

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](http://www.newcastlecolorado.org)

## **Agenda**

### **New Castle Town Council Regular Virtual Meeting Tuesday, October 20, 2020, 7:00 PM**

Starting times on the agenda are approximate and intended as a guide for Council.  
The starting times are subject to change by Council, as is the order of items on the agenda.

**Due to concerns related to COVID-19, this meeting will be open to the public as a virtual meeting only.**

**[To join by computer, smart phone or tablet click HERE](#)**

**If you prefer to telephone in:  
Please call: 1-346-248-7799  
Meeting ID: 709 658 8400**

**Call to Order**

**Pledge of Allegiance**

**Roll Call**

**Meeting Notice**

**Conflicts of Interest**

**Agenda Changes**

**Citizen Comments on Items not on the Agenda**

-Comments are limited to three minutes-

**Consultant Reports**

Consultant Attorney

Consultant Engineer

**Items for Consideration**

**[A.](#) Girl Scout Presentation: Fishing Line Deposit Station Project (7:05 p.m.)**

**[B.](#) Update: The River Center - Heather Paulson (7:20 p.m.)**

Recess the Town Council Meeting, Convene as the Board of Zoning Adjustment

**C. Consider Resolution BZ 2020-1, a Resolution of the Board of Zoning Adjustment of the Town of New Castle, Colorado Approving a Variance Application for the Property Located at 55 Whitetail Drive in the Lakota Canyon Ranch PUD R-M Residential Zone District (7:35 p.m.)**

Adjourn the Board of Zoning Adjustment, Reconvene the Town Council Meeting

**D. Continued Discussion of Conceptual Trails and Trails Agreement Funding (8:05 p.m.)**

**Consent Agenda (8:20 p.m.)**

Items on the consent agenda are routine and non-controversial and will be approved by one motion. There will be no separate discussion of these items unless a council member or citizen requests it, in which case the item will be removed from the consent agenda.

[September 1, 2020 minutes](#)

[September 15, 2020 minutes](#)

[Dillon Companies \(City Market\) Fermented Malt Beverage Cooler Modification Liquor License Application](#)

**Staff Reports (8:25 p.m.)**

Town Administrator

Town Clerk

Town Treasurer

Town Planner

Public Works Director

**Commission Reports (8:35 p.m.)**

Planning & Zoning Commission

Historic Preservation Commission

Climate and Environment Commission

Senior Program

RFTA

AGNC

GCE

EAB

**Council Comments (8:50 p.m.)**

**Adjourn (9:00 p.m.)**



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## Memorandum

**To:** Mayor & Council  
**From:** David Reynolds  
**Re:** Agenda Item: Girl Scout Presentation  
**Date:** 10-20-20

**Purpose:**

The purpose of this agenda item is to allow time for local Girl Scout Troop 10239 to present a project that they would like to add to the Alder Pond area. The girls of Troop 10239 have been researching the needs, benefits, and costs of installing a receptacle near Alder Pond that would act as a deposit station for used and disposed of fishing line. The girls wish to explain how this project will be an environmentally friendly way keep the area free of used fishing line. Troop 10239 will be seeking minor funding from the town, as well as additional outside sources, to be used toward the construction of this project. The girls of Troop 10239 anticipate long term involvement by troop members who will remain engaged by cleaning the area of discarded fishing line and by sending the collected materials to an approved recycling center.



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## Memorandum

**To:** Mayor & Council  
**From:** David Reynolds  
**Re:** Agenda Item – River Center Update  
**Date:** 10-20-20

**Purpose:**

The purpose of this agenda item is to allow Heather Paulson from the New Castle River Center an opportunity to update Council on the status of River Center needs and activities in light of the COVID-19 pandemic.

Heather last visited Town Council on July 7, 2020. Since her last visit, *The River Center* has been working through a very unusual year. The current pandemic has caused the River Center to make adjustments to their operational model and to their annual budget. Organizations have stepped up to meet the new financial needs, and the team from the River Center has adapted to the changing environment. As things begin to slowly return to normal, Heather wishes to update Council on how the residents of Town of New Castle look to be doing from her viewpoint.

**TOWN OF NEW CASTLE  
RESOLUTION NO. BZ 2020-1**

**A RESOLUTION OF THE BOARD OF ZONING ADJUSTMENT OF THE  
TOWN OF NEW CASTLE, COLORADO APPROVING A VARIANCE  
APPLICATION FOR THE PROPERTY LOCATED AT 55 WHITETAIL DRIVE  
IN THE LAKOTA CANYON RANCH PUD R-M RESIDENTIAL ZONE  
DISTRICT.**

WHEREAS, the Board of Zoning Adjustment of the Town of New Castle, Colorado, has received a variance application (the “Application”) from Chris and Brandy Hutto (“Applicants”) for a variance from the Lakota Canyon Ranch PUD R-M Residential zone district regulations related to property located at 55 Whitetail, New Castle, Colorado, and legally described on Exhibit A hereto (the “Property”); and

WHEREAS, the Application requests that Applicants be allowed to construct certain improvements within and encroach no more than eight feet upon the rear yard setback established for the Property; and

WHEREAS, pursuant to § 17.12.030 of the Municipal Code the Board of Zoning Adjustment held a public hearing on the 20<sup>th</sup> day of October, 2020, to consider the variance application, at which hearing the public and interested persons were given the opportunity to express their opinions regarding the application; and

WHEREAS, on the basis of substantial competent evidence produced at the aforementioned hearing, the Board of Zoning Adjustment makes the following findings pursuant to § 17.12.020 of the Municipal Code:

1. That the hearing before the Board of Zoning Adjustment was extensive and complete, and all pertinent facts, matters and issues were heard at the meeting;
2. That there are unique physical circumstances or conditions, such as irregularity, narrowness, shallowness or size of the lot, or exceptional topographical or other physical conditions peculiar to the affected property;
3. That, because of physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of the Town’s zoning regulations;
4. That such unnecessary hardship has not been created by the applicant;
5. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent property;
6. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of the Town’s zoning regulations which are in question;

7. For the above stated and other reasons, the proposed variance is in the best interest of the health, safety, order, prosperity and welfare of the citizens of the Town of New Castle

NOW, THEREFORE, BE IT RESOLVED by the Board of Zoning Adjustment of the Town of New Castle, Colorado, That:

1. Recitals Incorporated by Reference. The foregoing recitals are incorporated by reference herein as findings and determinations of the Board of Zoning Adjustment of the Town of New Castle.

2. Approval. A variance from the Lakota Canyon Ranch PUD R-M Residential zone district regulations is hereby approved for the Property to allow the construction of up to two patio dormers no more than eight feet within the rear yard setback as described and depicted in Applicant's variance application and to allow such encroachment upon the rear yard setback to continue for so long as said improvements remain in place, subject to repair and replacement of the same as may be required from time to time.

3. Conditions. The variance granted herein is subject to the following conditions:

- (A) All representations for the Applicants contained in the Application or otherwise stated in writing or presented verbally at the public hearing before the Board of Zoning Adjustment shall be considered part of the Application and binding on the Applicants.
- (B) Applicants shall comply with all applicable building, residential, electrical and municipal code requirements including all sign code regulations.
- (C) The Applicants shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including, without limitation, all costs incurred by the Town's outside consultants such as legal and engineering costs.
- (D) Applicants or their successors may reconstruct or reinstall the improvements allowed under the variance approved hereby if said improvements are destroyed or replacement becomes necessary from time to time.
- (E) Violation of any of the above conditions shall be cause for revocation of the variance

THIS RESOLUTION BZ 2020-1 was adopted by the New Castle Board of Zoning Adjustment by a vote of \_\_\_ to \_\_\_ on the 20<sup>th</sup> day of October, 2020.

TOWN OF NEW CASTLE BOARD  
OF ZONING ADJUSTMENT

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Art Riddile, Chair

ATTEST:

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Melody Harrison, Town Clerk

**EXHIBIT A**

Legal Description

Lot 40, LAKOTA CANYON RANCH, FILING 5, according to the Plat thereof filed  
October 19, 2006 at Reception No. 709283,

County of Garfield  
State of Colorado



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**Planning & Code Administration  
Department**  
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**Board of Adjustment - Hearing  
Tuesday, October 20th, 2020  
Resolution 2020-029  
Staff Report**

<b>Name of Applicant</b>	Chris and Brandy Hutto
<b>Mailing Address</b>	55 Whitetail, New Castle, Colorado, 81647
<b>Property Address</b>	Same
<b>Name of Property Owner</b>	Same
<b>Existing Zoning</b>	Residential (LCR Filing 5)
<b>Surrounding Zoning</b>	Residential, Open Space
<b>Surrounding Land Uses</b>	Single Family and Multifamily
<b>Existing use of property</b>	Single Family Home
<b>Proposed use of property</b>	Single Family Home
<b>Lot size.</b>	0.1869 acres

**1) Background & Reasons for Variance:**

The applicants request a variance to encroach into the rear setback of their residence. The property, located in Lakota Filing 5, is bordered by homes to the north, south, & east and, to the west, backs-up to the 18<sup>th</sup> fairway of the Lakota Golf Course. The structure was built in 2007 with the footprint skewed towards the rear (west) of the lot within two feet of the rear setback boundary (Exhibits pg. 13). The west side of the home suffers from considerable soil settlement, intermittent groundwater infiltration into the basement, and afternoon sun exposure (Exhibits pp. 17-21).

To address these problems, the applicant proposes the construction of two patio dormers extending 10 feet to the west (Exhibits pp. 22-24). The extensions will defend against storm

water infiltration, mitigate ongoing soil settlement, provide shade structure, and overall enhance the home's character. These 10 foot extensions, however, would encroach eight feet into the setback (Exhibits pg. 13), and thus motivate the variance request.

Property setbacks serve an essential land use function. By restricting the distance between a structure and the property boundary, setbacks are integral for public safety, privacy, infrastructure easements, and/or environmental buffers. In New Castle, it is customary to allow site paving, such as sidewalks, driveways, stairs, landings, or patio slabs within the setbacks so long as no easements are obstructed. Likewise, projections from a home such as eaves, exhaust pipes, vents, antennas, et. al., are permissible. However, structural components such as roofs, wall, piers, columns, beams, among other things, are not permitted in the setback.

The applicant maintains that a setback encroachment, specifically for his purposes, would not interfere with life safety, infrastructure, or easements. This is because the rear of the property extends an additional twelve feet from the proposed supporting columns to the existing property line. This would preserve significant room for egress (Exhibits pg. 10). Furthermore the mildly sloped grade continues naturally and unobstructed to the west 50 more feet towards golf course drainage. Out-of-bounds for the 18<sup>th</sup> hole fairway is still roughly 30 feet west of there. In total, the new structural components would lie at least 150 feet from the golf course out-of-bounds markers. This surplus buffer should be sufficient to compensate for an eight foot encroachment.

Finally, the application demonstrates that added dormers would be consistent with adjacent architecture. The dormers, by comparison, would fall two feet behind the deck edge of the home to the north (Exhibits pg. 16). And, the dormer assembly would be aesthetically balanced with the patio features of the home to the south. Both these neighbors, in fact, are supportive of the addition (Exhibits pg. 25).

## **2) Applicable Code Sections & Decision Criteria:**

**17.12.020 - Board of Adjustment.** The Board shall hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with the enforcement of this Title. It shall also hear and decide all matters referred to it and the following matters as required under this Title:

- A. Hear and decide applications for variances where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this Title. The Board has the power to vary or modify the application of the regulations or provisions of this Title relating to the use, construction, or alteration of buildings or structures, or the use of land, so that the spirit of this Title is observed, public safety and welfare secured in substantial justice done, provided the Board finds that the following criteria, in so far as applicable, have been satisfied:
  - 1. That there are unique physical circumstances or conditions, such as a regularity, narrowness, shallowness or size of the lot, or exceptional topographical or other physical conditions peculiar to the affected property;
  - 2. That, because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of this Title;
  - 3. That such unnecessary hardship has not been created by the applicant;
  - 4. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the

- appropriate use or development of adjacent property;
5. That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of this Title's provisions that are in question.
- B. Where feasible, the Board may vary or modify the application of this Title for the purpose of considering access to sunlight for sewer energy devices.
  - C. Hear and decide the proper application of unlisted uses or combination of uses to a use group as provided in Chapters 17.16 through 17.68.
  - D. Hear and decide the proper off-street parking requirements as provided in Chapter 17.76.
  - E. Hear and decide such other matters as the Town Council may by ordinance provide.

### **3) Findings and Staff Comments:**

- 1. That there are unique physical circumstances or conditions, such as irregularity, narrowness, shallowness or size of the lot, or exceptional topographical or other physical conditions peculiar to the affected property;**

**Staff Comment** – There are no genuinely accidental physical circumstances which have caused the issues identified above. Various indirect factors however (e.g. exposure, lack of coverage, poor drainage) have collectively led to the various soil and water issues as a result of inadequate design and construction.

- 2. That, because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of this Title;**

**Staff Comment** – Alternative remedies may exist to help relieve some hydrostatic build-up and redirect drainage so that water infiltration and fill settlement. Such remedies will likely be employed whether dormers are added or not. However the addition of dormer features will function to create a 10 foot lateral buffer prohibiting water from impacting the immediate foundation wall and perimeter soils. According to the New Castle town engineer, a roof which sheds water away from the house would provide optimal relief to the problems.

- 3. That such unnecessary hardship has not been created by the applicant;**

**Staff Comment** – The applicant has not made changes to the rear periphery of the building. The soil condition existed, at least potentially, prior to purchasing the home in 2011. The problem evolved naturally with continuous wetting from storm water.

- 4. That the variance, if granted, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent property;**

**Staff Comment** – Staff does not anticipate any adverse impacts nor features which would impair future development to adjacent properties. No design features appear to be inconsistent with the architectural character of the community.

5. ***That the variance, if granted, is the minimum variance that will afford relief and is the least modification possible of this Title's provisions that are in question.***

**Staff Comment** – An encroachment of eight feet would be the minimum variance affording relief.

#### **4) Staff Recommendations:**

The addition of patio dormers would significantly relieve the issues inherited by the applicant with little to no impacts on the community. Therefore staff supports the Board's **approval of Resolution 2020-029** given the following conditions:

1. All representations for the Applicant contained in the Application or otherwise stated in writing or presented verbally at the public hearing before the Board of Zoning Adjustment shall be considered part of the Application and binding on the Applicant.
2. Applicant shall comply with all applicable building, residential, electrical and municipal code requirements including all sign code regulations.
3. The Applicant shall reimburse the Town for any and all expenses incurred by the Town regarding this approval, including, without limitation, all costs incurred by the Town's outside consultants such as legal and engineering costs.
4. Violation of any of the above conditions shall be cause for revocation of the variance.

