



SPECIAL PLANNING COMMISSION MEETING AGENDA
Wednesday, November 30, 2022 5:00 PM
City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose Planning Commission is pleased to have residents of the community take time to attend Planning Commission Meetings. We encourage your attendance and participation. Individuals wishing to be heard during public hearing proceedings are encouraged to be prepared and will generally be limited to three minutes to allow everyone the opportunity to be heard. The 11:00 p.m. rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).

Additional written comments are welcome. If you would like to comment on an agenda item, please email planningmail@cityofmontrose.org. Written comments must be received by noon one week prior to the meeting in order to be included in the Planning Commission packet. After that deadline, comments received by noon the day prior to the meeting will be distributed to the Planning Commission on the meeting day.

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. In order to allow time to book this resource, please email planningmail@ci.montrose.co.us at least three days before the meeting.

- 1) Planning Commission meeting called to order
- 2) Roll call by the Planning Commission Chair
- 3) Approval of Minutes of the October 26, 2022 Planning Commission meeting
- 4) Additions or Deletions
- 5) **CEDAR VIEW SUBDIVISION AMENDED PRELIMINARY PLAT #3** This proposed preliminary plat will subdivide the remaining unbuilt portions of the Cedar View Subdivision into 86 future lots. The project is located east of Elbert Castle Ave, Elbert St, and Evans St. The property is zoned "R-6" Medium Density/Manufactured Housing District. The applicant is Matt Miles with Cedarview Development, LLC.
- 6) **SEASONS SUBDIVISION REZONE** This is a request to rezone portions of the Seasons Subdivision east of Pennsylvania St from "R-3A" Medium High Density District to "R-4" High Density District, and northeast of the roundabout at the intersection of S Hillcrest Dr and Miami Rd from "B-4" Neighborhood Shopping District to "R-4" High Density District. The applicant is AMG & Associates, LLC.



- 7) **THE GROVE SUBDIVISION SKETCH PLAN** This is a review and discussion of the Sketch Plan for The Grove Subdivision. The property is approximately 44.64 acres in size. This subdivision is located on Outlot A of the Brian Nichols-Amerdev Minor Subdivision, along 6725 Rd, southeast of the intersection with Otter Rd (Montrose Parcel #399302312002). The property was annexed into the City in 2008, and is zoned “R-2” Low Density District. This sketch plan proposes 129 single-family residential lots. The applicant is Chris Koch.
- 8) Other Business
- 9) Next Meeting will be December 14, 2022
- 10) Motion to Adjourn



The Montrose City Planning Commission held a meeting on October 26, 2022 at 5:00 p.m. in City Hall Council Chambers. The meeting agenda was posted in accordance with the Colorado Open Meetings Act (C.R.S. §24-6-401, et.seq.).

Planning Commissioners Present: Chad Huffman (Vice-Chair), Steve Ball, Phoebe Benziger, Jan Chastain, Delphine Jadot, and Ronald Cairns (alternate). Absent: David Fishing (Chair), Richard Rogers.

Staff Members Present: Jace Hochwalt (Planning Manager), William Reis (Planner I), Ben Morris (City Attorney), Chris Dowsey (Assistant City Attorney), Scott Murphy (City Engineer), Sharon Dunning (Building Services Technician), Greg Story (Information Systems Director), Montrose Police Officer.

There were 26 members of the public in attendance.

CALL TO ORDER

Vice-Chairperson Chad Huffman called the meeting to order at 5:00 p.m.

APPROVAL OF MINUTES

Phoebe Benziger moved to approve the minutes of the October 12, 2022 meeting as submitted. Ronald Cairns seconded, and the motion carried unanimously.

ADDITIONS OR DELETIONS

None.

VARGAS REZONE.

This is a request to rezone 820 6550 Road from “R-2” Low Density District to “R-5” Low Density/Manufactured Housing District. The property to be rezoned is approximately 1.1 acres. The applicant is Rudy Vargas.

Staff Presentation

Jace Hochwalt introduced this item. All public requirements have been fulfilled and the official files and exhibits have been entered into the record.

Applicant Presentation

The applicant was not present.

Questions for Staff

Planning Commissioners and staff discussed the number of dwelling units allowed on a parcel in the requested zoning.

Public Hearing

None.

Discussion

Planning Commissioners discussed allowable uses in the requested zoning.

Motion and Vote

Jan Chastain moved to recommend approval of the rezone request of the Vargas property to the “R-5” Low Density/Manufactured Housing District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report. Ronald Cairns seconded, and the motion passed unanimously.

SEASONS SUBDIVISION REZONE.

This is a request to rezone portions of the Seasons Subdivision east of Pennsylvania Street from “R-3A” Medium High-Density District to “R-4” High Density District, and northeast of the roundabout at the intersection of S Hillcrest Drive and Miami Road from “B-4” Neighborhood Shopping District to “R-4” High Density District. The applicant is AMG & Associates, LLC.

Staff Presentation

William Reis introduced this item. All public requirements have been fulfilled and the official files and exhibits have been entered into the record.

Applicant Presentation

Fred Ballard of Del-Mont Consultants, representing the applicant, came forward to answer any questions.

Questions for Applicant and Staff

Planning Commissioners and applicant discussed the reasons for the requested higher density. Staff answered questions about the different zoning districts, building height limitations and open space requirements.

Public Hearing

One member of the public came forward to speak in favor of the requested zoning.

Ten members of the public came forward to state their concerns about impacts to their neighborhood with the density of the requested zoning. The specific concerns were 3-story apartment buildings and backyard privacy, increased traffic, availability of utilities, fire and police protection, decrease in property values and dangers to pedestrians.

Questions for Staff

Planning Commissioners and staff discussed affordable types of housing, utilities, number of increased housing units with the requested zoning, environmental issues and stormwater, traffic studies and long-term planning, and the 35-foot maximum building height restriction. Also discussed was the requested zoning correcting the split zoning and providing more flexibility for the developer.

Discussion

Planning Commissioners discussed workforce housing, density, future traffic, and whether the zoning is appropriate for the neighborhood and for the services in the area.

Motion and Vote

Delphine Jadot moved to deny the request. Phoebe Benziger seconded. Delphine Jadot, Phoebe Benziger and Steve Ball voted in favor of the motion. Jan Chastain, Chad Huffman, and Ron Cairns opposed the motion. The motion failed.

PAINTED WALL SUBDIVISION SKETCH PLAN.

This is a review and discussion of the Sketch Plan for the Painted Wall Subdivision and Amended PD. The property is approximately 3.32 acres in size and is bordered on the north and west by Painted Wall Lane, on the south by Odelle Road, and on the east by the Loutsenhizer Canal. The property is zoned “R-3A” Medium High-Density District. The property is planned to have 8 single-family residential lots. The current PD designates the area as multi-family residential, with plans for 24 units. A PD Amendment would allow the property to have reduced density. The applicant is Sharon Porter.

Staff Presentation

William Reis introduced this item. All public requirements have been fulfilled and the official files and exhibits have been entered into the record.

Applicant Presentation

Sharon Porter, applicant, came forward to discuss the project.

Questions for Applicant

Planning Commissioners and applicant discussed the changes from the previous sketch plan, including the type and size of the houses and garages, and the design for utilities.

Public Hearing

None.

Discussion

Planning Commissioners discussed the fit with the neighborhood and verified with the applicant that it met with the requirements of the Bridges architectural committee.

Motion and Vote

No action.

OTHER BUSINESS

None.

NEXT MEETING

The next regular Planning Commission meeting is scheduled for November 9, 2022.

There will be a special Planning Commission meeting at the end of November.

PUBLIC COMMENT

None.

ADJOURNMENT

Phoebe Benziger moved to adjourn the meeting. Delphine Jadot seconded, and the meeting ended at 7:24 p.m.

CHAIRPERSON

ATTEST



CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission

FROM: William Reis, Planner II

DATE: November 30, 2022

RE: Cedar View Subdivision Amended Preliminary Plat #3

ATTACHMENTS

- Exhibit A: Maps
- Exhibit B: Excerpt from City of Montrose Municipal Code

Public notice requirements have been fulfilled in accordance with Section 4-4-31(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 100 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the Cedar View Subdivision Amended Preliminary Plat #3. The Planning Commission will consider all of the information in this memo in making a decision.

Applicant: Matt Miles, Cedarview Development, LLC

Application Background:

The Cedar View Amended Preliminary Plat #3 is a proposed single-family residential development in eastern Montrose. This Amended Plat renews the remaining unbuilt portion of the Cedar View Subdivision into 86 future lots, in 4 phases. The project is located east of Elbert Castle Ave, Elbert St, and Evans St. The project is in the "R-6" Medium Density/Manufactured Housing District.

The hearing before City Council to approve or deny the Preliminary Plat is tentatively scheduled for December 20, 2022.



Staff Analysis:

1. Subdivision Application Details & Review Standards:

The City of Montrose Municipal Code outlines the process and standards for Subdivision applications. The preliminary plat and proposed improvements shall comply with all requirements of the subdivision regulations and other applicable City design and construction specifications and standards. The Planning Commission should consider whether the project meets the standards outlined within Section 4-7-5 (A)(2) and summarized below: (See Exhibit B)

- The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:
 - a. Conformance with the master plan and zoning regulations;
 - b. Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
 - c. Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
 - d. Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - e. Adjacent streets and traffic flow, including pedestrian access;
 - f. Availability of fire, police and other emergency services protection;
 - g. Impacts on area schools.

2. The Comprehensive Plan Future Land Use Map designates the area as Residential Mixed Density Medium.

- *Residential Mixed Density Medium. This district provides primarily for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.*

3. Zoning Regulations:

- Municipal Code, Section 4-4-8.2 (A) Intent: The “R-6” Medium Density/Manufactured Housing District is intended to provide a quiet, medium-density development for single-family residences and duplexes. Manufactured housing meeting the performance standard of the City of Montrose Municipal Code is allowed.
- The proposed use is a use-by-right in these zoning districts. The current zoning is compatible with general conditions in the area. The property is adjacent to properties that are also zoned “R-6” Medium Density/Manufactured Housing District, “R-3A” Medium High Density District, “B-2” Highway Commercial District, “B-3” General Commercial District, and “P” Public District.



- The minimum lot size requirement in the “R-6” zoning district is 7,500 SF for single-family uses, and 9,375 SF for all other uses. All lots on this preliminary plat within this zoning district meet the minimum lot size requirement.
4. The Cedar View Subdivision Amended Preliminary Plat #3 does not appear to be adverse to the public health, safety and welfare and is in compliance with the City’s Subdivision Regulations.

Planning Commission Action:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the Cedar View Subdivision Amended Preliminary Plat #3. The Planning Commission may also continue the item. Proposed motions for Planning Commission consideration are included below.

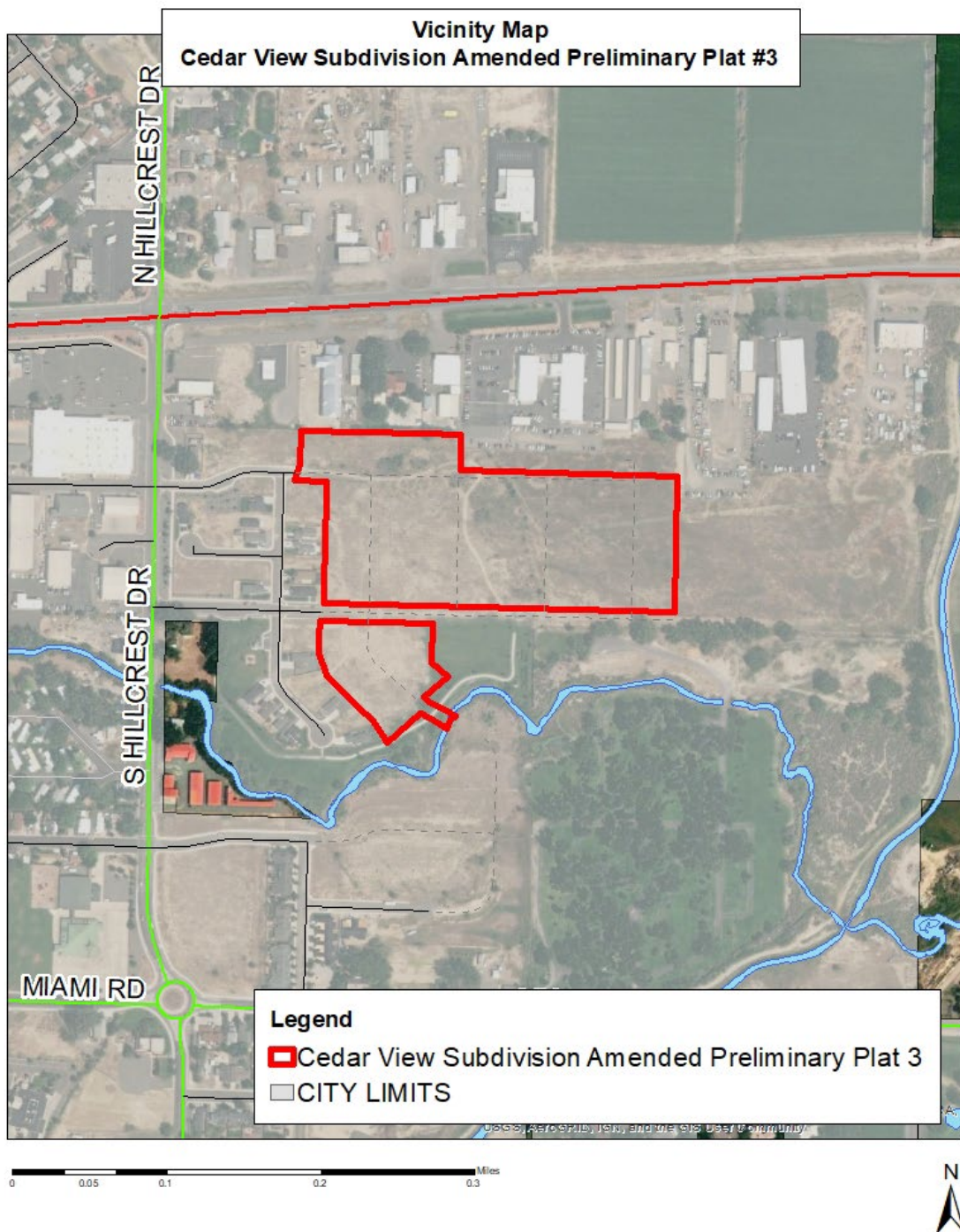
Planning Commission Recommendation Alternatives for Preliminary Plat:

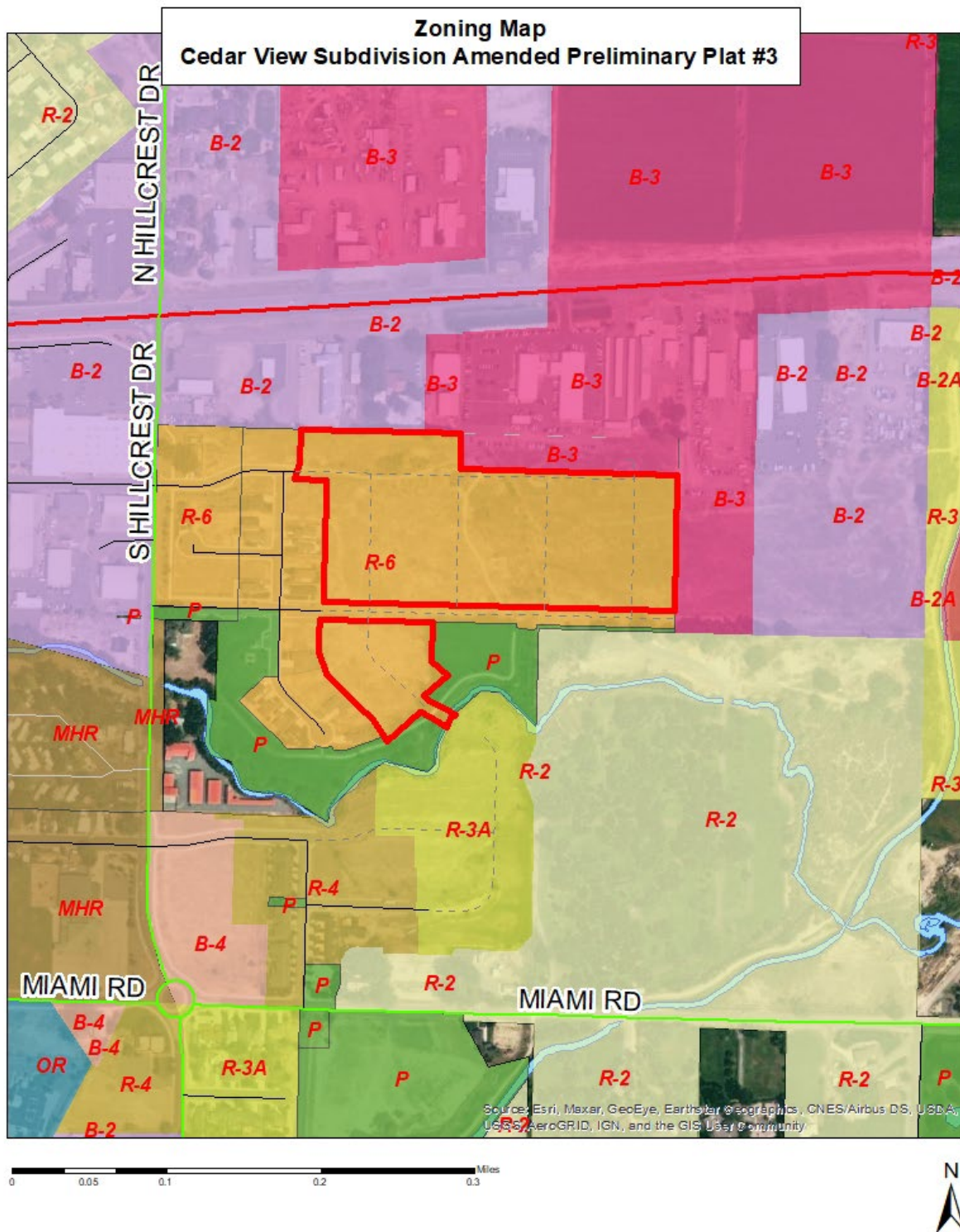
Conditional Approval Motion: “I hereby make a motion to recommend to City Council approval of the Preliminary Plat application with the following condition(s). The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report.”

Denial Motion: “I hereby make a motion to recommend to City Council denial of the Preliminary Plat application. The application does not meet the Code criteria based on evidence and testimony presented at this hearing and in the staff report.”

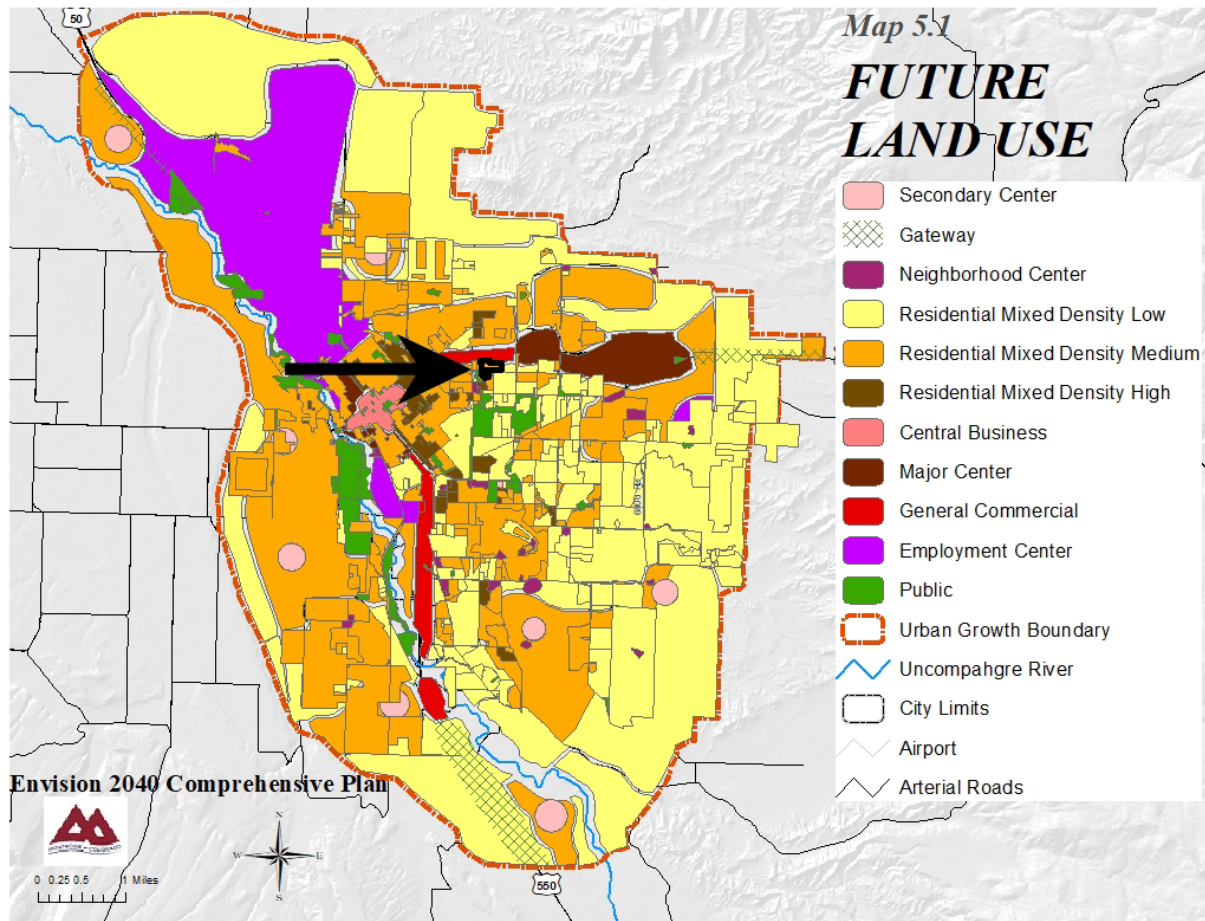


EXHIBIT A: Area Maps





Comprehensive Plan Future Land Use Map

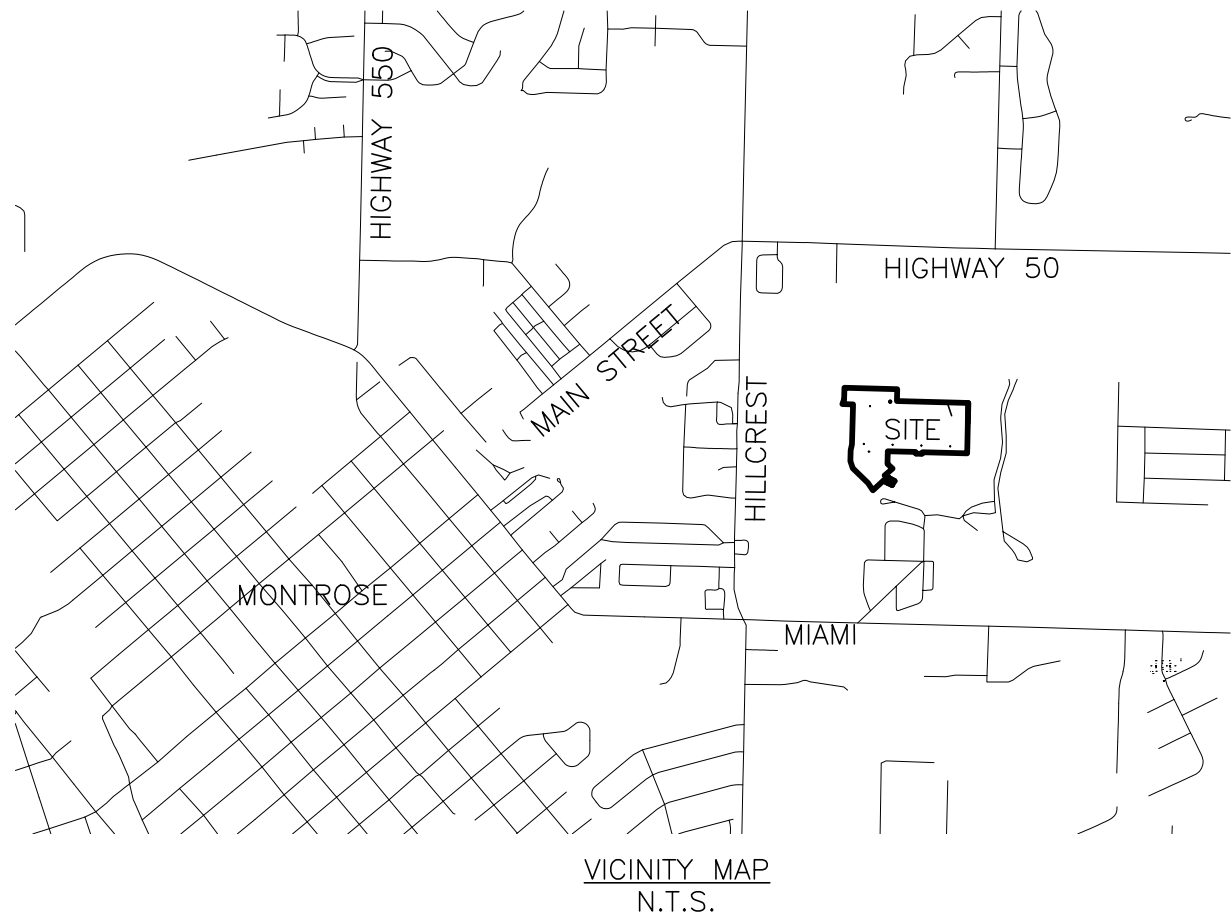


CEDAR VIEW SUBDIVISION

AMENDED 3

SITUATED IN THE NW1/4 OF SECTION 26,
TOWNSHIP 49 NORTH, RANGE 9 WEST, N.M.P.M. CITY OF MONTROSE,
MONTROSE COUNTY, STATE OF COLORADO

AMENDED PRELIMINARY PLAT



CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS that the undersigned being the owners of certain lands in the City of Montrose, County of Montrose and State of Colorado to wit:

Outlot A, Cedar View East Minor Subdivision according to the Plat recorded December 17, 2020 at Reception No. 929611, County of Montrose, State of Colorado AND
Outlot B, Cedar View Subdivision No. 2 according to the plat recorded August 24, 2010 at Reception No. 816790, County of Montrose, State of Colorado

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Cedar View Subdivision Amended 3 and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Harvard Avenue, Elbert Street, La Plata Avenue, Yale Court, and Wilson Court and Tract 7, as hereon shown.

