



REGULAR PLANNING COMMISSION MEETING AGENDA

Wednesday, January 25, 2023 5:00 PM
Centennial Room, City Hall – 433 S. 1st St.

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 January 11, 2023 Planning Commission meeting
- 4) Additions or Deletions
- 5) **THE HYDRANT DOG DAYCARE CONDITIONAL USE PERMIT** This proposed conditional use permit would apply to Lots 5 through 10 of Block 27 of the Willerups Subdivision, also known as 28 W South 4th St. The proposal would allow a dog daycare and boarding facility on the property, which is a conditional use in the "I-1" Light Industrial District. The applicant is Spencer Fuller.
- 6) **CASA PRELIMINARY PLANNED DEVELOPMENT** This application is for the CASA Preliminary Planned Development, located on Lot B of the San Juan Industrial Park Subdivision Phase 1. This Planned Development proposes multiple deviations from City standards, including 45 residential buildings on one lot and supportive housing in the "I-1" Light Industrial District, a conditional use in this zoning district. The applicant is CASA of the Seventh Judicial District, Inc.



- 7) Other Business
- 8) Next meeting will be February 8, 2023
- 9) Motion to Adjourn



The Montrose City Planning Commission held a meeting on January 11, 2023 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: David Fishering (Chair), Chad Huffman (Vice-Chair), Richard Rogers, Phoebe Benziger, Jan Chastain, Delphine Jadot, Steve Ball and Ronald Cairns (alternate). Absent: None

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

There were 14 members of the public in attendance.

CALL TO ORDER

Chairperson David Fishering called the meeting to order at 5:00 p.m.

APPROVAL OF MINUTES

Phoebe Benziger moved to approve the minutes of the December 14, 2022 meeting as submitted. Jan Chastain seconded, and the motion carried.

ADDITIONS OR DELETIONS

None.

ELECTION OF CHAIR AND VICE-CHAIR

Chair

Phoebe Benziger nominated David Fishering as Chair. Delphine Jadot seconded. There were no other nominations. David Fishering is Chair.

Vice-Chair

Phoebe Benziger nominated Chad Huffman as Vice-Chair. Jan Chastain seconded. There were no other nominations. Chad Huffman is Vice-Chair.

KLEIN ADDITION ZONING HEARING.

This is a proposal for initial zoning of "MHR" Manufactured Housing Residential District for the proposed Klein Addition, approximately 1.00 acres. The parcel is located southeast of the intersection of 6600 Rd and Draft Horse Rd, also known as 675 6600 Rd. The applicant is Kenneth Klein.

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

Kenneth Kline, applicant, was present to answer questions.

Questions for Applicant

Planning Commissioners and the applicant discussed future plans for the property.

Public Hearing

One member of the public came forward to discuss concerns about zoning, use, and density of the property.

Questions for Staff and Discussion

Planning Commissioners and staff discussed MHR zoning and maximum density, the process and requirements for subdividing, and requirements for mobile home parks.

Motion and Vote

Phoebe Benziger moved to recommend to City Council approval of the initial zoning request of “MHR” Manufactured Housing Residential District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report. Delphine Jadot seconded and the motion carried unanimously.

VALLEY RANCH SUBDIVISION SKETCH PLAN.

This is a review and discussion of the Valley Ranch Subdivision Sketch Plan. The property is approximately 96.03 acres in size and is located south of the intersection of Ogden Rd and Bridges Dr. The property is zoned "R-1" Very Low Density District, "R-2" Low Density District, and “R-3A” Medium High Density District. The property is planned to have 60 residential lots, as well as a tract for future multifamily development. The applicant is David Coker with Valley Ranch Montrose, 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.

Scott Murphy discussed the process of developing a subdivision, including roads, traffic studies, water resources and conservation, sewer, drainage, and stormwater management.

Questions for Staff

Planning Commissioners and staff discussed the sketch plan, including lot sizes, open spaces, and access.

Applicant Presentation

David Coker, applicant, presented the sketch plan. Mr. Coker discussed zoning areas, phases of construction, utilities, and the preliminary plat.

Questions for Applicant

Planning Commissioners and applicant discussed existing irrigation ditches, zoning, areas to be platted first, and sketch plan.

Public Hearing

Four members of the public came forward with concerns regarding changes to addresses and other issues with Otter Road, traffic, road improvements, and density.

Discussion

Planning Commissioners, staff and applicant discussed upgrades to Otter Road, pedestrian access, future plans for the property, lot sizes, and mixed zoning concept.

Motion and Vote

No action to be taken.

OTHER BUSINESS

The City Planning Department is requesting input from the community regarding housing needs. An online questionnaire has been developed. There will be a community meeting at 6:00 pm Wednesday January 18 in the Centennial Meeting room.

New employee, Michelle Wingfield, was introduced. She is part of the Planning Department and DART, dealing mostly with the downtown area.

There was a discussion regarding the rezoning of property at Hillcrest Drive and Miami Road. Staff will keep the Planning Commission in the loop.

NEXT MEETING

The next Planning Commission meeting is scheduled for January 25, 2023.

PUBLIC COMMENT

None.

ADJOURNMENT

Phoebe Benziger moved to adjourn the meeting. Chad Huffman seconded, and the meeting ended at 6:10 p.m.

CHAIRPERSON

ATTEST



CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: Jace Hochwalt, Planning Manager
DATE: January 25, 2023
RE: 23-0001 - The Hydrant Dog Daycare CUP
ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Photos

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 is approving or denying a Conditional Use Permit for a dog daycare and boarding facility. The Planning Commission will consider all of the information in this memo in making a decision.

Application Background:

Spencer Fuller is the Applicant for the proposal and is requesting a Conditional Use Permit to allow for a dog daycare and boarding facility. The site location is at 28 W. South 4th Street, which is zoned I-1 (Light Industrial). Commercial uses within the I-1 zone district require a Conditional Use Permit as outlined in Section Municipal Code Section 4-4-17(C), and must be approved by the Planning Commission.

The Applicant is seeking to start a dog daycare and boarding facility called “The Hydrant.” The business is anticipated to operate from 8am to 5pm on weekdays with pick-ups and drop-offs throughout the day. There will be some small outdoor yard area that will be fenced in, but dogs will be primarily indoors. While the business will primarily operate as a dog-care, there will be some kennels for overnight boarding.

The Applicant is not proposing any substantial changes to the existing building on site. The primary changes will be to the interior of the building, as well as fencing around a portion of the exterior of the site. Per the Applicant, all dogs will be kept securely inside the facility and will be taken on leashed walks by employees on an individual basis. All dog waste will be collected and disposed of per PACFA regulations. A covered dumpster will be utilized to minimize smell. Additionally, dumpsters will be located on the far west of the building. All parking that is

currently on site will be retained.

Applicant:

Property Owner: Daniel and Patricia Kigar

Applicant: Spencer Fuller

Staff Analysis:

1. City of Montrose Municipal Code Section 4-4-17: "I-1" Light Industrial District.
 - (A) *Intent*. The "I-1" Light Industrial District is intended to provide for limited group of research, manufacturing uses, and transportation hub. This promotes the creation and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial park area.
 - (B) *Uses by Right*:
 1. Uses which meet the intent of Subsection (A) of this Section and the performance standards of Subsection (C) of this Section are uses by right. Typical examples of such manufacturing and non-manufacturing uses include: food processing; metal finishing and fabrication; power generation and transformer stations; paper, plastic and wood manufacturing (excluding processing of any raw materials), fabric manufacturing and similar activities.
 2. Parks and open spaces.
 3. Government buildings and facilities, to include airport and accessory uses.
 4. Public utility service facilities.
 5. Warehouse and wholesale distribution centers.
 6. Renewable energy facilities.
 7. Single-family homes, duplexes, and multiple-family residences.
 8. Accessory uses.
 9. Aircraft support services, including, but not limited to, aircraft maintenance and passenger and crew services.
 10. Short-term rentals.
 11. Family child care home.
 12. Childcare facilities.
 13. Short-term rentals
 - (C)(1) *Conditional Uses*: Any commercial use other than the uses by right which complies with the performance standards of Subsection (C) of this Section and is consistent with the intent of Subsection (A) of this Section.
 - (D)(1) *Performance Standards*: No structure shall be constructed within 100 feet of an existing residential zone.
2. The conditional use criteria, outlined in Section 4-4-26 of the Municipal Code, are as follows:
 - (A) Uses listed as conditional uses for the various zoning districts provided in this Chapter shall be allowed only if the Review Board determines, following review pursuant to Section 4-4-31, that the following criteria are substantially met with

respect to the type of use and its dimensions:

- i. The use will not be contrary to the public health, safety, or welfare.
- ii. The use is not materially adverse to the City's Master Plan.
- iii. Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.
- iv. The use is compatible with existing uses in the area and other allowed uses in the district.
- v. The use will not have an adverse effect upon other property values.
- vi. Adequate off-street parking will be provided for the use.
- vii. The location of curb cuts and access to the premises will not create traffic hazards.
- viii. The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of adjacent property.
- ix. Landscaping of the grounds and the architecture of any buildings will be reasonably compatible with that existing in the neighborhood.

• (B) The Burden shall be upon the applicant to prove that these requirements are met. ([Ord. No. 2472](#) , § 4-4-26, 5-7-2019)

3. Staff finds that the proposed use to allow for dog daycare and boarding is considered a conditional use, not a use by right in this zoning district. It generally meets the intent and of the "I-1" Light Industrial District, and performance standards are met as there is no new construction occurring. This proposal also meets the conditional use criteria as stated in Section 4-4-26. It is in compliance with the Comprehensive Plan and compatible with existing uses in the surrounding area.