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**Town of New Castle**  
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 New Castle, Co 81647

## DEVELOPMENT APPLICATION

Applicant: Christopher L & Brandy W Hutto	
Address: 55 Whitetail Dr New Castle, CO 81647	Phone: 970-366-7013 FAX: E-mail: Clhutto12@gmail.com
Property Owner: Christopher L & Brandy W Hutto	
Address: 55 Whitetail Dr New Castle, CO 81647	Phone: 970-366-7013 FAX: E-mail: Clhutto12@gmail.com
Contact Person: Christopher L Hutto	
Address: 55 Whitetail Dr New Castle, CO 81647	Phone: 970-366-7013 FAX: E-mail: Clhutto12@gmail.com
Property Location/Address: 55 Whitetail Dr, New Castle, CO 81647	
Legal Description: Section:29 Township:5 Range:90 Subdivision:Lakota Canyon Ranch FLG 5 Lot:40 (Resub of C3-1,2nd Amended & Restated Sub-Div Excluss/Exemp)	Acres: 8143 Ft2 0.1869 Acres
Existing Zone ( <a href="#">Not sure? Click here for help</a> ): Residential R-1	
Existing Land Use: Residential R-1	
TYPE(S) OF LAND USE(S) REQUESTED	
<input type="checkbox"/> Pre-Annexation Agreement <input type="checkbox"/> Annexation <input type="checkbox"/> Subdivision (including Minor and Major Subdivisions, Lot Splits, Sketch Plans, Subdivision Preliminary Plans, Subdivision Final Plans, & Condominiumizations) <input type="checkbox"/> Amended Plat <input type="checkbox"/> Planned Unit Development (including PUD Sketch Plans, Preliminary PUD Development Plans, PUD Master Plans and Final PUD Development Plans) <input type="checkbox"/> Floodplain Development Permit	<input type="checkbox"/> Lot Line Adjustment or Dissolution <input type="checkbox"/> Site Specific Development Plan/Vested Rights <input checked="" type="checkbox"/> Variance <input type="checkbox"/> Zoning <input type="checkbox"/> Zoning Amendment <input type="checkbox"/> Re-zoning <input type="checkbox"/> R-1-HC Identification <input type="checkbox"/> Conditional Use Permit or Special Review Use Permit <input type="checkbox"/> Other
This development would create <u>N/A</u> residences and <u>N/A</u> square feet of commercial space.	
Applicant must also complete and submit the appropriate <a href="#">checklist</a> for the type of land use requested. Both the applicant and the property owner must sign this application.	
Applicants are encouraged to schedule a pre-application meeting with the Town Administrator and/or Town Consultants prior to submitting this application.	





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### CHECKLIST VARIANCE APPLICATION

Authority: New Castle Municipal Code, §§16.08.060 & 17.08.010 et seq.

This is a helpful checklist and is not necessarily all inclusive for all Municipal Code requirements. It is still your responsibility to read and comply with all code requirements. All applications must include a non-refundable Application fee.

Signature  Date 9/1/2020  
Christopher L Hutto

**The following items must be submitted to the Town Clerk:**

- Development Application
- Statement of the zoning regulation from which you are requesting a variance, and the variance you are requesting. For example, "The side yard setback requirement in the R-1 Residential Zone District is 8 feet. I request a variance reducing the side yard setback to 5 feet."
- Complete site plan, drawn to scale, illustrating:
  - Adjacent land uses and location of adjacent structures, including sidewalks, alleys or streets
  - Boundary and size of site
  - Building location, height and setbacks; include any building modifications that the variance may create
- N/A  Off-street parking and loading areas (see attached)
- N/A  Points of ingress and egress
- N/A  Service and refuse areas
- N/A  Signs and exterior lighting
- N/A  Fencing, landscaping and screening
- N/A  Compliance with performance standards (see attached)
- Location and size of easements, power poles, fire hydrants, gas lines, water and sewer lines and other items which might impact the property, as well as anticipated utility requirements
- Time schedule for development
- If you believe that any of the above requirements are not applicable, provide a statement explaining why you believe the requirements are not applicable.
- Other information supporting your application
- List of owners of property within 100 feet of your property along with their mailing addresses. Source: Assessors Office.  
**Exception: If you are applying for a variance regarding maximum building height or changing the front yard setback requirement, a list of owners within 250 feet of your property must be provided.**
- \$100 Non-refundable Application Fee  
X Payable upon request

Christopher L & Brandy W Hutto  
55 Whitetail Drive  
New Castle, CO 81647  
(970) 366-7013

September 1, 2020

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

Re: Variance Request for 55 Whitetail Dr (Section:29 Township:5 Range:90  
Subdivision:Lakota Canyon Ranch FLG 5 Lot:40)

Planning Department/ Town Council:

This letter provides an overview for a variance request for 55 Whitetail Drive in the Town of New Castle, Colorado as submitted by the applicant and property owners, Christopher L. & Brandy W. Hutto. We are requesting a variance from the 20 foot rear setback requirement for single family structures in the Lakota Canyon Ranch Subdivision. The proposed construction is to build (2) outdoor roofed patios attached to the rear of the existing structure outward 10 feet with new reinforced structural concrete patios. The variance request is for reducing the rear yard setback from 20 to 12 feet. No variances of front or side setbacks are needed nor being requested.

The property backs along the east side of the 18<sup>th</sup> fairway of Lakota Canyon Golf Course. A lot pin survey was recently completed and we were very surprised when it was revealed that the rear property line was actually only 22 feet from existing building. The irrigated backyard lawn extends an additional 10 feet beyond the rear property line (32 feet from building). This was the existing lawn layout at the time of our purchase and has not been altered in any way since. Beyond the irrigated lawn there are no immediate residential properties. Beyond the rear property line lays an area of 80 to 100 linear feet of "wasteland" where original development grading operations cut and removed 10 to 30 feet in depth of natural terrain and topsoil. With low to no soil nutrients in the cut areas, it is mostly overgrown with weeds, sometimes noxious. Beyond the cut area lie natural wetlands that run parallel to the 18<sup>th</sup> Fairway, approximately 100 to 120 feet in width. The closest edge of the golf course 18<sup>th</sup> fairway is approximately 200 feet away from the property line to the west. There are no apparent water/grading issues in adjacent properties that may have any effect upon a variance approval. *(Please see attachment "Plat and Overhead Views")*

The property has (2) separate, existing concrete patios which extends 10 feet from rear of building. The proposed support columns for the (2) new covered patio roofs would also be located 10 feet from rear of building. These columns would be located 12 feet from the rear property line and are the basis for the variance request. The existing patios will be replaced with structural concrete slabs and proposed construction would coincide with the covered patio roof additions.

The (2) existing concrete patios are severely distressed and completely cracked and separated through the middle in a horizontal alignment with the building. The patios and adjacent soils have currently settled on the order of up to 6 to 8 inches and is a direct result of poor compactive efforts of basement backfill during original construction in conjunction with periodic introduction of storm water into the structural soils during weather events. The depth of the observed settlement has been increasing over time and is substantially more than when first observed sometime soon after the property was purchased on 4/21/2011. No settlement or water drainage issues were disclosed from previous owners prior to our purchase. In 2015, we discovered water had infiltrated through cracked patios and rear backfill soils, through foundation walls/ window wells and into the basement level living spaces at rear of building, thereby saturating the carpet which required immediate remediation. Additionally it should be noted, there is a crawlspace beneath the basement level with a sump pump. The sump pump is regularly activated after moderate to significant rain events, also another indication of storm water actively infiltrating the foundation soils. *(Please see attachment "Condition Photos")*

In general, the proposed construction would involve installing helical piers to bedrock to support a reinforced structural concrete slab and columns for offset, gabled patio roofs that extend 10 feet out from the existing structure. The proposed addition would be in harmony with the current house with an architectural style consistent with the mountain lifestyle and design guidelines of the Lakota Canyon Ranch Homeowners Association. The proposed construction is designed to capture storm water and divert away from foundations to the lawn area through hardscape grading and roof gutter & drains. *(Please see attachment "55 Whitetail - Preliminary Architectural Plans")*

The proposed construction of new covered patio and roofs would serve to ease multiple, unnecessary hardships. The hardship of primary concern is the introduction of storm water into the foundation soils and subsequently, potentially into basement living quarters. This condition was not created by us and, although unknown at the time, existed prior to our purchase in 2011, and will continue to persist without future intervention. A common geotechnical recommendation to limit the depth of wetting and subsequent settling of foundations and structural soils is to protect the area from water infiltration to a lateral distance at least as great as the depth of area of concern. The base of the primary foundation elements of the building exist to a depth of approximately 10 feet. The new columns would exist at the furthest reach of current concrete patios at 10 feet. Other subsidiary hardships that would be addressed by the proposed construction is protection of windows and siding from errant golf balls, as well as, to provide shade and protection from the harsh effects of the western afternoon sun.

If granted, the variance would not alter the essential character of the neighborhood nor substantially or permanently impair the appropriate use or development of adjacent property. In fact, it would certainly improve the character, appearance and value of this property, adjacent properties, the neighborhood, and the Town of New Castle in general. It is preliminarily designed and has already had initial verbal approval, in concept, of the Lakota Canyon Ranch Design Review Committee (DRC). A formal approval process through the DRC will proceed if a variance is approved, as well as, full permitting and approval with the Town of New Castle Planning Department. It is estimated that construction activities would be less than 3 months and would commence once final permitting and plans are approved. As the property backs unimproved land of the golf course property, there are no residents that would be directly impacted by a rear offset variance request. We have spoken and shared conceptual plans with the golf course property owner, Dwayne Romero of Romero

Group, and he has given an enthusiastic, verbal support of the proposed construction as it would not only provide a direct visual improvement but also adds value to the golf course as well as surrounding properties.

The current property owners within 100 feet of the variance request are listed below. All have been initially contacted, are aware of the proposed additions and subsequent variance request and have expressed no concerns in support of the variance approval. *(Please see attachment "Letter of Support")*

To the rear (West):

Property: Lakota Canyon Golf Course  
Owner: RG Lakota Holdings, LLC  
Address: 350 Market Street Crossing, Suite 304  
Basalt, CO 81621  
Contact: Dwayne Romero – President  
(970) 618-8880

Vacant lot (North West):

Property: 50 Antler Loop  
Owner: Steven H & Catherine L Vito  
Address: 2714 Eden Court  
Grand Junction, CO 81506  
Contact: Steven H Vito  
(970) 376-5869

To the left (South):

Property: 41 Whitetail Drive  
Owner: Ryan Moore & Silmara Dos Santos  
Address: 41 Whitetail Drive  
New Castle, CO 81647  
Contact: Ryan Moore  
(720) 260-7451

To the right (North):

Property: 63 Whitetail Drive  
Owner: Brian & Michelle Arbany  
Address: 63 Whitetail Drive  
New Castle, CO 81647  
Contact: Brian Arbany  
(970) 948-9048

This variance is of minimal request to provide relief and to address the chief concern of storm water infiltrating the foundation soils and habitable spaces. If the variance were to be denied, a hardship would endure that is systemically detrimental to the structural integrity and safety of the entire building and its occupants. We believe the variance request is necessary for the preservation and enjoyment of our substantial property rights and in this specific case, the proposed improvements are in no way detrimental to adjacent properties, nor to the public safety, welfare and interest, and do not materially impair the purposes, intent or spirit of the title.

We appreciate your consideration in this matter and look forward to the decisions of the Council. Please do not hesitate to contact us with any concerns or questions.

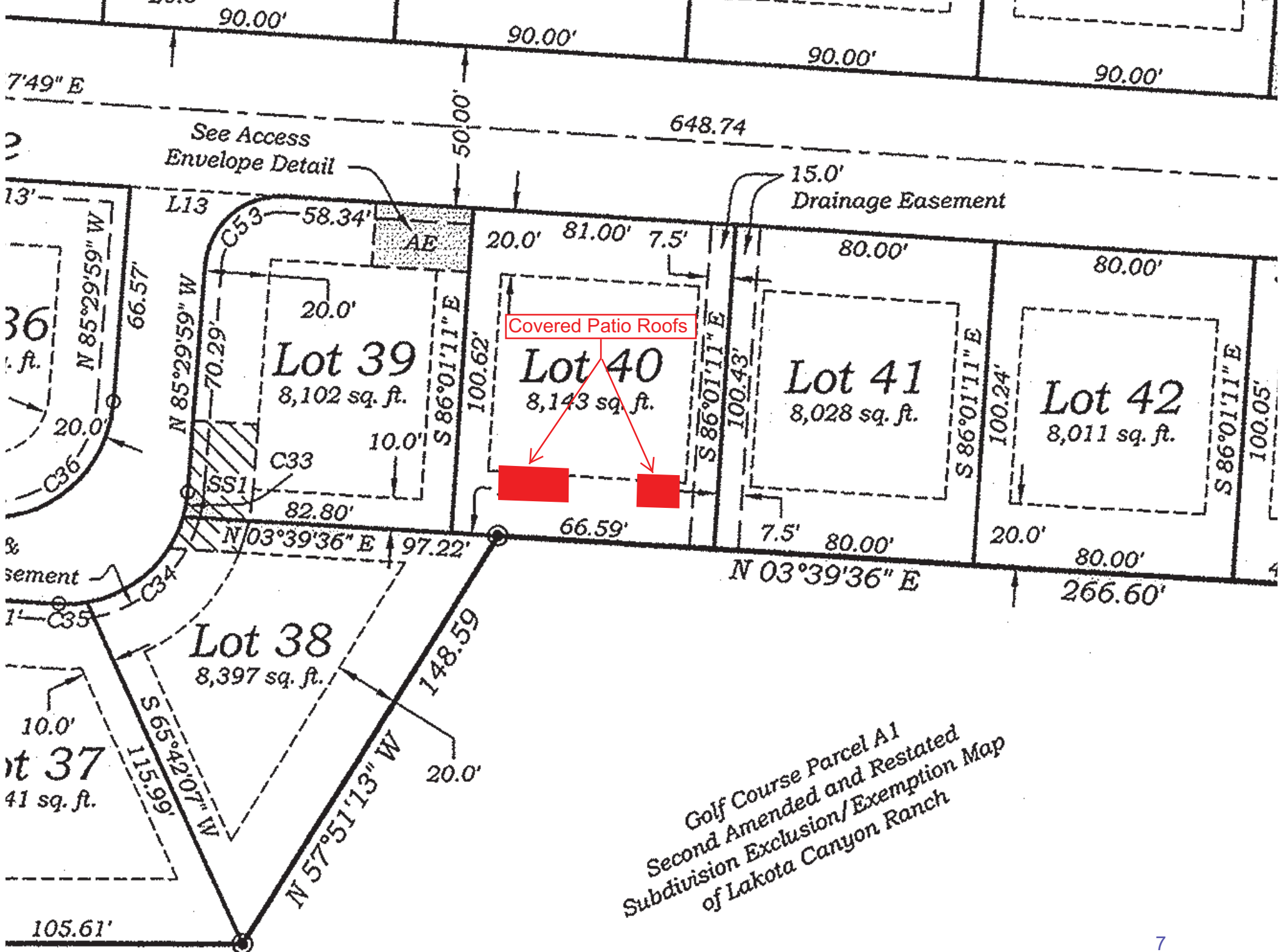
Thank You,  
Christopher L and Brandy W Hutto

