

**TOWN OF NEW CASTLE, COLORADO  
RESOLUTION NO. PZ 2012-1**

A RESOLUTION OF THE NEW CASTLE PLANNING AND ZONING  
COMMISSION RECOMMENDING CONDITIONAL APPROVAL OF  
A CONDITIONAL USE PERMIT FOR CROSSFIT GENERATE.

WHEREAS, Crossfit Generate (hereinafter "Applicant") is seeking a Conditional Use Permit for Lot 1 in the Coal Ridge Industrial Subdivision, According to the Final Plat thereof recorded as reception number 571484, 6420 County Road 335 Unit 2 to permit a fitness center; and

WHEREAS, pursuant to § 17.52.050 of the Town's Municipal Code the uses proposed by Applicant are conditional uses in the industrial zone district, requiring the issuance of a conditional use permit under § 17.84; and

WHEREAS, pursuant to Municipal Code § 17.84.050 the Planning Commission hereby finds that the conditional use permit application:

1. is eligible for conditional review under Section 17.84.040;
2. is generally compatible with adjacent land uses;
3. meets all requirements of Section 17.84.020, is in compliance with this title and minimizes potential adverse impact of the conditional use on adjacent properties and traffic flow;
4. is consistent with the comprehensive plan;
5. the Town has the capacity to serve the proposed use with fire and police protection; and
6. the property is served by a private water and sewer system

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

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

2. Listing of Approved Uses. The following constitute the permitted uses for this property:

- A. Fitness center and accessory uses including incidental sales of apparel and fitness related products.

3. Recommendation. The Planning and Zoning Commission hereby recommends that the Town Council approve the Applicant's conditional use permit pursuant to Section 17.84.050 of the New Castle Municipal Code on the following conditions:

A. The Applicant shall comply with all applicable building, residential, electrical and municipal code requirements.

B. The applicant will contact the Burning Mountains Fire Protection District to determine the maximum person capacity of lease space #2 and post a sign indicating same prior to instructing clients.

C. The applicant will submit a letter to the Town from the Fire Marshall that approves the proposed use of lease space #2 prior to instructing clients.

D. The applicant will comply with all sign code regulations of the New Castle Municipal Code.

E. Except for Saturdays, the applicant will obtain written approval from the owners of lot 1 for use of additional parking spaces if he has more than twenty-four (24) students in a class at any given time.

F. In the event the Town receives any complaints about the use of the site or observes or becomes aware of any violations of the conditional use approval, the Applicant and/or owner may be summoned before the Town Council in a public meeting to show cause why the permit should not be revoked, suspended, or additional conditions imposed. Such show-cause hearing shall be open to the public and the Applicant or owner may present testimony or offer other evidence on its behalf.

G. All representations of the Applicant made verbally or in written submittals presented to the Town in conjunction with the application and before the planning commission or Town Council shall be considered part of the application and binding on the applicant.

THIS RESOLUTION PZ 2012-1 was adopted by the New Castle Planning and Zoning Commission by a vote of 7 to 0 on the 11<sup>th</sup> day of January, 2012.

NEW CASTLE PLANNING AND  
ZONING COMMISSION

By:   
Chuck Apostolik, Chairman

ATTEST:

  
Wendy Mead, Deputy Town Clerk