Staff Recommendation:

The staff finds that the criteria have been met and recommend approval of the request.

Planning Commission Motion Alternatives:

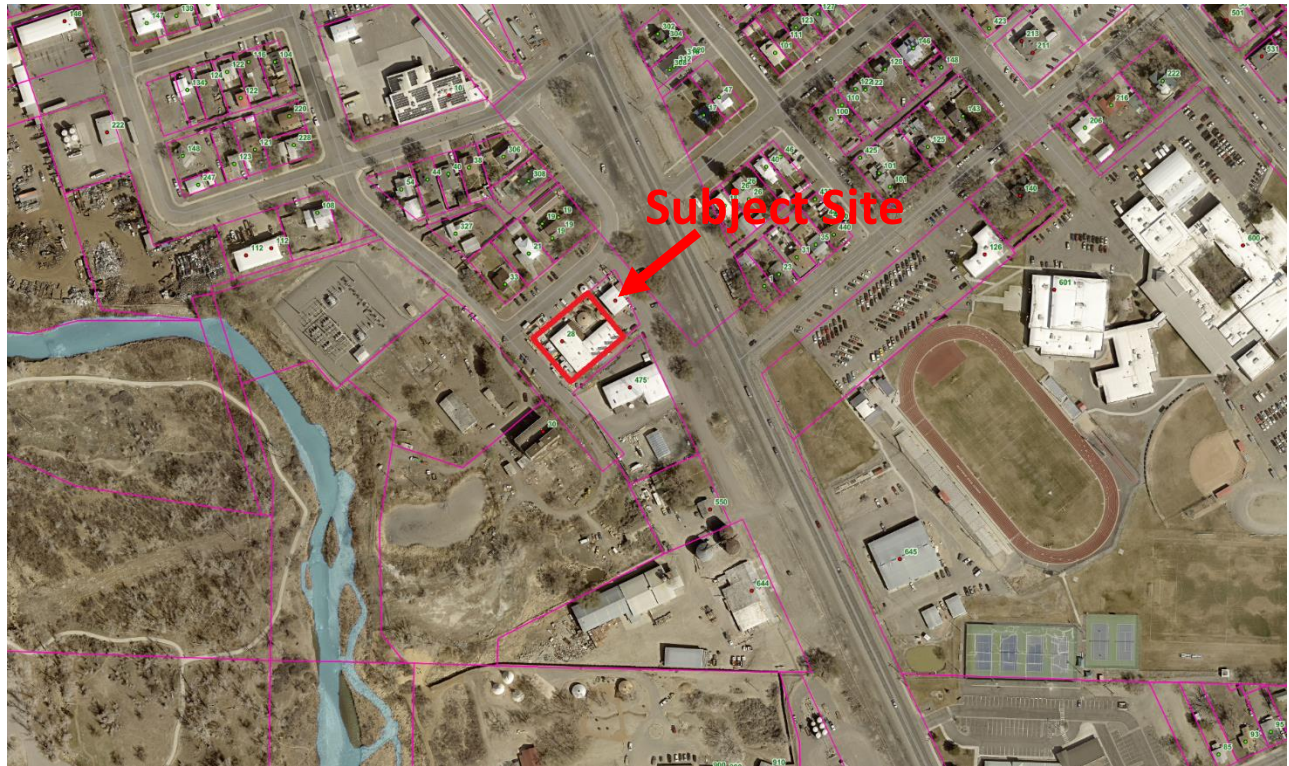
Approval Motion Recommendation:

"I hereby make a motion to approve the request to allow the conditional use for the property located at 28 W. South 4th Street to be utilized for a dog daycare and boarding facility within the "I-1" Light Industrial zone district. The request meets the Code criteria based on the evidence and testimony presented at this hearing and as outlined in the staff report."

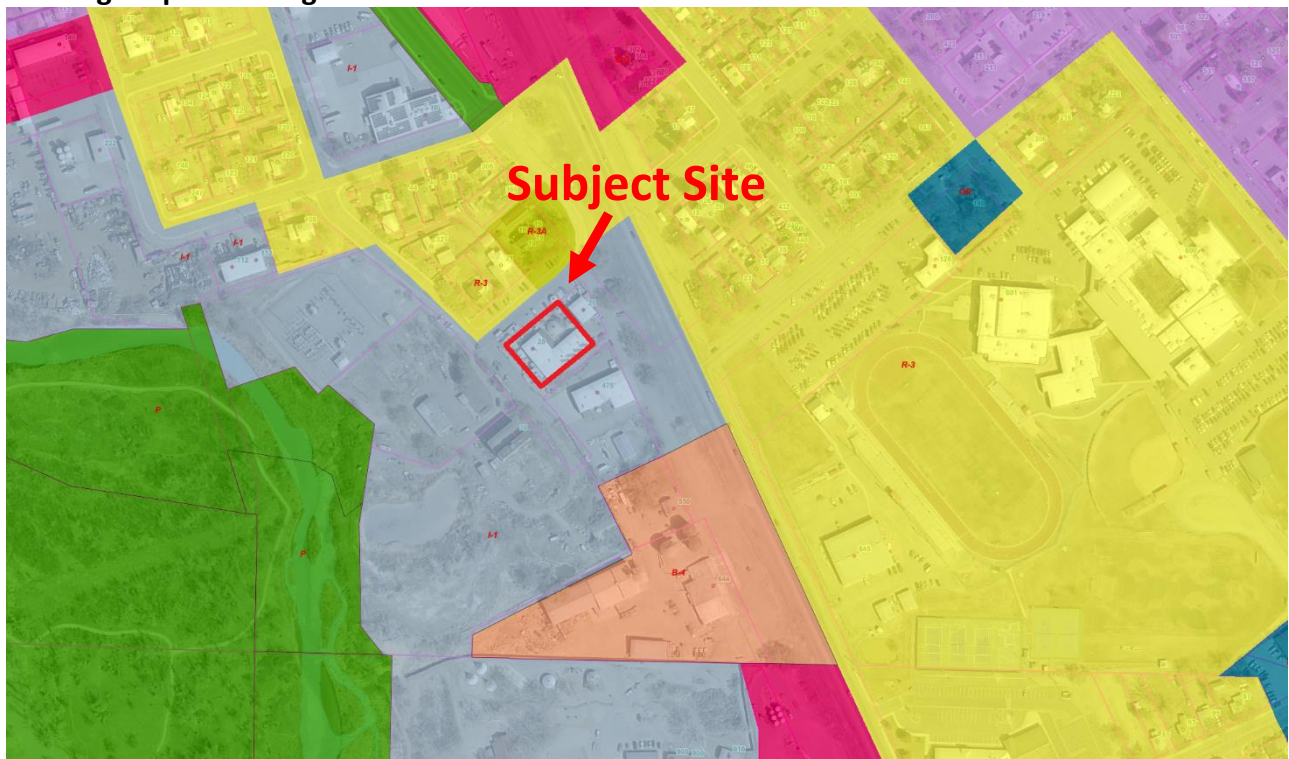
Denial Motion Recommendation:

"I hereby make a motion to deny the request. The request does not meet the Code criteria based on the evidence and testimony presented at this hearing and outlined in the staff report."

EXHIBIT A: Maps
Vicinity Map



Zoning Map – “I-1” Light Industrial District



Site Plan



*Note: Existing building. No improvements proposed to the current site aside from fencing outlined in red and some interior remodel work.