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Christopher L Hutto

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Brandy W Hutto



Golf Course Parcel A1  
 Second Amended and Restated  
 Subdivision Exclusion/Exemption Map  
 of Lakota Canyon Ranch

55 Whitetail Drive

Legend

Lot 38  
50 Antler Loop

Lot 39  
63 Whitetail Dr

Lot 40  
55 Whitetail Dr

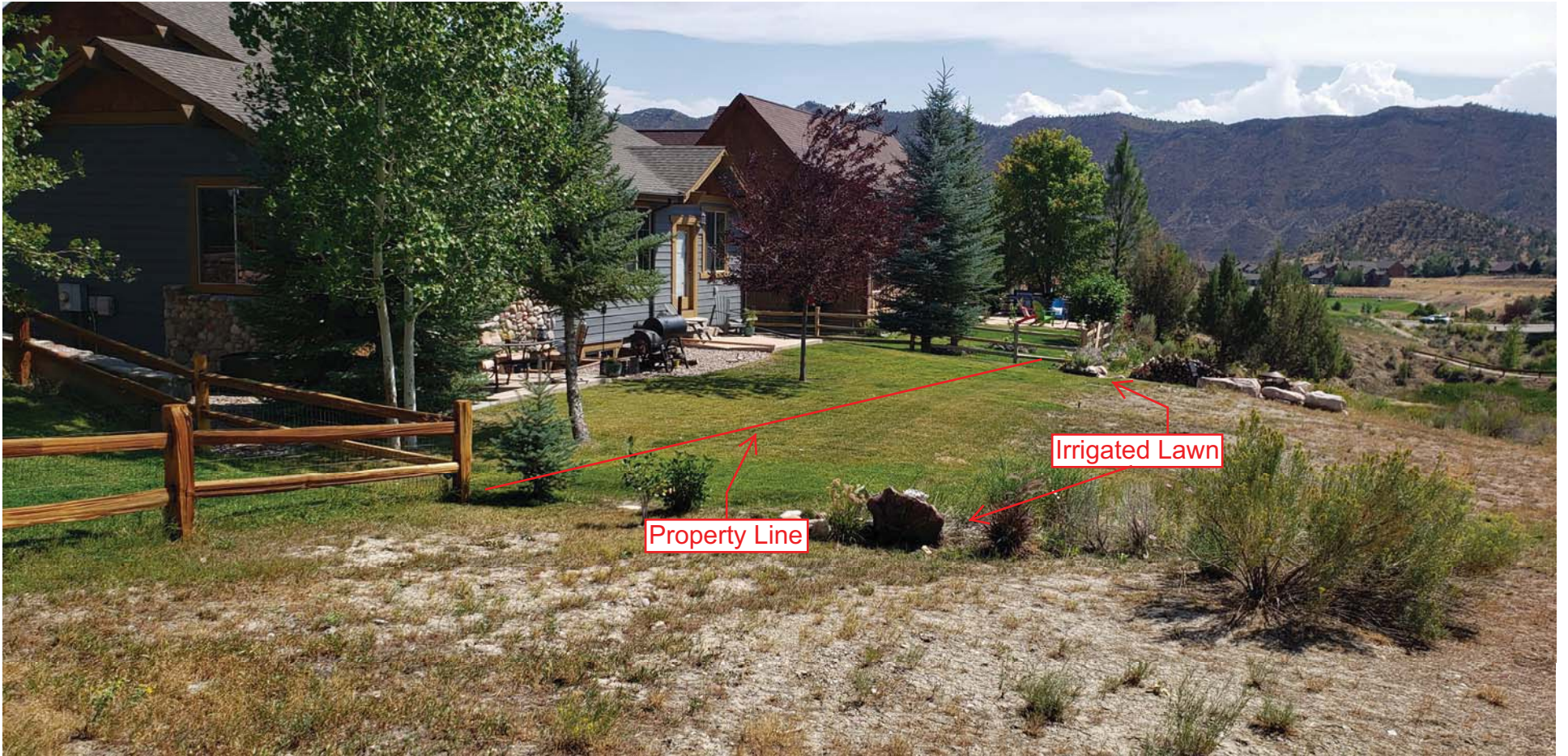
Lot 41  
41 Whitetail Dr

200 ft

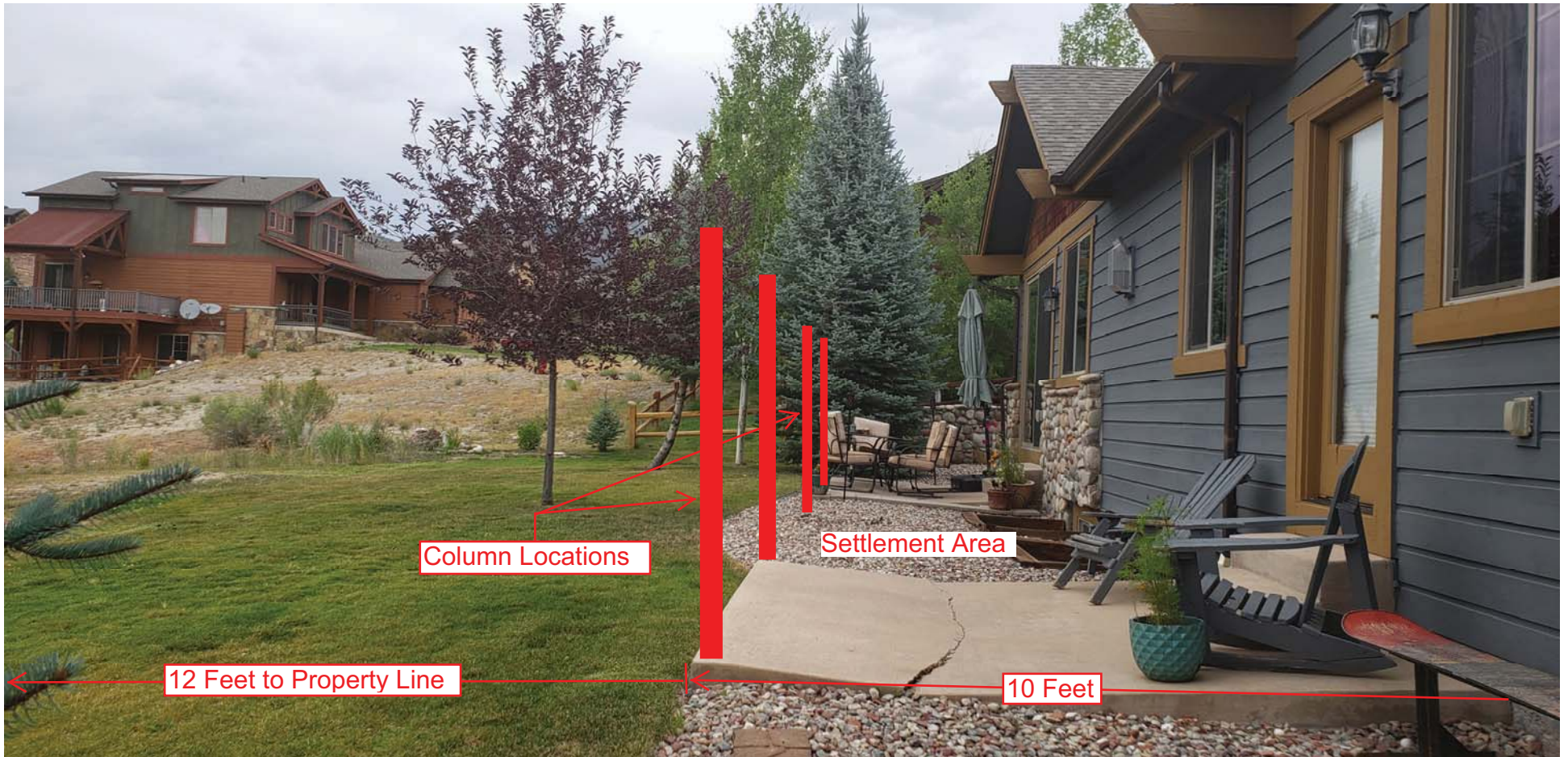




Rear View - Looking East  
"Wasteland" in Foreground



Rear View - Looking South



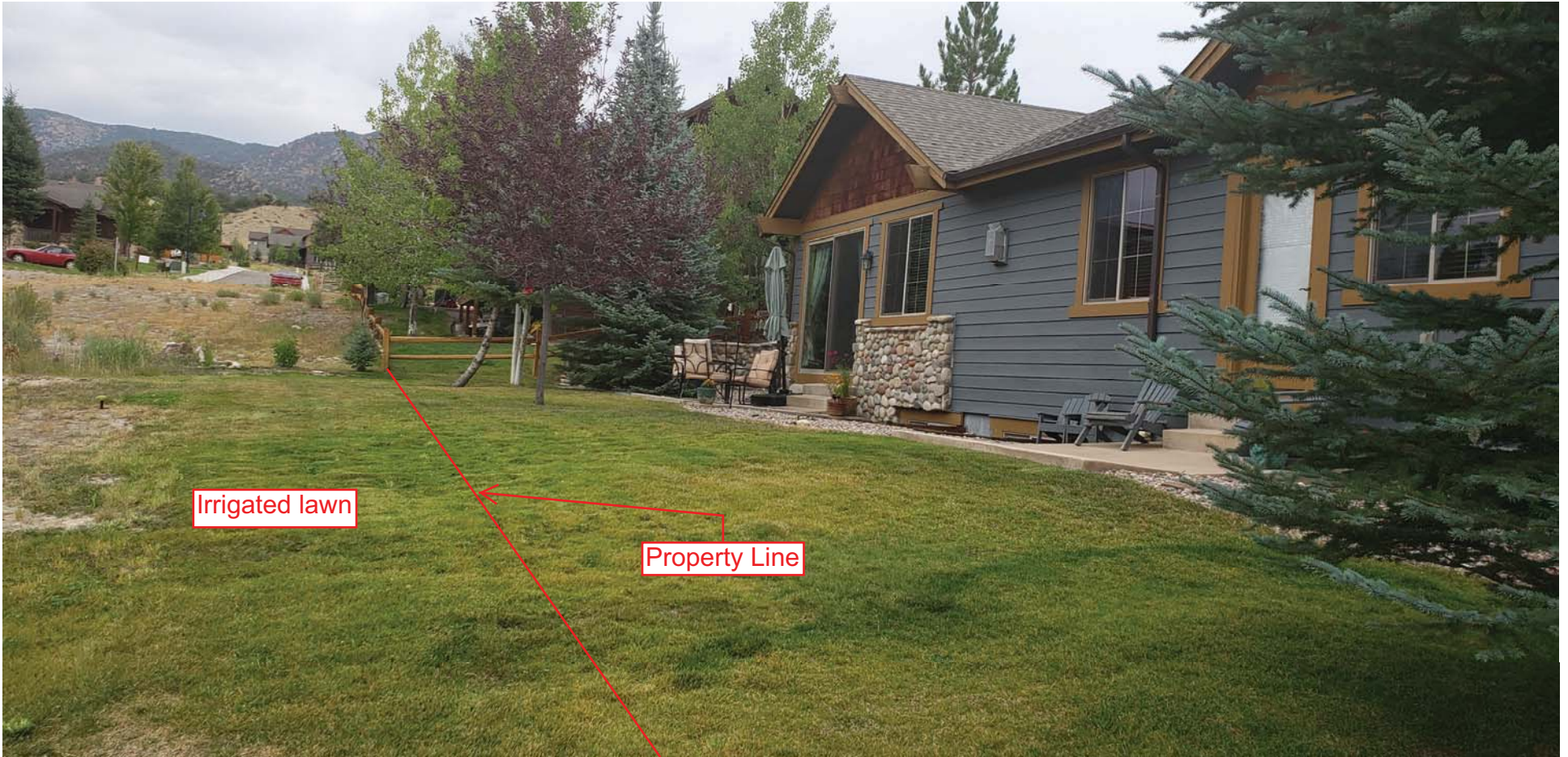
Column Locations

Settlement Area

12 Feet to Property Line

10 Feet

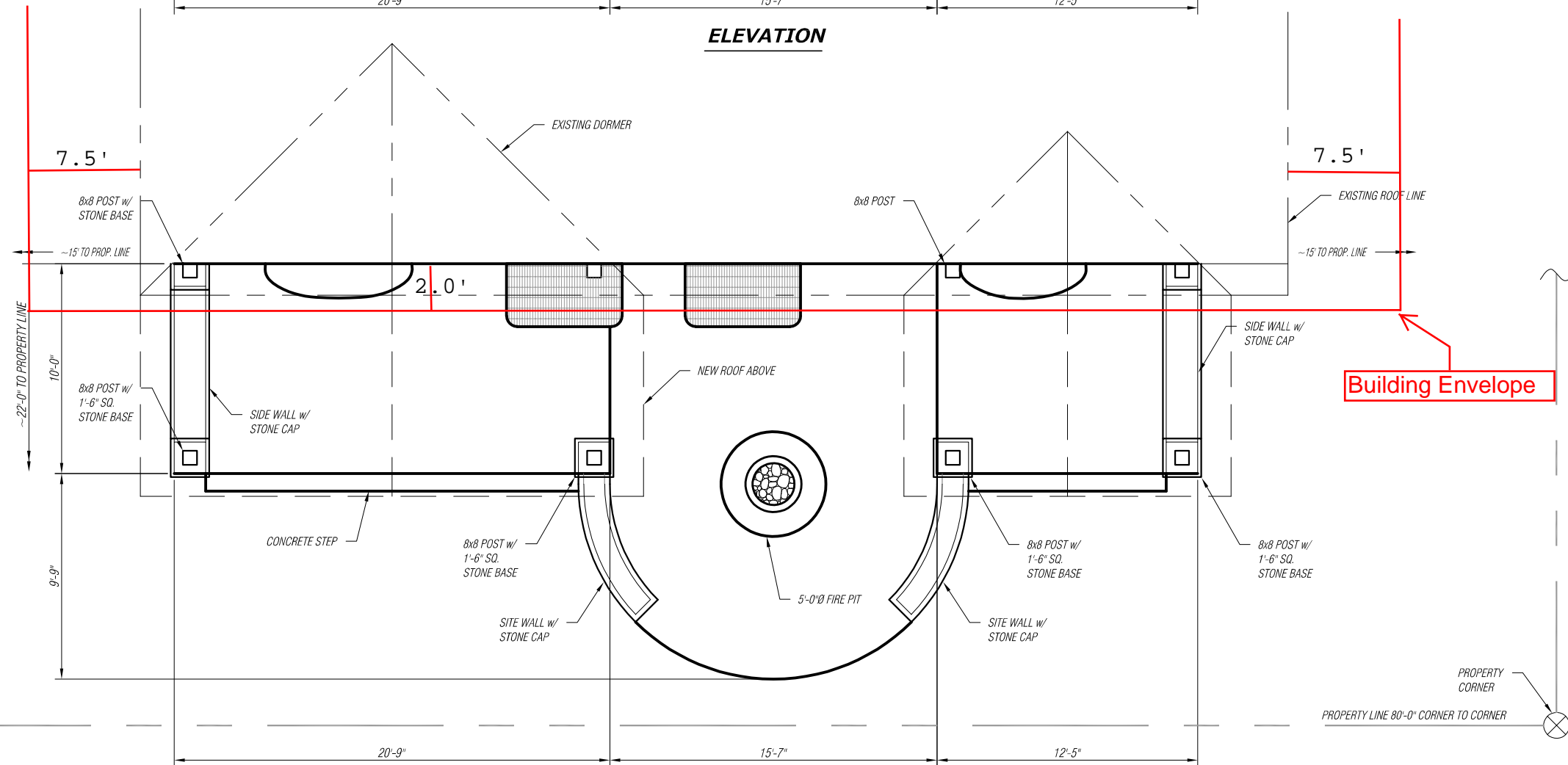
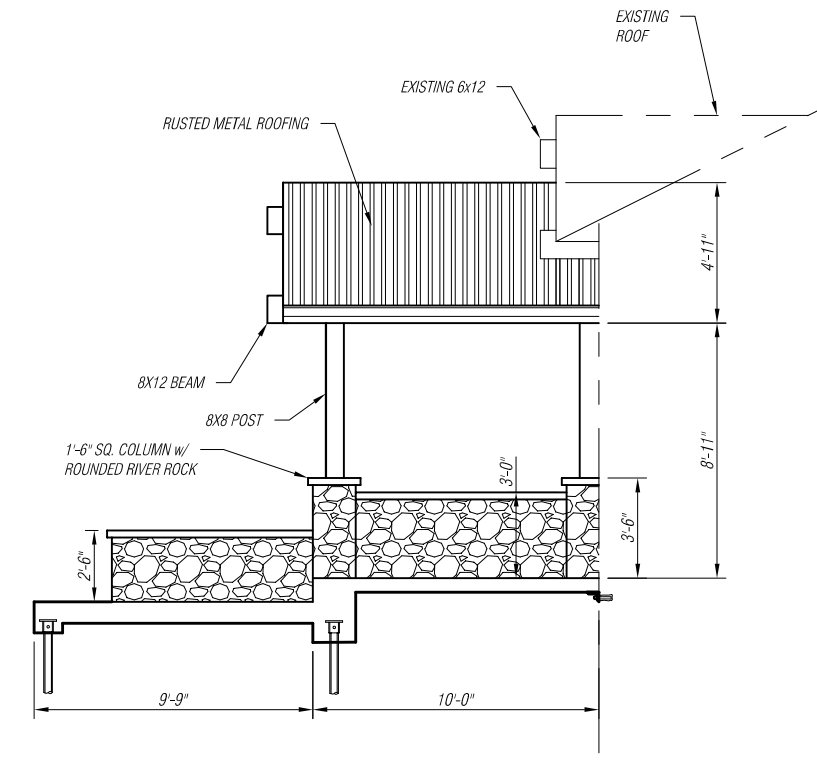
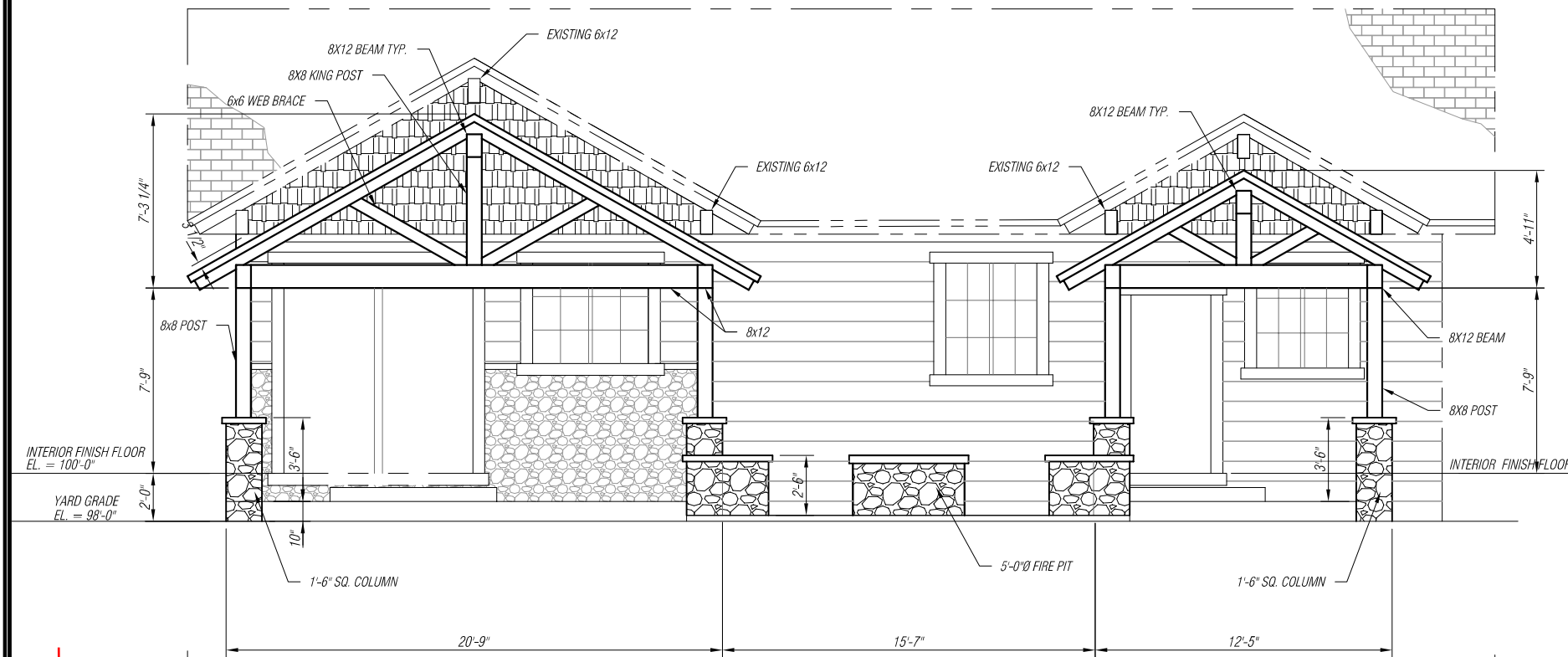
Rear View - Looking North



Irrigated lawn

Property Line

Rear View - Looking North





Rear View - Looking North



Rear View - Looking West



8 Feet to Property Line

North Neighbors Rear Yard - Looking North  
Rear Deck within 8 feet of Property Line