The easements shown on this plat are dedicated, granted, and conveyed to the City of Montrose, Colorado for public utility purposes including but not limited to water, sewer, electrical, telephone, gas and CATV lines, and drainage easements specifically labeled for dedication, together with a perpetual right of ingress and egress for installation, maintenance and replacement of such facilities. The dedication of easements as herein provided shall not include those easements exclusively utilized for irrigation improvements, if any, or otherwise subject to a previously recorded conveyance.

Executed this _____ day of _____, 20____.

Cedarview Development LLC

STATE OF _____)
COUNTY OF _____)ss.
_____)

The above Certificate of Dedication and Ownership was acknowledged before me on this _____ day of _____, 20____,
by _____, Cedar View Development, LLC

Witness my hand and official seal.

My commission expires _____

Notary

APPROVAL OF PRELIMINARY PLAT

City Engineer _____ Date _____
Scott Murphy, P.E.

City Attorney _____ Date _____
Ben Morris

City Planning _____ Date _____
Commission Chair David Fishing

City Mayor _____ Date _____
Dave Frank

DEVELOPER: CEDAR VIEW DEVELOPMENT LLC
P.O. BOX 239 Rd.
Montrose, CO 81402

ENGINEER: Del-Mont Consultants, Inc.
125 Colorado Ave.
Montrose, Colorado 81402
1-970-249-2251

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

BASIS OF BEARINGS:

The basis of bearings is the North line of Lot 3 Cedar View Subdivision which bears N88°24'35"W. (ASSUMED)

LINEAL UNITS STATEMENT:

The Lineal Unit used on this plat is U.S. Survey Feet

ATTORNEY'S CERTIFICATE

I, _____, an attorney at Law, duly licensed to practice in Colorado, do hereby certify that I have examined the title of all land herein platted and described in the above Certificate of Ownership and Dedication, and that title to such land is in the owners and dedicators; and that the title to all dedicated property therein described, is free and clear of all liens and encumbrances, except

Attorney

Registration No. _____

Date: _____

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 20____, by _____, Deputy City Manager of the City of Montrose all conveyances of interests in real property made on this plat are hereby accepted by the City.

Deputy City Manager

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, _____, City Engineer, certify that all improvements and utilities required by the current Subdivision Regulations of the City of Montrose, have been constructed, inspected and approved in this Subdivision in accordance with applicable City Regulations and Specifications except as follows:

City Engineer

Registration No. _____

Date: _____

APPROVAL OF CITY ATTORNEY

Approved for recording this _____ day of _____, 20____ by _____, City Attorney of the City of Montrose.

City Attorney

APPROVAL OF CITY COUNCIL

Approved this _____ day of _____, 20____ by _____, City Manager of the City of Montrose; all conveyances of interests in real property made on this plat are hereby accepted by the City.

Mayor

PLAT NOTES:

1. The drainage easements shown hereon shall be maintained by the owners of the lots encumbered by the easement in a manner that preserves the grade as originally established and so as to not impede the free flow of water in any way, including but not limited to the construction of fencing and other improvements, or the planting or encroachment of trees and shrubs and other impeding vegetation. The City is not responsible or liable in any manner for the maintenance, repair, or operation of any pipelines, ditches or improvements as located within said easements. Upon failure to properly maintain the drainage easements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed and assess the costs thereof to such owners, and may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

2. Each dwelling unit in the Cedar View East Amended Preliminary Plat shall be required to make payment of money in lieu of school land dedication, at the time of issuance of building permit or certificate of occupancy relative to improvements upon said lot. The payment of money in lieu of school land dedication is subject to Section 4—7—7(C)(7) of the Municipal Code. Payments shall be made to the City, to be later disbursed to the RE—1J School District.

3. Privately Owned Open Space, Parks, and other Improvements

All open space tracts, now existing or hereafter conveyed, shall be owned and maintained by an owners' association, or in the absence of an owners' association lawfully formed for such purposes, by the owners of all lots final platted in Cedar View Subdivision jointly and severally. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such properties and/or improvements, nor shall the City be responsible for future dedications of such properties. Upon failure to properly maintain such properties and/or improvements shown hereon, or in the need to abate a nuisance or public hazard, the City may cause the maintenance or repair to be performed, and assess the costs thereof to such owner(s), or the City may certify such charges as a delinquent charge to the County Treasurer to be collected similarly to taxes or in any lawful manner.

A. Conveyance of Private Open Space and Tracts to Owners' Association

By executing this Plat, the owner(s) whose signature(s) appear hereon, joined by the Lienholder(s), if any, whose signatures also appear on this Plat, for and in consideration of TEN AND NO/100 DOLLARS (\$10.00), and other good and valuable consideration, in hand paid, hereby sell(s) and quit claim(s) to Cedar View Development Owners' Association a Colorado nonprofit corporation, Tract 6, Tract 8 and Tract 9 shown and designated on this Plat.

B. Drainage

All Open Space Tracts contain drainage swales, sheet flow areas and/or improvements that are to be maintained by an Owner's Association. Dedicated City drainage easements as shown on this plat contain storm drain piping and structures that are to be maintained by the City.

C. Pedestrian Facilities

Open space Tract 6 will contain improved pedestrian facilities for the use of the public.

D. Certificate of Good Standing

The owner(s) whose signature(s) appear on the Certificate of Dedication and Ownership on this Plat have provided the City a current, valid, Certificate of Good Standing bearing Confirmation No. _____ from the Colorado Secretary of State, as proof of the above-named HOA or Owners' Association entity's: i) compliance with all applicable requirements of the Colorado Secretary of State, and ii) good standing with the Colorado Secretary of State.

E. Declaration of Covenants Recorded

The Declaration of Covenants, Conditions, and Restrictions for Cedar View Development Owners' Association, applicable to the development platted hereon, and made binding to the entity named above, was recorded under Reception No. 816417, on the 4th day of August, 2010 in the office of the Montrose County Clerk and Recorder

ENGINEER'S CERTIFICATE

I, Steven Stevenson, a Registered Engineer in the State of Colorado, do hereby certify that the sanitary sewer system, water distribution system and the storm drainage system shown on the accompanying plans of this Subdivision are properly designed, meet City of Montrose specifications, and are adequate to properly serve the Subdivision shown hereon. I further certify that the sanitary sewer system, water distribution system, storm drainage system, streets, parks, and other improvements are designed and constructed in accordance with applicable City specifications and regulations.

Engineer
Registration No. 40020
Date: _____

SURVEYOR'S CERTIFICATE

I, Nicholas Barrett, a Registered Land Surveyor in the State of Colorado, do hereby certify that there are no roads, pipelines, irrigation ditches or other easements or rights-of-way in evidence or known to me to exist on or across said property except as shown on this plat. I certify that I have made the survey represented by this plat and that this plat accurately represents said survey, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law. I further certify that all monuments shown hereon actually exist and their positions are as shown.

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title policy issued by

Nicholas Barrett
Registration No. 38037
Date: _____

RECORDER'S CERTIFICATE:

This plat was filed for record in the office of the Clerk and Recorder of Montrose County at _____ m. on the _____ day of _____, 20____. Reception No. _____

County Clerk & Recorder

Deputy

PRELIMINARY				TITLE: CEDAR VIEW SUBDIVISION AMENDMENT 3	
DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81402 • (970) 249-2251 • www.del-mont.com • service@del-mont.com				CLIENT: CEDARVIEW DEVELOPMENT LLC	
ADDRESS & PHONE: 1521 OXBOW DRIVE #210 MONTROSE, CO 81401 (970)249-3398					
FIELD BOOK: 873	DRAWN BY: NF	DATE: 2022-11-03			
SHEET: 1 of 3	FILE: 20086V_PLAT_AMENDED	JOB NO.: 20086	TYPE: PRELIMINARY PLAT		

CEDAR VIEW SUBDIVISION

AMENDED 3

SITUATED THE IN NW1/4 OF SECTION 26,
TOWNSHIP 49 NORTH, RANGE 9 WEST, N.M.P.M. CITY OF MONTROSE,
MONTROSE COUNTY, STATE OF COLORADO
AMENDED PRELIMINARY PLAT

LEGEND

- = FD. REBAR & CAP (L.S. AS NOTED)
- ◆ = SET 5/8"x18" REBAR W/ 1 1/2" ALUMINUM CAP (P.L.S. 38037)
- = FD. SURVEY MONUMENT AS NOTED
- △ = SIGHT TRIANGLE PER CITY OF MONTROSE SUBDIVISION REGULATIONS
- (A) = 20' UTILITY EASEMENT BY THIS PLAT
- (B) = 30' UTILITY EASEMENT BY THIS PLAT
- (C) = 10'x10' SANITARY SEWER EASEMENT BY THIS PLAT



LINE TABLE		
LINE #	DIRECTION	LENGTH
L26	N47°23'10"E	26.20'
L27	S63°27'41"E	26.47'
L28	N63°27'41"W	27.42'
L29	N47°56'26"W	3.06'
L32	S88°24'35"E	99.61'
L33	S88°24'35"E	149.57'
L52	S47°44'21"E	17.17'
L53	S47°41'27"E	54.45'

CURVE DATA						
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	
C42	86.45'	100.00'	049°31'51"	S23°10'30"E	83.78'	
C45	8.87'	11.00'	046°13'11"	S24°49'50"E	8.63'	
C46	1.46'	11.00'	007°36'45"	S02°05'08"W	1.46'	
C47	53.94'	50.00'	061°48'55"	S25°01'01"E	51.37'	
C48	13.61'	125.00'	006°14'14"	S60°20'34"E	13.60'	
C49	52.37'	50.00'	060°00'43"	N27°37'54"E	50.01'	
C50	23.54'	71.67'	018°49'08"	N54°28'23"W	23.44'	
C51	32.46'	50.00'	037°12'01"	N83°10'18"W	31.90'	
C52	10.33'	11.00'	053°49'53"	N74°51'22"W	9.96'	
C58	40.72'	125.00'	018°40'00"	S07°44'35"E	40.54'	
C59	41.16'	125.00'	018°51'54"	S26°30'32"E	40.97'	
C60	26.18'	125.00'	011°59'57"	S41°56'27"E	26.13'	
C66	64.84'	75.00'	049°31'51"	S23°10'30"E	62.84'	
C67	10.69'	33.00'	018°33'11"	S07°41'10"E	10.64'	
C68	7.36'	7.50'	056°15'12"	N26°32'07"W	7.07'	
C69	25.64'	51.00'	028°48'11"	N40°15'38"W	25.37'	
C70	46.50'	51.00'	052°14'44"	N00°15'50"E	44.91'	
C71	28.10'	51.00'	031°33'48"	N42°10'06"E	27.74'	
C72	25.26'	51.00'	028°22'22"	N85°44'42"E	25.00'	
C73	25.26'	51.00'	028°22'31"	S65°52'52"E	25.00'	
C74	25.26'	51.00'	028°22'31"	S37°30'21"E	25.00'	
C75	46.60'	51.00'	052°21'29"	S02°51'39"W	45.00'	
C76	25.64'	51.00'	028°48'01"	S43°26'24"W	25.37'	
C77	7.36'	7.50'	056°14'56"	S29°42'56"W	7.07'	
C78	7.36'	7.50'	056°14'53"	N26°32'01"W	7.07'	
C79	25.63'	51.00'	028°47'54"	N40°15'30"W	25.36'	
C80	46.60'	51.00'	052°21'19"	N00°19'06"E	45.00'	
C81	28.00'	51.00'	031°27'14"	N42°13'23"E	27.65'	
C82	25.26'	51.00'	028°22'22"	N85°44'43"E	25.00'	
C83	25.26'	51.00'	028°22'31"	S65°52'51"E	25.00'	
C84	25.26'	51.00'	028°22'29"	S37°30'20"E	25.00'	
C85	46.60'	51.00'	052°21'27"	S02°51'40"W	45.00'	
C86	25.64'	51.00'	028°48'17"	S43°26'32"W	25.37'	
C87	7.36'	7.50'	056°15'15"	S29°43'03"W	7.07'	
C90	12.11'	51.00'	013°36'31"	S64°45'15"W	12.08'	
C91	12.11'	51.00'	013°36'31"	S64°45'16"W	12.09'	
C94	27.44'	34.42'	045°40'35"	N39°56'55"W	26.72'	

AREA SUMMARY:

LOTS: 86 SINGLE FAMILY	13.39 ACRES
RIGHT OF WAY	3.06 ACRES
TRACT 6, 8 AND 9	0.80 ACRES
TRACT 7	0.07 ACRES
TOTAL	17.32 ACRES

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

PRELIMINARY



DEL-MONT CONSULTANTS, INC.
125 Colorado Ave. Montrose, CO 81401
(970) 249-2251 • (970) 249-2342 FAX
www.del-mont.com • service@del-mont.com

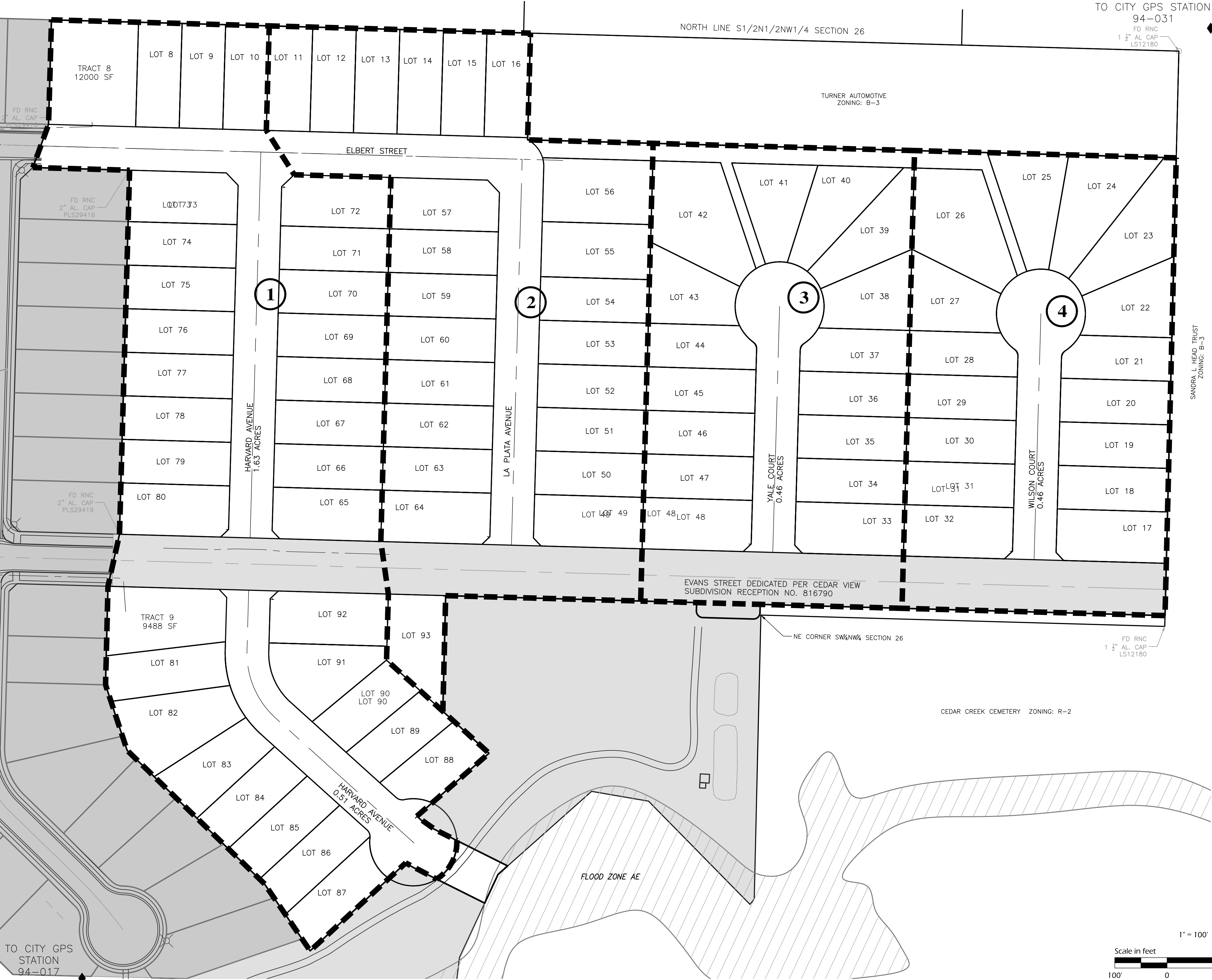
FIELD BOOK:	873	DRAWN BY:	NF/DCC	DATE:	2022-11-03
SHEET:	2 of 3	FILE:	20086V_PLAT_AMENDED	JOB NO.:	20086

TITLE:	CEDAR VIEW SUBDIVISION AMENDED 3
CLIENT:	CEDARVIEW DEVELOPMENT LLC
ADDRESS & PHONE:	1521 OXBOW DRIVE #210 MONTROSE, CO 81401 (970)249-3398
TYPE:	PRELIMINARY PLAT



CEDAR VIEW SUBDIVISION
AMENDED 3

SITUATED THE IN NW1/4 OF SECTION 26,
TOWNSHIP 49 NORTH, RANGE 9 WEST, N.M.P.M. CITY OF MONTROSE,
MONTROSE COUNTY, STATE OF COLORADO
AMENDED PRELIMINARY PLAT



LEGEND

= PHASE NUMBER
--- = PHASE BOUNDARY

PHASE 1	31 LOTS
PHASE 2	23 LOTS
PHASE 3	16 LOTS
PHASE 4	16 LOTS
TOTAL	86 LOTS

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

PRELIMINARY		TITLE: CEDAR VIEW SUBDIVISION AMENDED 3	
DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. Montrose, CO 81401 (970) 249-2251 (970) 249-2342 FAX www.del-mont.com service@del-mont.com		CLIENT: CEDARVIEW DEVELOPMENT LLC	
FIELD BOOK: 873		ADDRESS & PHONE: 1521 OXBOW DRIVE #210 MONTROSE, CO 81401 (970)249-3398	
DRAWN BY: NF/DCC		DATE: 2022-11-03	
SHEET: 3 of 3		JOB NO.: 20086	
FILE: 20086V_PLAT_AMENDED		TYPE: PRELIMINARY PLAT	

EXHIBIT B: Code Excerpts for Subdivisions

Sec. 4-7-5. Subdivision procedure.

- (A) The subdivision of land shall be accomplished in accordance with the procedures provided in this Section, except for those instances where different governing procedures are set forth pursuant to Sections 4-7-9 through 4-7-11, Informal Review and Sketch Plan. The City Council shall set all application fees related to land use action per resolution.
- (1) Prior to submittal of the subdivision application, the subdivider shall make a reasonable effort to consult informally with property owners of record adjoining or within 100 feet of the proposed subdivision, and the City. No fee shall be required for such review or discussions of any plans or data concerning the proposed subdivision, prior to sketch plan review. The City shall not be bound by virtue of any discussions during the informal review stage.
 - (2) The proposal shall be consistent with the Master Plan, City subdivision and Zoning Regulations, standards and other applicable ordinances and regulations and will be reviewed, considering the following at a minimum.
 - (a) Conformance with the Master Plan and Zoning Regulations;
 - (b) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics;
 - (c) Availability of water, means of sewage collection and treatment, stormwater drainage, access and other utilities and services;
 - (d) Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - (e) Adjacent streets and traffic flow, including pedestrian access;
 - (f) Availability of fire, police and other emergency services protection;
 - (g) Impacts on area schools.
 - (3) A subdivider who intends to immediately develop only a portion of a full tract shall nevertheless submit an informal sketch plan for the entire tract showing his present plans for its eventual development.
 - (4) Following informal review when applicable, and in all cases except when not required by other provisions of this Chapter, the applicant shall file copies of the sketch plan application and sketch map, along with all required supporting plans, with the City. The submittal of such application, map and supporting plans shall comply with City's application and fee requirements.

Filing of a sketch plan shall not be required in cases where a subdivision, which does not qualify as a minor or amended subdivision, primarily due to a lack of installed on or off-site public improvements. In no case shall the sketch plan requirement be waived under this provision for subdivision proposals containing more than three divisions of real property, or where any part of the subdivision has been subdivided without a sketch plan under any part of this Official Code of the City of Montrose, Colorado, within the three years prior to the date of submission.
 - (5) The sketch plan review shall commence only upon submittal of a completed sketch map, a completed sketch plan application form, which form shall be provided by the City, and all required supplemental information as set forth below, as well as any additional materials determined by City staff to be necessary for processing of the application.
- (a) Sketch Map. The sketch map shall include the following:
- (i) A location map, of approximately four inches by four inches, showing the project location in relation to the City of Montrose, with appropriate reference to major and minor arterial and



- collector roads or highways.
- (ii) A detailed map showing property boundaries of the subdivision, north arrow and date. The scale of the map shall not be less than one inch equals 200 feet. The map shall include the name of the subdivision, name of the county, township, range, Section and quarter Section. The map shall further indicate zoning and land use of all lands within 300 feet of any property boundary owned by or under option to the subdivider. A title box shall be located in the lower right corner of the map. In the case of large subdivisions requiring more than one sheet at such a scale, an index map showing the total area on a single sheet shall also be submitted.
 - (iii) A conceptual drawing of the lot and street layout indicating the approximate area and number of individual lots and access to the property.
 - (iv) Significant natural and manmade features on the site, such as streams, lakes, natural drainage ways and wetlands; vegetation types including locations of wood areas; wildlife habitats; scenic corridors; visual impacts; solar access; existing buildings; utility lines and easements; irrigation ditches; bridges and similar physical features; existing development on adjacent property; and footprints of existing buildings.
 - (v) Total acreage of the tract.
 - (vi) Existing and proposed zoning district boundary lines. General land use divisions, including residential types, commercial, industrial, parks, open space and community facilities, including the proposal's relevance to underlying zoning.
 - (vii) Type and layout of all proposed infrastructure, including streets, utilities, water and sewer systems, and impact on existing systems.
 - (viii) Public use areas proposed to be dedicated to the public, the purpose of the dedication, and their relationship to existing public use areas.
 - (ix) Existing and proposed land use patterns, including street system, of both the tract proposed for development and immediately adjacent land.
 - (x) Existing site problems or peculiarities, such as areas of poor drainage, existing floodplain, geological hazards and seepage water.
 - (xi) Existing and proposed stormwater discharge facilities pertaining to the property.
- (b) Sketch Plan Application. The sketch plan application shall include, but not be limited to, the following information pertaining to the proposed subdivision (this information may be provided in a narrative format):
- (i) Estimated total number of gallons per day of water system requirements, source of water to supply subdivision requirements, and proposed dedication of water rights in accordance with existing City ordinances.
 - (ii) Estimated total number of gallons per day of sewage to be treated and means for sewage disposal.
 - (iii) Availability of electrical power, natural gas, CATV, telephone and other utilities necessary or proposed to serve the subdivision.
 - (iv) Access to the property, off-street parking, school bus stop area, and mail box location.
 - (v) Total number of proposed dwelling units.
 - (vi) Demonstrated compatibility with natural features.
 - (vii) Identification of all activities of the subdivision which shall require approval by permitting agencies at the local, state and federal level, and a description of the approval so required.
 - (viii) Names and addresses of all property owners of record adjoining or within 100 feet of the proposed subdivision.
 - (ix) Summary of issues or concerns resulting from informal review with neighboring property owners, if applicable.
- (c) Sketch Plan Supplemental Documents. The sketch plan application shall also include the following



supplemental documentation:

Disclosure of ownership, with supporting documentation from a title insurance company or, if acceptable to the City, an attorney licensed in the State of Colorado, which shall set forth a legal description of the property and title ownership of the property.

- (6) Upon complete submittal of all required information, City staff shall provide initial review of the sketch plan within 45 days. Upon completion of initial review of the plan and submission by the applicant of any supplemental materials or necessary revisions as requested by City staff, the sketch plan application shall be placed on an upcoming Planning Commission agenda for which space is available and for which all notice requirements can be met.
- (7) Advance notice of the sketch plan review by the City Planning Commission shall be provided by publication, with a location map of the property to be subdivided. Fifteen-day advance written notice shall also be provided, by hand delivery or deposit into the U.S. mail, to all property owners of record adjoining or within 100 feet of the proposed subdivision. The City shall provide such notice. The review and discussion of the Sketch Plan by the Planning Commission shall be informal and non-binding in nature, and shall serve as a means to provide guidance to the subdivider.

(B) Preliminary Plat.