Floor Plan

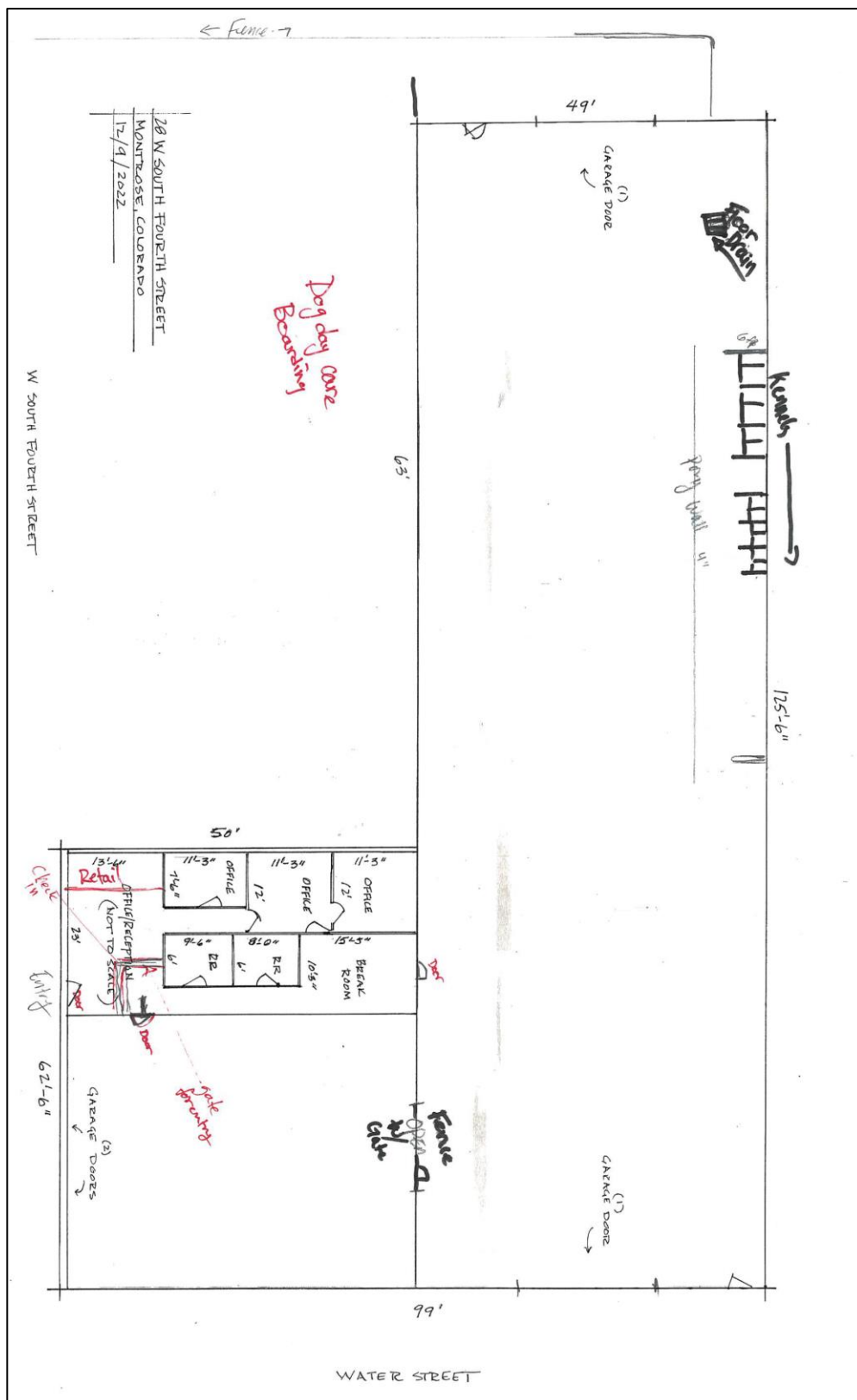


EXHIBIT B: Photos







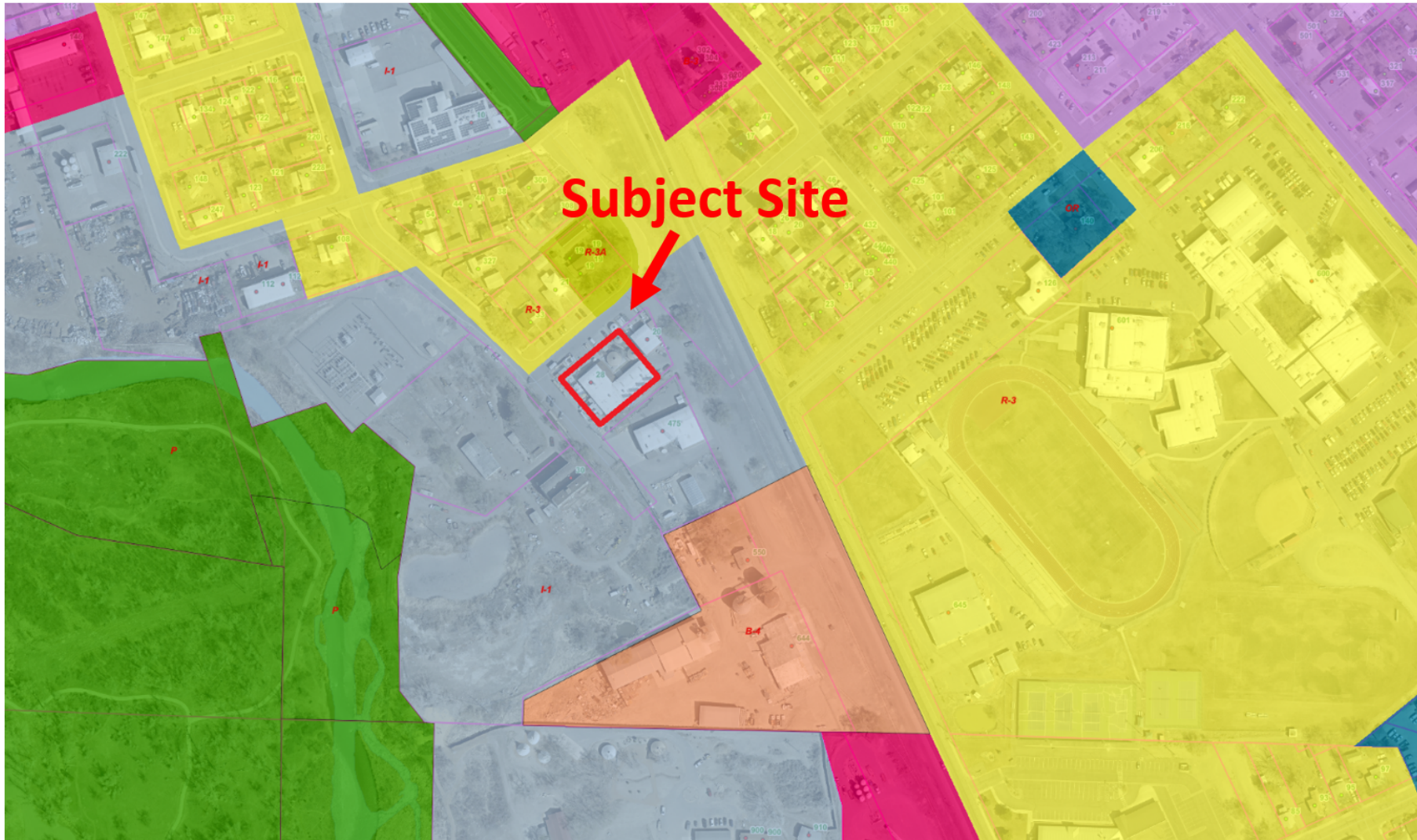
Proposal & Vicinity Map



Background

- The Applicant is seeking to operate a dog daycare and boarding facility at 28 W. South 4th Street.
- Existing building will be used. Site modifications include interior remodel work and exterior fencing.
- Anticipated hours of operation are 8am to 5pm for the daycare component of the business, and there will be a small number of kennels for overnight boarding.
- All dog waste will be collected and disposed of per PACFA regulations and a covered dumpster will be utilized.

Zoning



Zoned "I-1" Light Industrial District

Zoning Regulations

- Municipal Code, Section 4-4-17(A) Intent: The "I-1" Light Industrial District is intended to provide for limited group of research, manufacturing uses, and transportation hub. This promotes the creation and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial park area.
- Municipal Code, Section 4-4-17(C)(1) Conditional Uses: Any commercial use other than the uses by right which complies with the performance standards (below) and is consistent with the intent of the I-1 zone district (above).
- Municipal Code, Section 4-4-17(D)(1) No structure shall be constructed within 100 feet of an existing residential zone.

Site Plan



Pictures



Conditional Use Criteria – Section 4-4-26

- The use will not be contrary to the public health, safety, or welfare.
- The use is not materially adverse to the City's Master Plan.
- Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.
- The use is compatible with existing uses in the area and other allowed uses in the district.
- The use will not have an adverse effect upon other property values.
- Adequate off-street parking will be provided for the use.
- The location of curb cuts and access to the premises will not create traffic hazards.
- The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of adjacent property.
- Landscaping of the grounds and the architecture of any buildings will be reasonably compatible with that existing in the neighborhood.

Staff Analysis - Recommendation

- The dog daycare and boarding use is considered a conditional use, not a use by right in this zoning district.
- Meets the intent and performance standards of the “I-1” Light Industrial district.
- Meets the conditional use criteria in Section 4-4-26.
- Is in compliance with the Comprehensive Plan and compatible with existing uses in the surrounding area.
- Staff recommends approval of the conditional use permit for a dog daycare and boarding facility at 28 W. South 4th Street.





CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Planner II
DATE: January 25, 2023
RE: CASA Preliminary Planned Development
ATTACHMENTS

- Exhibit A: Area Maps
- Exhibit B: Preliminary Planned Development
- Exhibit C: Excerpts 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:

Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the CASA Preliminary Planned Development. The Planning Commission will consider all of the information in this memo in making a decision.

Applicant: CASA of the Seventh Judicial District, Inc.

Application Background:

