/availability of such EQR demand would be related to the physical capacity to serve that water need. She said this could be a potential performance standard established for microbreweries, confirming the town's capacity to serve that need.

Commissioner Carey summarized the primary concerns expressed in the public hearing as:

- Water usage and availability
- Impacts to wastewater treatment (reviewed by Public Works staff)
- Complying with regulations (reviewed by State before brew license issued)

Commissioner Carey said the only highlighted concern without a review team was the concern of water usage and availability. She asked if the arbitrary number of 5,000 barrels could be revisited and proposed to reduce the barrel production cap even further to prevent larger brewery operations in New Castle.

Commissioner Westerlind asked what the review process was for a general permitted use. Administrator Reynolds said the review covers the health department guidelines and if needed, a building inspection. He explained the permitted use review would not come before the Planning and Zoning Commission, however input from professional experts such as the Building Department, Public Works, and the Health Department would remain. Commissioner Westerlind asked the commission if they wanted to have all microbreweries be solely reviewed by staff and not reviewed by Planning & Zoning. Assistant Attorney Carmer noted that performance standards specific to microbreweries could be included in the code for permitted use, that would otherwise be found in a conditional use permit. Commissioner Cotey clarified that instead of a condition use permit for microbreweries, the commission could consider code changes that required specific criteria for microbreweries that would not undergo a C.U.P. process and could be completed administratively.

Alternate Commissioner Bronwyn asked if the consideration was solely for microbreweries on Main Street, if a C.U.P. process was necessary. She asked how many microbreweries would be allowed on Main Street. Commissioner Carey explained that the zoning proposed for microbreweries was categorized in the C-1 District, which included Main Street, but had the potential to expand with future annexations. She said if the consideration was to categorize microbreweries as a permitted use by right, it would mean there would be less subjectivity moving forward. Commissioner Carey reiterated her request to reduce the number of barrels produced.

Commissioner Cotey noted the depth of discussion around microbreweries and the production process and said it was important for the commission to consider where to categorize microbreweries: permitted use (community retail) or conditional use (more industrial). Commissioner Cotey suggested adding a forward-facing commercial component to the definition of a microbrewery in an effort to better serve the community and design of downtown. She noted her excitement for Mr. Hemelt's prospective business but stressed that the commission had to consider the bigger picture of all future microbreweries looking to establish in town. She said categorizing a microbrewery as a permitted use was beneficial from an economic development standpoint, however she stressed the importance of staff having the ability to address the concerns the commission outlined. Commissioner Westerlind suggested Public Works develop criteria standards for microbreweries that could be reviewed

administratively. Chair Apostolik stated the list of review items to serve as a checklist for a permitted use, to be reviewed administratively, would be extensive and difficult to build.

Chair Apostolik closed the public hearing at 7:47 p.m.

Commissioner Sass said she would support microbreweries as a permitted use if all the criteria the commission discussed was included in an administrative review.

Commissioner Sass asked how the situation of a future drought would impact microbreweries who had been previously approved for extra EQRs that the town could no longer support. Assistant Attorney Carmer suggested continuing the consideration of Resolution PZ 2024-1, in order to gain quantitative data from Public Works for the commission to better understand the Town's water capacity, creating specific performance criteria around that water capacity, and formulating other topics for performance standards.

Chair Apostolik asked Mr. Hemelt what his projected timeframe was in opening a microbrewery. Mr. Hemelt said he hoped to open the microbrewery in June of 2024. Mr. Hemelt stressed how critical it was for his operation to be running in the coming summer season. Commissioner Sass asked if Mr. Hemelt should apply for a condition use permit, while the commission and staff work out the details of what a microbrewery review would look like administratively, in an effort to save Mr. Hemelt time with his application review. Assistant Attorney Carmer stated that microbreweries were currently not a listed use in any category, so a C.U.P. was an option for Mr. Hemelt. She clarified a C.U.P. was currently an option for anyone who wanted to open a microbrewery.

Chair Apostolik requested staff coordinate with Public Works regarding the discussion and concerns addressed by the commission and share that data at the next Planning & Zoning Commission meeting. Commissioner Cotey requested the definition of a microbrewery be updated as well.

MOTION: Chair Apostolik made a motion to continue to January 24, 2024 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 Cotey seconded the motion, and it passed unanimously.

Staff Reports

Planner Smith reported an upcoming Castle Valley multifamily sketch plan rereview for R2 Group. He said the continuation of the microbreweries and the sketch plan would be on the same agenda. Commissioner Carey requested that the continuation be listed first in the items for consideration. He shared there was a second sketch plan involving TC Fuels for the commission to review, tentatively on February 14th. Commissioner Martinez asked for the status of Coal Seam, LLC who planned to build a hotel with retail and a brewpub south of the Colorado River, next to River Park Condos. Planner Smith confirmed Coal Seam, LLC was still finalizing their design as the commission

approved a combined land use application. He said they conducted a successful community open house and reached out to the River Park Condo residents.

Commission Comments and Reports

There were no commission comments.

Review Minutes from Previous Meeting

MOTION: Commissioner Cotey made a motion to approve the November 29, 2023 meeting minutes. Commissioner Westerlind seconded the motion and it passed unanimously.

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

The meeting adjourned at 8:09 p.m.

Respectfully Submitted,

Chuck Apostolik, Chair

Remi Bordelon, Deputy Town Clerk