- (1) An application for preliminary plat shall be submitted to the City and shall comply with applicable City submittal requirements.
- (2) The City may distribute copies of the preliminary plat and supporting plans or data as appropriate to the County Land Use Department, the school district, the natural gas, CATV, electrical power and telephone companies, the Fire Protection District, the Colorado Department of Transportation, the Federal Aviation Administration, the Uncompahgre Valley Water User's Association, applicable City departments and employees, and other entities as appropriate.
- (3) The preliminary plat and proposed improvements shall comply with all requirements of these subdivision regulations and other applicable City design and construction specifications and standards. The plat shall be drawn to a scale of not less than one inch equals 100 feet. (See Chapter 4-4 of these Zoning Regulations.)
- (4) The preliminary plat shall contain, at a minimum, the following:
 - (a) The name of the subdivision and the name, address and phone number of the subdivider, and his representatives, if applicable. Such information shall be contained in a title box located on the lower right corner of the plat.
 - (b) A certificate by the engineer or surveyor preparing the plat attesting to the accuracy of the plat. Such information shall be contained in a title box located on the lower right corner of the plat and shall be signed and stamped by the licensed professional engineer or registered surveyor, and shall indicate the scale used and direction of true north.
 - (c) A certificate by a licensed professional engineer that the water, stormwater, sewer systems, and all other improvements are properly engineered and designed in compliance with applicable requirements of the City and state.
 - (d) A certificate of ownership of the subject property.
 - (e) A location map, of approximately four inches by four inches, showing the project location in relation to the City of Montrose, with appropriate reference to significant roads or highways. The location map shall be provided both on the preliminary plat and separately on letter size paper.
 - (f) Certification on forms approved by the City to document approval of the plat; and the form of the certificates proposed to be used to comply with the requirements imposed for the final plat as found



- in Subsection (C) of this Section.
- (g) Two-foot elevation contours and the boundaries of the base flood (100-year flood) and floodway and base flood elevation data, as defined and specified in the City's floodplain management regulations.
 - (h) The then-current zoning designations of the subdivision and of adjacent properties.
 - (i) The names of the owners of record of adjacent properties, and the property lines of adjacent properties as space will allow.
 - (j) The location and ownership interest of existing and proposed watercourses including lakes, swamps, ditches and floodprone areas (the inclusion of such watercourses within the jurisdictional authority of local, state or federal regulatory agencies shall also be noted); the location of existing and proposed streets, easements, utility lines, poles and towers, sewer lines, water lines, drains, culverts and other underground utilities and stormwater drainage facilities both on the proposed subdivision and adjacent properties as practical.
 - (k) The layout of all lots showing the building lines, dimensions and lot areas and footprints of existing buildings, if any. The plat shall include at least two references to City GPS coordinates.
 - (l) The layout and location of all parks and open space.
 - (m) The location of all land to be reserved or dedicated for public use.
- (5) The following shall be submitted accompanying the preliminary plat together with plans and specifications prepared by a licensed professional engineer consistent with City standards and specifications, for all required or proposed improvements. All plans and specifications shall be signed and stamped by a licensed professional engineer.
- (a) Plans for the proposed sanitary sewer system showing location, grade, pipe sizes and invert elevations, and the connection points to the existing system.
 - (b) Plans for the water system and fire protection system showing locations, pipe size, valves, fire hydrants and connection points to the existing system.
 - (c) Plans for the storm drainage system showing location, pipe sizes, grades and discharge points, including off-site improvements. Such plans shall comply with any applicable City stormwater drainage requirements.
 - (d) Plans for any improvements specifically affecting watercourses within the jurisdictional authority of local, state or federal regulatory agencies, noting the required permits therefor.
 - (e) Plans for proposed streets, sidewalks, recreation paths, showing grade and cross Section, trails and walkways and streetlight and street names.
 - (f) A soil or geological report prepared and certified by a professional geologist or soil scientist.
 - (g) Plans for piping ditches, or improvements to waterways.
 - (h) Plans for parks and recreation facilities.
 - (i) A traffic impact study for all developments when estimated vehicle trips per day will exceed 250 and plans for recommended traffic mitigation measures. The study shall provide, but not be limited to, traffic capacity for existing road infrastructure, proper analyses of transportation linkages in conformance with transportation plan, cumulative traffic impact of development at build-out, and proposed infrastructure design to account for such considerations. The scope of the impact study may be broadened to include other nearby subdivisions and developments, allowing for cooperative participation and cost sharing.
- (6) If the applicant intends to develop the project in phases, a phasing plan will be required to be submitted to and approved by the City. The phasing plan must include the numbers of lots in each phase, the infrastructure planned for completion with each phase that is necessary to allow the phase to be properly integrated into City services as determined by the City Engineer, the amenities to be constructed with each phase, and all other information pertinent to the completion of the development.



- (7) Upon submittal of all required information, the City staff shall provide initial review of the preliminary plat within 45 days. Upon completion of initial review of the preliminary plat and submission by the applicant of any supplemental materials and revisions necessary to comply with City regulations, the Preliminary Plat Application shall be placed on an upcoming Planning Commission agenda for which space is available and for which all notice requirements can be met. City staff shall make a recommendation to the City Planning Commission to approve the preliminary plat, provided that all supporting documentation has been properly submitted and the plat meets all requirements, disapprove the plat if it does not appear to comply with the provisions of this Chapter, or approve the plat with conditions or modifications.
- (8) Advance notice of the preliminary plat review by the City Planning Commission shall be provided by publication, with location map of the property to be subdivided. The City shall provide such notice at least 15 days in advance of the scheduled meeting.
- (9) Following receipt of a completed Preliminary Plat Application, the applicant shall be required to diligently pursue the application by providing revised plans, plat maps, and other necessary information in a timely fashion. Where the applicant fails to meet this requirement, the City shall, in writing, request the applicant to withdraw the application. If the applicant fails to take any further action on the Preliminary Plat Application for a period of six consecutive months following such request to withdraw, the Preliminary Plat Application shall automatically expire and all applicable fees shall be non-refundable. When a Preliminary Plat Application has expired under this Subsection, in the event the applicant wishes to pursue development of the property the applicant must re-apply and pay any applicable fees.
- (10) Upon review by the City Planning Commission, the commission shall make a recommendation to the City Council to approve the preliminary plat, provided that all supporting documentation has been properly submitted and the plat meets all requirements, disapprove the plat if it does not appear to comply with the provisions of this Chapter, or approve the plat with modifications or conditions. The reasons for such recommendation shall be included in the minutes of the Planning Commission meeting and provided in writing to the applicant upon request.
- (11) Unless the subdivider withdraws the preliminary plat from review, or it expires as set forth herein, the plat shall be submitted to the City Council for final review and action. Advance notice of the preliminary plat review by the City Council shall be provided by posted notice.
- (12) Council may approve the preliminary plat, approve the plat subject to conditions necessary to implement the provisions of this Chapter, or disapprove the plat if the Council finds that the requirements of these regulations have not been met.
- (13) No construction of the required subdivision improvements shall commence until approval of the preliminary plat by the City Council and submittal of both a Mylar of the preliminary plat, as finally approved with signed certificates as required by the City, and a copy of the preliminary plat in a digital format acceptable to the City and compatible with City computer systems. Upon approval and submittal of the Mylar, and supporting documentation as required, the City shall then issue a written notice to proceed.

(C) Final Plat.

- (1) No land shall be subdivided, or any parcel thereof sold or conveyed, until a final plat has been approved and either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued in accordance with this Subsection (C).
- (a) Final plat submittals shall comply with all application and fee requirements. The submittal of final



plats for approval must occur within five years of approval of a related preliminary plat, unless an extension of time is granted by the City Council, or the timing of the submittal is consistent with a phasing plan that has been submitted by the applicant and approved by the City. The applicant may request and the City Council may approve an extension of time for filing the final plat where development of the project in accordance with the preliminary plat has been pursued with due diligence.

(b) Building Permits:

- (i) Until the public improvements are accepted by the City, the City shall not be obliged to issue any building permits within a subdivision, except as provided herein. Provided that all other applicable City codes and regulations have been satisfied, building permits may be issued only to the subdivider for any property with an approved Preliminary Plat. The subdivision must have sufficient access and water to allow for adequate fire protection as determined by the fire protection district. No certificates of occupancy, temporary or otherwise, shall be issued unless and until:
 - (a) All public and necessary on- and off-site improvements have been completed;
 - (b) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued by the City; and
 - (c) A final plat has been approved and recorded.
- (ii) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion shall evidence City inspection and approval.
- (iii) The two calendar year Construction Warranty shall begin to run from the date of said Preliminary Letter of Infrastructure Completion.

(c) The final plat shall contain all plat elements required as a condition of preliminary plat approval and the following, all in forms acceptable to the City:

- (i) The total number of lots and lot numbers or letters.
- (ii) Sufficient data to determine easily and reproduce on the ground the location of all monuments, and the bearing and length of every street line, boundary line, block line, lot line and building line whether curved or straight, including the radius, central angle and tangent distance for the centerline of curved streets. Other curved lines shall show arc or chord distance and radius. All dimensions shall be to the nearest 1/100 of a foot and all angles to the nearest second. The plat shall include at least two references to City GPS coordinates.
- (iii) A certificate by a registered surveyor, attesting to the accuracy of the survey plat and placement of monuments, and compliance with the requirements of this Chapter and state law.
- (iv) A certificate of dedication for streets, easements and other property dedicated for public use, properly executed and notarized.
- (v) A certificate by a licensed professional engineer that the sanitary sewer, water distribution and storm drainage systems, streets and other improvements are properly engineered, designed and constructed in compliance with all applicable requirements of the City and the state.
- (vi) Separate Certificate of Approval of the plat by the City Attorney.
- (vii) A certificate of an attorney that title to the property is in the name of those parties executing the dedication, and that property dedicated to the City will be free and clear of all liens and encumbrances affecting marketability.
- (viii) A certificate by the City Engineer specifying which improvements have been completed and listing those that require security prior to final plat approval.
- (ix) A certificate by the City Clerk as to receipt of any security for the completion of improvements.
- (x) The name of the subdivision and the name, address and phone number of the subdivider, and his representative if applicable, said information to be included within a title box located on the lower right corner of the plat.



- (xi) The name of the registered surveyor preparing the plat, the date of the plat, said information to be included within a title box located on the lower right corner of the plat.
 - (xii) A certificate of recording to be executed by the County Clerk and Recorder.
 - (xiii) The scale used, direction of true north, and basis of bearing.
 - (xiv) A location map, of approximately four inches by four inches, showing the project location in relation to the City of Montrose, with appropriate reference to significant roads or highways. The location map shall be provided both on the final plat and separately on letter size paper.
 - (xv) The location and ownership interest of all watercourses including lakes, swamps, ditches and floodprone areas; the location and names of streets, sidewalks, easements, utility lines, poles and towers, sewer lines, water lines, drains, culverts and other underground utilities and stormwater drainage facilities.
 - (xvi) The layout of all lots showing the building lines, dimensions and lot areas.
 - (xvii) The layout and location of all parks, trails, recreation paths and open space.
 - (xviii) The location of all land to be reserved or dedicated for public or other uses and the boundaries of the base flood (100-year flood) and floodway and base flood elevation data, as defined and specified in the City's floodplain management regulations.
 - (xix) Plat notes and restrictions as appropriate to implement compliance with this Chapter, conditions of approval as necessary or desirable to implement the City's Master Plan.
 - (xx) Plat notes, easements and restrictions as appropriate to implement required FAA aviation regulations.
- (2) The final plat shall be accompanied by a computation showing closure of the tract boundary to one foot in 5,000 feet or better. The final plat and accompanying plans shall be drawn to a scale of not less than one inch equals 100 feet. If discrepancies are believed to exist, the City may have the plat checked by an independent registered surveyor at the subdivider's expense.
 - (3) Any conditions or improvements imposed on the applicant by the City Council under the preliminary plat approval must be shown on the final plat and either completed, or the appropriate security under Subsection (C)(5) of this Section, prior to approval by the City Council.
 - (4) The final plat may be submitted for a portion of the preliminary plat, or phased, subject to the following conditions:
 - (a) The applicant has submitted a phasing plan that has been approved by the City.
 - (b) All required improvements, utilities and road infrastructure must be accessible to the remaining aggregate of unsubdivided land, or outlot.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat. This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.
 - (d) In instances where the dedication of land for public purposes within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to dedicate said lands upon approval of that final plat. This may include, but not be limited to, the dedication and development of land for parks, trails, open space, rights-of-way and easements.
 - (5) The final plat shall be accompanied by security for the completion of any uncompleted improvements in accordance with Section 4-7-8 of these regulations.
 - (6) Accompanying the final plat shall be two copies of the as-built plans or record drawings for sanitary sewers, storm sewers or drainage systems and the water and fire systems showing grades, pipe sizes, pipe types, outlets, connection points and other information which the City Engineer may require



along with as-built plans for all other utility systems. As-built plans and data shall also be provided in a digital format compatible with City computer systems, and in accordance with City specifications. As-built plans for any improvements not completed at the time the final plat is submitted shall be submitted prior to inspection or approval of the improvements and release of any security. All as-built plans and data shall be signed and stamped by a licensed professional engineer.

- (7) Upon complete submittal of all required information, City staff shall, within 30 days, provide initial review of the final plat. Upon completion of an initial review of the final plat and submission by the applicant of any supplemental materials or necessary revisions as requested by City staff, the application shall be placed on an upcoming City Council agenda for which space is available. No final plat shall be placed on a City Council agenda unless and until all necessary materials have been submitted, reviewed and determined by City staff to meet all applicable City codes and regulations.
- (8) City Council may approve the final plat, approve it subject to conditions necessary to implement the provisions of this Chapter, or disapprove the plat if it finds that the requirements of these regulations have not been met.
- (9) No final plat shall be approved by the City Council until:
 - (a) All of the improvements required by these subdivision regulations have been installed, inspected and approved by the City Engineer, or properly secured in accordance with the provisions of Section 4-7-8 of these regulations on forms approved by the City.
 - (b) Two hard copies of as-built plans and data for completed utility improvements have been provided, reviewed and accepted by the City Engineer, and also provided in a digital format acceptable to the City and compatible with City computer systems. As-built plans for any improvements not completed at the time the final plat is submitted, and secured in accordance with the provisions of Section 4-7-8, shall be submitted prior to inspection or approval of the improvements and release of any security. All as-built plans and data for completed utility improvements shall be signed and stamped by a licensed professional engineer.
 - (c) The final plat has been submitted in final form on two reproducible Mylars, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
 - (d) Payment to the City of any costs incurred by the City within the subdivision review process, which costs are specifically subject to reimbursement.
 - (e) The security for the two calendar year construction warranty has been provided by the subdivider in a form acceptable to the City.
- (10) Following City Council approval of the final plat and verification that the documentation has met all applicable codes and regulations, the final plat shall be executed by the appropriate City staff and recorded with due diligence.

(Code 2012, § 4-7-5; Ord. No. 2062 , 6-2-2005; Ord. No. 2092 , 11-17-2005; Ord. No. 2173 , 11-15-2007; Ord. No. 2229 , 11-5-2009)



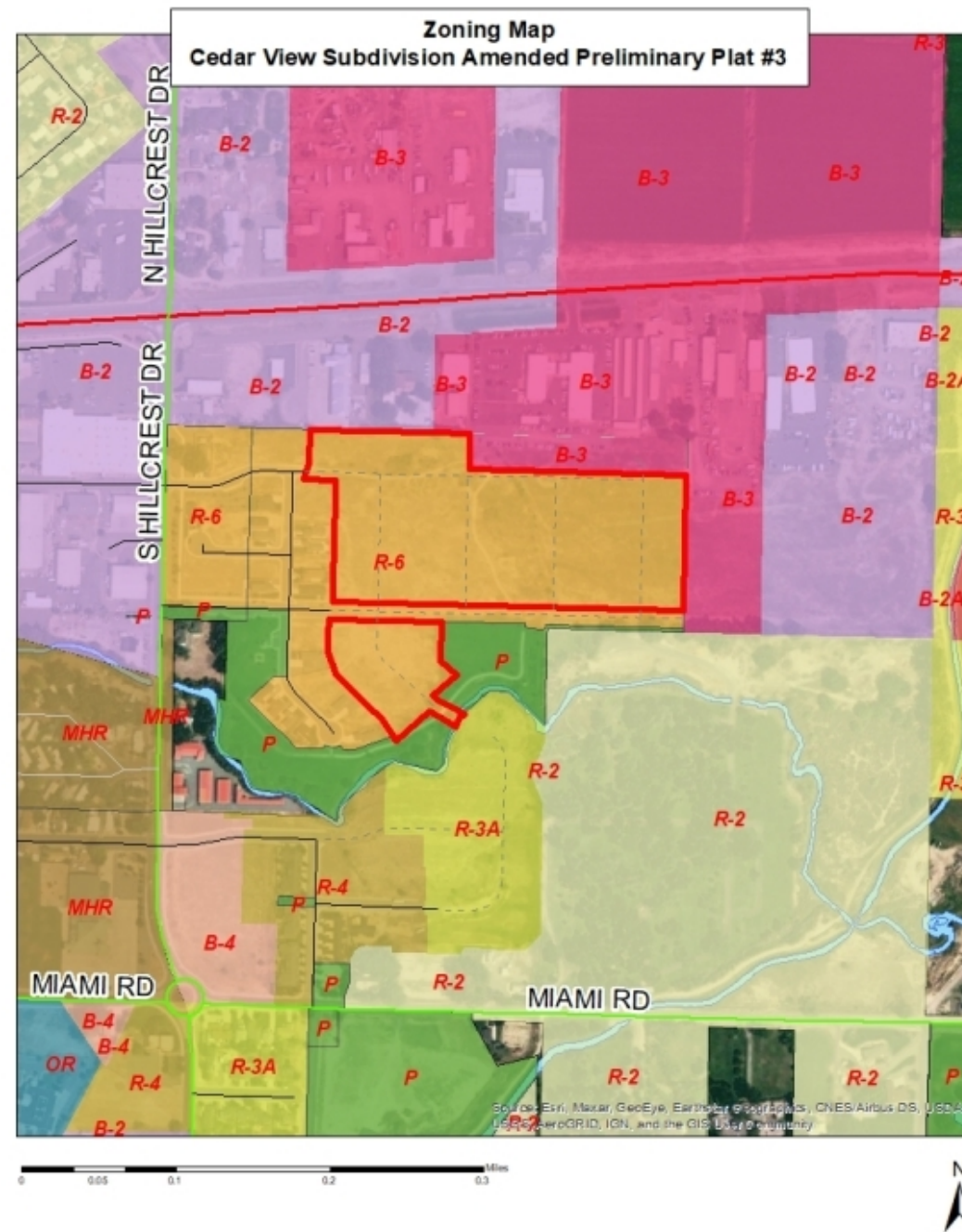


General Vicinity Map – Cedar View Subdivision Amended Preliminary Plat #3

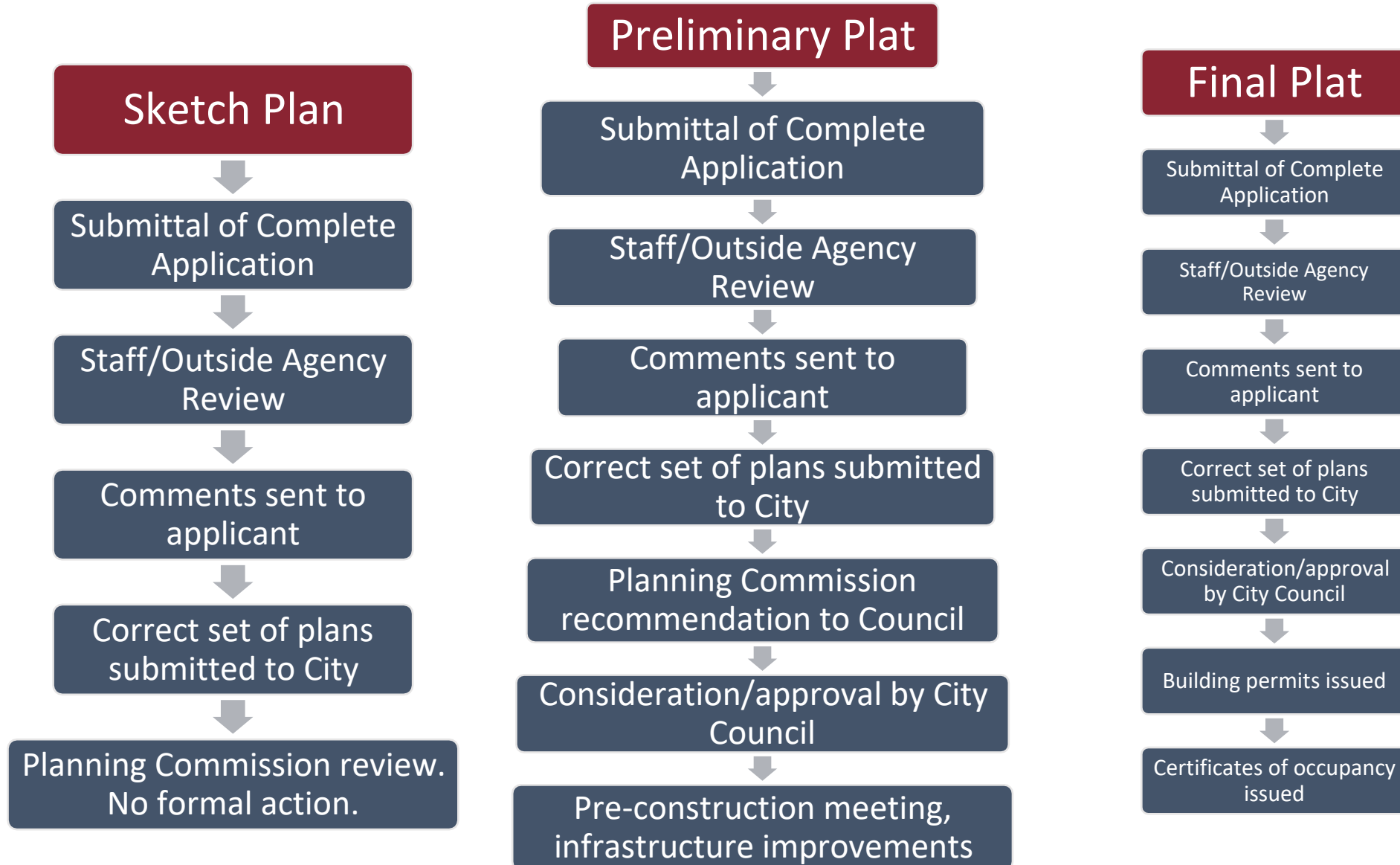


Project Background

- Approx. 17.32 acres
- 86 single-family residential lots (13.39 acres)
- Located in “R-6” Medium Density/Manufactured Housing District.
- Adjacent to “R-6,” “R-3A,” “B-2,” “B-3,” and “P.”



Subdivision Process



Standard Subdivision Review Standards

Section 4-7-5 (A)(2) (Exhibit B)

“The proposal shall be consistent with the Master Plan, City subdivision and zoning regulations, standards and other applicable ordinances and regulations and will be reviewed considering the following at a minimum:

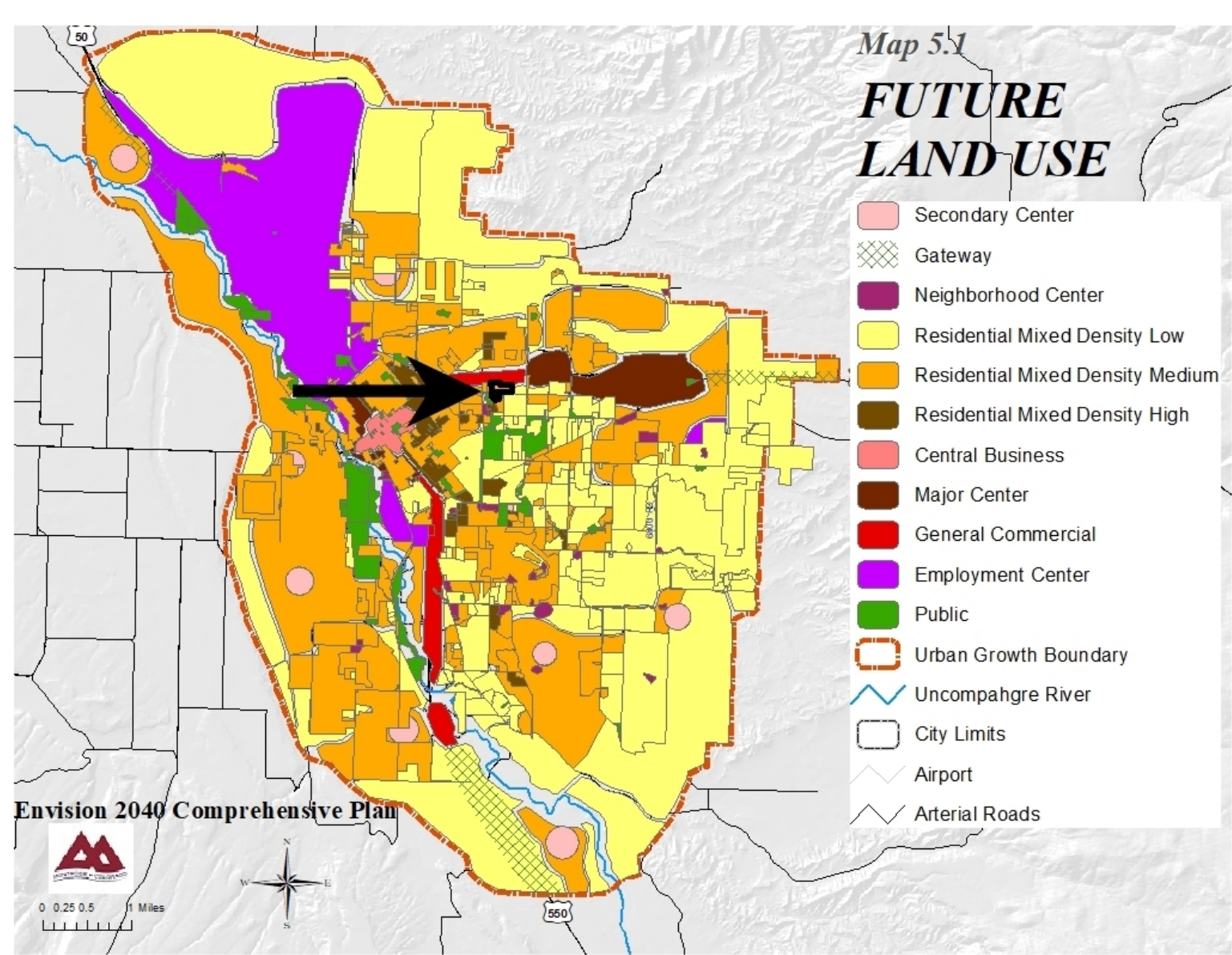
- a) Conformance with the master plan and zoning regulations;
- b) Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
- c) Availability of water, means of sewage collection and treatment, storm water drainage, access and other utilities and services;
- d) Compatibility with the natural environment, wildlife, vegetation and unique natural features;
- e) Adjacent streets and traffic flow, including pedestrian access;
- f) Availability of fire, police and other emergency services protection;
- g) Impacts on area schools.”