Stairs Pulling Away



North Patio Settlement



Window Well Settlement



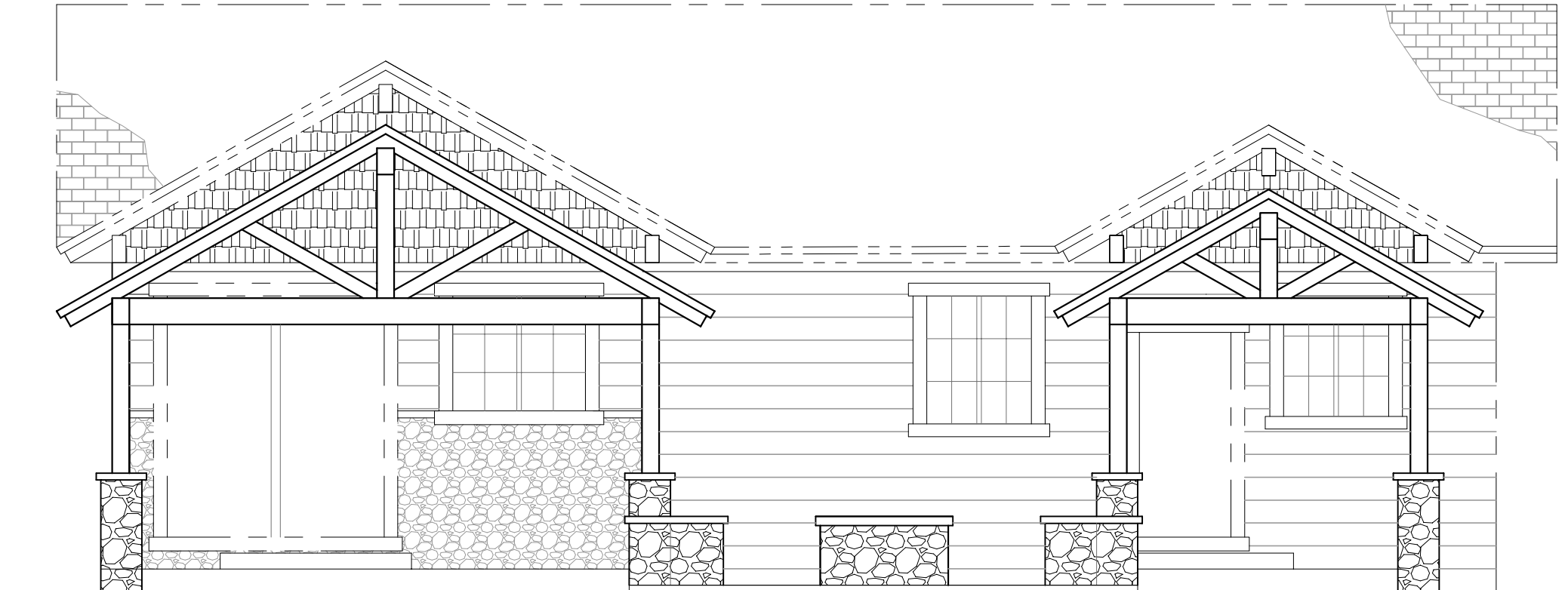
South Patio Settlement



South Patio Settlement - Close-up



**EXISTING ELEVATION**



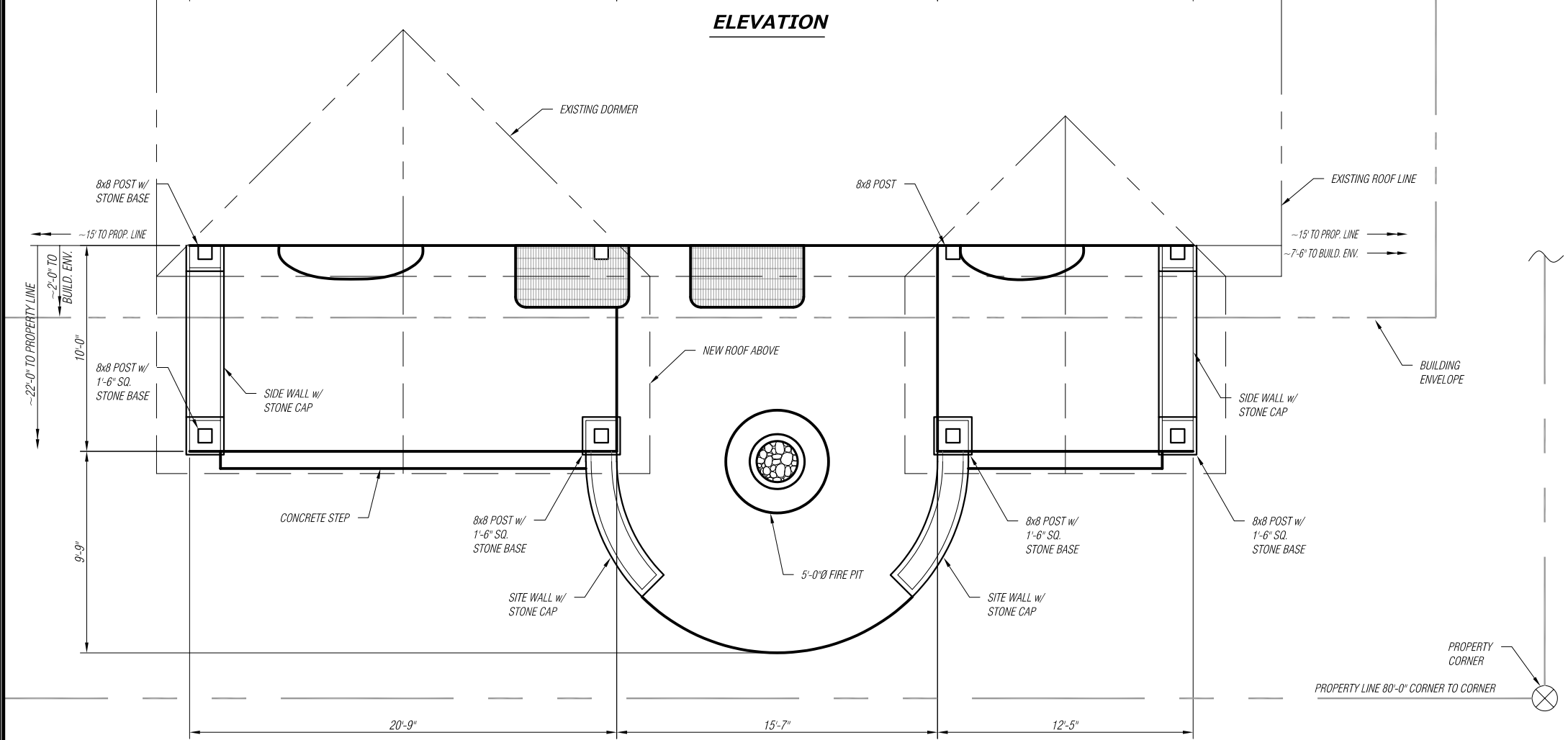
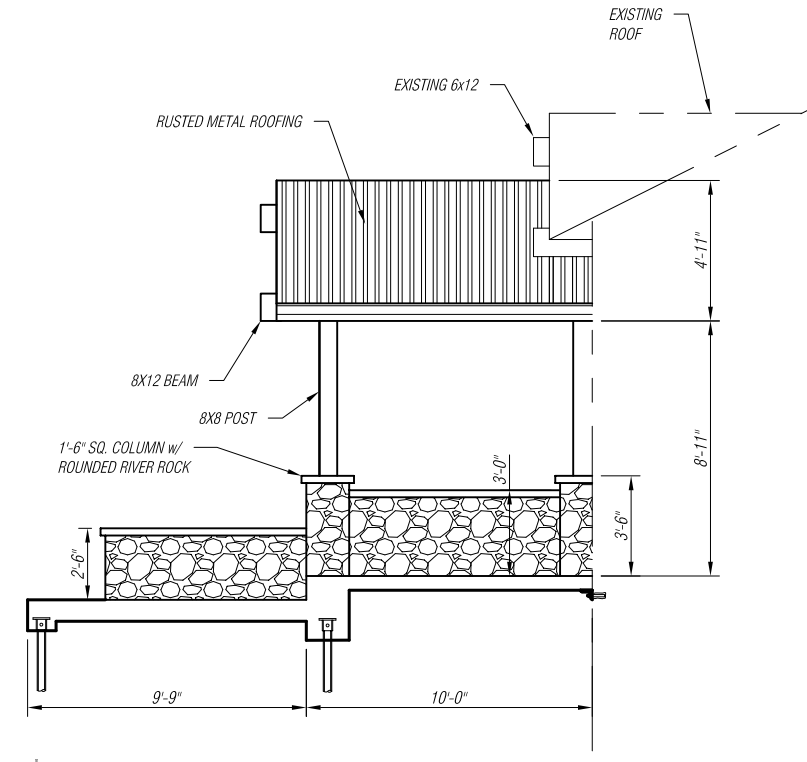
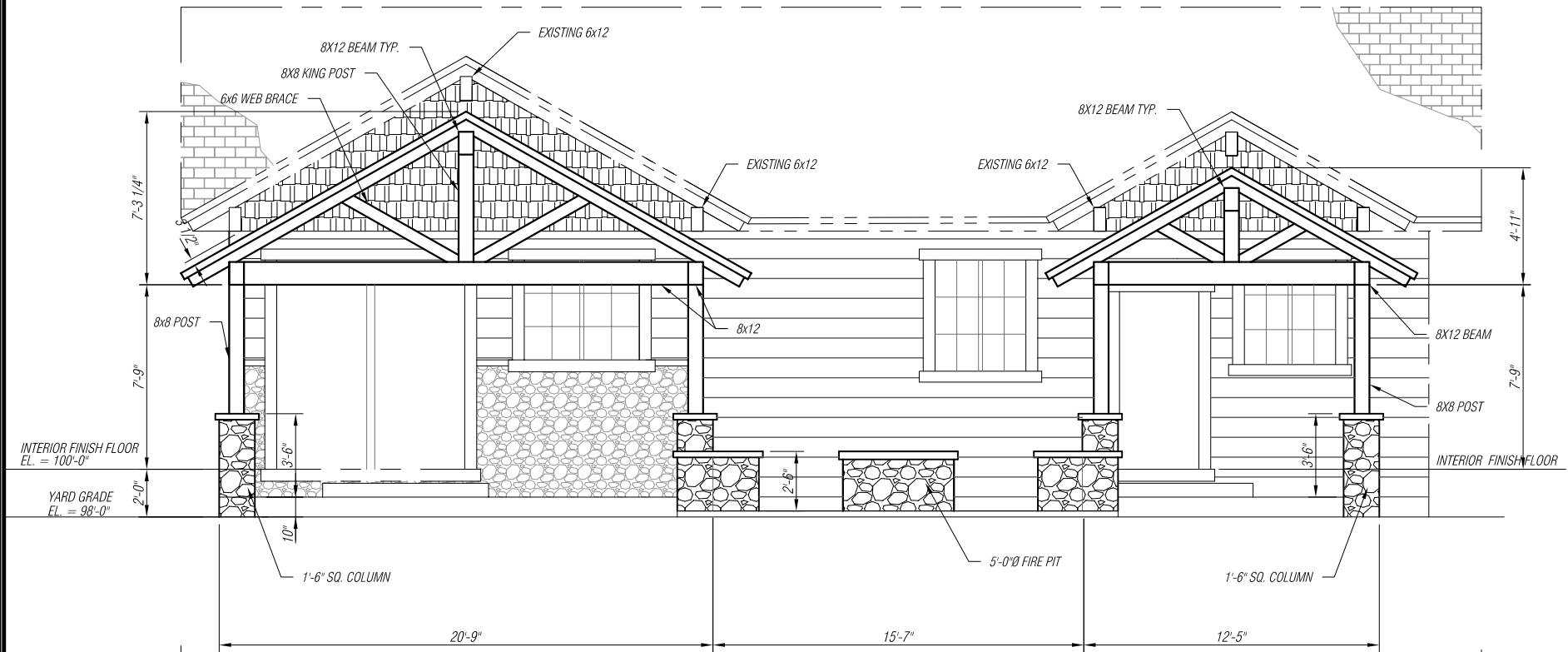
**PROPOSED ELEVATION**

**HUTTO RESIDENCE  
55 WHITETAIL DRIVE**

**COVERED PATIO ADDITION**

**REAR  
ELEVATIONS**

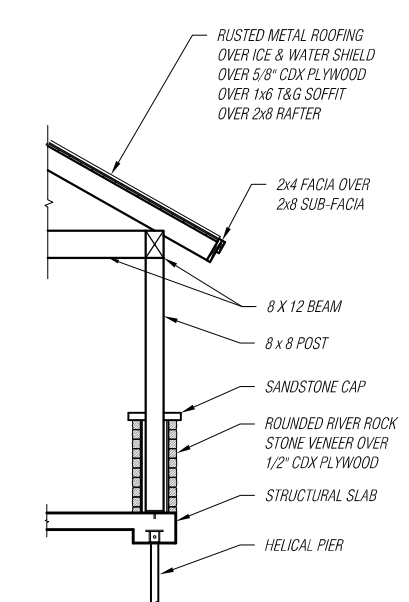
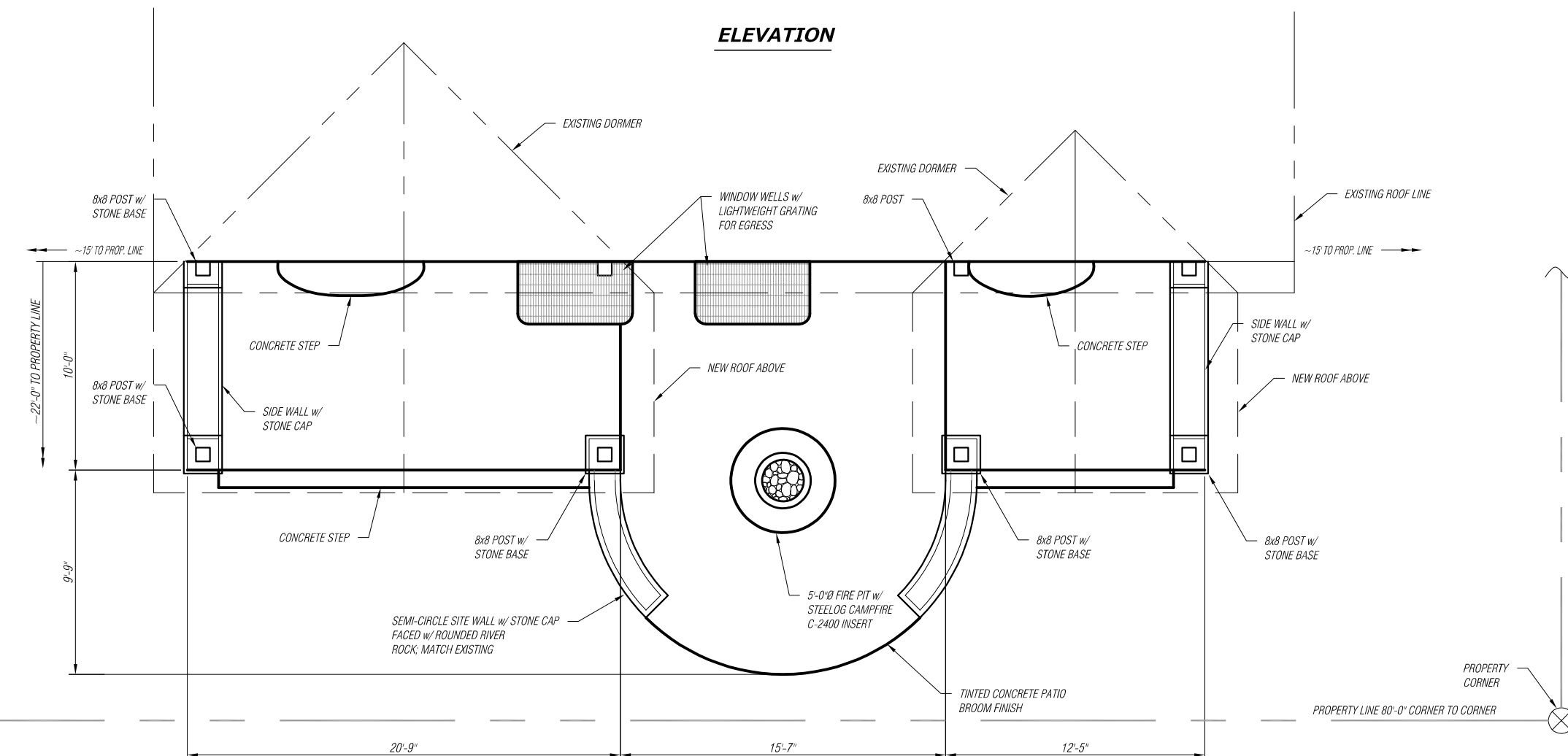
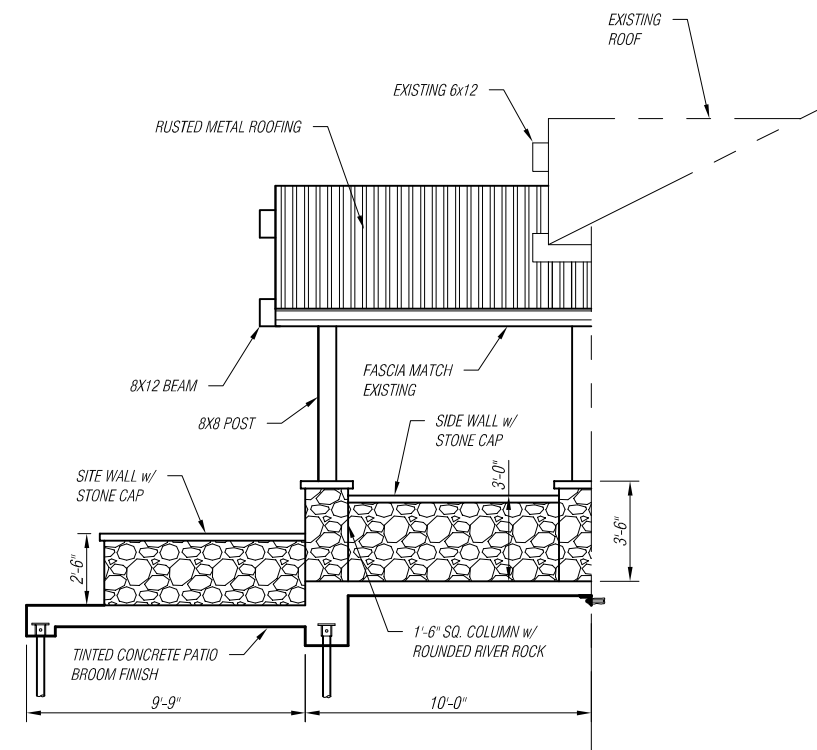
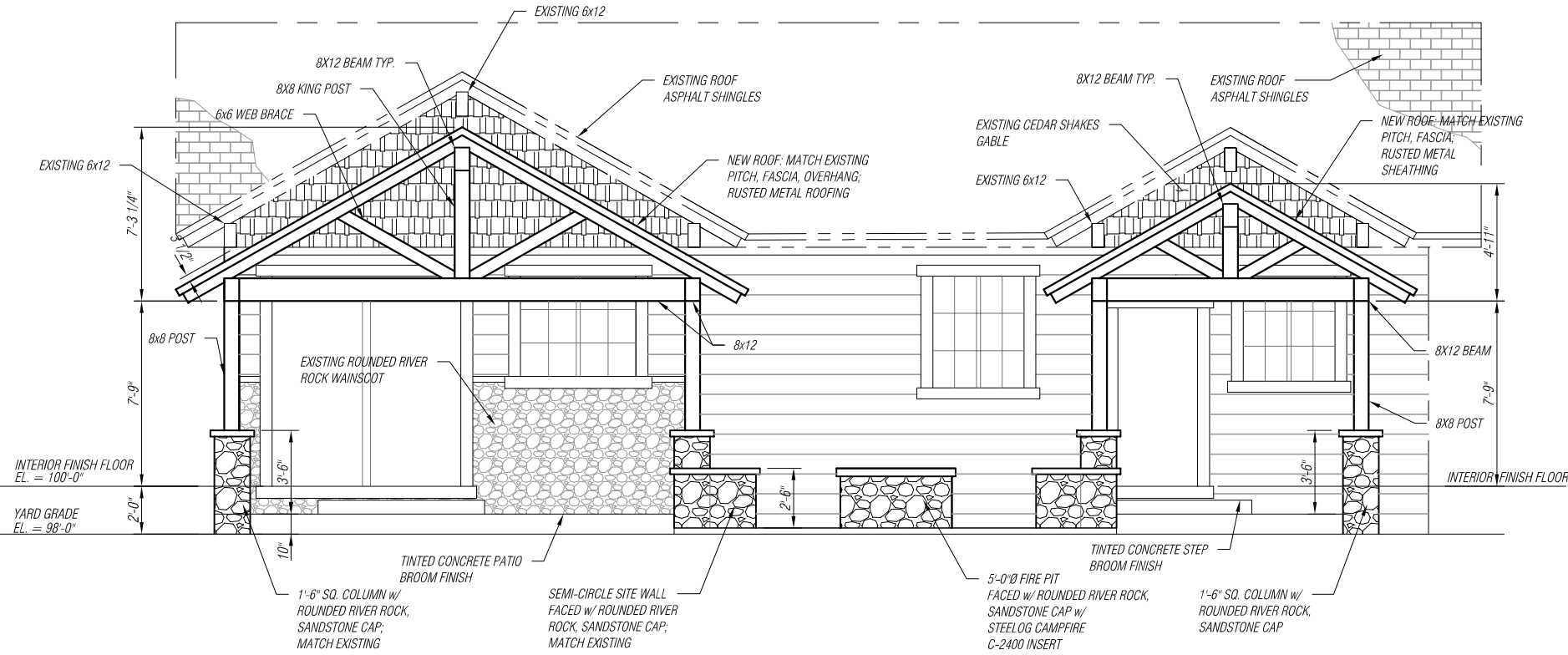
**A1.0**



**ELEVATION**

**END ELEVATION**

**PLAN**



Christopher L & Brandy W Hutto  
55 Whitetail Drive  
New Castle, CO 81647  
(970) 366-7013

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

Re: Variance Request for 55 Whitetail Dr (Section:29 Township:5 Range:90  
Subdivision:Lakota Canyon Ranch FLG 5 Lot:40)

To whom it may concern,

We have reviewed the preliminary documentation (plats and plan sheets) associated with the proposed variance as provided and requested by Christopher & Brandy Hutto for 55 Whitetail Dr (Section:29 Township:5 Range:90 Subdivision:Lakota Canyon Ranch FLG 5 Lot:40). It is the understood that the request is to build a covered, outdoor roofed patio attached to the rear of the existing structure with new concrete patios. The variance request is for reducing the rear yard setback from 20.0 feet to 12.0 feet. No variances of front or side setbacks are being requested.