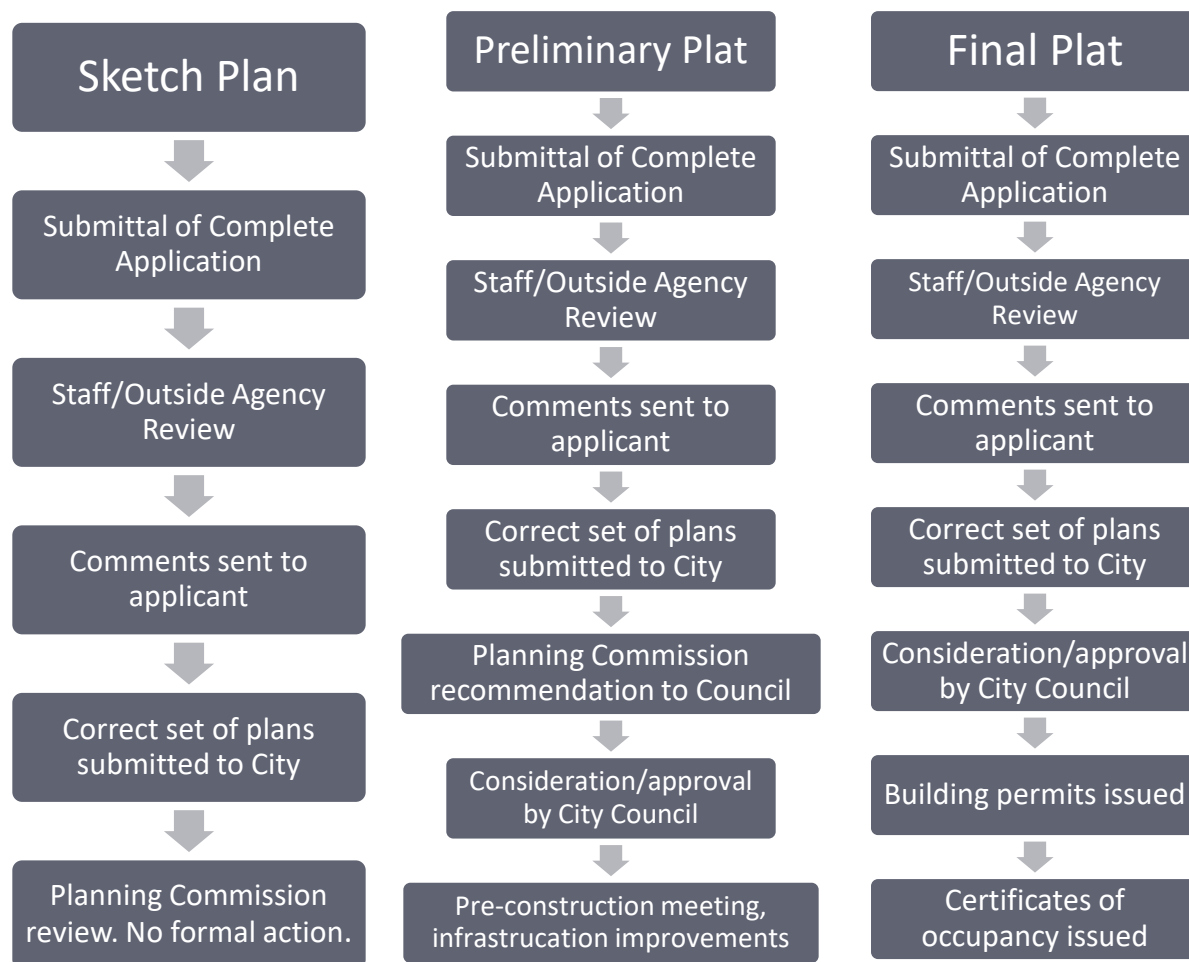
The CASA Planned Development is a proposed residential development on the northern side of Montrose, located on Lot B of the San Juan Industrial Park Subdivision Phase 1. The property is approximately 7.47 acres in size and is north of N San Juan Ave. The property is zoned "I-1" Light Industrial District. The property is planned to have 45 supportive housing units, along with a community center. Properties with multiple residential buildings on one lot require a Planned Development. Supportive housing is considered a conditional use in the "I-1" Light Industrial District. The conditional use may be approved with the Preliminary Planned Development and Final Planned Development, and does not require a separate application.

The Sketch Plan application for the Planned Development was reviewed by the Planning Commission on December 14, 2022. The review of the Sketch Plan was informal and non-binding in nature and served as means to provide guidance to the applicant. No formal action was required or taken at that time.



Planned Development Process:

The City of Montrose Municipal Code Section 4-7-24 (Exhibit B) outlines the process and standards for planned development applications. The following flowchart shows this overall process.



Staff Analysis:

1. Planned Development Regulations:
 - a. Municipal Code: Section 4-7-24 (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 two areas:

Residential Mixed Density Medium. *This district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes.*

Employment Center. *This district is intended to encourage the development of planned light industrial, office, and business parks, as well as to identify locations for medium industrial uses such as manufacturing, warehousing and distributing, and indoor and outdoor storage. This district is also intended to accommodate secondary uses that complement and support the primary workplace uses, such as hotels, restaurants, convenience shopping, childcare, and housing.*

4. Zoning Regulations:

- a. Municipal Code, Section 4-4-17 (A) Intent: The purpose of the "I-1" Light Industrial District is to accommodate a limited group of research, manufacturing uses, and transportation hub. This promotes the creation and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial park area.
- b. The proposed use is a conditional use in this zoning district. The current zoning is compatible with general conditions in the area. The property is adjacent to properties that are zoned "I-1" Light Industrial District, "R-3A" Medium High Density District, and properties outside of City limits. A conditional use may be approved as part of a Planned Development application without requiring a separate conditional use permit.



Planning Commission Action:

The Planning Commission shall make a recommendation to City Council to approve, deny, or approve with conditions the CASA Preliminary Planned Development. Proposed motions for Planning Commission consideration are included below.

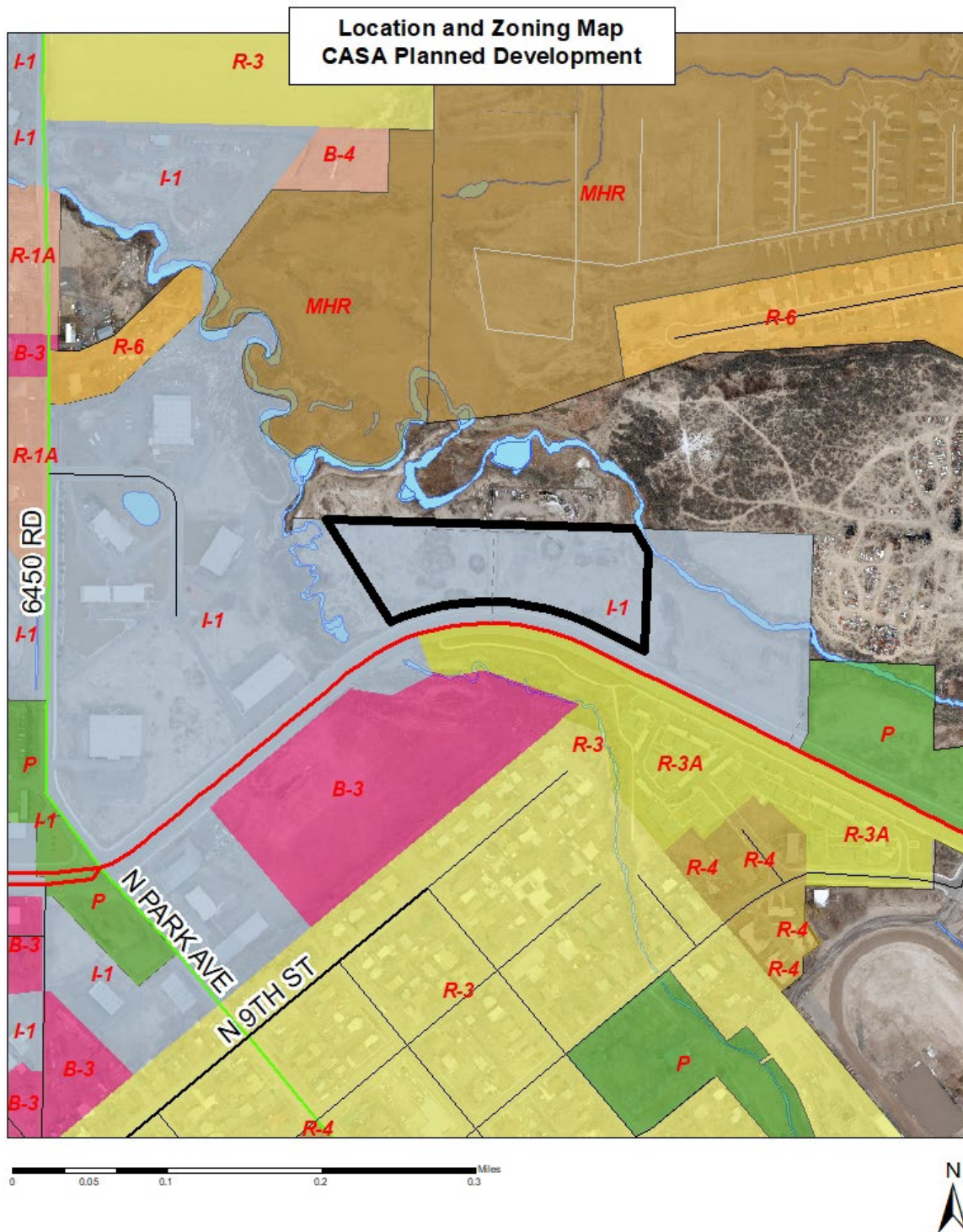
Planning Commission Motion Alternatives:

Approval Motion: “I hereby make a motion to recommend to City Council approval of the CASA Preliminary Planned Development application. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report.”