Comprehensive Plan & Municipal Code

- Comprehensive Plan is not legally binding. It provides guidance for zoning and other land use decisions.
- It is possible for sections of the Comprehensive Plan to conflict, and it is reasonable that a decision may not satisfy every aspect outlined within the Comprehensive Plan.
- Future Land Use Map within the Comprehensive Plan illustrates general, somewhat flexible locations and extents for various land uses and densities.
- The Municipal Code and Zoning regulations specify land uses and densities, bulk & height requirements, setbacks, and other development standards that are allowed within each zoning district.
- Development on this parcel may occur in accordance with the approved zoning and should also be in general conformance with the Comprehensive Plan.

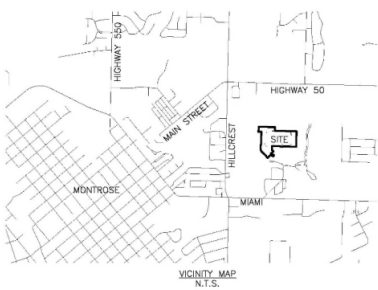
Comprehensive Plan – Future Land Use

Listed as residential mixed density medium.



Zoning Regulations

- Municipal Code, Section 4-4-8.2 (A) Intent: The “R-6” Medium Density/Manufactured Housing District is intended to provide a quiet, medium-density development for single-family residences and duplexes. Manufactured housing meeting the performance standard of the City of Montrose Municipal Code is allowed.
- The proposed use is a use-by-right in the “R-6” Medium Density/Manufactured Housing district.



CEDAR VIEW SUBDIVISION AMENDED 3

SITUATED IN THE NW1/4 OF SECTION 26,
TOWNSHIP 49 NORTH, RANGE 9 WEST, N.M.P.M. CITY OF MONTROSE,
MONTROSE COUNTY, STATE OF COLORADO
AMENDED PRELIMINARY PLAT

BASIS OF BEARINGS:
The basis of bearings is the North line of Lot 3 Cedar View Subdivision which bears N88°24'35"W. (ASSUMED)

LINEAL UNITS STATEMENT:
The Lineal Unit used on this plat is U.S. Survey Feet

CERTIFICATE OF DEDICATION AND OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS that the undersigned being the owners of certain lands in the City of Montrose, County of Montrose, State of Colorado to wit:

Outlot A, Cedar View East Minor Subdivision according to the Plat recorded December 17, 2020 at Reception No. 829611, County of Montrose, State of Colorado AND
Outlot B, Cedar View Subdivision No. 2 according to the plat recorded August 24, 2010 at Reception No. 816790, County of Montrose, State of Colorado

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of Cedar View Subdivision Amended 3 and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Harvard Avenue, Elbert Street, La Plata Avenue, Yale Court, and Wilson Court and Tract 7, on hereon shown.

The easements shown on this plat are dedicated, granted, and conveyed to the City of Montrose, Colorado for public utility purposes including but not limited to water, sewer, electrical, telephone, gas and CATV lines, and drainage easements specifically labeled for dedication, together with a perpetual right of ingress and egress for installation, maintenance and replacement of such facilities. The dedication of easements as herein provided shall not include those easements exclusively utilized for irrigation improvements, if any, or otherwise subject to a previously recorded conveyance.

Executed this _____ day of _____, 20____

Cedarview Development LLC

STATE OF _____)
COUNTY OF _____)

The above Certificate of Dedication and Ownership was acknowledged before me on this _____ day of _____, 20____
by _____ Cedar View Development, LLC

Witness my hand and official seal.

My commission expires _____

Notary

Attorney

Registration No. _____

Date: _____

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 20____ by _____ Deputy City Manager of the City of Montrose at conveyances of interests in real property made on this plat are hereby accepted by the City.

Deputy City Manager

CERTIFICATE OF COMPLETED IMPROVEMENTS

I, _____ City Engineer, certify that all improvements and utilities required by the current Subdivision Regulations of the City of Montrose, have been constructed, inspected and approved in this Subdivision in accordance with applicable City Regulations and Specifications except as follows:

City Engineer

Registration No. _____

Date: _____

APPROVAL OF CITY ATTORNEY

Approved for recording this _____ day of _____, 20____ by _____ City Attorney of the City of Montrose.

City Attorney

APPROVAL OF CITY COUNCIL

Approved this _____ day of _____, 20____ by _____ City Manager of the City of Montrose; all conveyances of interests in real property made on this plat are hereby accepted by the City.

Mayor

Engineer

Registration No. 40020

Date _____

SURVEYOR'S CERTIFICATE

I, Nicholas Barrett, a Registered Land Surveyor in the State of Colorado, do hereby certify that there are no roads, pipelines, irrigation ditches or other easements or rights-of-way in evidence or known to me to exist on or across said property except as shown on this plat. I certify that I have made the survey represented by this plat and that this plat accurately represents said survey, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law. I further certify that all monuments shown herein actually exist and their positions are as shown.

C.R.S. Section 38-51-106 Statement: this plat does not represent a title search by the Surveyor, nor by any professional corporation or business entity with which said Surveyor may be associated. Information regarding the title work performed for and used in producing this plat may be found in the title policy issued by _____

Nicholas Barrett

Registration No. 38037

Date _____

RECORDER'S CERTIFICATE

This plat was filed for record in the office of the Clerk and Recorder of Montrose County at _____ m. on the _____ day of _____, 20____. Reception No. _____

County Clerk & Recorder by Deputy

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

PRELIMINARY			
DEL-MONT CONSULTANTS, INC. REGISTERED SURVEYING			
1521 OXBOW DRIVE #210 MONTROSE, CO 81401 (970)249-3398			
FILE NO.	873	DATE	2022-11-03
SHEET	1 of 3	PLAT	20086 PLAT AMENDED
20086		20086	
PRELIMINARY PLAT			

CEDAR VIEW SUBDIVISION AMENDMENT 3	
DEVELOPER: CEDARVIEW DEVELOPMENT LLC	
1521 OXBOW DRIVE #210 MONTROSE, CO 81401 (970)249-3398	
PRELIMINARY PLAT	

CEDAR VIEW SUBDIVISION AMENDED 3

SITUATED THE IN NW1/4 OF SECTION 26,
TOWNSHIP 49 NORTH, RANGE 9 WEST, N.M.P.M. CITY OF MONTROSE,
MONTROSE COUNTY, STATE OF COLORADO
AMENDED PRELIMINARY PLAT

- LEGEND**
- = FD. REBAR & CAP (L.S. AS NOTED)
 - = SET 5/8"x18" REBAR W/ 1 1/2" ALUMINUM CAP (P.L.S. 38037)
 - ◆ = FD. SURVEY MONUMENT AS NOTED
 - ▲ = SIGHT TRIANGLE PER CITY OF MONTROSE SUBDIVISION REGULATIONS
 - Ⓐ = 20' UTILITY EASEMENT BY THIS PLAT
 - Ⓑ = 30' UTILITY EASEMENT BY THIS PLAT
 - Ⓒ = 10'x10' SANITARY SEWER EASEMENT BY THIS PLAT



LINE TABLE			CURVE DATA					
LINE #	DIRECTION	LENGTH	CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
L26	N47°23'10"E	26.20'	C42	86.45'	100.00'	049°31'51"	S23°10'30"E	83.78'
L27	S63°27'41"E	26.47'	C45	8.87'	11.00'	046°13'11"	S24°49'50"E	8.63'
L28	N63°27'41"W	27.42'	C46	1.46'	11.00'	007°38'45"	S02°05'08"W	1.46'
L29	N47°56'26"W	3.06'	C47	53.94'	50.00'	061°48'55"	S25°01'01"E	51.37'
L32	S88°24'35"E	99.61'	C48	13.61'	125.00'	008°14'14"	S60°20'34"E	13.60'
L33	S88°24'35"E	149.57'	C49	52.37'	50.00'	060°00'43"	N27°37'54"E	50.01'
L52	S47°41'21"E	17.17'	C50	23.54'	71.67'	018°49'08"	N54°28'23"W	23.44'
L53	S47°41'21"E	54.45'	C51	32.46'	50.00'	037°12'01"	N83°10'18"W	31.90'

AREA SUMMARY

LOTS: 86 SINGLE FAMILY	13.39 ACRES
RIGHT OF WAY	3.06 ACRES
TRACT 6, 8 AND 9	0.80 ACRES
TRACT 7	0.07 ACRES
TOTAL	17.32 ACRES

NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of the certification shown hereon.

PRELIMINARY

DMC

873

2 of 3

DEL-MONT CONSULTANTS, INC.

ENGINEERING & SURVEYING

2088V PLAT AMENDED

NF/DCC

2022-11-03

20086

CEDAR VIEW SUBDIVISION

AMENDED 3

CEDARVIEW DEVELOPMENT LLC

1521 OXBOW DRIVE #210

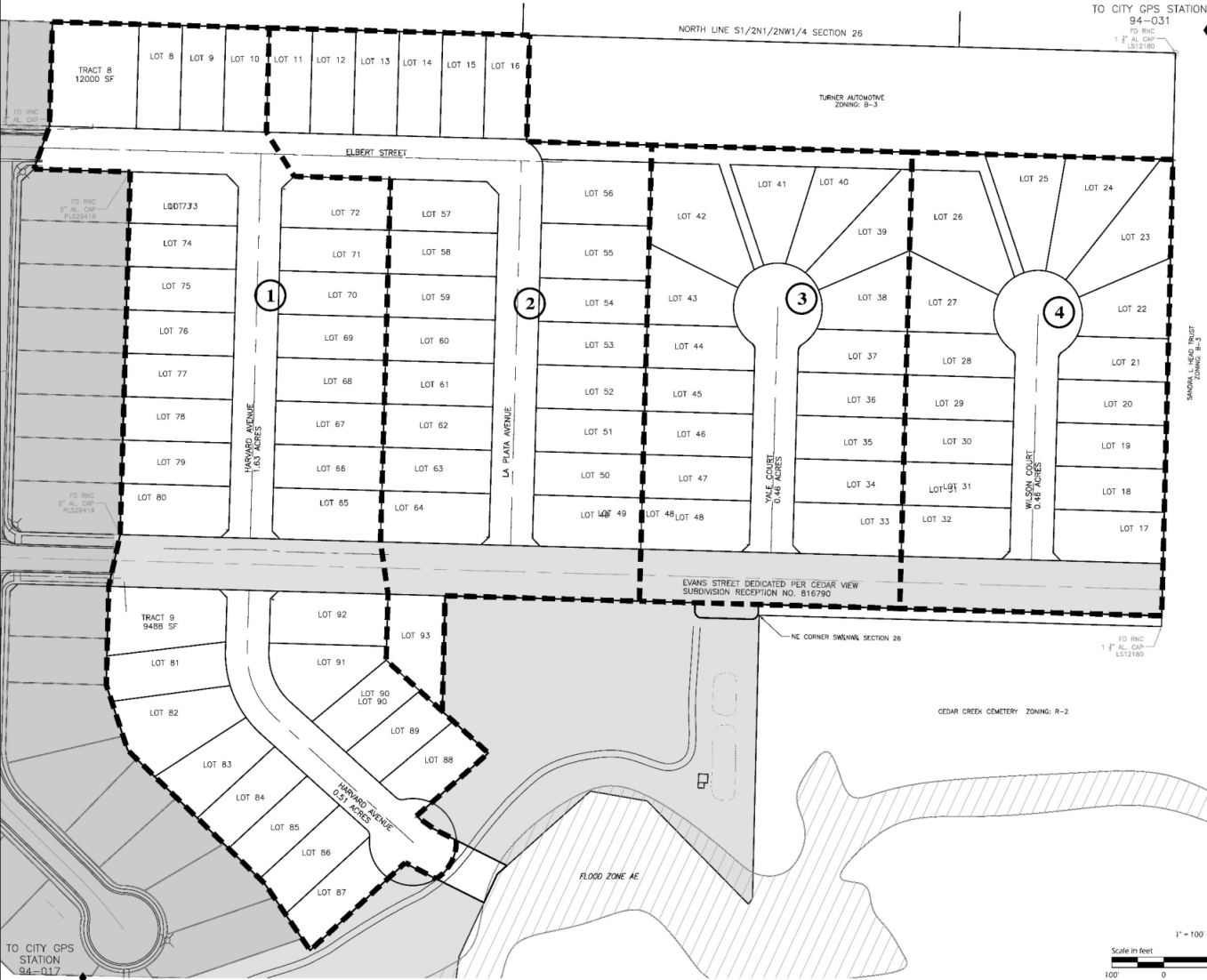
MONTROSE, CO 81401

(970)249-3398

PRELIMINARY PLAT

CEDAR VIEW SUBDIVISION AMENDED 3

SITUATED THE IN NW1/4 OF SECTION 26,
TOWNSHIP 49 NORTH, RANGE 9 WEST, N.M.P.M. CITY OF MONTROSE,
MONTROSE COUNTY, STATE OF COLORADO
AMENDED PRELIMINARY PLAT



Staff Recommendation – Conditional Approval

- Staff finds that the Preliminary Plat is in compliance with the Subdivision Regulations and Comprehensive Plan.
- The proposal meets the intent of the zoning district.
- Staff recommends Conditional Approval of the Cedar View Subdivision Amended Preliminary Plat #3.
 - [Standard Condition]: The approval of this Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Final Plat. The City staff is not authorized by this approval to execute the Final Plat prior to all conditions being satisfied.





CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: Jace Hochwalt, Planning Manager
DATE: November 30, 2022
RE: Seasons Rezone

ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Photos of Project Area
- Exhibit C: Zoning Code Excerpt
- Exhibit D: General Project Report dated 11/7/2022 (From Applicant)

Public notice requirements have been fulfilled in accordance with Section 4-4-31(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 100 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The Planning Commission shall make a recommendation to City Council on the Seasons Rezone. The Planning Commission will consider all of the information in this memo in making a decision.

Applicant: AMG & Associates, LLC

Application Background:

The proposal is to rezone two portions of the Seasons Subdivision, as well as associated rights-of-way, to the “R-4” High Density District. One portion is located north and east of Pennsylvania St. This is a portion of Outlot B of the Seasons Subdivision PD Plan Filing No. 1, Less Lots 16, 17, 18, 19, and Outlot A of Reception #868305, and Lot 1C of Reception #799557, and is currently split-zoned “R-3A” Medium High Density District and “R-4” High Density District. The property currently zoned “R-3A” is more particularly described as follows:



A tract of land situated in SW1/4NW1/4 Section 26, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado, being better described as beginning at a point N68°38'52"E 1257.40 feet from the West 1/4 corner of said Section 26;
 Thence N87°56'43"W 253.05 feet;
 Thence N01°36'17"E 106.25 feet;
 Thence N87°56'43"W 99.06 feet;
 Thence 26.31 feet along the arc of a curve to the left with a radius of 75.00 feet, an interior angle of 20°05'56" and a chord of S82°00'19"W 26.17 feet;
 Thence S71°57'21"W 12.89 feet;
 Thence N01°36'16"E 239.66 feet;
 Thence N55°21'50"E 36.40 feet;
 Thence S77°41'53"E 153.56 feet;
 Thence N49°08'13"E 34.86 feet;
 Thence N06°47'47"E 71.96 feet;
 Thence N24°56'17"E 104.99 feet;
 Thence N48°21'22"E 143.62 feet;
 Thence S80°14'34"E 66.34 feet;
 Thence S44°30'03"E 166.10 feet;
 Thence N38°46'01"E 8.16 feet;
 Thence S01°20'42"W 59.01 feet;
 Thence S22°20'04"W 129.31 feet;
 Thence S23°24'32"E 67.09 feet;
 Thence N88°39'37"W 93.01 feet;
 Thence N01°20'23"E 11.08 feet;
 Thence N88°39'37"W 158.57 feet;
 Thence S01°20'23"W 117.00 feet;
 Thence S87°56'43"E 93.99 feet;
 Thence S00°56'03"W 50.01 feet;
 Thence S43°18'10"E 20.26 feet;
 Thence S01°20'23"W 92.02 feet to the Point of Beginning.
 Containing 4.31 Acres more or less as described.

The second portion is northeast of the intersection of S Hillcrest Dr and Miami Rd. This portion consists of Lots 1C, 2C, 3C, 4C, 6C, and 7C, as well as adjacent rights of way. The property is currently zoned "B-4" Neighborhood Shopping District, and is more particularly described as follows:

A tract of land situated in SW1/4NW1/4 Section 26, Township 49 North, Range 9 West, New



Mexico Principal Meridian, County of Montrose, State of Colorado, being better described as beginning at a point on the South line of the SW1/4NW1/4 Section 26, said point being S88°30'47"E 107.28 feet from the West 1/4 corner of said Section 26;
 Thence N19°27'35"W 209.69 feet;
 Thence 181.25 feet along the arc of a curve to the right with a radius of 498.22 feet, an interior angle of 20°50'40" and a chord of N09°02'15"W 180.26 feet;
 Thence N01°23'05"E 287.35 feet;
 Thence S88°09'55"E 228.55 feet;
 Thence S01°36'16"W 18.69 feet;
 Thence S88°23'44"E 99.68 feet;
 Thence S01°50'05"W 36.64 feet;
 Thence N88°23'44"W 25.19 feet;
 Thence S01°36'16"W 50.00 feet;
 Thence 6.81 along the arc of a curve to the left with a radius of 175.00, an interior angle of 02°13'50" and a chord of N89°30'39"W 6.81 feet;
 Thence S01°36'16"W 270.79 feet;
 Thence S88°23'44"E 125.00 feet to a point on the West boundary shown at Reception No. 868305;
 Thence the following course along said boundary S01°36'16"W 283.00 feet;
 Thence N88°23'44"W 311.33 feet to the Point of Beginning.
 Containing 4.92 Acres more or less as described.

A similar request was heard at the October 26, 2022 Planning Commission meeting, however, the Applicant withdrew that application in favor of this new application that provided additional information related to the request. This new information is reflected in Exhibit D, which is the Applicant's general project report. Per the Applicant, the property is being planned for a multi-family development containing 192 units. The current zoning of the property would allow for a maximum of 164 total units, whereas the proposed rezone would allow for a maximum of 195 units. Per the Applicant, the rezone is being requested because market conditions and construction costs require higher density to make the project financially feasible.

In addition, the Applicant has represented that they will address some past platting concerns of the subject site and neighboring properties prior to any development of the site. While these are not being addressed as part of this rezone process, they will be addressed at time of future subdivisions and/or site development applications. The zoning hearing is scheduled for the December 20, 2022 & January 3, 2023 City Council meetings.

Proposed Zoning: "R-4" High Density District



Staff Analysis:**1. Municipal Code, Section, 4-4-29(A), Rezoning.**

“Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:

- a) The amendment is not adverse to the public health, safety and welfare; and
- b) The amendment is in substantial conformity with the master plan or,
 - i. The existing zoning is erroneous, or
 - ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.”

2. The Planning Commission should consider the merits of the proposed rezone only and make a recommendation to City Council based on whether it should be rezoned to “R-4” High Density District. The current zoning is “R-3A” Medium High Density District and “B-4” Neighborhood Shopping District.

- Zoning Regulations. The "R-4" High Density District is intended to provide for high density multiple-family residences and to allow variable densities. This allows variety in the types of residences. (Section 4-4-8)
- Exhibit C includes an excerpt from the Municipal Code showing uses by right in the "R-4" High Density District.

3. This property is immediately adjacent to properties that are zoned “R-2” Low Density District, “R-3A” Medium High Density District, “R-4” High Density District, “R-6” Medium Density/Manufactured Housing District, “MHR” Manufactured Housing Residential District, “P” Public District, and property outside of City limits.**4. General Conformance with the Comprehensive Plan:**

- The Comprehensive Plan Future Land Use Map (Chapter 5) designates the areas to be rezoned as Residential Mixed Density Medium and Neighborhood Center. The Residential Mixed Density Medium district provides for a variety of residential types mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes. The Neighborhood Center district is intended for small mixed-use commercial uses such as limited convenience shopping, office and professional services, and public facilities.
- Goal LU (Land Use) 3: Infrastructure: Manage growth to ensure sufficient and fiscally responsible infrastructure while minimizing future City operation and maintenance costs.



- a) Objective 3.1: Plan for a sustainable variety of land uses, densities, and regulations that meet the demand for each type of use and provide a compatible transition between land uses.
 - b) Objective 3.6: Encourage compact and contiguous development in growth-efficient areas (in close proximity to existing streets, utilities, and public services) within the Urban Growth Boundary, including infill and redevelopment of older neighborhoods.
 - Goal LU (Land Use) 5: Infill & Redevelopment: Promote higher density infill and redevelopment of underutilized sites and support development in areas that can be easily accessed by foot, bike, and/or public transit.
 - Goal HN (Housing & Neighborhoods) 1: Housing Variety. Encourage a variety of housing types, tenure, and density to meet the needs of the community.
 - a) Objective 1.1 Promote a mix of residential housing types including single-family homes on a variety of lot sizes, multi-family housing, townhomes, apartments, senior housing, and transitional housing.
 - b) Objective 1.2 Encourage a variety of housing densities (low, medium, high) throughout the community, including mixed-density neighborhoods.
 - Goal HN (Housing & Neighborhoods) 2: Affordable Housing. Increase access to affordable housing.
 - a) Objective 2.1 Encourage a mix of housing price ranges, thereby providing choices for residents of all incomes and ages.
 - b) Objective 2.2 Offer incentives and information to encourage affordable housing in new developments.
 - c) Objective 2.3 Support and work with housing agencies, organizations, private developers, and businesses to increase the amount of workforce housing.
 - As reflected above, Staff finds that the proposed zoning meets numerous goals and objectives of the Comprehensive Plan.
5. The “R-4” zoning designation does not appear to be adverse to the public health, safety and welfare, and is consistent with Municipal Code requirements, zoning in the surrounding area, and the Comprehensive Plan.

Staff Recommendation:

Staff finds that the rezone criteria has been met; it is in compliance with the Comprehensive Plan; it is compatible with existing uses in the surrounding area; and therefore, recommends approval of the "R-4" High Density District.



Planning Commission Recommendation:

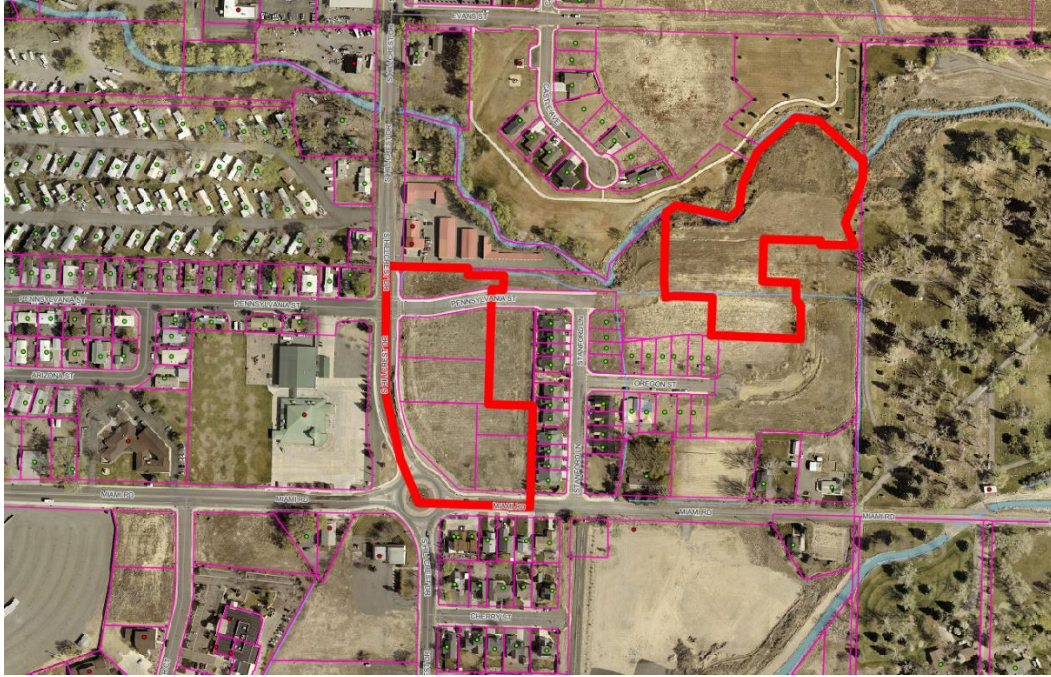
Approval Motion Recommendation:

"I hereby make a motion to recommend approval of the rezone request of the Seasons Rezone to "R-4" High Density District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report."