At this time, we, the undersigned, do not take exception to the proposed variance request as presented. We do, however, reserve the right to comment once an official variance request is in process.

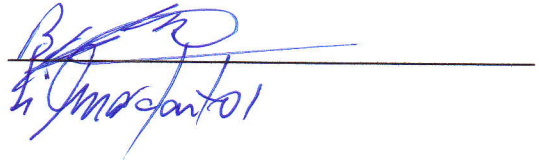
Property: 41 Whitetail Drive (Lot 41)

Date:

8-25-2020

Owner: Ryan Moore & Silmara Dos Santos

Signature(s):



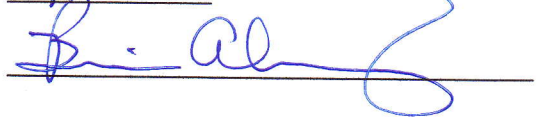
Property: 63 Whitetail Drive (Lot 39)

Date:

8/25/20

Owner: Brian & Michelle Arbany

Signature(s):





**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](http://www.newcastlecolorado.org)

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## Memorandum

**To:** Mayor & Council  
**From:** David Reynolds  
**Re:** Agenda Item: Trails Funding Discussion  
**Date:** 10-20-20

**Purpose:**

The purpose of this agenda item is to discuss the Town funding of preliminary legal fees related to a potential *Trails Agreement* between the Town of New Castle and a neighboring land owner.

During our Oct. 6, 2020 Council meeting, we discussed the possibility of pursuing an agreement which would allow for the expansion of hiking and biking trails on private lands just outside of town. Council requested more specific information related to the initial costs of the legal work which could be incurred related to this agreement.

Staff is working to provide Council with more detailed information for this continued agenda item discussion.

1  
2  
3  
4 **New Castle Town Council Regular Virtual Meeting**  
5 **Tuesday, September 01, 2020, 7:00 PM**

6  
7 **Due to concerns related to COVID-19, this meeting was open to**  
8 **the public as a virtual meeting only.**

9  
10 **To join by computer, smart phone or tablet:**  
11 **<https://us02web.zoom.us/j/7096588400>**

12  
13 **If you prefer to telephone in:**  
14 **Please call: 1-346-248-7799**  
15 **Meeting ID: 709 658 8400**

16  
17 **Call to Order**

18 Mayor A Riddile called the meeting to order at 7:00 p.m.

19  
20 **Pledge of Allegiance**

21  
22 **Roll Call**

23 Present	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland
	Councilor G Riddile
28 Absent	Councilor Mariscal
	Councilor Owens

29  
30 Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk Melody  
31 Harrison, Town Planner Paul Smith and members of the public.

32  
33 **MOTION: Mayor A Riddile made a motion to excuse Councilor Mariscal's absence.**  
34 **Councilor Copeland seconded the motion and it passed unanimously.**

35  
36 **Meeting Notice**

37 Town Clerk Melody Harrison verified that her office gave notice of the meeting in  
38 accordance with Resolution Tc 2020-1.

39  
40 **Conflicts of Interest**

41 There were no conflicts of interest.

42  
43 **Agenda Changes**

44 There were no agenda changes.  
45

1 **Citizen Comments on Items not on the Agenda**

2 There were no citizen comments.

3  
4 **Consultant Reports**

5 Consultant Attorney – not present.

6 Consultant Engineer – not present.

7  
8  
9 **Items for Consideration**

10  
11 **Council & Chamber of Commerce Appreciation of Downtown Businesses**

12 New Castle Chamber of Commerce President Siobhan Milholm and Administrator Mari  
13 Riddile recognized four downtown businesses for their beautification projects, all of which  
14 enhanced Main Street. Cori and John Webber, owners of 88 Grill and the Ore House;  
15 Diane and Dustin Chapin, owners of Hogback Pizza; Adam and Emily Sampley, owners of  
16 LulaMay’s Air BnB and Ann Andzel of EAT Bistro & Drinks. The Chamber and Council  
17 thanked each of them. Ms. Riddile gave each a plaque and gift certificate to the Vaudeville  
18 Revue in appreciation of their efforts.

19  
20 **Youth Zone Update**

21 Town Administrator Dave Reynolds told the council that Executive Director Lori Mueller  
22 and Development Director Carol Wolff were present to provide the council an update on  
23 Youth Zone’s activities for the past year.

24 Ms. Mueller passed out Youth Zone’s annual report to the council. Ms. Muller and Ms. Wolff  
25 reviewed the report in detail.

26  
27 Mayor A Riddile asked if there had been any notable effect on youth vaping and tobacco  
28 use by the increase in taxes on tobacco products and the outright ban in some areas on  
29 vape products. Ms. Mueller said it was still early to see local results, but the increased  
30 costs certainly had reduced youth use on a national level. She said that they would be  
31 monitoring that and have information later.

32 Councilor Leland asked what the ‘substances’ were that the youth were using. Ms. Mueller  
33 said the substances were primarily marijuana and alcohol.

34 Councilor Hazelton said that he had heard that the pandemic and the need for home-  
35 schooling as created issues amongst youth and he asked if they could elaborate.

36 Ms. Mueller said that the first month many of the kids thought it was a great vacation.

37 She said that attitude had shifted, and many kids were expressing some anxiety around  
38 not being in school and not being around their friends. She said there was also some  
39 depression. Ms. Mueller said that overall, kids had taken to Youth Zone’s virtual platform  
40 TeleHelp, and they had been able to continue seeing all their kids.

41 Ms. Mueller said that funding for Youth Zone was decreasing, but the need for help was  
42 increasing and in 2021 there would be a lot of opportunity to find creative ways to fund  
43 their programs. Ms. Wolff said that not only were there more kids in need, but because of  
44 COVID there was about twice the number of parents reaching out for help.

45 Ms. Wolff said that Youth Zone did charge fees, but that only about eight percent of  
46 budgeted income came from those client fees. She said they did not turn anyone away, so  
47 if a client could not pay, they fund the money somewhere. She said federal foundations

1 and municipalities who were making budget cuts were reducing Youth Zone’s funding, but  
2 she was confident they would be okay. Ms. Wolff said they received funding from  
3 individual donations and fundraisers. Ms. Wolff said they had a fundraiser coming up at  
4 the end of the month on September 23 through 25. It will be a virtual Youth Film Fest. Six  
5 kids will create films about what it was like surviving in the upside-down COVID-19 world.  
6 Ms. Wolff said that she would get an invitation out to the council.  
7 Mayor A Riddile said that Youth Zone did incredible work and he thanked them for their  
8 report.  
9 Ms. Mueller and Ms. Wolff thanked the council for their support.

10  
11  
12 **Consider Resolution TC 2020-27 - Designating a Communal Dining Area on 5th**  
13 **Street**

14 Clerk Harrison said that at the previous council meeting Administrator Reynolds had  
15 mentioned during his report that a downtown restaurant had approached the town with  
16 the idea of closing off 5<sup>th</sup> Street between Main Street and the alley in between 88 Grill and  
17 the dental office. The closure would provide an area where food and perhaps alcohol could  
18 be served, as well as live music. Clerk Harrison said that staff had studied it and realized  
19 that closing that section of street for one or two evenings per week would be more difficult  
20 than initially thought.

21 Clerk Harrison said that there was a Governor’s Executive Order that had been issued  
22 some time ago that allowed for designation of what was called a communal outdoor dining  
23 area. She said that was different than the public consumption areas the town had created  
24 in several parks that allowed people to take their carry-out food and alcohol and consume  
25 them in the park. Outdoor communal dining would allow a restaurant within one-thousand  
26 feet serve food and alcohol at tables located in the space.

27 Clerk Harrison said that the town was required to designate an outdoor communal dining  
28 area, and 88 Grill had requested the ability to use a communal outdoor dining area, and  
29 the solution that staff came up with was to designate the parking spaces on the west side  
30 of 5<sup>th</sup> Street, immediately adjacent to 88 Grill.

31 Clerk Harrison said that Resolution TC 2020-27 would approve an outdoor communal  
32 dining area in the parking spaces on the west side of 5<sup>th</sup> Street, immediately adjacent to  
33 88 Grill, between the planter box and the alley. The space was eighty-five feet long and  
34 twelve feet wide. She said outdoor communal dining had very specific rules. Patrons at  
35 one table could only be served by a single restaurant; if more than one restaurant wanted  
36 to serve there, outdoor communal dining allowed multiple restaurants’ liquor licenses to  
37 layer over one another in the same premises; restaurants would be required to identify  
38 the the tables they were serving whether it was a sign something else that showed control  
39 of the table; carry-out alcohol was not allowed in a communal outdoor dining area  
40 because that equated bringing outside alcohol into a licensed premises which was against  
41 liquor laws.

42 Councilor Leland asked how many tables would be allowed in the area. Clerk Harrison said  
43 that was not something she had measured, but though perhaps six would fit. A few more  
44 if they were two-tops.

45 **MOTION: Mayor A Riddile made a motion to approve Resolution TC 2020-27, a**  
46 **Resolution of the New Castle Town Council Designating an Outdoor Communal**  
47 **Dining Area. Councilor Hazelton seconded the motion and it passed unanimously.**

1  
2 Recess the Town Council Meeting, Convene as the Local Liquor Licensing Authority  
3 **MOTION: Mayor A Riddile made a motion to recess the town council meeting and**  
4 **to convene as the local liquor licensing authority. Councilor G Riddile seconded**  
5 **the motion and it passed unanimously.**  
6

7 **Consider an Application for COVID-19 Temporary Modification of the Hotel &**  
8 **Restaurant Liquor License for Elk Creek Mining Co. LLC d/b/a 88 Grill**

9 Clerk Harrison said that 88 Grill was the only restaurant that wanted to use the outdoor  
10 communal dining area. Interestingly, 88 Grill will still be required to identify their tables  
11 even though they are the only ones using the space.

12 **MOTION: Councilor G Riddile made a motion to approve the Application for a**  
13 **COVID-19 Temporary Modification of the Hotel & Restaurant Liquor License for**  
14 **Elk Creek Mining Co. dba 88 Grill. Councilor Hazelton seconded the motion and it**  
15 **passed unanimously.**  
16

17 **Consider Extension of Temporary Hotel & Restaurant Liquor License for Lakota**  
18 **Grill & Bakery**

19 Clerk Harrison told the council that there was a new fingerprinting process for the State of  
20 Colorado for the purposes of background investigations for liquor licensing. She said there  
21 were two third-party vendors who processed fingerprints for CBI. Since the new program  
22 began in February of 2019, New Castle had not had any applicant use the new system.  
23 Apparently there was something of a glitch in the system in that the results of the  
24 background investigation were getting lost. Applicants for Lakota Grill & Bakery had been  
25 fingerprinted several times and the results lost. Clerk Harrison said she had finally made  
26 contact with CBI and gotten the information needed, but staff needed a little more time to  
27 on the temporary liquor permit to complete necessary steps. Clerk Harrison said that the  
28 state had already approved the license on their end and the last piece was the town  
29 obtaining the background results before the town could issue the permanent license.  
30 Clerk Harrison said that state law allowed an additional sixty-day extension of the  
31 temporary license, and that was the request to council.

32 **MOTION: Mayor A Riddile made a motion to approve the Extension of the**  
33 **Temporary Hotel & Restaurant Liquor License for Lakota Grill & Bakery.**  
34 **Councilor Copeland seconded the motion and it passed unanimously.**  
35

36 Adjourn the Local Liquor Licensing Authority, Reconvene the Town Council Meeting

37 **MOTION: Mayor A Riddile made a motion to adjourn the local liquor licensing**  
38 **authority and to reconvene the town council meeting. Councilor Hazelton**  
39 **seconded the motion and it passed unanimously.**  
40

41 **Consider Ordinance TC 2020-6 - an Ordinance of the New Castle Town Council**  
42 **Amending Sections 16.16.020-16.16.30 & 17.100.050-17.100.090 Concerning**  
43 **Preliminary and Final Plans for Subdivision and PUD Development Applications**  
44 **(2nd reading)**

45 Town Planner Paul Smith explained that the ordinance was to amend the code to update  
46 the review procedures and to provide additional criteria for PUD and subdivision

1 preliminary and final applications. Planner Smith said that nothing had changed in the  
2 ordinance since first reading.

3 Councilor G Riddile thanked Planner Smith and P&Z for their work on the ordinance and  
4 said that he thought it was a good product.