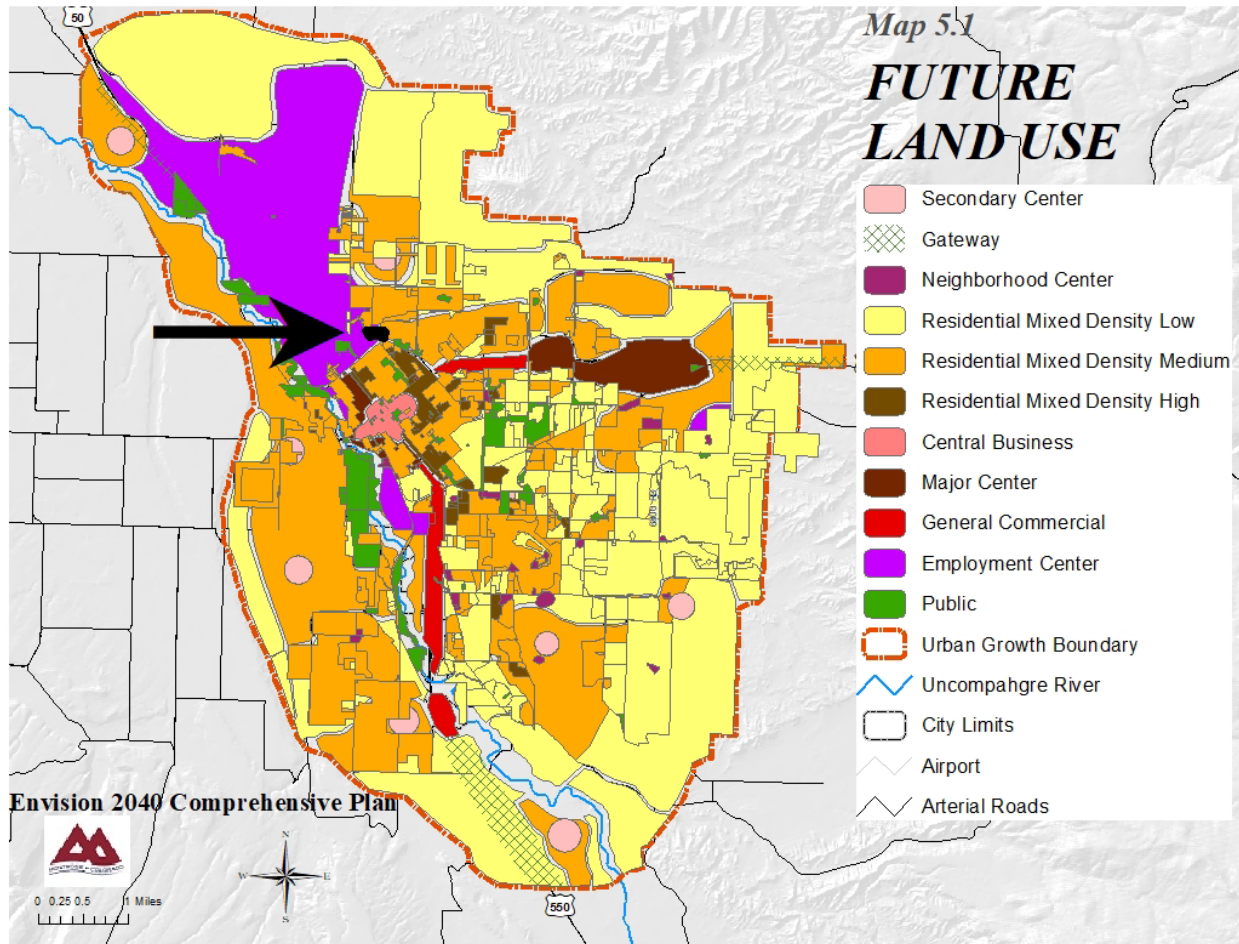
Denial Motion: “I hereby make a motion to recommend to City Council denial of the CASA Preliminary Planned Development application. The application does not meet the Code criteria based on evidence and testimony presented at this hearing and in the staff report.”



EXHIBIT A: Area Maps



Comprehensive Plan Future Land Use Map

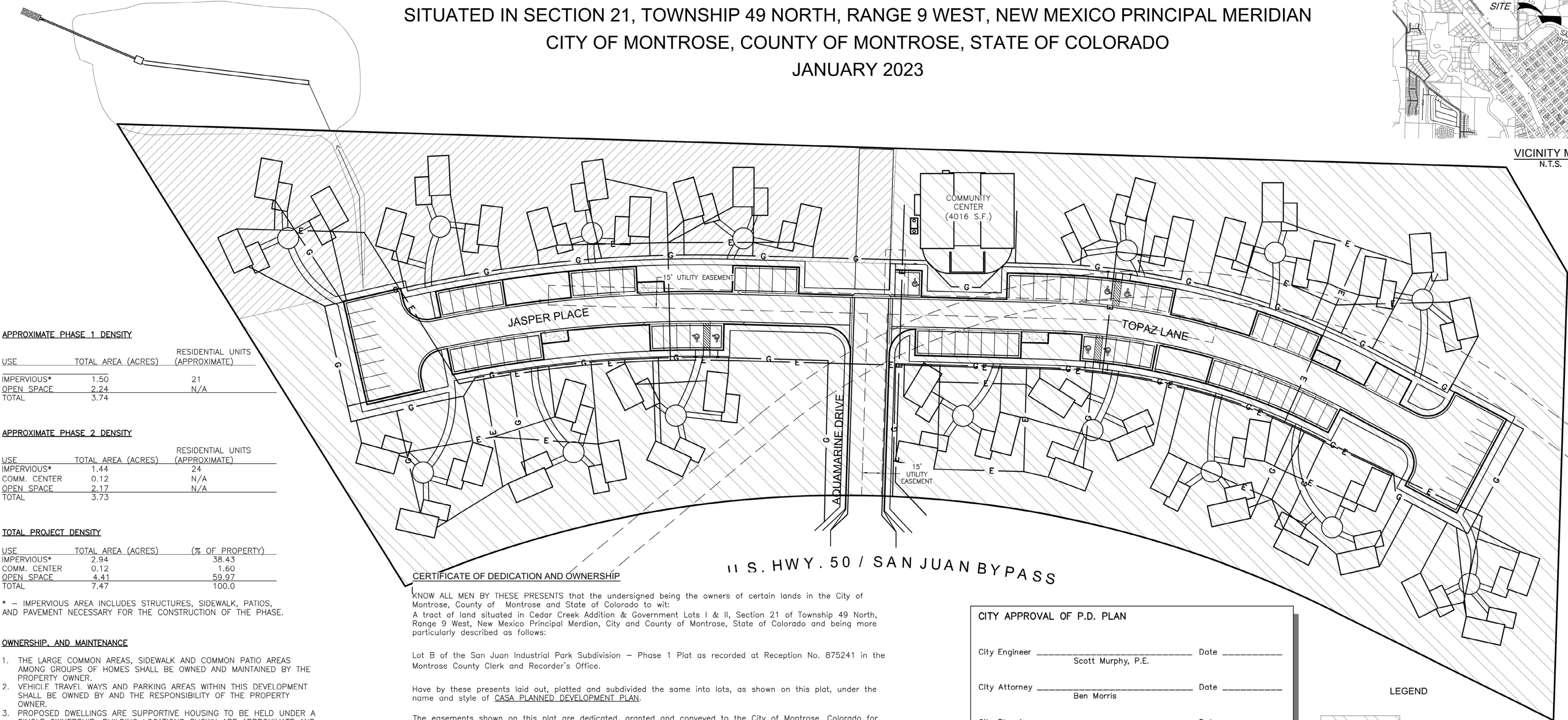


CASA
PRELIMINARY PLANNED DEVELOPMENT PLAN

SITUATED IN SECTION 21, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO
JANUARY 2023



VICINITY MAP
N.T.S.



APPROXIMATE PHASE 1 DENSITY

USE	TOTAL AREA (ACRES)	RESIDENTIAL UNITS (APPROXIMATE)
IMPERVIOUS*	1.50	21
OPEN SPACE	2.24	N/A
TOTAL	3.74	

APPROXIMATE PHASE 2 DENSITY

USE	TOTAL AREA (ACRES)	RESIDENTIAL UNITS (APPROXIMATE)
IMPERVIOUS*	1.44	24
COMM. CENTER	0.12	N/A
OPEN SPACE	2.17	N/A
TOTAL	3.73	

TOTAL PROJECT DENSITY

USE	TOTAL AREA (ACRES)	(% OF PROPERTY)
IMPERVIOUS*	2.94	38.43
COMM. CENTER	0.12	1.60
OPEN SPACE	4.41	59.97
TOTAL	7.47	100.0

* — IMPERVIOUS AREA INCLUDES STRUCTURES, SIDEWALK, PATIOS, AND PAVEMENT NECESSARY FOR THE CONSTRUCTION OF THE PHASE.

OWNERSHIP, AND MAINTENANCE

- THE LARGE COMMON AREAS, SIDEWALK AND COMMON PATIO AREAS AMONG GROUPS OF HOMES SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
- VEHICLE TRAVEL WAYS AND PARKING AREAS WITHIN THIS DEVELOPMENT SHALL BE OWNED BY AND THE RESPONSIBILITY OF THE PROPERTY OWNER.
- PROPOSED DWELLINGS ARE SUPPORTIVE HOUSING TO BE HELD UNDER A SINGLE OWNERSHIP. BUILDING LOCATIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE.
- ALL ON-PROPERTY SANITARY SEWER IS A PRIVATE SYSTEM CONNECTING TO THE CITY OF MONTROSE PUBLIC SEWER SYSTEM AT THE SOUTHWEST CORNER OF THE PROPERTY. THE PRIVATE SYSTEM SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN.
- THE ONLY PUBLIC WATER SYSTEM IS THAT WHICH PROVIDES WATER TO THE PROPOSED FIRE HYDRANTS, AND UP TO THE PUBLIC SIDE OF THE MAIN WATER METERS FOR THE PROJECT. ALL OTHER WATER SYSTEM FEATURES FOR THIS PROJECT IS PRIVATE AND WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN.
- THE COMMUNITY CENTER IS FOR RESIDENTS OF THIS DEVELOPMENT ONLY.

DEVIATIONS FROM CITY STANDARDS

- MULTIPLE DWELLINGS ON A SINGLE PARCEL
- WHETHER THE NUMBER OF PARKING SPACES SHOWN MEETS THE REGULATIONS OR NOT, THE NUMBER OF SPACES WILL BE SET BY THIS PLAN.
- SUPPORTIVE HOUSING IS A CONDITIONAL USE IN THE I-1 LIGHT INDUSTRIAL DISTRICT, AND IS BEING APPROVED WITH THIS PLANNED DEVELOPMENT.