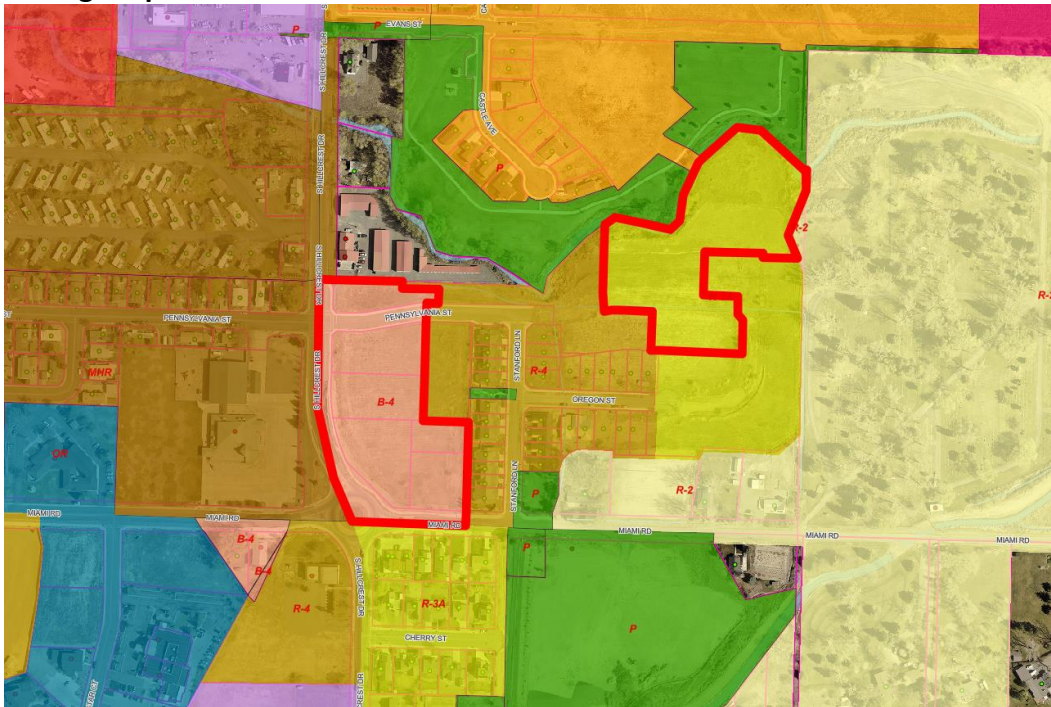


EXHIBIT A: Maps

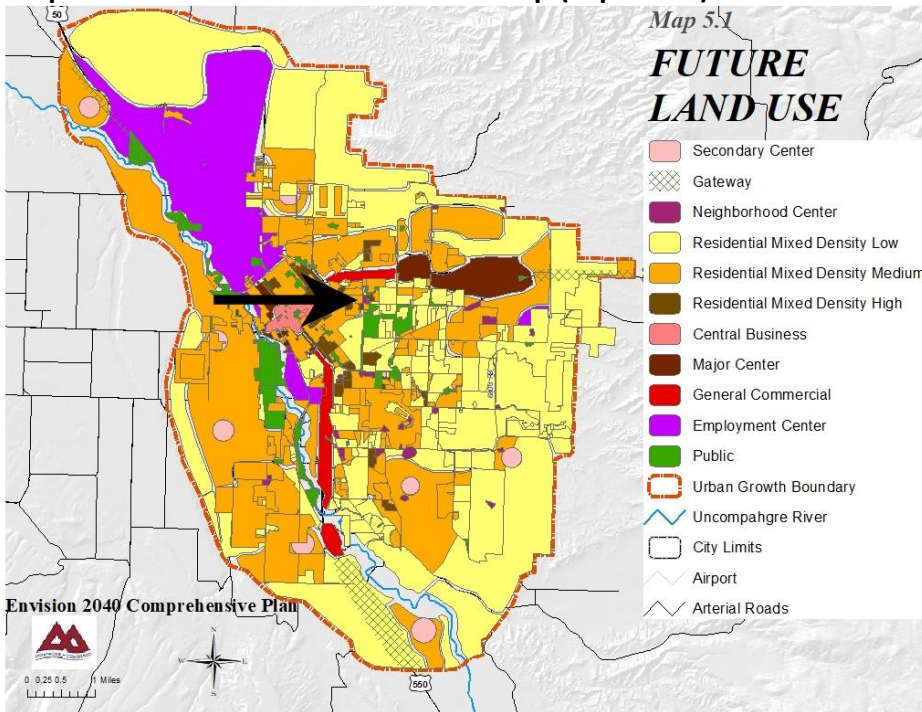
Vicinity Map



Zoning Map



Comprehensive Plan Future Land Use Map (Expanded)



Comprehensive Plan Future Land Use Map (Zoomed In)

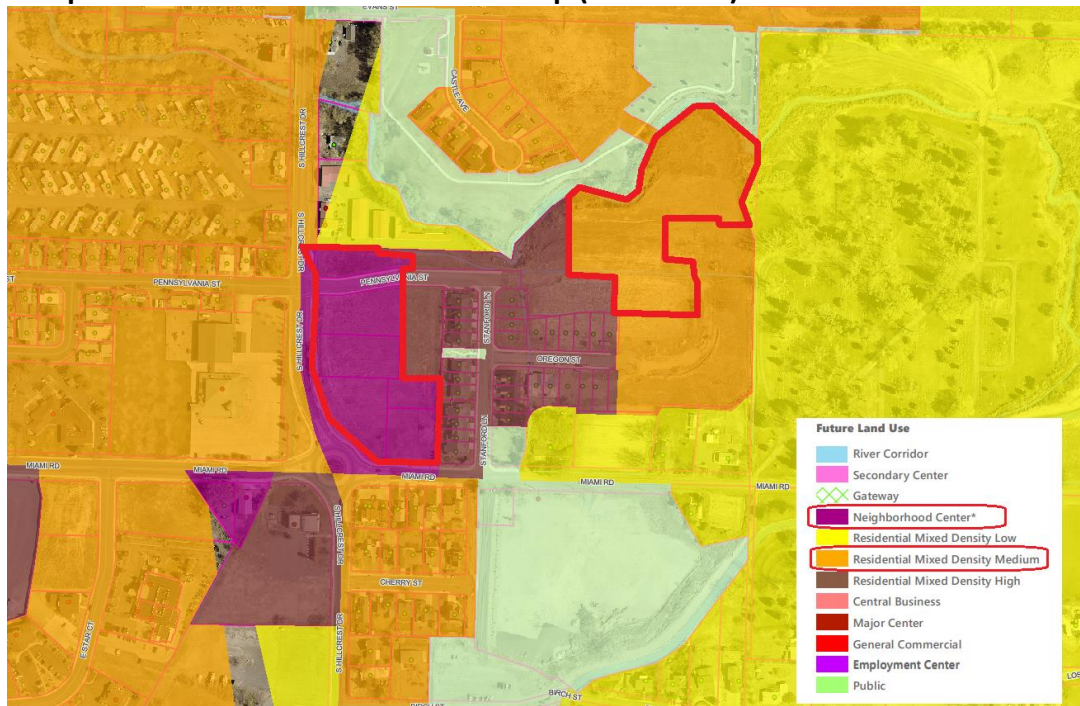


EXHIBIT B: Photos of Project Area





EXHIBIT C: Zoning Code Excerpt

Sec. 4-4-8. "R-4" High Density District.

- (A) *Intent.* The "R-4" High Density District is intended to provide for high density multiple-family residences and to allow variable densities. This allows variety in the types of residences.
- (B) *Uses by Right.*
- (1) Single-family homes, duplexes, and multiple-family residences.
 - (2) Public utility service facilities.
 - (3) Government buildings and facilities.
 - (4) Parks and recreation facilities owned or operated by a homeowner association.
 - (5) Places of worship.
 - (6) Accessory uses.
 - (a) Bed and breakfast operations operated solely by the residents of a residence providing no more than four bedrooms for rent in the dwelling unit, and the only meal provided on the premises shall be breakfast to the renters. The lot shall be at least 6,250 square feet and at least 3,125 square feet per rental bedroom.
 - (7) Short-term rentals.
 - (8) Family child care home.
- (C) *Conditional Uses.*
- (1) Skilled nursing and assisted living facilities.
 - (2) Childcare facilities.
 - (3) Schools.

(Ord. No. 2472 , § 4-4-8, 5-7-2019; Ord. No. 2561 , 10-19-2021)



EXHIBIT D - GENERAL PROJECT REPORT (11/7/2022)



DEL-MONT CONSULTANTS, INC.
ENGINEERING ▼ SURVEYING

125 Colorado Ave. ▼ Montrose, CO 81401 ▼ (970) 249-2251 ▼ (970) 249-2342 FAX
www.del-mont.com ▼ service@del-mont.com

Jace Hochwalt
City of Montrose Planning Department
433 S. First Street
Montrose, CO 81401

November 7, 2022

Re: Seasons Subdivision Re-Zone Application

Jace,

As you are aware, the owners of the vacant land located within the Seasons Subdivision would like to re-zone the property to be fully R-4 instead of the mixture of B-4, R-3A, and R-4. The requested zoning matches the current zoning of the developed portion in the subdivision. In an effort to meet the City's need for housing, the property is currently being planned for a multi-family development with a planned total unit count of 192 units. The current zoning on the property would allow 164 units which is 28 units short of the current plan. Market conditions and construction costs require the higher density to make the project financially viable.

This property also has a long-standing history of litigations and platting/property boundary discrepancies. In addition to the re-zoning, the owner is in the process of creating an updated plat that addresses all the past platting problems and will result in a clean plat which will make the development of these properties cleaner/easier which benefits not only the owners but the City as well.

Please let us know if you have any questions or need more information.

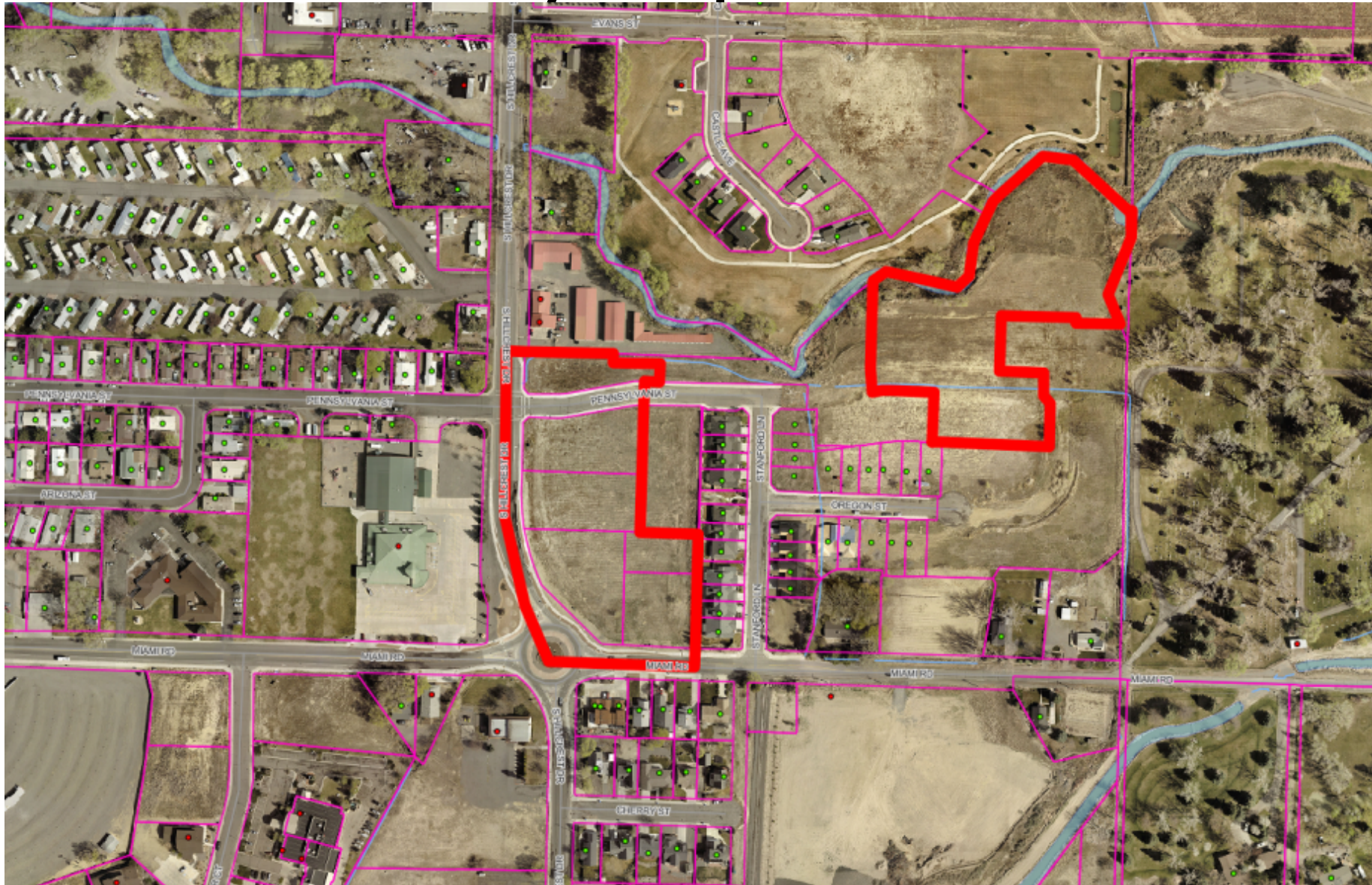
Sincerely,



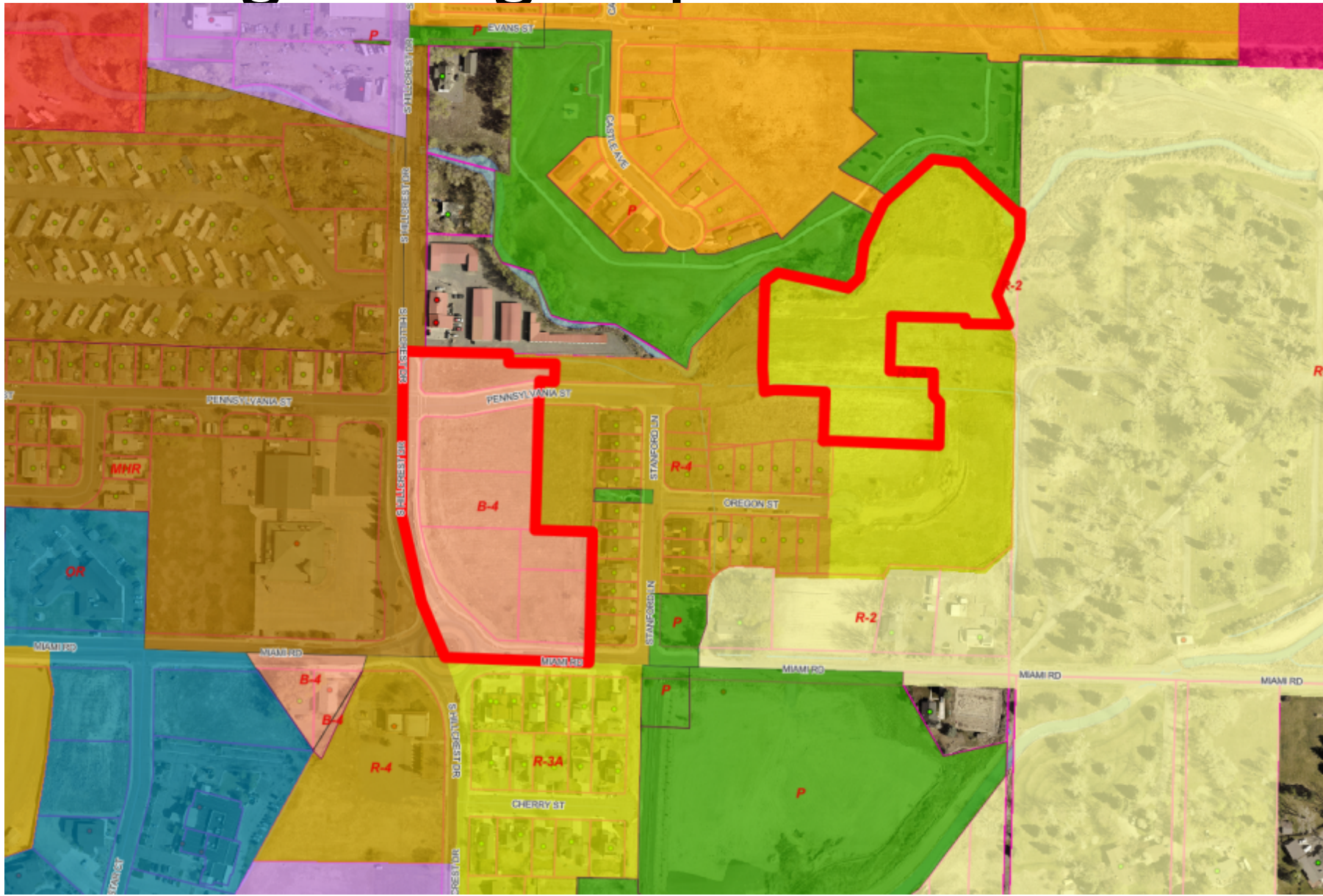
David W. Schieldt, P.E.
Vice President, Del-Mont Consultants, Inc.



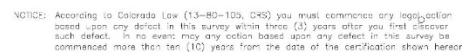
General Vicinity Map



Existing Zoning Map



SITUATED IN SECTION 20, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

[illegible]

		DEL-MONT CONSULTING, INC. ENGINEERING & SURVEYING 200 E. 10th Ave. Ste. 1000 • Denver, CO 80202 • Tel: 303.733.0200 • Fax: 303.733.0201		1-1000 AMG & ASSOCIATES, LLC ADDRESS I.D.#: PO BOX 260770 ENCINO, CA 91426	
FIELD BOOK:		DRAWING: DCC		DATE: 2008-02-24	
SCALE: 1 of 1		FILE: 210001 ZONING		PROJ: REZONE	

Application Details

- Rezone two portions of the Seasons Subdivision and associated rights of way to “R-4” High Density District.
- Tract 1 is currently “B-4” Neighborhood Shopping District, and consists of approximately 4.92 acres.
- Tract 2 is currently “R-3A” Medium High Density, and consists of approximately 4.31 acres.
- Existing lot in Tract 2 consists of two zoning districts. This application will rectify the split-zoning.

Rezone Criteria – Section 4-4-29 (A)

(A) Rezoning:

(1) Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:

(a) The amendment is not adverse to the public health, safety and welfare; and

(b) The amendment is in substantial conformity with the master plan or,

i. The existing zoning is erroneous, or

ii. Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.

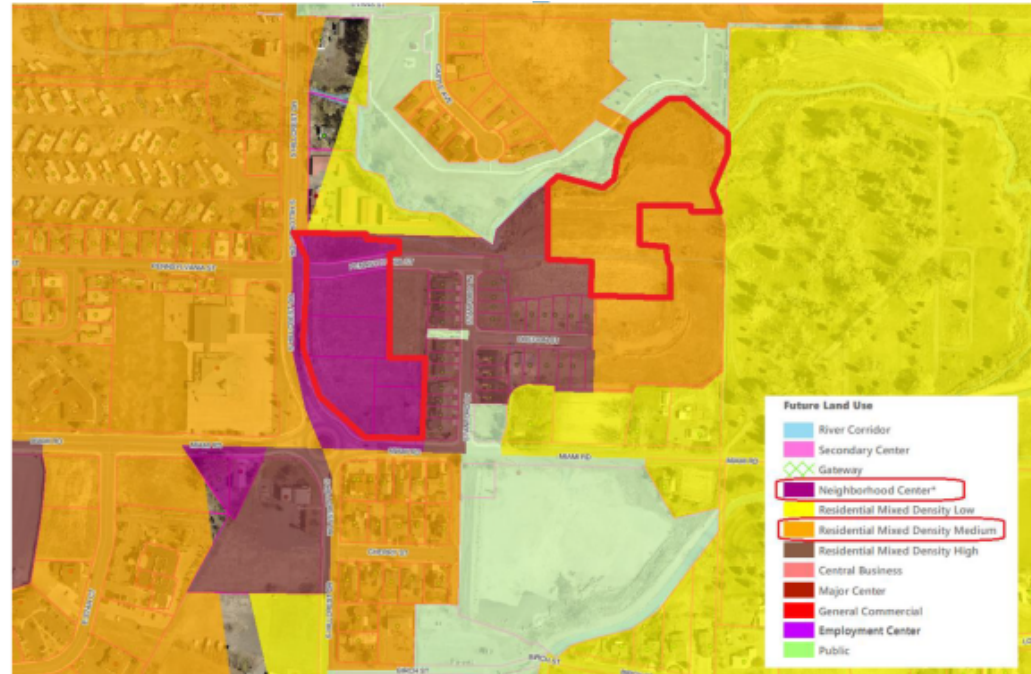
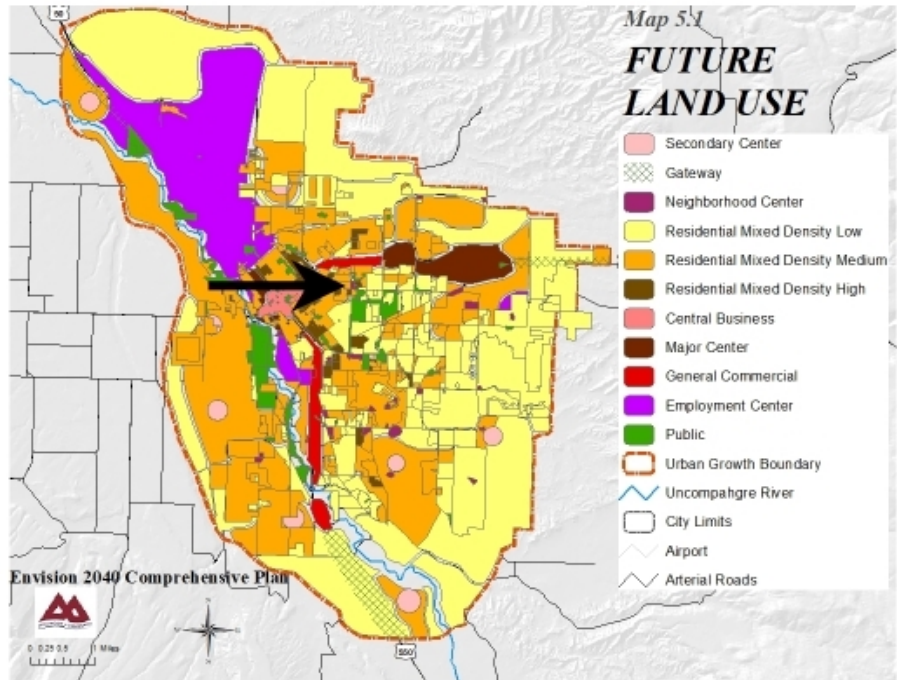
Proposed Rezone

The "R-4" High Density District is intended to provide for high density multiple-family residences and to allow variable densities. This allows variety in the types of residences.
(Section 4-4-8)



Comprehensive Plan – Land Use Chapter 5

Listed as Residential Mixed Density Medium and Neighborhood Center. These districts provide for a variety of residential types ranging from single-family homes to multi-family structures such as townhomes and apartments, as well as mixed-use commercial uses.



Comprehensive Plan – Goals & Objectives

- Goal LU (Land Use) 3: Infrastructure - Manage growth to ensure sufficient and fiscally responsible infrastructure while minimizing future City operation and maintenance costs.
- Goal LU (Land Use) 5: Infill & Redevelopment - Promote higher density infill and redevelopment of underutilized sites and support development in areas that can be easily accessed by foot, bike, and/or public transit.
- Goal HN (Housing & Neighborhoods) 1: Housing Variety - Encourage a variety of housing types, tenure, and density to meet the needs of the community.
- Goal HN (Housing & Neighborhoods) 2: Affordable Housing - Increase access to affordable housing.

Staff Recommendation

- Staff finds that the proposal meets the rezone criteria stated in Section 4-4-29(A).
- It is in compliance with numerous goals and objectives of the Comprehensive Plan.
- It is compatible with existing uses in the surrounding area.
- Rezoning will fix the split-zoning.

In conclusion, Staff recommends approval of the rezone to R-4.





CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: Jace Hochwalt, Planning Manager
DATE: November 30, 2022
RE: The Grove Subdivision Sketch Plan

ATTACHMENTS

- Exhibit A: Area Maps
- Exhibit B: Excerpts from City of Montrose Municipal Code
- Exhibit C: Sketch Plan Narrative and Conceptual Plans

Public notice requirements have been fulfilled in accordance with Section 4-4-31(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 100 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

The review and discussion of the Sketch Plan by the Planning Commission is informal and non-binding in nature, and shall serve as a means to provide guidance to the subdivider in accordance with the City of Montrose Municipal Code. No formal action is taken at this time.

Applicant: Chris Koch

Application Background:

The Grove is a proposed residential development on the southern side of Montrose. The property is approximately 44.64 acres in size and is located at the southeast corner of 6725 Road and Otter Road. The property is zoned "R-2" Low Density District. The Sketch Plan proposal anticipates 129 residential lots, and 21.35% of the entire property will be retained as open space.