5 **MOTION: Councilor G Riddile made a motion to approve Ordinance TC 2020-6, an**  
6 **Ordinance of the New Castle Town Council Amending Sections 16.16.020-**  
7 **16.16.30 & 17.100.050-17.100.090 Concerning Preliminary and Final Plans for**  
8 **Subdivision and PUD Development Applications on 2nd reading. Councilor**  
9 **Copeland seconded the motion and it passed on a roll-call vote: Councilor**  
10 **Hazelton: yes; Councilor Leland: yes; Mayor A Riddile: yes; Councilor Copeland:**  
11 **yes; Councilor G Riddile: yes.**

12  
13  
14 **MOTION: Councilor Leland made a motion at 7:39 p.m. to go into Executive**  
15 **Session for discussion of a personnel matter under C.R.S. Section 24-6-402 (f)(I)**  
16 **regarding an evaluation of the Town Administrator and not involving: any**  
17 **specific employees who have requested discussion of the matter in open session;**  
18 **any member of this body of any elected official; the appointment of any person**  
19 **to fill an office of this body or of an elected official; or personnel policies that do**  
20 **not require the discussion of matters personal to particular employees. Mayor A**  
21 **Riddile seconded the motion and it passed unanimously.**

22  
23 Executive session concluded.

24  
25 At the end of the executive session, Mayor A Riddile made the following statement:

26  
27 "The time is now 8:00 p.m. and the executive session has been concluded. The participants  
28 in the executive session were: Councilors Owens and Hazelton; Mayor A Riddile; Councilors  
29 Copeland, Leland and G Riddile; and Town Administrator Dave Reynolds. For the record, if  
30 any person who participated in the executive session believes that any substantial  
31 discussion of any matters not included in the motion to go into the executive session  
32 occurred during the executive session, or that any improper action occurred during the  
33 executive session in violation of the Open Meetings Law, I would ask that you state your  
34 concerns for the record."  
35  
36

### 37 **Consent Agenda**

38 July 21, 2020 minutes

39 August Bills of \$688,577.37

40 **MOTION: Councilor G Riddile made a motion to approve the consent agenda.**  
41 **Mayor A Riddile seconded the motion and it passed unanimously.**

### 42 43 **Staff Reports**

44 Town Administrator – Administrator Reynolds said that staff was continuing to work on  
45 budget, and he expected that at the next council meeting a first draft of the budget would  
46 be presented in the work session. Administrator Reynolds said that the CDOT

1 Revitalization grant had been approved and the town would be able to begin ordering  
2 tents and barricades. Unfortunately, there were many others trying to order tents and  
3 they were backordered. Administrator Reynolds said that he was working on updating the  
4 strategic plan after the retreat the previous Saturday and he would be bringing it back to  
5 council in the next few meetings.

6 Town Clerk – Clerk Harrison said she had met with the owners of the new Mexican  
7 restaurant near City Market. They had submitted their liquor license application and would  
8 issue a temporary liquor license the following day. She said that they intended to open the  
9 restaurant on the weekend. Clerk Harrison said that she had been able to speak with  
10 someone at CBI and learned that because the third-party vendors had limited locations,  
11 CBI had decided that New Castle was eligible to process fingerprints through the New  
12 Castle Police Department. Clerk Harrison said that her department would use the police in  
13 the future.

14 Town Treasurer – not present.

15 Town Planner – not present.

16 Public Works Director – not present.

### 17 18 **Commission Reports**

19 Planning & Zoning Commission – Councilor G Riddile said that P&Z had a very productive  
20 meeting with Mr. Atkinson on the Filing 11 application. He expected to see some good  
21 changes at their next meeting.

22 Historic Preservation Commission – nothing to report.

23 Climate and Environment Committee – Councilor Leland said that the environment issue  
24 had been the fires, and the Commission had put together a fire information flyer that will  
25 be going out with the town newsletter.

26 Senior Program – nothing to report.

27 RFTA – Mayor A Riddile said that RFTA had a groundbreaking ceremony the previous  
28 Saturday. Senator Cory Gardner had attended. Mayor A Riddile said that RFTA had  
29 received an 11-million dollar grant to get the project started, and they were waiting to  
30 hear about another grant for 13 million dollars.

31 AGNC – Councilor Hazelton said that the primary focus of the meeting was hearing region  
32 10 broadband projects which was interesting.

33 GCE – nothing to report.

34 EAB – nothing to report.

### 35 36 **Council Comments**

37 Councilor Leland said that the CEC had been in contact with Orrin Moon of Colorado River  
38 Fire Rescue and Greg Bak of Glenwood Fire, they would be providing several kinds of  
39 information in a tote bag, and the library will distribute the totes. He said that there would  
40 also be a Spanish version.

41 Councilor Leland said that there had been a lot of support for Colorado River Fire Rescue  
42 (CRFR) on Facebook, and many had expressed regret that CRFR had not gotten their tax  
43 increase.

44 Councilor Leland said that he had been going through some paperwork and found the  
45 evaluation form used for the previous town administrator and it was a more thorough  
46 form, perhaps too elaborate. Councilor Leland said that before the next evaluation time,  
47 they should probably revise the evaluation form.

1 Councilor G Riddile said that he thought the retreat had gone well and he thanked staff.  
2 Councilor Hazelton said that he agreed about the retreat and said that the time flew. He  
3 felt that was because it had gone so well, and felt that it was better than past retreats.  
4 Mayor A Riddile said that they will do Treasurer Burks' evaluation at the next meeting and  
5 he asked that each council member complete the evaluation form.  
6 Mayor A Riddile asked that Administrator Reynolds forward the photos of the Chamber  
7 awards to Councilor Leland so he could put them on Facebook.

8  
9 **MOTION: Mayor A Riddile made a motion to adjourn. Councilor G Riddile**  
10 **seconded the motion and it passed unanimously.**

11  
12 The meeting adjourned at 8:12 p.m.

13  
14  
15 Respectfully submitted,

16  
17  
18  
19  
20 \_\_\_\_\_  
21 Mayor A Riddile

22  
23  
24 \_\_\_\_\_  
25 Town Clerk Melody Harrison, CMC  
26

1 **New Castle Town Council Regular Virtual Meeting**  
2 **Tuesday, September 15, 2020, 7:00 PM**

3  
4  
5 **Due to concerns related to COVID-19, this meeting was open to**  
6 **the public as a virtual meeting only.**

7  
8 **To join by computer, smart phone or tablet:**  
9 **<https://us02web.zoom.us/j/7096588400>**

10  
11 **To telephone in:**  
12 **Please call: 1-346-248-7799**  
13 **Meeting ID: 709 658 8400**

14  
15 **Call to Order**

16 Mayor A Riddile called the meeting to order at 7:00 p.m.

17  
18 **Pledge of Allegiance**

19  
20 **Roll Call**

21 Present	Councilor Owens
	Councilor Hazelton
	Mayor A Riddile
	Councilor Copeland
	Councilor Leland
	Councilor G Riddile
27 Absent	Councilor Mariscal

28  
29 Also present at the meeting were Town Administrator Dave Reynolds, Town Clerk  
30 Melody Harrison, Town Treasurer Loni Burk, Town Planner Paul Smith and members of  
31 the public.

32  
33 **MOTION: Mayor A Riddile made a motion to excuse Councilor Mariscal's**  
34 **absence. Councilor Owens seconded the motion and it passed unanimously.**

35  
36 **Meeting Notice**

37 Town Clerk Melody Harrison verified that her office gave notice of the meeting in  
38 accordance with Resolution TC 2020-1.

39  
40 **Conflicts of Interest**

41 There were no conflicts of interest.

42  
43 **Agenda Changes**

44 There were no agenda changes.

1 **Citizen Comments on Items not on the Agenda**

2 There were no citizen comments.

3  
4  
5 **Consultant Reports**

6 Consultant Attorney – not present.

7 Consultant Engineer – not present.

8  
9  
10 **Items for Consideration**

11  
12 **Proclamation Supporting Library Card Sign-Up Month**

13 Town Administrator Dave Reynolds introduced Lisa Girardot, Community Engagement  
14 Coordinator for the Garfield County Library District.

15  
16 Ms. Girardot greeted the council and thanked them for the opportunity to speak. She  
17 said that the National Library Association ran a campaign every September to make sure  
18 that everyone had access to everything the library had to offer by making sure everyone  
19 had a library card.

20 Mayor A Riddile asked how the library had faired through the pandemic.

21 Ms. Girardot said that libraries had been part of the complete shutdown and they had  
22 been closed for about three months. During that time, they still had online resources  
23 available. She said that had started phase II of reopening that allowed people in to the  
24 building and people seemed to be thrilled.

25 Mayor A Riddile read the proclamation into the record.

26 Ms. Girardot thanked the council for the proclamation.

27 Ms. Girardot told the council that there was a vacancy on the library board for New  
28 Castle, and she wanted to make sure that the town was properly represented. She  
29 asked that if anyone was interested or knew someone who might be to send them her  
30 way.

31  
32 **Consider Resolution TC 2020-28 - Approving a Conditional Use Permit for a  
33 Quilting Studio on Property Located in the Commercial-1 Zone District**

34 Town Planner Paul Smith told the council that the application was for a conditional use  
35 permit for a 280 square-foot quilting studio on property located in the downtown at 333  
36 W. Main Street. The applicant was Ms. Dara Marquardt.

37 Planner Smith said that the application met the necessary criteria, and staff felt that it  
38 would be an asset to the downtown.

39 Ms. Marquardt greeted the council. She told them she was a quilter, and was currently  
40 quilting inside their home. Her quilting machine was in one of their bedrooms and was  
41 approximately twelve feet long. Ms. Marquardt said that the studio would allow her  
42 business to be at the same location as her children, and with the pandemic and school  
43 attendance being questionable that was important. The studio would also remove her  
44 business from the house and allow her family to continue to plan their future there.

45 Ms. Marquardt showed the council a quilt that she had done. She said that her  
46 customers brought her the top portion of the quilt, and she provided the batting in the

1 middle which made the quilt ward, and the backing as well. She stitched everything  
2 together on the quilting machine to make it something that could be used.

3 Mayor A Riddile asked how many customers Ms. Marquardt had.

4 Ms. Marquardt said that she had a dedicated client base, but once the pandemic started,  
5 she quit advertising. She said that she had enough to keep her busy and that she had  
6 clients from all over the valley. Ms. Marquardt said she was the only long-arm quilter in  
7 the valley.

8 Mayor A Riddile told Ms. Marquardt that staff had recommended approval of her  
9 application but that there were some conditions, and he asked if she had any issue with  
10 any of the conditions. Ms. Marquardt said she did not have any issues with the  
11 conditions.

12 **MOTION: Mayor A Riddile made a motion to approve Resolution TC 2020-28, a**  
13 **Resolution of the New Castle Town Council Approving a Conditional Use Permit**  
14 **for a Quilting Studio on Property Located in the Commercial-1 Zone District.**  
15 **Councilor Owens seconded the motion and it passed unanimously.**

16  
17 Ms. Marquardt thanked the council and said the Planner Smith had been great to work  
18 with.

19 Councilor Leland said that Ms. Marquardt's business was exactly what he felt New Castle  
20 should have because it was unique and innovative and did not compete with businesses  
21 in Rifle or Glenwood Springs. He wished Ms. Marquardt well.

#### 22 23 24 **Review Updated Strategic Plan**

25 Administrator Reynolds said that at the council retreat, they had reviewed the strategic  
26 plan line by line, and he committed to bring the plan back to the council along with his  
27 notes. He said that if the council agreeable, his notes would be incorporated into the  
28 strategic plan.

29 Administrator Reynolds and the council reviewed the strategic plan and notes in detail.

30  
31  
32 **MOTION: Councilor Leland made a motion at 7:50 p.m. to go into Executive**  
33 **Session for discussion of a personnel matter under C.R.S. Section 24-6-402**  
34 **(f)(I) regarding an evaluation of the Town Treasurer and not involving: any**  
35 **specific employees who have requested discussion of the matter in open**  
36 **session; any member of this body of any elected official; the appointment of**  
37 **any person to fill an office of this body or of an elected official; or personnel**  
38 **policies that do not require the discussion of matters personal to particular**  
39 **employees. Mayor A Riddile seconded the motion and it passed unanimously.**

40  
41 Executive session concluded.

42  
43 At the end of the executive session, Mayor A Riddile made the following statement:

44  
45 "The time is now 8:06 p.m. and the executive session has been concluded. The  
46 participants in the executive session were: Councilors Owens and Hazelton; Mayor A  
47 Riddile; Councilors Copeland, Leland and G Riddile; Town Administrator Dave Reynolds

1 and Town Treasurer Loni Burk. For the record, if any person who participated in the  
2 executive session believes that any substantial discussion of any matters not included in  
3 the motion to go into the executive session occurred during the executive session, or that  
4 any improper action occurred during the executive session in violation of the Open  
5 Meetings Law, I would ask that you state your concerns for the record.”  
6  
7

## 8 **Consent Agenda**

9 August 4, 2020 minutes

10 2 Coronas Hotel & Restaurant Liquor License Renewal

11 **MOTION: Councilor Leland made a motion to approve the consent agenda.**

12 **Councilor Owens seconded the motion and it passed unanimously.**  
13  
14

15 Town Administrator – Administrator Reynolds told the council that there had been a  
16 delay in the LoVa Trail construction. He said there had been complications with the  
17 permitting. Administrator Reynolds said there would be a meeting on October 14 and he  
18 hoped that the permitting issues would be resolved, but it was likely that construction  
19 would be delayed in to 2021. Administrator Reynolds said that the town was able to  
20 lease Coryell Ditch water from Steve Craven. He said it was a bit late on the year, but  
21 there was the potential that Elk Creek water rights with more seniority could be called,  
22 so the lease from Craven secured the town’s ability to obtain water. Administrator  
23 Reynolds said that he and Public Works Director John Wenzel and Utility Supervisor  
24 Daniel Becker would meet the following day with the fire recovery team in regard to the  
25 Grizzly Creek fire and how that will affect water quality in the short and long term. He  
26 said it was fortunate that New Castle did not draw a lot of water from the river. He said  
27 that it would be good to be part of those meetings in case there was ever a fire event in  
28 the town’s watershed. Administrator Reynolds said that he had been working from home  
29 since Labor Day weekend because his grandson and wife both tested positive for COVID.  
30 He said he would be out until the following week. He said he appreciated the council  
31 being patient while he was out of the office.