PARKING CALCULATIONS

1½ SPACES PER DWELLING UNIT
8 PARKING SPACES FOR COMMUNITY CENTER

45 DWELLING UNITS 68 PARKING SPACES
COMMUNITY CENTER 8 PARKING SPACES
REQUIRED PARKING: 76 PARKING SPACES

PROVIDED SPACES: 81 PARKING SPACES
7 A.D.A. PARKING SPACES

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:
A tract of land situated in Cedar Creek Addition & Government Lots I & II, Section 21 of Township 49 North, Range 9 West, New Mexico Principal Meridian, City and County of Montrose, State of Colorado and being more particularly described as follows:

Lot B of the San Juan Industrial Park Subdivision — Phase 1 Plat as recorded at Reception No. 875241 in the Montrose County Clerk and Recorder's Office.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of CASA PLANNED DEVELOPMENT PLAN.

The easements shown on this plat are dedicated, granted and conveyed to the City of Montrose, Colorado for public utilities, including but not limited to water, sewer, electrical, telephone, gas and CATV lines, and drainage easements specifically labeled for dedication, together with 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, or otherwise subject to a previously recorded conveyance.

The undersigned Declarants and owners named herein, hereby submit this Planned Development Plan under the name and style of CASA Planned Development, in accordance with the requirements of Section 4-4-21 of the Official Code of the City of Montrose, Colorado, and hereby declare this Plan to be a covenant which shall run with the land described hereinbelow for the mutual benefit of the owners thereof, which Plan may be amended in accordance with the procedures for an amendment set forth in Section 4-4-21 of the Official Code of the City of Montrose, Colorado.

Executed this _____ day of _____, 20____.

Carlton Mason Chief Executive Officer, CASA of the Seventh Judicial District

STATE OF COLORADO)
) ss.
COUNTY OF MONTROSE)

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

Witness my hand and official seal.
My commission expires _____

(SEAL)

Notary

CITY APPROVAL OF P.D. PLAN

City Engineer _____ Date _____

Scott Murphy, P.E.

City Attorney _____ Date _____

Ben Morris

City Planning _____ Date _____

Commission Chair David Fishing

City Mayor _____ Date _____

Dave Frank

LEGEND

- PHASE 1 RESIDENTIAL AND COMMON AREA
- PHASE 2 RESIDENTIAL AND COMMON AREA

Scale in feet
50' 0 50' 100'

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. _____

by _____ County Clerk & Recorder Deputy _____



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

FIELD BOOK: _____

DRAWN BY: _____

DATE: _____

MGW

2023-01-06

SHEET: _____

FILE: _____

JOB NO.: _____

22033V_PD_PLAN

22033

TITLE: **CASA**
PRELIMINARY PLANNED DEVELOPMENT PLAN

CLIENT: **CASA FOR CHILDREN**

ADDRESS & PHONE: **147 N. TOWNSEND
P.O. BOX 1708
MONTROSE, CO 81401**

TYPE: **P.D. PLAN**

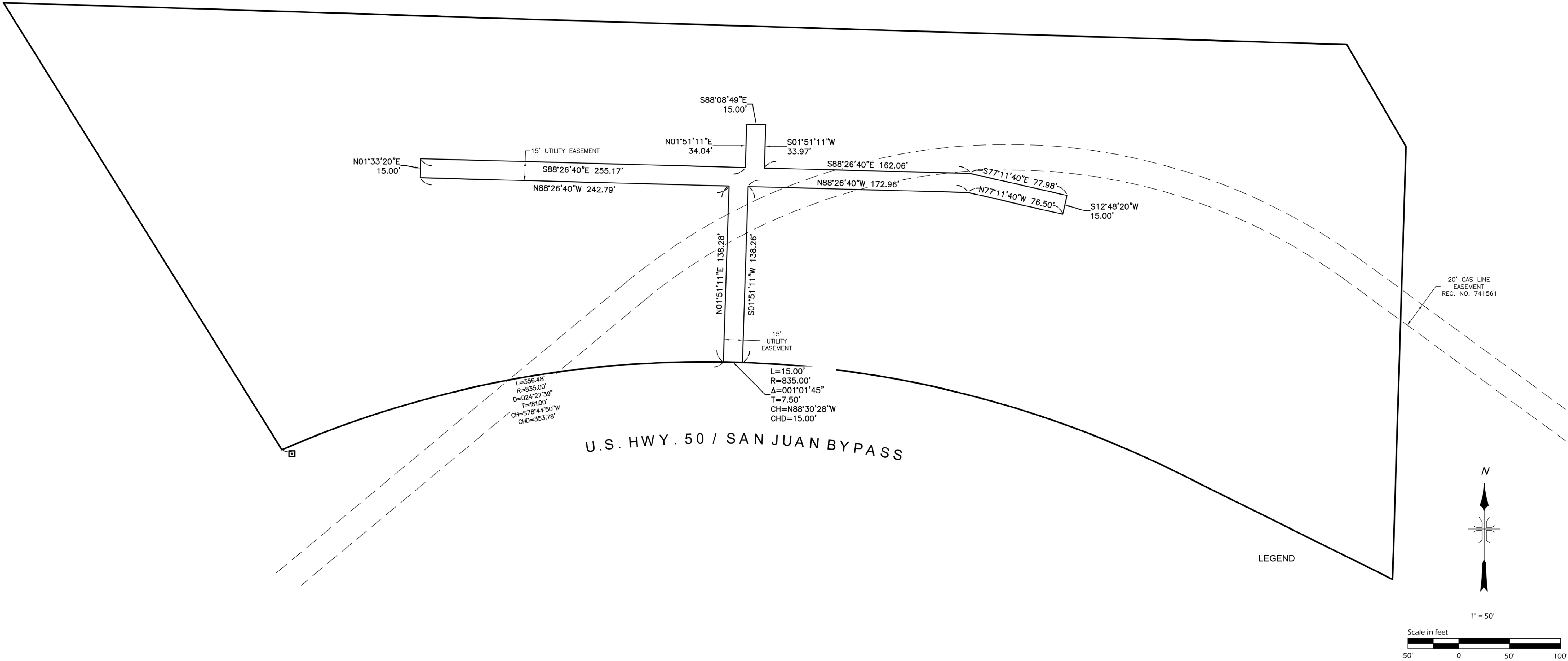
CASA

PRELIMINARY PLANNED DEVELOPMENT PLAN

SITUATED IN SECTION 21, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN

CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

JANUARY 2023



FIELD BOOK:				DRAWN BY:		DATE:		TITLE:	
SHEET:				FILE:		JOB NO.:		CLIENT:	
2 of 2				22033V_PD_PLAN		22033		CASA	
								PRELIMINARY PLANNED DEVELOPMENT PLAN	
								CASA FOR CHILDREN	
								147 N. TOWNSEND P.O. BOX 1708 MONTROSE, CO 81401	
								P.D. PLAN	

EXHIBIT C: Code Excerpts for Planned Developments

Sec. 4-4-24. Planned Development (PD).

- (A) *Intent.* The intent of this Section is to encourage the development of tracts of land in accordance with an overall development plan by providing flexibility with respect to dimensional requirements of residential units and to provide for procedures and requirements for multi-building residential development. The City is authorized to enact and amend regulations for the establishment and control of planned developments pursuant to Article XX of the Colorado constitution and C.R.S. § 24-67-101, et. seq.
- (B) *General Provisions.*
- (1) A planned development must be in substantial conformity with the City's Master Plans. No development with more than one building, with one or more dwelling units therein, may be erected on a single lot, tract, parcel or site unless a PD Plan, providing therefore, is approved pursuant to this Section, or unless the property is subdivided pursuant to City Subdivision Regulations. Provided all other applicable municipal Code provisions are satisfied, this Subsection is not intended to prohibit the issuance of building permits for property that has obtained:
 - (a) A PD Plan;
 - (b) A subdivision Preliminary Plat; or
 - (c) An approved final plat.
 - (2) A minimum of 20 percent of the gross area of the planned development must be preserved as parks or open space.
 - (3) The PD Plan must reasonably preserve and protect rural character, open space, scenic views, drainage areas and other valued resources.
 - (4) Approval of a planned development by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the developer does not accept all conditions, that development must adhere to standard subdivision and zoning requirements.
- (C) *Permitted Uses in a PD.*
- (1) Parks, open space, growing of agricultural crops, golf courses; and "uses by right" and "conditional uses" in the zone or zones in which the PD is located shall be permitted when approved as part of the planned development.
 - (2) Modular buildings used for single family homes, duplexes or multiple family residences may be allowed in any zoning district, if approved as part of the planned development.
 - (3) Planned developments in the "RL" zoning district must consider and reasonably minimize adverse impacts on existing agricultural uses or other property in the area.
 - (4) Residences may be clustered, including the use of duplexes and multifamily residences.
 - (a) Planned developments containing six or fewer units may be approved by following the administrative procedures set forth in this Subsection (C)(4).
 - (b) The 20 percent open space requirement applicable to planned developments shall be optional for those planned developments meeting the standards set forth in Subsection (C)(4)(a) of this Section.