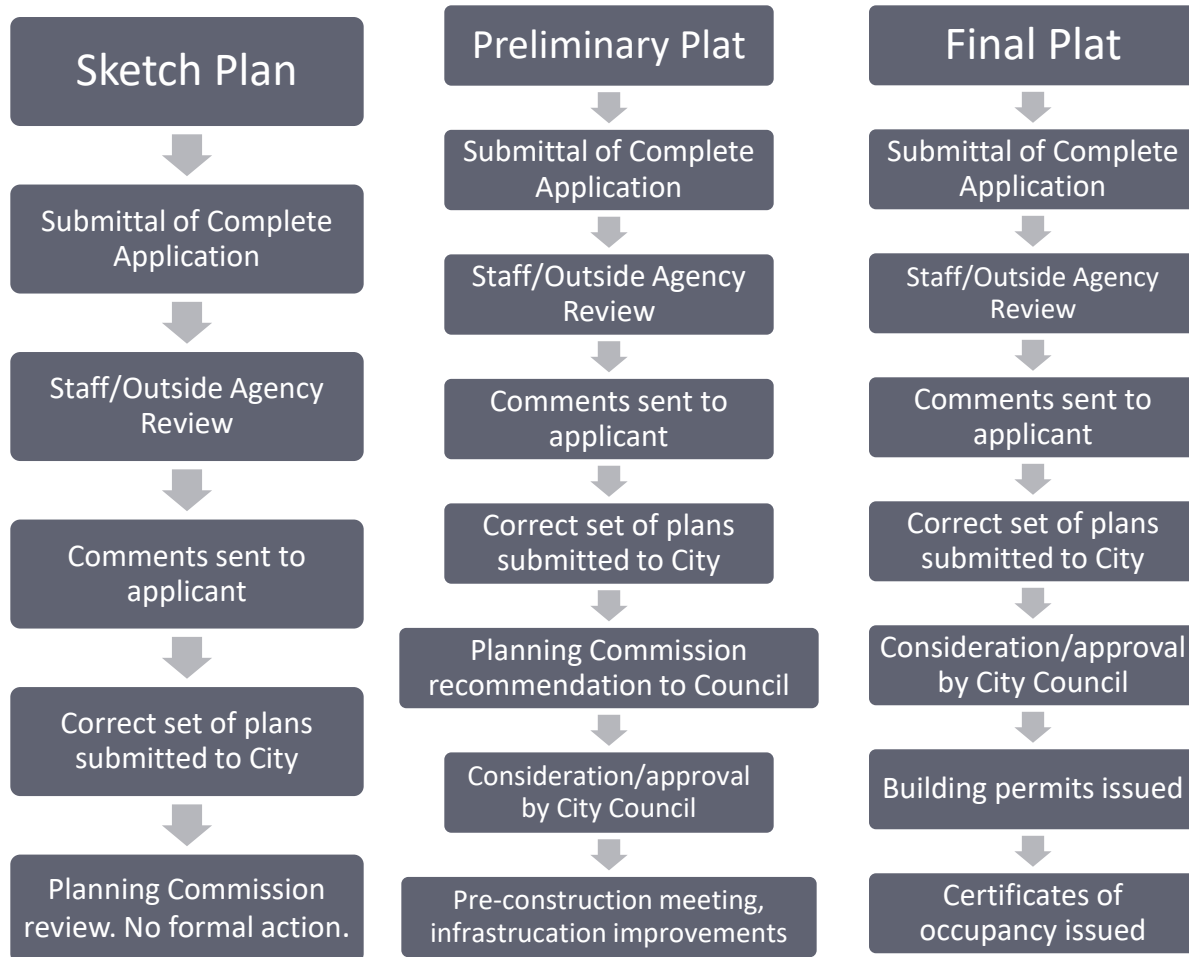
The Sketch Plan application is only reviewed by the Planning Commission, not City Council, and no formal action is taken at this stage. The Applicant has submitted the attached Sketch Plan application materials (Exhibit C) based on a conceptual design and seeks the Planning Commission's feedback. The sketch plan has been reviewed by City staff and partner agencies and meets the City's design standards for standard subdivisions. After receiving feedback from the Planning Commission, the Applicant will submit and the City will review a Preliminary Plat for the subdivision (including engineering design for all public infrastructure). After those plans are



reviewed for compliance with the City of Montrose Municipal Code, the request will be placed on an upcoming Planning Commission agenda, and the Planning Commission will make a recommendation to City Council. City Council will review the application and consider the Planning Commission's recommendation.

Subdivision Process:

The City of Montrose Municipal Code Section 4-7-5 (Exhibit B) outlines the process and standards for subdivision applications. The following flowchart shows this overall process.



Staff Analysis:

1. Subdivision Regulations:
 - a. Municipal Code: Section 4-7-5 (Exhibit B): The sketch plan application has been reviewed by City staff and partner agencies and meets the City's design standards for standard subdivisions.
2. Relevant Comprehensive Plan and Municipal Code References: To assist the Planning



Commission, staff has provided the following relevant information from the City of Montrose Envision 2040 Comprehensive Plan and Municipal Code.

- a. A Comprehensive Plan is not legally binding. It provides guidance for zoning and other land use decisions. It is possible for sections of the Comprehensive Plan to conflict, and it is reasonable that a decision may not satisfy every aspect outlined within the Comprehensive Plan.
 - b. The Future Land Use Map within the Comprehensive Plan illustrates general, somewhat flexible locations and extents for various land uses and densities.
 - c. The Municipal Code and Zoning regulations specify land uses, densities, bulk and height requirements, setbacks, and other development standards that are allowed within each zoning district in order to achieve the intent of the zoning district.
 - d. Development on this parcel may occur in accordance with the approved zoning and should also be in general conformance with the Comprehensive Plan.
3. Comprehensive Plan - Land Use Map Designation:
- a. The Comprehensive Plan Future Land Use Map identifies this parcel as located in an area proposed as follows: **Residential Mixed Density Low**. *This district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes).*
4. Zoning Regulations:
- a. Municipal Code, Section 4-4-6(A) Intent: The "R-2" Low Density District is intended to provide a quiet, low density development for single-family residences. Environmental protection is provided by allowing only single-family residences along with certain other compatible land uses.
 - b. The proposed uses are a use-by-right in this zoning district. The current zoning is compatible with general conditions in the area. Adjacent to the north is R-1 zoning, to the south and east is R-2 zoning, and to the west is R-3 zoning and some unincorporated land within Montrose County zoned General Agriculture.
5. Dimensional Requirements:
- a. Municipal Code, Section 4-4-22. The dimensional requirements in the "R-2" zoning district are included in the table below.

	Minimum Lot				Minimum Setbacks				
District	Use	Width at Building Line	Depth	Size	Front	Rear	Side	Corner Lot	Maximum Building Height
R-2	All	N/A	N/A	7,500	25	20	6	20	35



Staff Guidance to Planning Commission:

The Sketch Plan application meets all sketch plan requirements as set forth in the City of Montrose Municipal Code, Section 4-7-5. The review and discussion of the sketch plan by the Planning Commission is informal and non-binding in nature, and shall serve as a means to provide guidance to the subdivider in accordance with the City of Montrose Municipal Code. No formal action is taken at this time.

Staff recommends that the Planning Commission share feedback with the Applicant, so that the Applicant may consider the feedback and incorporate proposed changes into their future Preliminary Plat application.

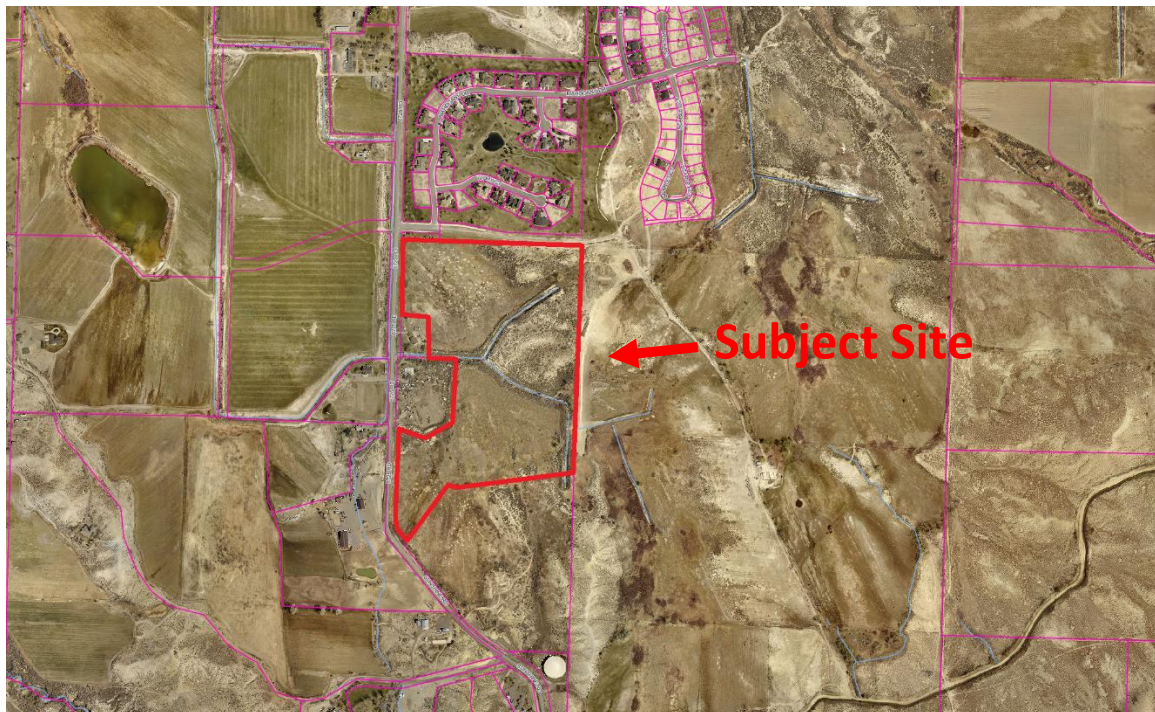


EXHIBIT A: Area Maps

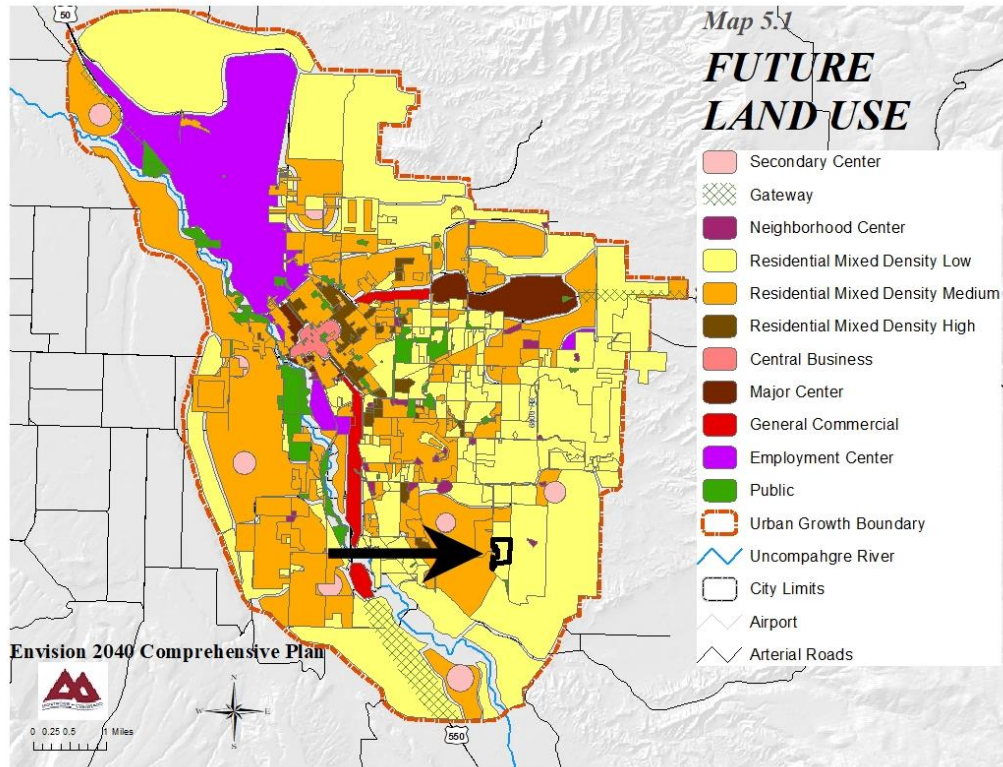
Vicinity Map (Zoomed Out)



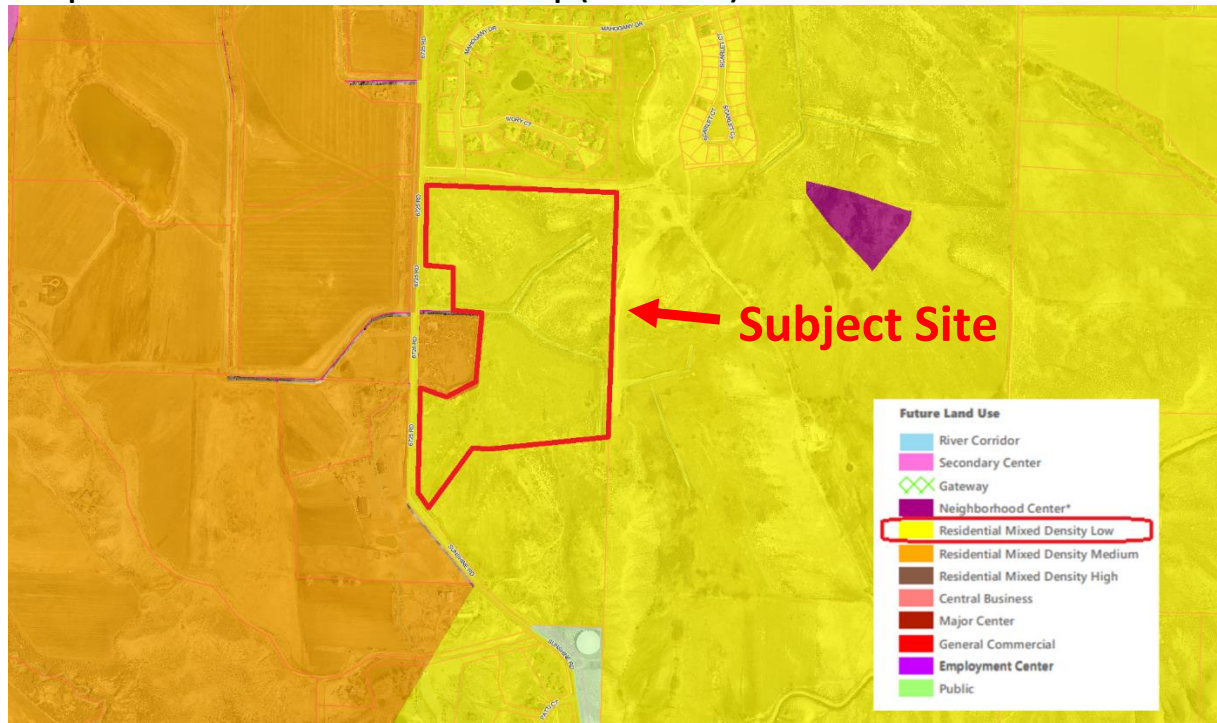
Vicinity Map (Zoomed In)



Comprehensive Plan Future Land Use Map



Comprehensive Plan Future Land Use Map (Zoomed In)



Current Zoning Map (R-2 – Low Density District)

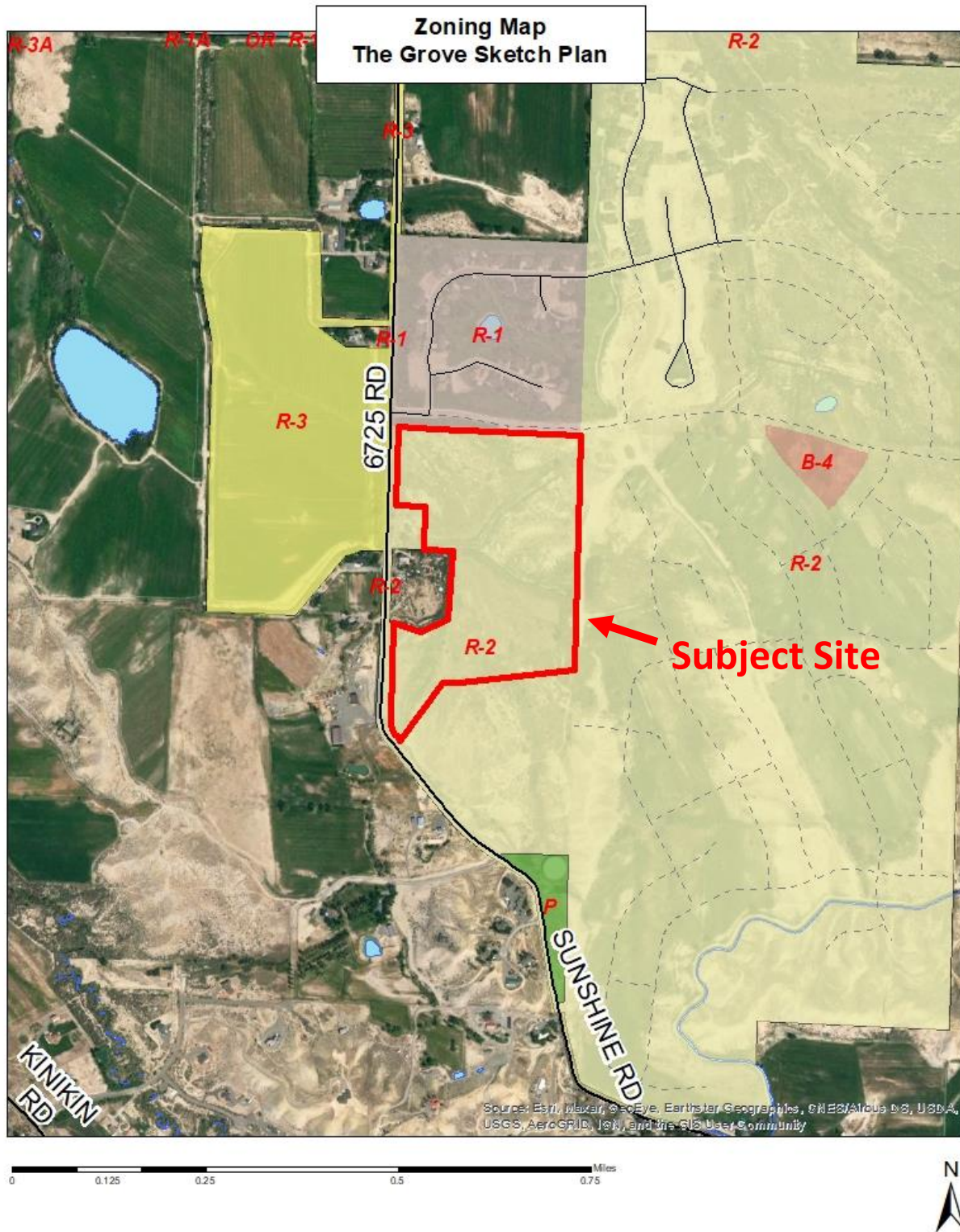


EXHIBIT B: Code Excerpts for Subdivisions

Sec. 4-7-5. Subdivision procedure.

(A) The subdivision of land shall be accomplished in accordance with the procedures provided in this Section, except for those instances where different governing procedures are set forth pursuant to Sections 4-7-9 through 4-7-11, Informal Review and Sketch Plan. The City Council shall set all application fees related to land use action per resolution.

- (1) Prior to submittal of the subdivision application, the subdivider shall make a reasonable effort to consult informally with property owners of record adjoining or within 100 feet of the proposed subdivision, and the City. No fee shall be required for such review or discussions of any plans or data concerning the proposed subdivision, prior to sketch plan review. The City shall not be bound by virtue of any discussions during the informal review stage.
- (2) The proposal shall be consistent with the Master Plan, City subdivision and Zoning Regulations, standards and other applicable ordinances and regulations and will be reviewed, considering the following at a minimum.
 - (a) Conformance with the Master Plan and Zoning Regulations;
 - (b) Relationship of development to topography, soils, drainage, flooding, potential natural hazard areas and other physical characteristics;
 - (c) Availability of water, means of sewage collection and treatment, stormwater drainage, access and other utilities and services;
 - (d) Compatibility with the natural environment, wildlife, vegetation and unique natural features;
 - (e) Adjacent streets and traffic flow, including pedestrian access;
 - (f) Availability of fire, police and other emergency services protection;
 - (g) Impacts on area schools.
- (3) A subdivider who intends to immediately develop only a portion of a full tract shall nevertheless submit an informal sketch plan for the entire tract showing his present plans for its eventual development.
- (4) Following informal review when applicable, and in all cases except when not required by other provisions of this Chapter, the applicant shall file copies of the sketch plan application and sketch map, along with all required supporting plans, with the City. The submittal of such application, map and supporting plans shall comply with City's application and fee requirements.

Filing of a sketch plan shall not be required in cases where a subdivision, which does not qualify as a minor or amended subdivision, primarily due to a lack of installed on or off-site public improvements. In no case shall the sketch plan requirement be waived under this provision for subdivision proposals containing more than three divisions of real property, or where any part of the subdivision has been subdivided without a sketch plan under any part of this Official Code of the City of Montrose, Colorado, within the three years prior to the date of submission.

- (5) The sketch plan review shall commence only upon submittal of a completed sketch map, a completed sketch plan application form, which form shall be provided by the City, and all required supplemental information as set forth below, as well as any additional materials determined by City staff to be necessary for processing of the application.
 - (a) Sketch Map. The sketch map shall include the following:



- (i) A location map, of approximately four inches by four inches, showing the project location in relation to the City of Montrose, with appropriate reference to major and minor arterial and collector roads or highways.
- (ii) A detailed map showing property boundaries of the subdivision, north arrow and date. The scale of the map shall not be less than one inch equals 200 feet. The map shall include the name of the subdivision, name of the county, township, range, Section and quarter Section. The map shall further indicate zoning and land use of all lands within 300 feet of any property boundary owned by or under option to the subdivider. A title box shall be located in the lower right corner of the map. In the case of large subdivisions requiring more than one sheet at such a scale, an index map showing the total area on a single sheet shall also be submitted.
- (iii) A conceptual drawing of the lot and street layout indicating the approximate area and number of individual lots and access to the property.
- (iv) Significant natural and manmade features on the site, such as streams, lakes, natural drainage ways and wetlands; vegetation types including locations of wood areas; wildlife habitats; scenic corridors; visual impacts; solar access; existing buildings; utility lines and easements; irrigation ditches; bridges and similar physical features; existing development on adjacent property; and footprints of existing buildings.
- (v) Total acreage of the tract.
- (vi) Existing and proposed zoning district boundary lines. General land use divisions, including residential types, commercial, industrial, parks, open space and community facilities, including the proposal's relevance to underlying zoning.
- (vii) Type and layout of all proposed infrastructure, including streets, utilities, water and sewer systems, and impact on existing systems.
- (viii) Public use areas proposed to be dedicated to the public, the purpose of the dedication, and their relationship to existing public use areas.
- (ix) Existing and proposed land use patterns, including street system, of both the tract proposed for development and immediately adjacent land.
- (x) Existing site problems or peculiarities, such as areas of poor drainage, existing floodplain, geological hazards and seepage water.
- (xi) Existing and proposed stormwater discharge facilities pertaining to the property.
- (b) Sketch Plan Application. The sketch plan application shall include, but not be limited to, the following information pertaining to the proposed subdivision (this information may be provided in a narrative format):
 - (i) Estimated total number of gallons per day of water system requirements, source of water to supply subdivision requirements, and proposed dedication of water rights in accordance with existing City ordinances.
 - (ii) Estimated total number of gallons per day of sewage to be treated and means for sewage disposal.
 - (iii) Availability of electrical power, natural gas, CATV, telephone and other utilities necessary or proposed to serve the subdivision.
 - (iv) Access to the property, off-street parking, school bus stop area, and mail box location.
 - (v) Total number of proposed dwelling units.



- (vi) Demonstrated compatibility with natural features.
 - (vii) Identification of all activities of the subdivision which shall require approval by permitting agencies at the local, state and federal level, and a description of the approval so required.
 - (viii) Names and addresses of all property owners of record adjoining or within 100 feet of the proposed subdivision.
 - (ix) Summary of issues or concerns resulting from informal review with neighboring property owners, if applicable.
- (c) Sketch Plan Supplemental Documents. The sketch plan application shall also include the following supplemental documentation:

Disclosure of ownership, with supporting documentation from a title insurance company or, if acceptable to the City, an attorney licensed in the State of Colorado, which shall set forth a legal description of the property and title ownership of the property.

- (6) Upon complete submittal of all required information, City staff shall provide initial review of the sketch plan within 45 days. Upon completion of initial review of the plan and submission by the applicant of any supplemental materials or necessary revisions as requested by City staff, the sketch plan application shall be placed on an upcoming Planning Commission agenda for which space is available and for which all notice requirements can be met.
- (7) Advance notice of the sketch plan review by the City Planning Commission shall be provided by publication, with a location map of the property to be subdivided. Fifteen-day advance written notice shall also be provided, by hand delivery or deposit into the U.S. mail, to all property owners of record adjoining or within 100 feet of the proposed subdivision. The City shall provide such notice. The review and discussion of the Sketch Plan by the Planning Commission shall be informal and non-binding in nature, and shall serve as a means to provide guidance to the subdivider.

(B) Preliminary Plat.