32 Councilor Leland asked Administrator Reynolds to tell them about the new parks  
33 manager.

34 Administrator Reynolds said that the new parks manager was Charlie Moore and he had  
35 a lot of experience working for property management companies. He said that Director  
36 Wenzel was very excited to have Charlie on board.

37 Town Clerk – Clerk Harrison said that her office had another successful, socially-  
38 distanced municipal court the day prior. Clerk Harrison said that they had seen an  
39 increase in interest in the town’s cemetery since New Castle still had plots available and  
40 many other municipalities did not. Clerk Harrison said her office was working on an  
41 application process with the Colorado Bureau of Investigations to receive background  
42 results for liquor applicants. Clerk Harrison said the there was an update for the code  
43 books, and she offered to collect everyone’s book if they wished. Clerk Harrison said that  
44 the ballot box had been received by the county but an install date had not been  
45 scheduled yet, but it would be available for the upcoming election. Clerk Harrison said  
46 she had looked at the tobacco tax issue on the ballot, and all proceeds from that state  
47 tax would be kept by the state of Colorado. Clerk Harrison said that she and her Deputy

1 Clerk, Mindy Andis had been attending online classes as they could, and she thanked the  
2 council for that opportunity.  
3 Town Treasurer – Treasurer Burk said that her assistant, Viktoriya Ehlers was doing a  
4 great job. She also said they had a Caselle conference coming up in October that would  
5 be virtual and free, so they were deciding what classes they would attend. Treasurer  
6 Burk said that she had been studying the 2020 budget and there was some  
7 discrepancies in what was budgeted and what was projected. She said that she had  
8 analyzed it and was glad to share the information with anyone who wanted it.  
9 Town Planner – nothing to report.  
10 Public Works Director – not present.  
11 Administrative Assistant Debbie Nichols - Update: Business Assistance Grants

### 12 **Commission Reports**

13 Planning & Zoning Commission – nothing to report.  
14 Historic Preservation Commission – nothing to report.  
15 Climate and Environment Commission – Councilor Leland said the commission had put  
16 together several handouts on fire mitigation and fire planning. He said they would be  
17 handing out the information and the community market on Thursday. Councilor Leland  
18 said the commission had also submitted their budget request. Councilor Leland said that  
19 Fire Prevention Chief Orrin Moon would be attending the next CEC meeting because fire  
20 was an environmental issue, so that was CEC’s focus.  
21 Senior Programs – nothing to report.  
22 RFTA – Mayor A Riddile said that Senator Cory Gardner had called him to let him know  
23 that RFTA had received a \$13 million dollar grant. Mayor A Riddile said that the exciting  
24 part was that RFTA had also received an FTA grant for \$11 million dollars, which meant  
25 they had \$24 million dollars to go towards expanding the maintenance facility in  
26 Glenwood Springs.  
27 AGNC – nothing to report.  
28 GCE – Councilor Leland said that GCE had a program called ‘Reenergize” and GCE had a  
29 limited number of \$150.00 rebates on Home Energy Audits as well as a \$1,500.00  
30 commercial rebate.  
31 EAB – nothing to report.

### 32 **Council Comments**

33  
34 Councilor Leland said that there was a new business in town: a sign maker called Cloud  
35 9 Design. They will be opening an office and it will double-duty as a pet supply store.  
36 The shop will be on Main Street and will open in November.  
37 Councilor Leland said that the house next door to Hogback Pizza was now a Bed &  
38 Breakfast.  
39 Councilor Leland said that Tapatios in the City Market Plaza was getting great reviews.  
40 Councilor G Riddile shared a very rough draft of the new trails map. He said it was a bit  
41 blurry and some of the names were still being determined. Councilor G Riddile said that  
42 the network was essentially doubling. He also said that New Castle Trails was still  
43 working on trail building and working with private landowners. He said there would be  
44 more to come.  
45 Mayor A Riddile said that the town clean up would be October 16 and 17.  
46

1 Mayor A Riddile said that the Community Market would be on Thursday from 4:30 to  
2 7:30 and he asked if the council members could be there because it was the only  
3 community market there would be.

4  
5 **MOTION: Mayor A Riddile made a motion to adjourn. Councilor Hazelton**  
6 **seconded the motion and it passed unanimously.**

7  
8 Respectfully submitted,

9  
10  
11  
12  
13 \_\_\_\_\_  
14 Mayor A Riddile

15  
16  
17 \_\_\_\_\_  
18 Town Clerk Melody Harrison, CMC  
19

DRAFT

## Permit Application and Report of Changes

**Current License Number** 01-10779-0153  
**All Answers Must Be Printed in Black Ink or Typewritten**  
**Local License Fee** \$ 0.00

1. Applicant is a <input type="checkbox"/> Corporation ..... <input type="checkbox"/> Individual <input type="checkbox"/> Partnership..... <input checked="" type="checkbox"/> Limited Liability Company		Present License Number  01-10779-0153
2. Name of Licensee DILLON COMPANIES LLC	3. Trade Name CITY MARKET #41	
4. Location Address 850 CASTLE VALLEY BLVD		
City NEW CASTLE	County GARFIELD	ZIP 81647

**SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.**

Section A – Manager reg/change	Section C
• License Account No. _____ <input type="checkbox"/> Manager's Registration (Hotel & Restr.).....\$75.00 <input type="checkbox"/> Manager's Registration (Tavern).....\$75.00 <input type="checkbox"/> Manager's Registration (Lodging & Entertainment).....\$75.00 <input type="checkbox"/> Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE	<input type="checkbox"/> Retail Warehouse Storage Permit (ea).....\$100.00 <input type="checkbox"/> Wholesale Branch House Permit (ea)..... 100.00 <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) ..... 50.00 <input type="checkbox"/> Change Location Permit (ea) ..... 150.00 <input checked="" type="checkbox"/> Change, Alter or Modify Premises \$150.00 x <u>1</u> Total Fee <u>\$150.00</u> <input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 x _____ Total Fee _____ <input type="checkbox"/> Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x _____ Total Fee _____ <input type="checkbox"/> Campus Liquor Complex Designation <span style="float: right;">No Fee</span> <input type="checkbox"/> Sidewalk Service Area <span style="float: right;">\$75.00</span>
Section B – Duplicate License	
• Liquor License No. _____ <input type="checkbox"/> Duplicate License ..... \$50.00	

**Do Not Write in This Space – For Department of Revenue Use Only**

Date License Issued	License Account Number	Period

The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.

**TOTAL AMOUNT DUE** \$ \_\_\_\_\_ .00

# Instruction Sheet

For All Sections, Complete Questions 1-4 Located on Page 1

**Section A**

**To Register or Change Managers**, check the appropriate box in section A and complete question 8 on page 5. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

**Section B**

**For a Duplicate license**, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

**Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- \*\*\*\*\* 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 9. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 9. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Campus Liquor Complex Designation**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 8) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 4 and complete question 11.

<b>Storage Permit</b>	<p><b>5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit</b></p> <p><input type="checkbox"/> <b>Retail Warehouse Permit for:</b></p> <p style="margin-left: 20px;"><input type="checkbox"/> On-Premises Licensee (Taverns, Restaurants etc.)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Off-Premises Licensee (Liquor stores)</p> <p><input type="checkbox"/> <b>Wholesalers Branch House Permit</b></p> <p>Address of storage premise: _____</p> <p>City _____, County _____, Zip _____</p> <p>Attach a deed/ lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.</p>				
<b>Change Trade Name or Corporate Name</b>	<p><b>6. Change of Trade Name or Corporation Name</b></p> <p><input type="checkbox"/> Change of Trade name / DBA only</p> <p><input type="checkbox"/> Corporate Name Change (Attach the following supporting documents)</p> <p style="margin-left: 20px;">1. Certificate of Amendment filed with the Secretary of State, or</p> <p style="margin-left: 20px;">2. Statement of Change filed with the Secretary of State, <u>and</u></p> <p style="margin-left: 20px;">3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Old Trade Name</td> <td style="width: 50%;">New Trade Name</td> </tr> <tr> <td>Old Corporate Name</td> <td>New Corporate Name</td> </tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
<b>Change of Location</b>	<p><b>7. Change of Location</b></p> <p><b>NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.</b></p> <p><b>Date filed with Local Authority</b> _____ <b>Date of Hearing</b> _____</p> <p>(a) Address of current premises _____</p> <p style="margin-left: 20px;">City _____ County _____ Zip _____</p> <p>(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)</p> <p>Address _____</p> <p style="margin-left: 20px;">City _____ County _____ Zip _____</p> <p>(c) New mailing address if applicable.</p> <p>Address _____</p> <p style="margin-left: 20px;">City _____ County _____ State _____ Zip _____</p> <p>(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.</p>				

<b>Change of Manager</b>	<p><b>8. Change of Manager or to Register the Manager</b> of a Tavern, Hotel and Restaurant, Lodging &amp; Entertainment liquor license or licenses pursuant to section 44-3-301(8).</p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging &amp; Entertainment only)</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Does manager have a financial interest in any other liquor licensed establishment? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, give name and location of establishment _____</p>
<b>Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area</b>	<p><b>9. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area</b></p> <p>NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed <u>increase the FMB retail display from 16 linear feet to 46 linear feet and change the location of the FMB retail display to a new location within the store's licensed premises</u></p> <p>_____</p> <p>(b) If the modification is temporary, when will the proposed change: N/A</p> <p>Start _____ (mo/day/year) End _____ (mo/day/year)</p> <p>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?</p> <p>(If yes, explain in detail and describe any exemptions that apply) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? N/A Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. ATTACHED</p> <p>(g) Attach any existing lease that is revised due to the modification. N/A--Existing lease is not revised due to the modification</p> <p>(h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions. N/A</p>
<b>Campus Liquor Complex Designation</b>	<p><b>10. Campus Liquor Complex Designation</b></p> <p>An institution of higher education or a person who contracts with the institution to provide food services</p> <p>(a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<b>Additional Related Facility</b>	<p><b>11. Additional Related Facility</b></p> <p>To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.</p> <p>(a) Address of Related Facility _____</p> <p>(b) Outlined diagram provided Yes <input type="checkbox"/> No <input type="checkbox"/></p>

<b>Oath of Applicant</b>		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature <i>Thomas Joseph Selt</i>	Title VICE PRESIDENT	Date 9/16/2020
<b>Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)</b>		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. <b>Therefore, This Application is Approved.</b>		
Local Licensing Authority (City or County)		Date filed with Local Authority
Signature	Title	Date
<b>Report of STATE Licensing Authority</b>		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date





DILLON COMPANIES LLC dba CITY MARKET #41  
 850 CASTLE VALLEY BLVD; NEW CASTLE CO 81647-9441  
 PERMANENT MODIFICATION – FMB OFF PREMISE LICENSE #01-10779-0153

173'-8"  
 173'-8"

PROPOSED  
 LOCATION OF  
 RETAIL FMB  
 DISPLAY - 46'

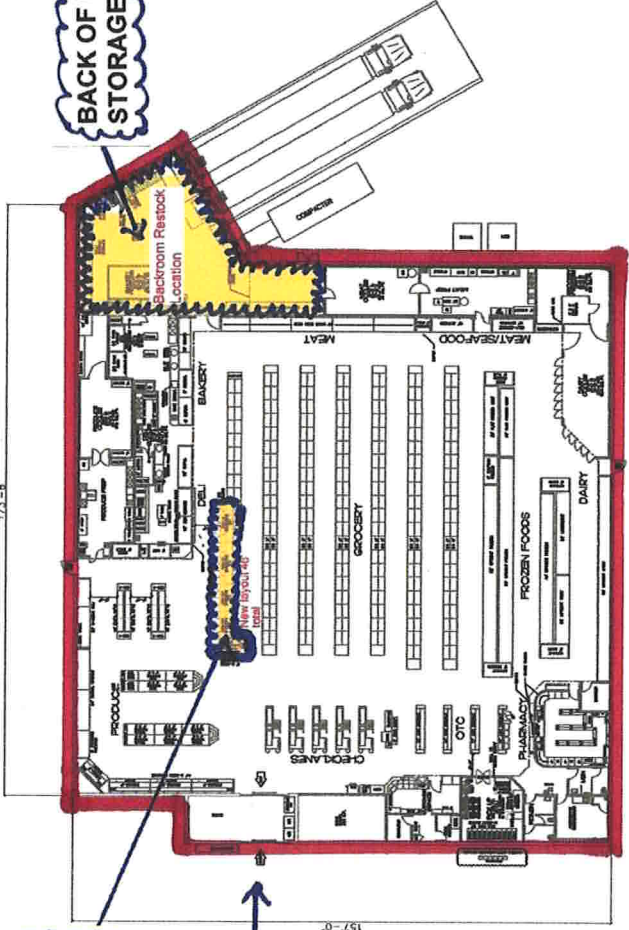
ENTRANCE  
 EXIT

157'-0"  
 157'-0"

BACK OF HOUSE  
 STORAGE

Backroom Restock  
 Location

- 1. MEAT
- 2. MEAT/SEAFOOD
- 3. DAIRY
- 4. FROZEN FOODS
- 5. GROCERY
- 6. BAKERY
- 7. PRODUCE
- 8. OTC
- 9. PHARMACY
- 10. SERVICE
- 11. RESTROOM
- 12. OFFICE
- 13. STORAGE
- 14. MECHANICAL
- 15. ELECTRICAL
- 16. PLUMBING
- 17. PAINT
- 18. GLASS
- 19. METAL
- 20. WOOD
- 21. OTHER



27,520 S.F.

AFTER DIAGRAM

MINOR CAPITAL  
 CM-441  
 850 CASTLE VALLEY BLVD  
 NEW CASTLE, CO

Kroger  
 PROJECT NUMBER: 01-10779-0153  
 PROJECT NAME: PERMANENT MODIFICATION - FMB OFF PREMISE LICENSE #01-10779-0153

CityMarket  
 (EXIST) DIVISION  
 1577 W. 10TH ST.  
 DENVER, CO 80202  
 FAX: 303-733-9242

GENERAL NOTES:  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF DENVER BUILDING CODE AND ALL APPLICABLE ORDINANCES.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES FROM THE CITY OF DENVER.  
 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.  
 4. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 5. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY OF DENVER.  
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.  
 7. ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE CITY OF DENVER BUILDING CODE AND ALL APPLICABLE ORDINANCES.  
 8. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.  
 9. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE CITY OF DENVER.  
 10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.

DATE: 01/15/2014  
 DRAWN BY: J. SMITH  
 CHECKED BY: M. JONES  
 PROJECT: 01-10779-0153  
 SHEET: CM-441  
 OF: 1