- (c) Developments containing airspace units with undivided interests in common areas, shall show and describe said airspace units in three dimensions on the plat thereof. Developments of this type shall be known as "condominiums" and shall be labeled as such on the plat thereof.
 - (d) Developments having zero lot-line setbacks, but containing non-airspace-only units, may not be required to show said units in three dimensions on the plat thereof, though certain party wall details may be required, in the City's sole discretion. Developments of this type shall be known as "townhomes" and shall be labeled as such on the plat thereof. Townhomes shall include the underlying real property, and shall typically include yard area not encumbered by limited or general common elements, when applicable.
- (5) Administrative PD Procedures:
- (a) All lots or tracts are adjacent to a dedicated and accepted public street;
 - (b) The lots are part of a subdivision or PD plat that has been previously approved and/or accepted by the City and recorded in the Montrose County Records;
 - (c) All improvements required by applicable City ordinances and regulations, including those related to PD Plans, are already in existence and available to serve each lot, or secured;
 - (d) No part of the Administrative PD has been approved as part of an Administrative PD within three years prior to the date of submission of the Administrative PD plat;
 - (e) No material changes to prior restrictions or easements are proposed; and
 - (f) Provisions of Section 4-7-9(B) through and including (E) shall apply.
 - (g) Approval of an Administrative PD by the City is purely discretionary. If the City and the applicant do not agree on all required conditions and the plan, the City may deny approval, or the City may unilaterally impose conditions. If the applicant does not accept all conditions, that development must adhere to standard subdivision or PD requirements, and proceed through the applicable approval process.
 - (h) Prior to any review of the Administrative PD, the applicant shall provide written consent of all property owners within the proposed Administrative PD plan area. To the extent only a portion of a prior-approved Administrative PD plan area is proposed to be amended by the Administrative PD Plan application, then only the consent of the property owners within such portion shall be required.

(D) *Dimensional Requirements, Densities.*

- (1) Dimensional requirements, except those relating to overall residential density, which would otherwise be required by the City Zoning Regulations, or other City regulations for the district affected, may be deviated from in accordance with the plan as approved, if the Review Board determines that such deviations will promote the public health, safety and welfare. The Review Board may impose conditions as necessary or appropriate. The total number of residential units shall not exceed the area of the site divided by the minimum lot sizes specified for the zoning districts included.

(E) *Review of Sketch, Preliminary and Final PD Plan.*

- (1) The sketch plan, preliminary plan and final PD plans shall be reviewed pursuant to the procedures and requirements for subdivisions as set out in Chapter 4-7. For the approval of any preliminary PD Plan or a substantial amendment to a PD plan, a hearing shall be held before City Council.
- (2) Prior to any review of the Sketch, Preliminary and Final PD Plan, the applicant shall provide written consent of all property owners within the proposed PD plan area. For the purposes of this Section 4-4-24, "PD plan area" is the entirety of the territory proposed to be included in a PD plan; provided, however, that for



applications for PD plan amendments, only the portion of the PD plan area being amended or affected shall constitute the PD plan area for such application.

- (3) Conditions may be imposed as appropriate to assure that the PD plan is consistent with the City's Master Plans and promotes the public health, safety and welfare.
- (4) The plan shall show the location, size, number of dwelling units, and other uses, and shall further set out the location of all parks, open space, parking areas, streets, sidewalks, trails, bike paths and other improvements and structures. All information necessary to show compliance with the requirements of this Section shall be submitted. Where appropriate, in lieu of exact locations, numbers and sizes, parameters or limits may be set out.
- (5) The planned development Plan as approved shall be recorded.
- (6) The final PD plan may be treated as a vested right if and only if the following procedures are met:
 - (a) A landowner seeking to have the PD plan vested shall submit a written application to the City requesting that the final PD plan be vested in terms of the rights relative to the type and intensity of usage thereof. The application for review and approval of the PD plan for the purpose of vesting the property may only be submitted and received by the City subsequent to the City approval of the preliminary plat concerning that same subdivision.
 - (b) If the requirements for the PD plan are otherwise met in accordance with all applicable City regulations and specifications, approval of the PD plan shall be deemed to create a vested right in said plan which shall be subject to the provisions and limitations of C.R.S. §§ 24-68-103, 104 and 105, as may be amended from time to time. For the purposes of these provisions, PD plan shall mean the same as a "site specific development plan" as defined in the aforementioned statutes.
 - (c) Vested rights shall include only the final PD plan as approved, and shall not include the sketch plan or preliminary plat thereof, architectural plans, construction plans, variances, conditional uses, public utility filings and other related documents.

(F) *Required Improvements.*

- (1) All PDs shall provide the same improvements as required for subdivisions in Chapter 4-7, and security therefore shall be provided as set out in Section 4-7-8.
- (2) All improvements shall be constructed in accordance with standard City design and construction specifications and standards, in substantial conformity with the PD plan, and in accordance with subdivision design standards as set out in Chapter 4-7 except as modified by the plan.
- (3) An entity shall be established or provided for ownership and maintenance of all facilities and open spaces, which are approved for common ownership or not dedicated to the City.
- (4) Flexibility in the scope and design of required improvements and design standards may be allowed to provide for innovative urban design which promotes the public health, safety and welfare. A public street shall be dedicated to the City and developed at the developer's cost to provide direct access to each building with residential units or to the parking lot serving the building.

(G) *Enforcement and Amendments.*

- (1) The PD plan may be enforced in accordance with or in the same manner as the provisions of the Planned Unit Development Act of 1972, as amended, C.R.S. 1973, § 24-67-101 et seq., as amended or in any lawful manner. In addition, no occupancy permit shall be issued for any building unless all site improvements to serve that unit and any commonly-owned facilities have been completed and approved unless security for completion is provided substantially similar to the security required for subdivision



improvements by Section 4-7-8 of the City's subdivision regulations, except that cash must be placed in the escrow account prior to issuance of the occupancy permit.

- (2) Amended PD plans may be submitted for review and approval in the same manner as the initial PD Plan. An applicant for an Amended PD plan shall submit written consent of the property owners of the portion of the PD plan area to which the application applies, prior to and as a condition of the initiation of review of the application. Written consent from all property owners within the prior-approved PD plan area is not required as part of the Amended PD plan application. Advance notice of any review of an Amended PD plan application by the Planning Commission shall occur pursuant to Chapter 4-7 with the added requirement that advance written notice shall be provided to all property owners of record within the prior-approved PD plan area, in addition to all property owners of record adjoining or within 100 feet of the proposed Amended PD plan area.

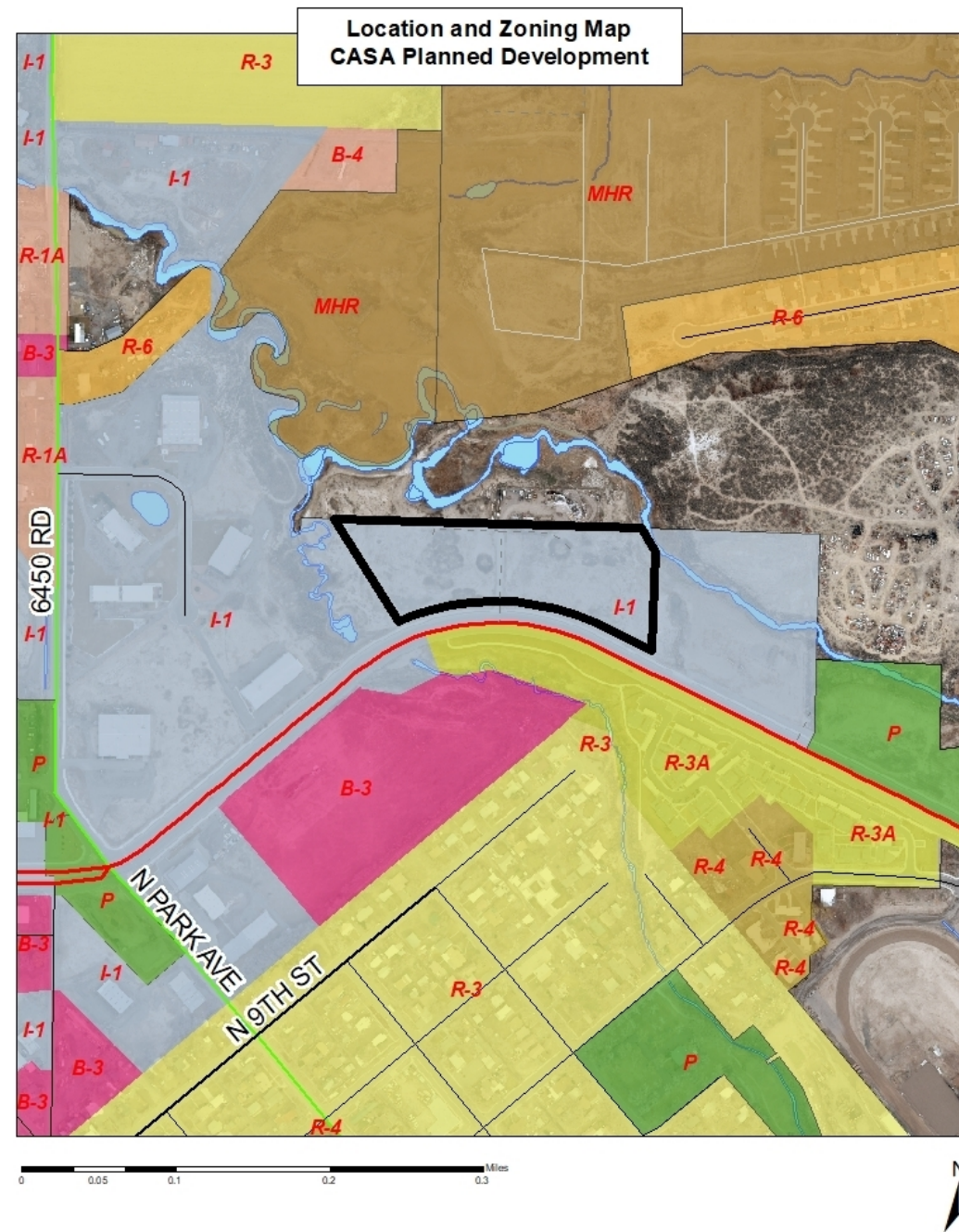
(Ord. No. 2472 , § 4-4-24, 5-7-2019; Ord. No. 2493 , 2-4-2020; Ord. No. 2589 , § 1, 5-17-2022)





Project Background

- Project site: 7.47 acres
- Zoned “I-1” Light Industrial
- 45 residential buildings and one community center located on one property.
- Proposed supportive housing project.