- (1) An application for preliminary plat shall be submitted to the City and shall comply with applicable City submittal requirements.
- (2) The City may distribute copies of the preliminary plat and supporting plans or data as appropriate to the County Land Use Department, the school district, the natural gas, CATV, electrical power and telephone companies, the Fire Protection District, the Colorado Department of Transportation, the Federal Aviation Administration, the Uncompahgre Valley Water User's Association, applicable City departments and employees, and other entities as appropriate.
- (3) The preliminary plat and proposed improvements shall comply with all requirements of these subdivision regulations and other applicable City design and construction specifications and standards. The plat shall be drawn to a scale of not less than one inch equals 100 feet. (See Chapter 4-4 of these Zoning Regulations.)
- (4) The preliminary plat shall contain, at a minimum, the following:
 - (a) The name of the subdivision and the name, address and phone number of the subdivider, and his representatives, if applicable. Such information shall be contained in a title box located on the lower right corner of the plat.
 - (b) A certificate by the engineer or surveyor preparing the plat attesting to the accuracy of the plat. Such information shall be contained in a title box located on the lower right corner of the plat and shall be signed and stamped by the licensed professional engineer or registered surveyor, and shall indicate the scale used and direction of true north.



- (c) A certificate by a licensed professional engineer that the water, stormwater, sewer systems, and all other improvements are properly engineered and designed in compliance with applicable requirements of the City and state.
 - (d) A certificate of ownership of the subject property.
 - (e) A location map, of approximately four inches by four inches, showing the project location in relation to the City of Montrose, with appropriate reference to significant roads or highways. The location map shall be provided both on the preliminary plat and separately on letter size paper.
 - (f) Certification on forms approved by the City to document approval of the plat; and the form of the certificates proposed to be used to comply with the requirements imposed for the final plat as found in Subsection (C) of this Section.
 - (g) Two-foot elevation contours and the boundaries of the base flood (100-year flood) and floodway and base flood elevation data, as defined and specified in the City's floodplain management regulations.
 - (h) The then-current zoning designations of the subdivision and of adjacent properties.
 - (i) The names of the owners of record of adjacent properties, and the property lines of adjacent properties as space will allow.
 - (j) The location and ownership interest of existing and proposed watercourses including lakes, swamps, ditches and floodprone areas (the inclusion of such watercourses within the jurisdictional authority of local, state or federal regulatory agencies shall also be noted); the location of existing and proposed streets, easements, utility lines, poles and towers, sewer lines, water lines, drains, culverts and other underground utilities and stormwater drainage facilities both on the proposed subdivision and adjacent properties as practical.
 - (k) The layout of all lots showing the building lines, dimensions and lot areas and footprints of existing buildings, if any. The plat shall include at least two references to City GPS coordinates.
 - (l) The layout and location of all parks and open space.
 - (m) The location of all land to be reserved or dedicated for public use.
- (5) The following shall be submitted accompanying the preliminary plat together with plans and specifications prepared by a licensed professional engineer consistent with City standards and specifications, for all required or proposed improvements. All plans and specifications shall be signed and stamped by a licensed professional engineer.
- (a) Plans for the proposed sanitary sewer system showing location, grade, pipe sizes and invert elevations, and the connection points to the existing system.
 - (b) Plans for the water system and fire protection system showing locations, pipe size, valves, fire hydrants and connection points to the existing system.
 - (c) Plans for the storm drainage system showing location, pipe sizes, grades and discharge points, including off-site improvements. Such plans shall comply with any applicable City stormwater drainage requirements.
 - (d) Plans for any improvements specifically affecting watercourses within the jurisdictional authority of local, state or federal regulatory agencies, noting the required permits therefor.
 - (e) Plans for proposed streets, sidewalks, recreation paths, showing grade and cross Section, trails and walkways and streetlight and street names.
 - (f) A soil or geological report prepared and certified by a professional geologist or soil scientist.



- (g) Plans for piping ditches, or improvements to waterways.
 - (h) Plans for parks and recreation facilities.
 - (i) A traffic impact study for all developments when estimated vehicle trips per day will exceed 250 and plans for recommended traffic mitigation measures. The study shall provide, but not be limited to, traffic capacity for existing road infrastructure, proper analyses of transportation linkages in conformance with transportation plan, cumulative traffic impact of development at build-out, and proposed infrastructure design to account for such considerations. The scope of the impact study may be broadened to include other nearby subdivisions and developments, allowing for cooperative participation and cost sharing.
- (6) If the applicant intends to develop the project in phases, a phasing plan will be required to be submitted to and approved by the City. The phasing plan must include the numbers of lots in each phase, the infrastructure planned for completion with each phase that is necessary to allow the phase to be properly integrated into City services as determined by the City Engineer, the amenities to be constructed with each phase, and all other information pertinent to the completion of the development.
 - (7) Upon submittal of all required information, the City staff shall provide initial review of the preliminary plat within 45 days. Upon completion of initial review of the preliminary plat and submission by the applicant of any supplemental materials and revisions necessary to comply with City regulations, the Preliminary Plat Application shall be placed on an upcoming Planning Commission agenda for which space is available and for which all notice requirements can be met. City staff shall make a recommendation to the City Planning Commission to approve the preliminary plat, provided that all supporting documentation has been properly submitted and the plat meets all requirements, disapprove the plat if it does not appear to comply with the provisions of this Chapter, or approve the plat with conditions or modifications.
 - (8) Advance notice of the preliminary plat review by the City Planning Commission shall be provided by publication, with location map of the property to be subdivided. The City shall provide such notice at least 15 days in advance of the scheduled meeting.
 - (9) Following receipt of a completed Preliminary Plat Application, the applicant shall be required to diligently pursue the application by providing revised plans, plat maps, and other necessary information in a timely fashion. Where the applicant fails to meet this requirement, the City shall, in writing, request the applicant to withdraw the application. If the applicant fails to take any further action on the Preliminary Plat Application for a period of six consecutive months following such request to withdraw, the Preliminary Plat Application shall automatically expire and all applicable fees shall be non-refundable. When a Preliminary Plat Application has expired under this Subsection, in the event the applicant wishes to pursue development of the property the applicant must re-apply and pay any applicable fees.
 - (10) Upon review by the City Planning Commission, the commission shall make a recommendation to the City Council to approve the preliminary plat, provided that all supporting documentation has been properly submitted and the plat meets all requirements, disapprove the plat if it does not appear to comply with the provisions of this Chapter, or approve the plat with modifications or conditions. The reasons for such recommendation shall be included in the minutes of the Planning Commission meeting and provided in writing to the applicant upon request.
 - (11) Unless the subdivider withdraws the preliminary plat from review, or it expires as set forth herein, the plat shall be submitted to the City Council for final review and action. Advance notice of the preliminary plat review by the City Council shall be provided by posted notice.
 - (12) Council may approve the preliminary plat, approve the plat subject to conditions necessary to implement the provisions of this Chapter, or disapprove the plat if the Council finds that the requirements of these regulations have not been met.



- (13) No construction of the required subdivision improvements shall commence until approval of the preliminary plat by the City Council and submittal of both a Mylar of the preliminary plat, as finally approved with signed certificates as required by the City, and a copy of the preliminary plat in a digital format acceptable to the City and compatible with City computer systems. Upon approval and submittal of the Mylar, and supporting documentation as required, the City shall then issue a written notice to proceed.

(C) Final Plat.

- (1) No land shall be subdivided, or any parcel thereof sold or conveyed, until a final plat has been approved and either a Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued in accordance with this Subsection (C).
- (a) Final plat submittals shall comply with all application and fee requirements. The submittal of final plats for approval must occur within five years of approval of a related preliminary plat, unless an extension of time is granted by the City Council, or the timing of the submittal is consistent with a phasing plan that has been submitted by the applicant and approved by the City. The applicant may request and the City Council may approve an extension of time for filing the final plat where development of the project in accordance with the preliminary plat has been pursued with due diligence.
- (b) Building Permits:
- (i) Until the public improvements are accepted by the City, the City shall not be obliged to issue any building permits within a subdivision, except as provided herein. Provided that all other applicable City codes and regulations have been satisfied, building permits may be issued only to the subdivider for any property with an approved Preliminary Plat. The subdivision must have sufficient access and water to allow for adequate fire protection as determined by the fire protection district. No certificates of occupancy, temporary or otherwise, shall be issued unless and until:
- (a) All public and necessary on- and off-site improvements have been completed;
- (b) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion has been issued by the City; and
- (c) A final plat has been approved and recorded.
- (ii) A Letter of Substantial Completion or a Preliminary Letter of Infrastructure Completion shall evidence City inspection and approval.
- (iii) The two calendar year Construction Warranty shall begin to run from the date of said Preliminary Letter of Infrastructure Completion.
- (c) The final plat shall contain all plat elements required as a condition of preliminary plat approval and the following, all in forms acceptable to the City:
- (i) The total number of lots and lot numbers or letters.
- (ii) Sufficient data to determine easily and reproduce on the ground the location of all monuments, and the bearing and length of every street line, boundary line, block line, lot line and building line whether curved or straight, including the radius, central angle and tangent distance for the centerline of curved streets. Other curved lines shall show arc or chord distance and radius. All dimensions shall be to the nearest $\frac{1}{100}$ of a foot and all angles to the nearest second. The plat shall include at least two references to City GPS coordinates.



- (iii) A certificate by a registered surveyor, attesting to the accuracy of the survey plat and placement of monuments, and compliance with the requirements of this Chapter and state law.
 - (iv) A certificate of dedication for streets, easements and other property dedicated for public use, properly executed and notarized.
 - (v) A certificate by a licensed professional engineer that the sanitary sewer, water distribution and storm drainage systems, streets and other improvements are properly engineered, designed and constructed in compliance with all applicable requirements of the City and the state.
 - (vi) Separate Certificate of Approval of the plat by the City Attorney.
 - (vii) A certificate of an attorney that title to the property is in the name of those parties executing the dedication, and that property dedicated to the City will be free and clear of all liens and encumbrances affecting marketability.
 - (viii) A certificate by the City Engineer specifying which improvements have been completed and listing those that require security prior to final plat approval.
 - (ix) A certificate by the City Clerk as to receipt of any security for the completion of improvements.
 - (x) The name of the subdivision and the name, address and phone number of the subdivider, and his representative if applicable, said information to be included within a title box located on the lower right corner of the plat.
 - (xi) The name of the registered surveyor preparing the plat, the date of the plat, said information to be included within a title box located on the lower right corner of the plat.
 - (xii) A certificate of recording to be executed by the County Clerk and Recorder.
 - (xiii) The scale used, direction of true north, and basis of bearing.
 - (xiv) A location map, of approximately four inches by four inches, showing the project location in relation to the City of Montrose, with appropriate reference to significant roads or highways. The location map shall be provided both on the final plat and separately on letter size paper.
 - (xv) The location and ownership interest of all watercourses including lakes, swamps, ditches and floodprone areas; the location and names of streets, sidewalks, easements, utility lines, poles and towers, sewer lines, water lines, drains, culverts and other underground utilities and stormwater drainage facilities.
 - (xvi) The layout of all lots showing the building lines, dimensions and lot areas.
 - (xvii) The layout and location of all parks, trails, recreation paths and open space.
 - (xviii) The location of all land to be reserved or dedicated for public or other uses and the boundaries of the base flood (100-year flood) and floodway and base flood elevation data, as defined and specified in the City's floodplain management regulations.
 - (xix) Plat notes and restrictions as appropriate to implement compliance with this Chapter, conditions of approval as necessary or desirable to implement the City's Master Plan.
 - (xx) Plat notes, easements and restrictions as appropriate to implement required FAA aviation regulations.
- (2) The final plat shall be accompanied by a computation showing closure of the tract boundary to one foot in 5,000 feet or better. The final plat and accompanying plans shall be drawn to a scale of not less than one



inch equals 100 feet. If discrepancies are believed to exist, the City may have the plat checked by an independent registered surveyor at the subdivider's expense.

- (3) Any conditions or improvements imposed on the applicant by the City Council under the preliminary plat approval must be shown on the final plat and either completed, or the appropriate security under Subsection (C)(5) of this Section, prior to approval by the City Council.
- (4) The final plat may be submitted for a portion of the preliminary plat, or phased, subject to the following conditions:
 - (a) The applicant has submitted a phasing plan that has been approved by the City.
 - (b) All required improvements, utilities and road infrastructure must be accessible to the remaining aggregate of unsubdivided land, or outlot.
 - (c) In instances where completion of required improvements, utilities or road infrastructure within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to complete said improvements, utilities or road infrastructure upon approval of that final plat. This may include, but not be limited to, completion of necessary road infrastructure, stormwater drainage system, trails and park development.
 - (d) In instances where the dedication of land for public purposes within the outlot is determined by the City to be necessary as a condition of approval of that final plat, the developer shall be required to dedicate said lands upon approval of that final plat. This may include, but not be limited to, the dedication and development of land for parks, trails, open space, rights-of-way and easements.
- (5) The final plat shall be accompanied by security for the completion of any uncompleted improvements in accordance with Section 4-7-8 of these regulations.
- (6) Accompanying the final plat shall be two copies of the as-built plans or record drawings for sanitary sewers, storm sewers or drainage systems and the water and fire systems showing grades, pipe sizes, pipe types, outlets, connection points and other information which the City Engineer may require along with as-built plans for all other utility systems. As-built plans and data shall also be provided in a digital format compatible with City computer systems, and in accordance with City specifications. As-built plans for any improvements not completed at the time the final plat is submitted shall be submitted prior to inspection or approval of the improvements and release of any security. All as-built plans and data shall be signed and stamped by a licensed professional engineer.
- (7) Upon complete submittal of all required information, City staff shall, within 30 days, provide initial review of the final plat. Upon completion of an initial review of the final plat and submission by the applicant of any supplemental materials or necessary revisions as requested by City staff, the application shall be placed on an upcoming City Council agenda for which space is available. No final plat shall be placed on a City Council agenda unless and until all necessary materials have been submitted, reviewed and determined by City staff to meet all applicable City codes and regulations.
- (8) City Council may approve the final plat, approve it subject to conditions necessary to implement the provisions of this Chapter, or disapprove the plat if it finds that the requirements of these regulations have not been met.
- (9) No final plat shall be approved by the City Council until:
 - (a) All of the improvements required by these subdivision regulations have been installed, inspected and approved by the City Engineer, or properly secured in accordance with the provisions of Section 4-7-8 of these regulations on forms approved by the City.



- (b) Two hard copies of as-built plans and data for completed utility improvements have been provided, reviewed and accepted by the City Engineer, and also provided in a digital format acceptable to the City and compatible with City computer systems. As-built plans for any improvements not completed at the time the final plat is submitted, and secured in accordance with the provisions of Section 4-7-8, shall be submitted prior to inspection or approval of the improvements and release of any security. All as-built plans and data for completed utility improvements shall be signed and stamped by a licensed professional engineer.
 - (c) The final plat has been submitted in final form on two reproducible Mylars, with all requisite signatures, and also in a digital format acceptable to the City, and compatible with City computer systems.
 - (d) Payment to the City of any costs incurred by the City within the subdivision review process, which costs are specifically subject to reimbursement.
 - (e) The security for the two calendar year construction warranty has been provided by the subdivider in a form acceptable to the City.
- (10) Following City Council approval of the final plat and verification that the documentation has met all applicable codes and regulations, the final plat shall be executed by the appropriate City staff and recorded with due diligence.

(Code 2012, § 4-7-5; Ord. No. 2062 , 6-2-2005; Ord. No. 2092 , 11-17-2005; Ord. No. 2173 , 11-15-2007; Ord. No. 2229 , 11-5-2009)



**EXHIBIT C - SKETCH PLAN
NARRATIVE AND
CONCEPTUAL PLANS**

**THE GROVE
SUBDIVISION
SKETCH PLAN NARRATIVE**

September 21, 2022

**Owner:
Chris Koch**

Prepared by:
Del-Mont Consultants, Inc.
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(970) 249-2251
(970) 249-2342 fax



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General

The Grove Subdivision is a residential proposed development on 44.64 acres southeast of Montrose. The irregularly shaped parcel is bordered on the west by 6725 Road and two single-family residents, on the north by Otter Road and Brown Ranch Subdivision, on the east by an undeveloped area of Brown Ranch, and to the south a few single-family residents with agricultural fields.

The property was annexed into the City of Montrose in 2006. The property is zoned as R2 (Low Density). That zoning has not changed and is consistent with the housing density of the adjacent properties. Please see the existing conditions and zoning exhibit of the Sketch Map drawing package (sheet 1 of 3) for more details on neighboring property zoning and current use.

School buses are intended to remain on the public road system (Otter Road or new subdivision internal streets). Stop areas would be near main intersections or mailbox turnout areas.

Water

The project will be served by the Tri County water system. There is an existing 8" waterline in Otter Road and a 16" waterline in 6725 Road. Proposed 8" lines will connect the existing 8" and 16" on Otter Road and 6725 Road. Additional external water line connections to existing or planned infrastructure will be made at appropriate and opportune locations as the development is designed. Water service to the individual lots will tap off the new 8" internal lines.

Please see the attached sketch (Sheet 2 of 3) showing the conceptual water infrastructure backbone layout and connectivity to the existing Tri County water system. Existing (8" & 16") infrastructure in the vicinity of this development provides more than adequate pressure and volume to support the planned residential buildout for the property. Anticipated fire flows should be similar to the flows at Brown Ranch Subdivision, in 2017 a test observed having flows of 1233 gpm. Fire flows should be similar depending on the location within the project, construction type, and density.

Anticipated water demands are estimated based on City requirements and are as follows:

Anticipated Land Use	Water Usage (gallons per day per acre)	Total Acres	Anticipated Water Demand (gallons/day)
Low Density (Single family)	500	44.64	22,320

Formal engineering plans with design of the water system will be completed and submitted with Preliminary Plat applications.



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Sanitary Sewer

The project is served by City sewer. All of the development on the property will be a classic gravity system with a network of City owned 8" main lines and manholes. The sewer mains will generally flow north and connect to the existing 8" main line in Mahogany Drive within the Brown Ranch Subdivision.

According to the City of Montrose Sewer Master Plan, this point of connection is operating well within 50% capacity in the ultimate buildout scenario presented in the plan. This point of connection accounted for future additions and this development is in-line with the anticipated land use.

Please see the attached sketch (Sheet 2 of 3) showing the conceptual sewer system. Anticipated sewage generation is as follows:

Anticipated Land Use	Quantity of Sewage (gallons per day per acre)	Total Acres	Anticipated Sewage (gallons/day)
Low Density (Duplex/Single family)	500	44.64	22,320

Formal engineering plans with design of the waste water system will be completed and submitted with Preliminary Plat applications.

Availability of other utilities

Electric, natural gas, telephone, cable tv, and fiber are available for the development. Please see the accompanying conceptual utility layout for locations (overhead and buried) of the dry utilities. In general, gas/power/fiber available on the North (Otter Road frontage), and West side (6725 Road frontage).

Specific dry utility designs will be done by the utility providers as formal site plans are completed. Prior to submitting the Sketch Plan, Shelby Bear at DMEA/Elevate Fiber, and Scott Hunter with Black Hills Energy, confirmed that there is more than enough capacity for all dry utilities (DMEA/Elevate – power, fiber/phone/TV, and Black Hills – natural gas). Other Montrose area telecom, TV, and fiber providers will be afforded the opportunity to service the development during the design phase.

Drainage

The property is well suited for development, sloping from east to west at about an average 2% natural grade. Proposed drainage patterns will follow this natural topography with stormwater



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routed to the west where it will be collected into designed retention ponds within the planned open space areas. The stormwater ponds will be designed to provide water quality treatment (extended retention), control peak flows, with emergency (> 100 year storm events) overflow at historical discharge locations.

Access to property

There are two access points planned into this development, no additional internal roads planned for future connection to adjacent undeveloped land. The first main entrance will be to the north aligning with the extension of Otter Road adjoining Brown Ranch Subdivision. The second main entrance will be a connection to 6725 Road (to the west). Please see the accompanying planned layout for more detail on these intersections (Sheets 2 & 3 of 3).

Parking

The development proposes that public streets are built according to City Residential Street Standards and individual lots will provide parking within standard private driveways. No on-street parking will be provided on Otter Road.

Mailboxes

Residential gang mailboxes will be centrally located for the development.

Total number of proposed dwelling units

The R2 zoning portion (minimum lot size of 7500 sqft/lot) of the project is planned to have 135 single family residential lots.

Compatibility with Natural Features

The development will be laid out to fit the natural topography, with generous open space areas throughout the residential areas. This open space concept is driven by the existing ditches (BOR C-Drain) and generally matches the other City residential subdivisions in the surrounding area.

The Annexation agreement requires that a minimum of 8% open space will be provided upon development. The plan presented with this Sketch Plan provides 9.45 acres of open space, which is 21.17% of the project total.

Permits

The following is a list of known permits required for The Grove development.

- a. A CDPHE General Permit for Stormwater Discharge Associated with Construction Activity will be required prior to construction of site improvements/infrastructure.



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- b. The City of Montrose will issue building permits for the individual structures.
- c. No wetland permits are required since there are no jurisdictional aquatic features on the property.

Adjoining Property Owners

A list of the names and addresses of the property owners of record adjoining or within the 100 feet of the development are included in a separate document.

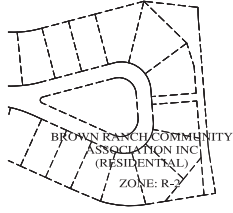
Known Public Concerns

As of the date of this Sketch Plan narrative, there are no know public concerns about this project.



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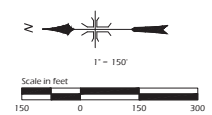
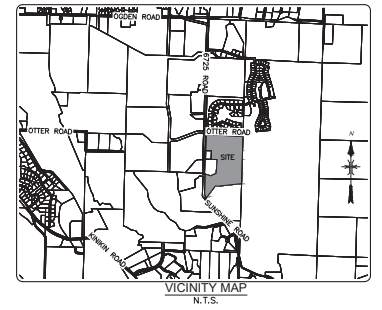
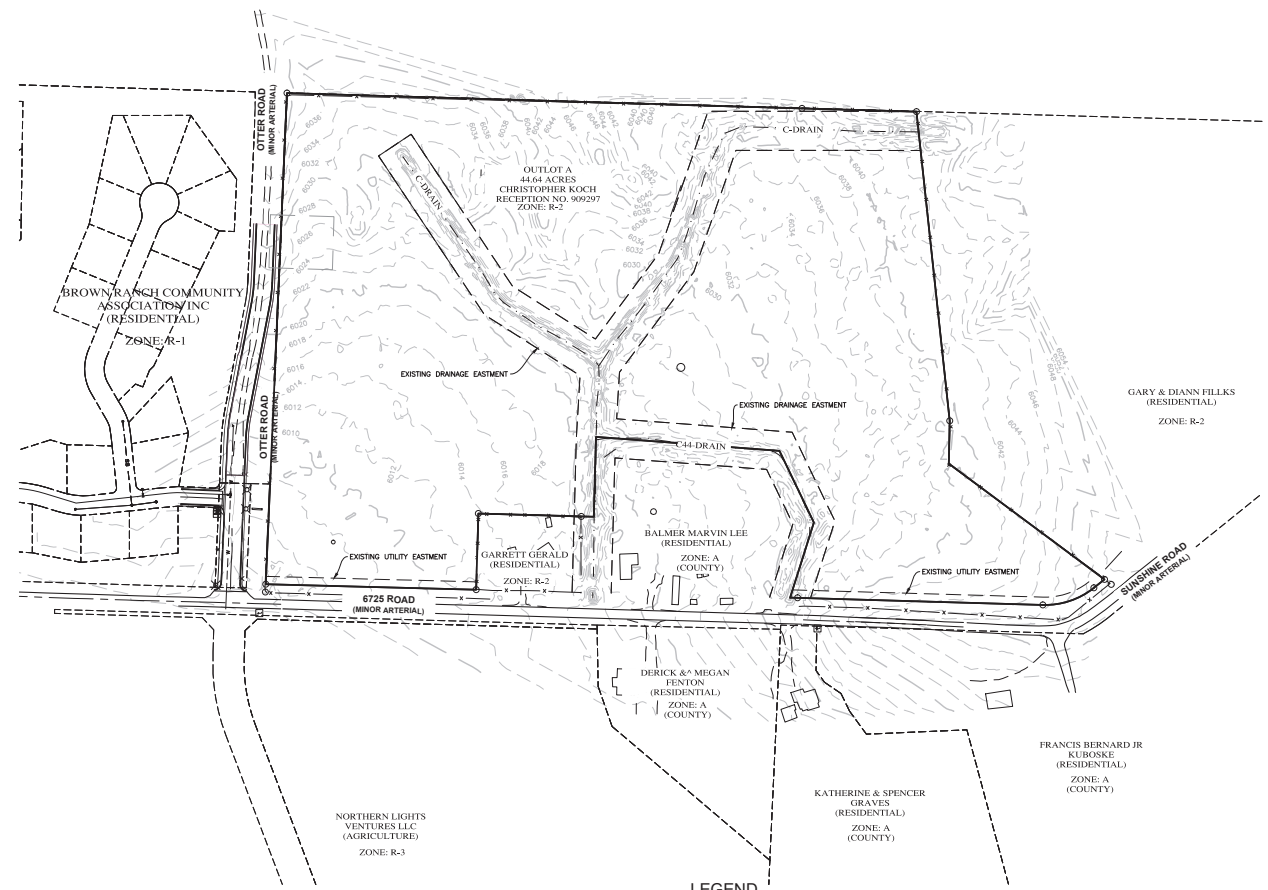
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THE GROVE SKETCH PLAN

SITUATED IN SECTION 2 AND SECTION 11, TOWNSHIP 48 NORTH,
RANGE 9 WEST,
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO
OCTOBER 2022

SUNSHINE OF MONTROSE INC
(RESIDENTIAL)
ZONE: R-2



LEGEND

- = SET 5/8"x18" REBAR W/ 1 1/2" ALUMINUM CAP (P.L.S. 37690)
- = FD. REBAR & CAP (P.L.S. AS NOTED)
- = EXISTING TELEPHONE PEDESTAL
- ⊙ = EXISTING POWER POLE
- ⊗ = EXISTING WATER VALVE
- ⊕ = EXISTING FIRE HYDRANT
- ⊙ = EXISTING WATER METER
- ⊙ = EXISTING SEWER MANHOLE
- fo --- = EXISTING FIBER OPTIC LINE
- ohe --- = EXISTING OVERHEAD POWER LINE
- g --- = EXISTING GAS LINE
- w --- = EXISTING WATER LINE
- ss --- = EXISTING SEWER LINE
- irr --- = EXISTING IRRIGATION PIPE
- x --- = EXISTING DITCH
- f --- = EXISTING FENCE
- 9800' --- = EXISTING GROUND MAJOR CONTOUR
- 9870' --- = EXISTING GROUND MINOR CONTOUR



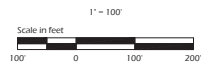
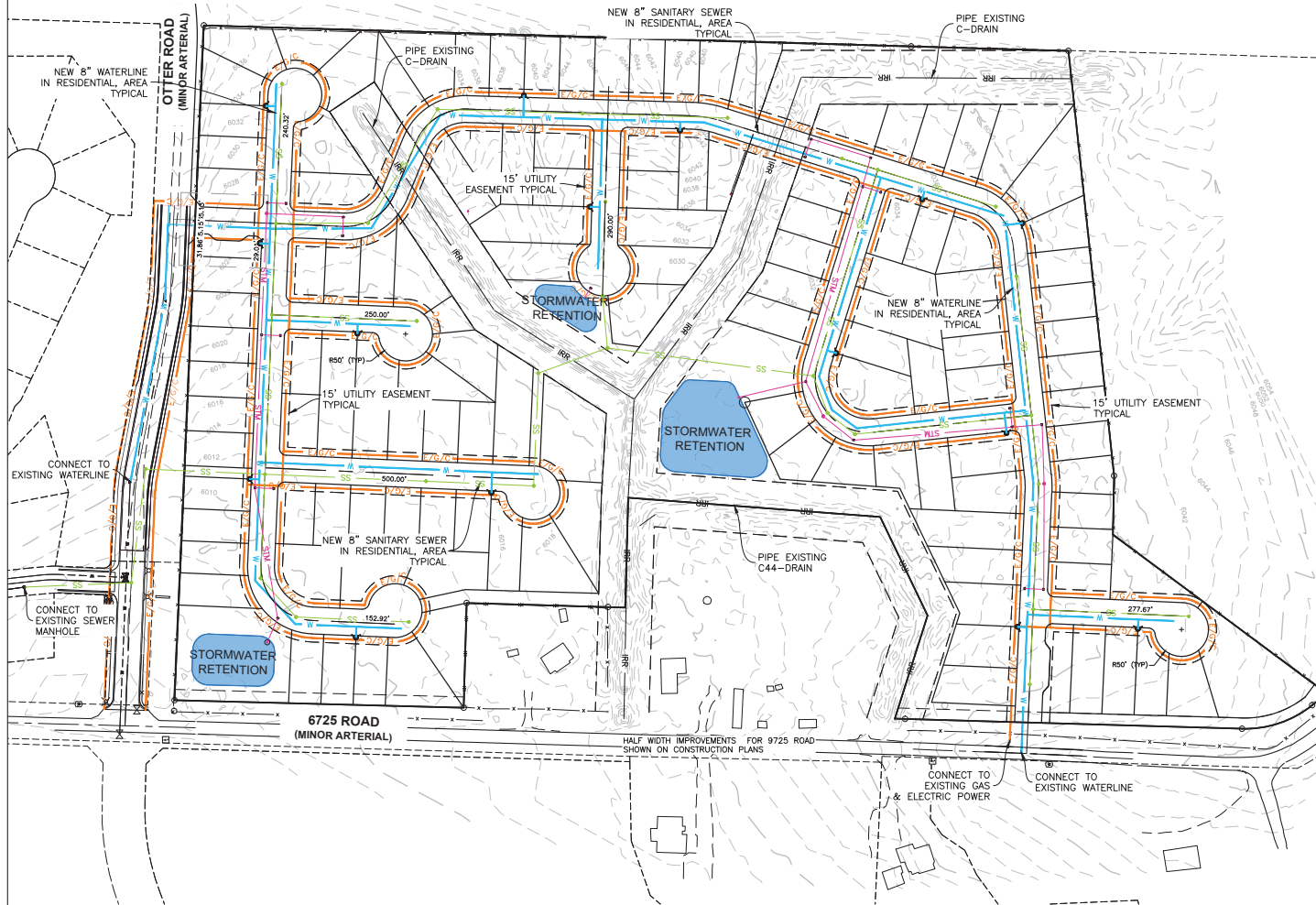
DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
1521 OXBOW DR. SUITE 200
MONTROSE, CO 81401
970-252-0160

PROJECT:	1 of 3	DATE:	2022-10-21	JOB NO.:	22093
REVISION:		DATE:		REVISION:	

PROJECT:	THE GROVE
LOCATION:	MONTROSE, COLORADO
CLIENT:	CHRIS KOCH
PROJECT:	1521 OXBOW DR. SUITE 200
LOCATION:	MONTROSE, CO 81401
PHONE:	970-252-0160
REVISION:	EXHIBIT 1 - EXISTING CONDITIONS

THE GROVE SKETCH PLAN

SITUATED IN SECTION 2 AND SECTION 11, TOWNSHIP 48 NORTH,
RANGE 9 WEST,
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO
OCTOBER 2022



LEGEND

---	EXISTING WATER LINE
---	EXISTING IRRIGATION LINE
---	EXISTING OVERHEAD FIBER-OPTIC LINE
---	EXISTING OVERHEAD ELECTRIC LINE
---	EXISTING SEWER LINE
---	EXISTING SANITARY SEWER MANHOLE
---	PROPOSED UTILITY CORRIDOR - ELECTRIC/GAS/COMMUNICATIONS
---	PROPOSED WATER LINE (SIZES AS NOTED)
---	PROPOSED CITY SEWER LINE (8" MAIN LINE)
---	PROPOSED CITY STORM SEWER LINE (12" MAIN LINE)
---	PROPOSED IRRIGATION LINE (24" MAIN LINE)
---	PROPOSED SANITARY SEWER MANHOLE
---	EXISTING GROUND MAJOR CONTOUR
---	EXISTING GROUND MINOR CONTOUR



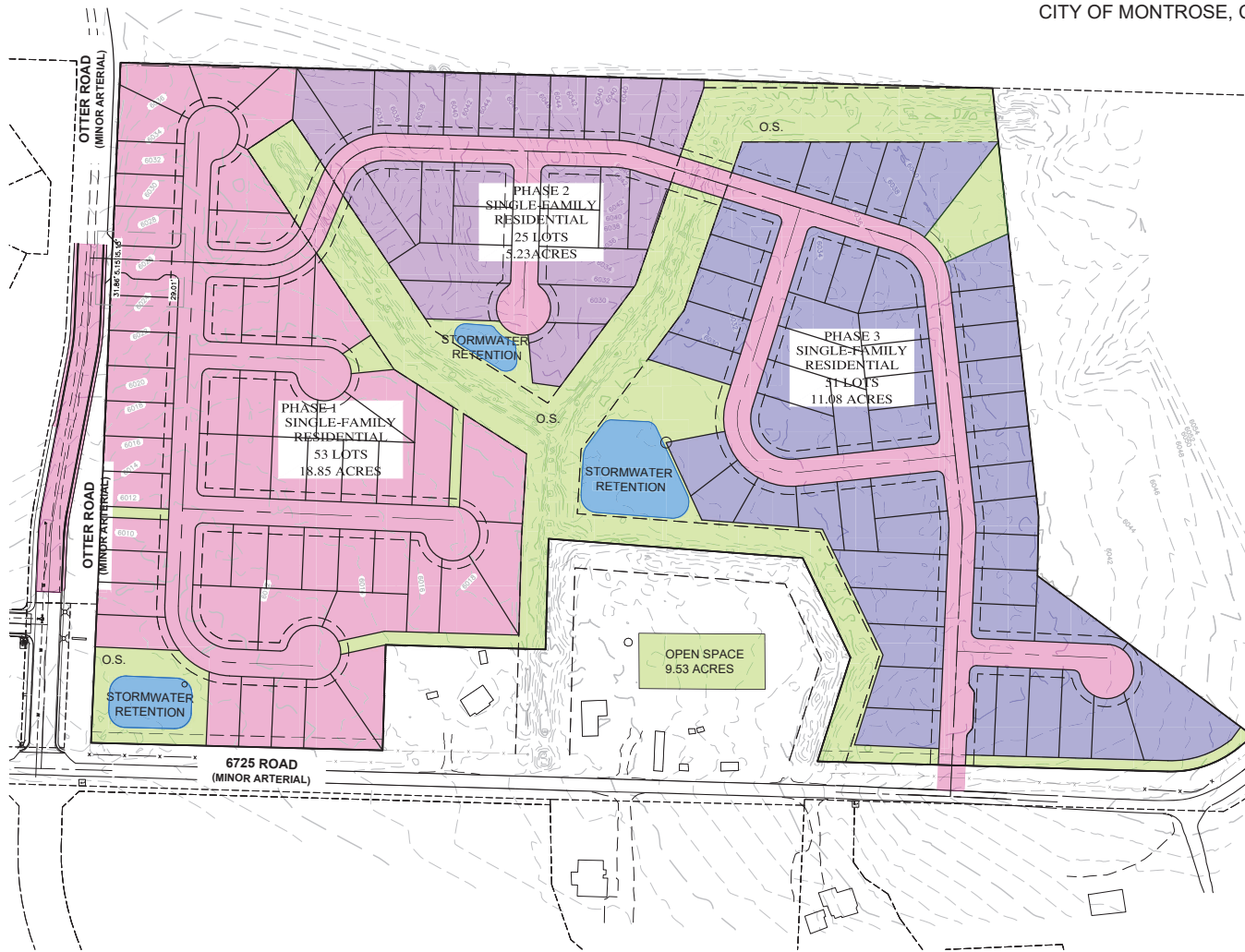
DEL-MONT CONSULTANTS, INC.
1521 OXBOW DR. SUITE 200
MONTROSE, CO 81401
970-252-0160

PROJECT:	2 of 3
DATE:	2022-10-21
REVISION:	22083C SKETCH
DATE:	22083

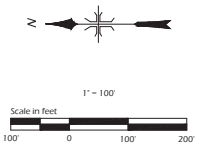
PROJECT:	THE GROVE MONTROSE, COLORADO
CLIENT:	CHRIS KOCH
PROJECT:	1521 OXBOW DR. SUITE 200 MONTROSE, CO 81401 970-252-0160
PROJECT:	EXHIBIT 2 UTILITY PLAN

THE GROVE SKETCH PLAN

SITUATED IN SECTION 2 AND SECTION 11, TOWNSHIP 48 NORTH,
RANGE 9 WEST,
NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO
OCTOBER 2022



THE GROVE LAND SUMMARY				
TOTAL ACREAGE	TOTAL OPEN SPACE	TOTAL RIGHT-OF-WAY DEDICATION	TOTAL RESIDENTIAL DEVELOPMENT	SINGLE FAMILY LOTS ZONE R-2
44.64 AC.	9.53 AC. 21.35%	7.52 AC. 16.85%	27.59 AC. 61.80%	129 LOTS
OTTER ROAD EXTENSION		0.83 AC.		



		THE GROVE MONTROSE, COLORADO	
		CHRIS KOCH	
DEL-MONT CONSULTANTS, INC. ENGINEERS & PLANNERS & SURVEYORS 1521 OXBOW DR. SUITE 200 MONTROSE, CO 81401 970-252-0160		1521 OXBOW DR. SUITE 200 MONTROSE, CO 81401 970-252-0160	
3 of 3	22093C SKETCH	22093	EXHIBIT 3-PHASING PLAN

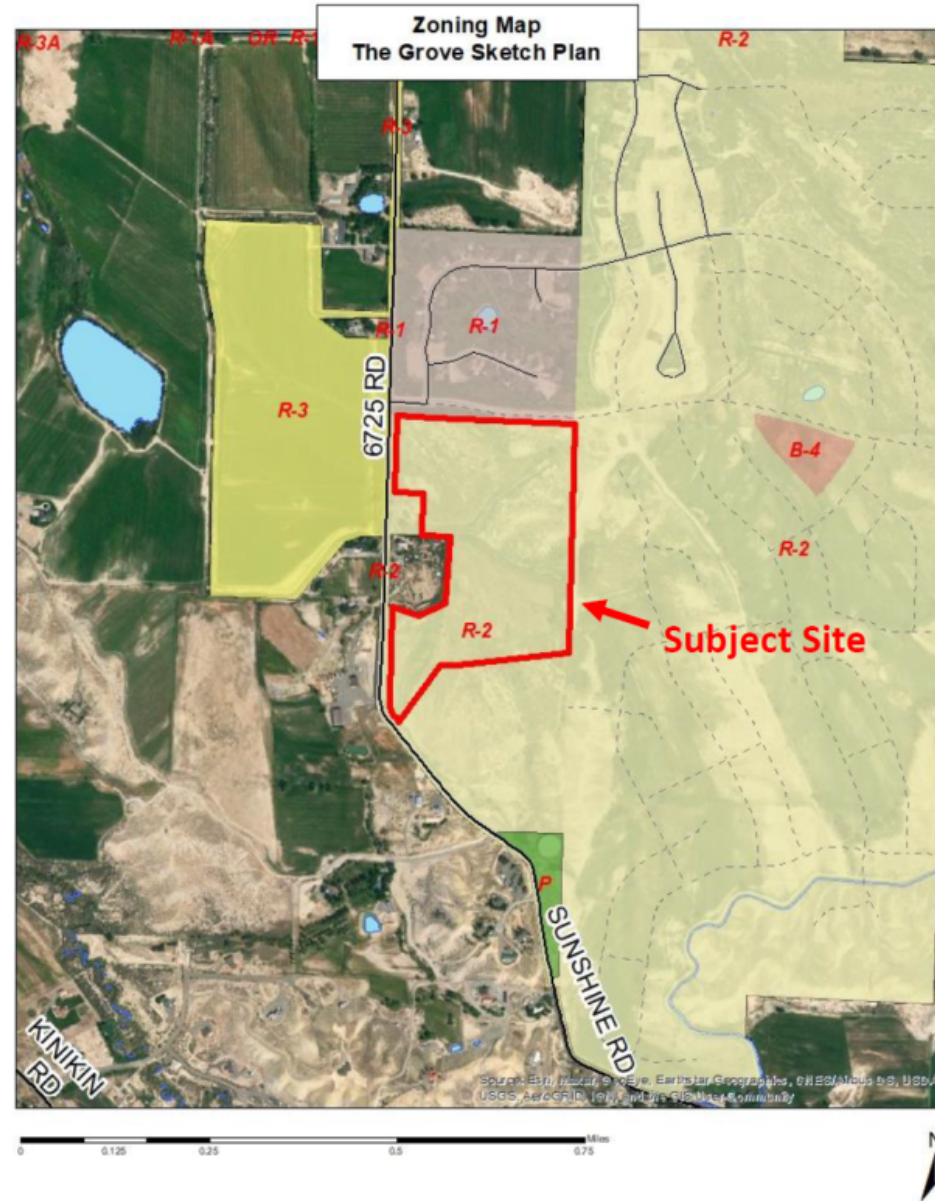


Vicinity Map



Project Background

- Project size: 44.64 acres
- Zoned “R-2” Low Density District, which is “intended to provide a quiet, low density development for single-family residences”
- 129 single-family lots proposed

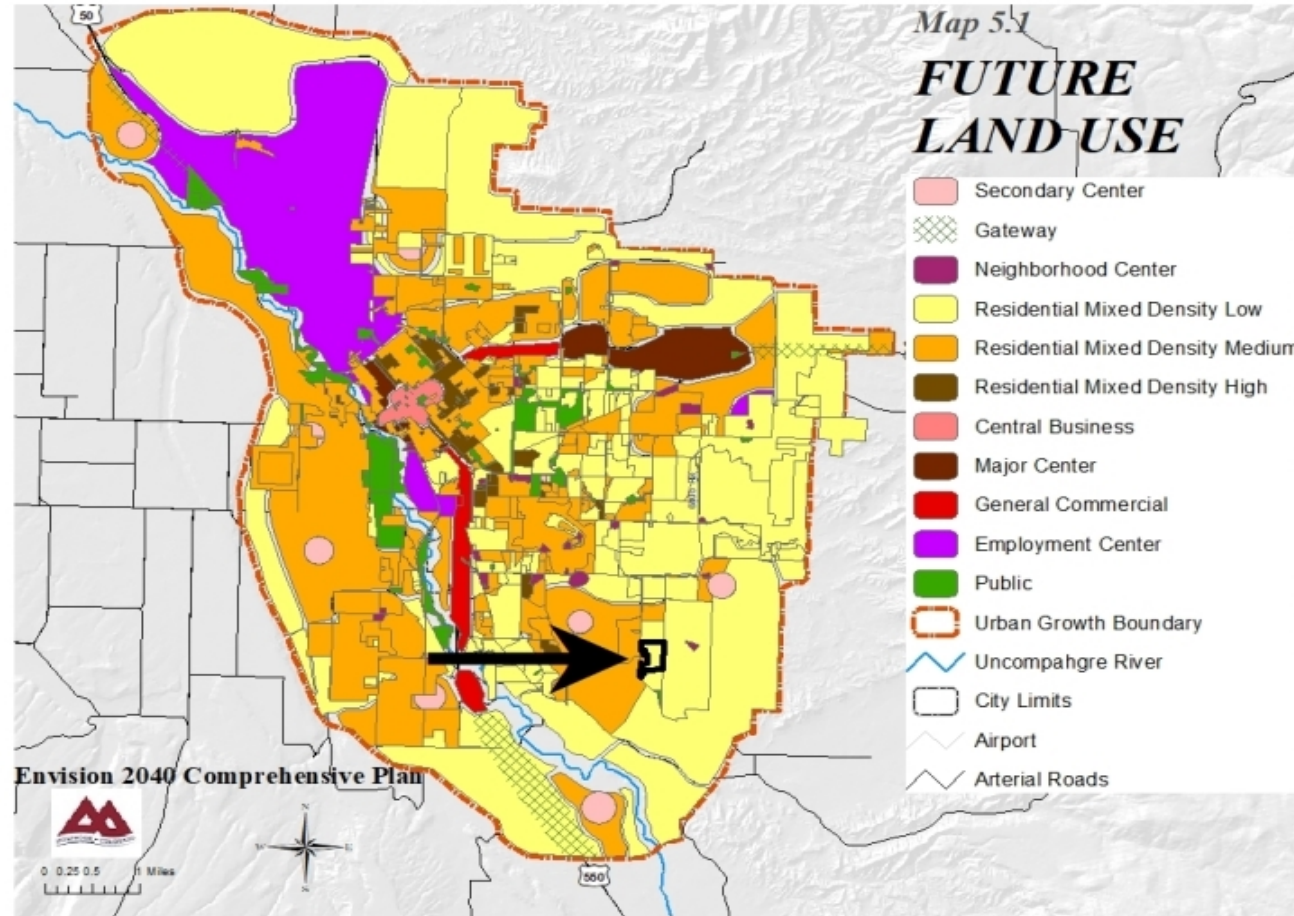


Subdivision and Amended PD Process



Comprehensive Plan – Land Use Chapter 3

Listed as Residential Mixed Density Low in the future land use map. This district provides primarily for single-family homes, as well as small amounts of attached residential dwelling units (such as duplexes and even small groups of townhomes).



Comprehensive Plan & Municipal Code

- Future Land Use Map within the Comprehensive Plan illustrates general, somewhat flexible locations and extents for various land uses and densities.
- The Municipal Code and Zoning regulations specify land uses and densities, bulk & height requirements, setbacks, and other development standards that are allowed within each zoning district.
- Development on this parcel may occur in accordance with the approved zoning and should also be in general conformance with the Comprehensive Plan.

Zoning Regulations

- Municipal Code, Section 4-4-6(A) Intent: The “R-2” Low Density District is intended to provide a quiet, low density development for single-family residences. Environmental protection is provided by allowing only single-family residences along with certain other compatible land uses.
- The current zoning is compatible with general conditions in the area. Adjacent to the north is R-1 zoning, to the south and east is R-2 zoning, and to the west is R-3 zoning and some unincorporated land within Montrose County zoned General Agriculture.

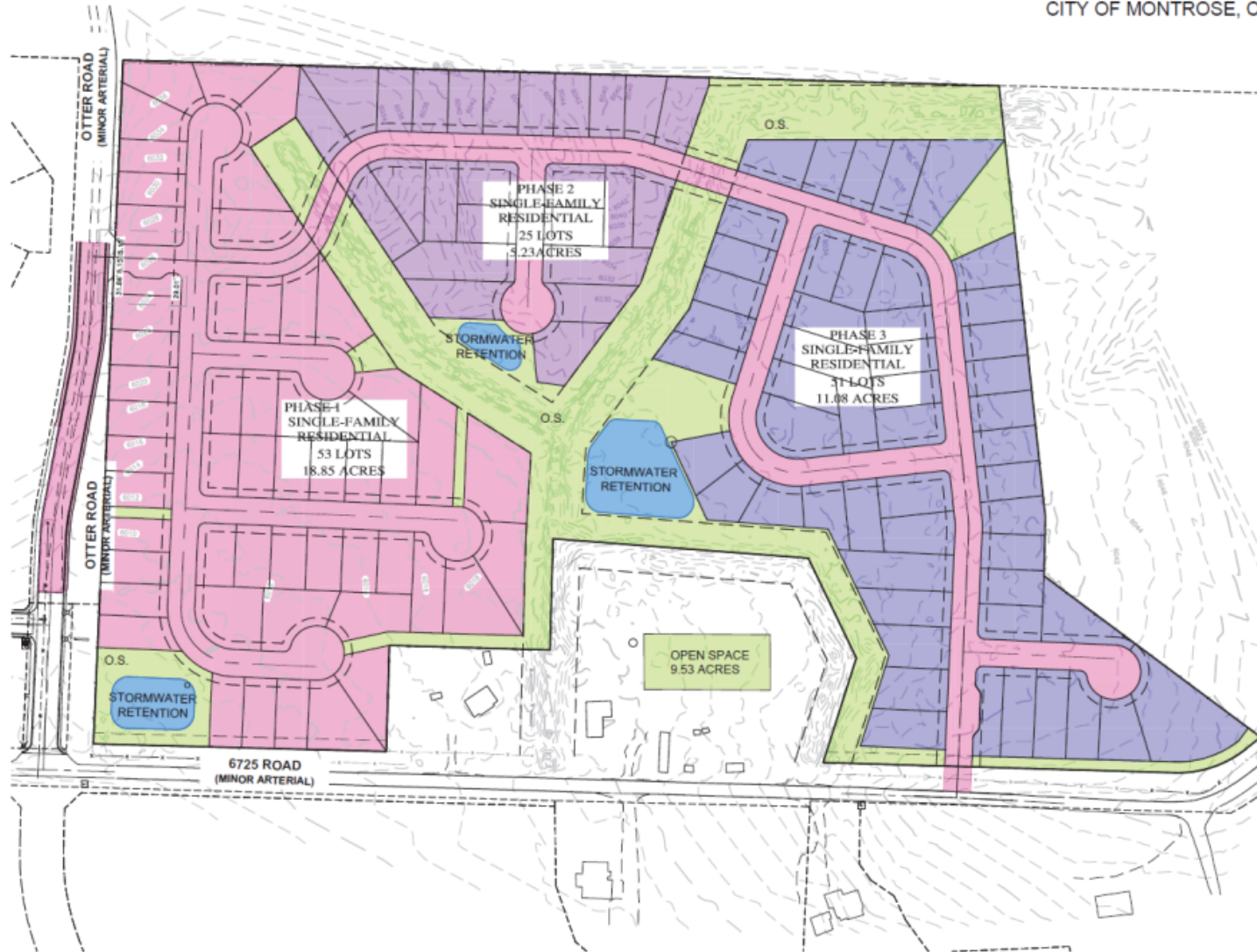
Zoning Regulations

- The dimensional requirements are included below. (Section 4-4-22).

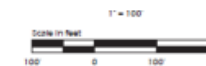
	Minimum Lot				Minimum Setbacks				
District	Use	Width at Building Line	Depth	Size	Front	Rear	Side	Corner Lot	Maximum Building Height
R-2	All	N/A	N/A	7,500	25	20	6	20	35

THE GROVE SKETCH PLAN

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THE GROVE LAND SUMMARY				
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44.84 AC.	9.53 AC. 21.35%	7.52 AC. 16.85%	27.59 AC. 61.85%	129 LOTS
OTTER ROAD EXTENSION		0.83 AC.		



DEL-MONT CONSULTANTS, INC.
ENGINEERING • SURVEYING

PROJECT: 3 of 3
SHEET: 2209C SKETCH
DATE: 2022-10-21
DRAWN BY: NF

THE GROVE
MONTROSE, COLORADO
OWNER: CHRIS KOCH
1521 OXBOW DR. SUITE 200
MONTROSE, CO 81401
970-252-0160
EXHIBIT 3-PHASING PLAN

Staff Guidance to Planning Commission

- The review and discussion of the Sketch Plan by the Planning Commission is informal and non-binding in nature, and shall serve as a means to **provide guidance** to the subdivider in accordance with the City of Montrose Municipal Code. **No formal action is taken at this time.**
- Staff recommends that the Planning Commission share feedback with the applicant, so that the applicant may consider the feedback and incorporate proposed changes into their future Preliminary Plat application. If the Planning Commission determines that adherence with certain components of the Comprehensive Plan should be prioritized, this information should be shared with the applicant at this time.