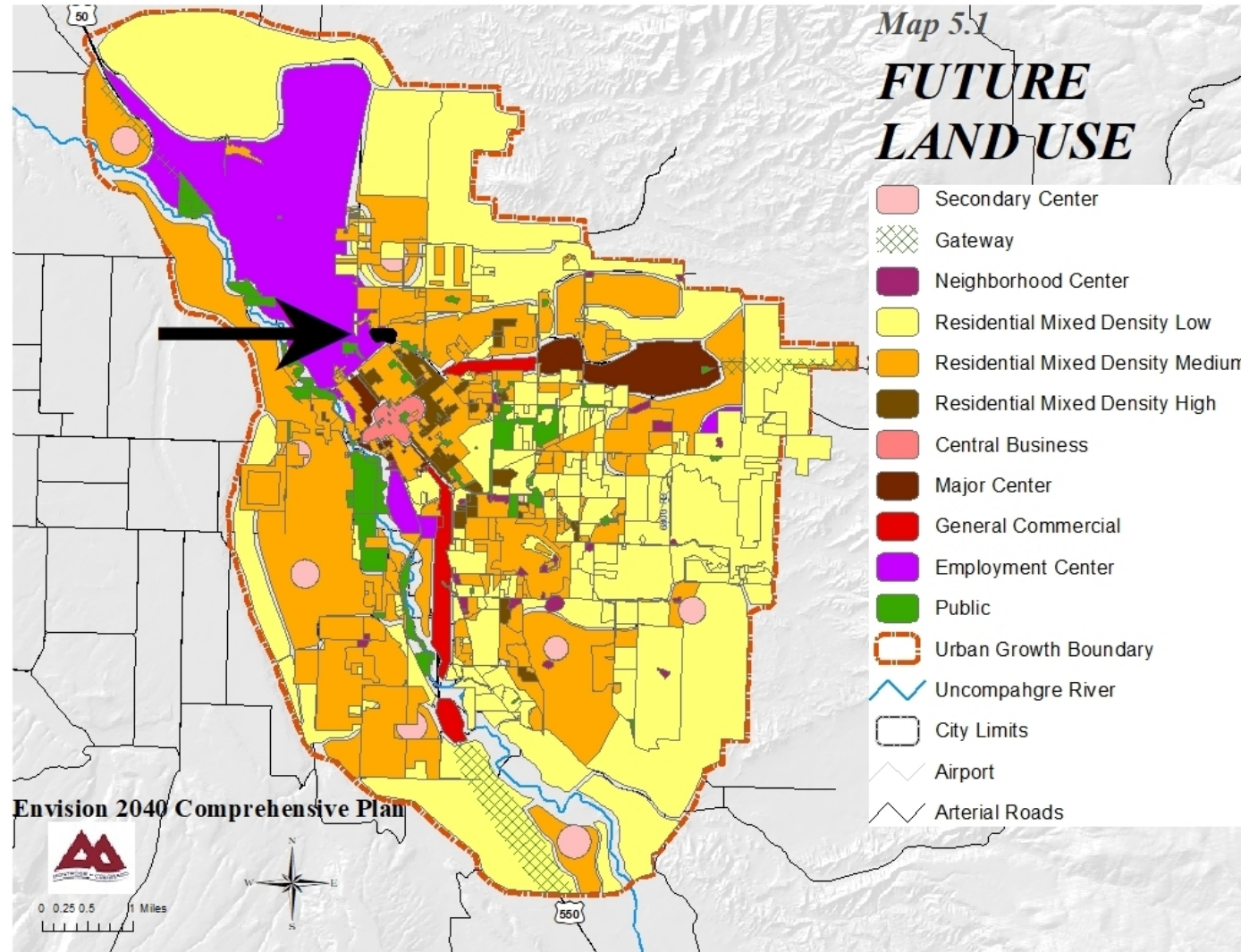


Planned Development Process



Comprehensive Plan – Land Use Chapter 3

Listed as **Residential Mixed Density Medium and Employment Center**



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. The Planned Development Application requests deviations from City standards, including allowing multiple residential buildings on one lot, and allowing a conditional use.

Zoning Regulations

- Municipal Code, Section 4-4-17(A) Intent: The purpose of the “I-1” Light Industrial District is to accommodate a limited group of research, manufacturing uses, and transportation hub. This promotes the creation and maintenance of an environment which will serve the mutual interests of the community as a whole, of any adjacent residential areas and of the occupants of the industrial park area.
- The current zoning is compatible with general conditions in the area. The property is adjacent to properties that are zoned “I-1” Light Industrial District, “R-3A” Medium High Density District, and properties outside of City limits.

CASA

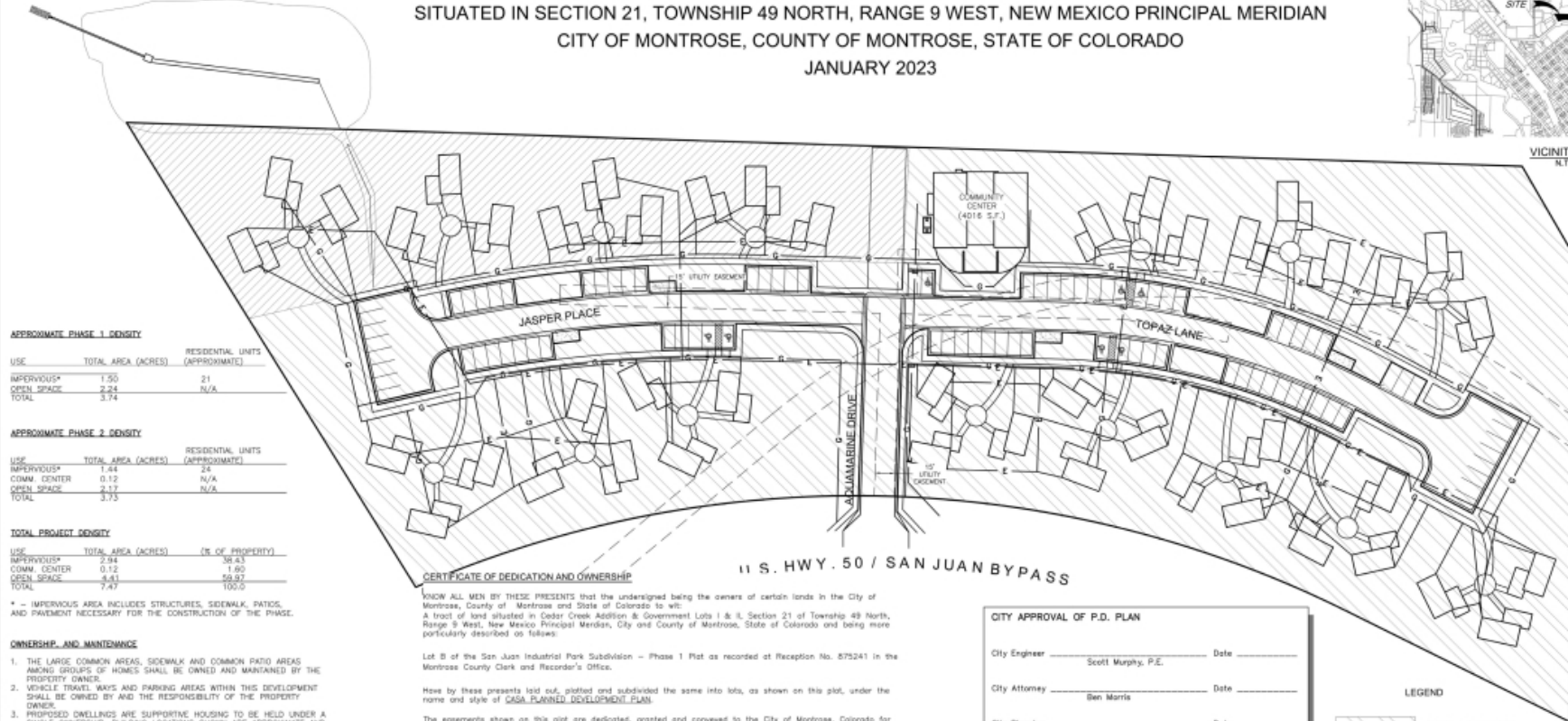
PRELIMINARY PLANNED DEVELOPMENT PLAN

SITUATED IN SECTION 21, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

JANUARY 2023



VICINITY MAP
N.T.S.



APPROXIMATE PHASE 1 DENSITY

USE	TOTAL AREA (ACRES)	RESIDENTIAL UNITS (APPROXIMATE)
IMPERVIOUS*	1.50	21
OPEN SPACE	2.84	N/A
TOTAL	3.94	

APPROXIMATE PHASE 2 DENSITY

USE	TOTAL AREA (ACRES)	RESIDENTIAL UNITS (APPROXIMATE)
IMPERVIOUS*	1.44	24
COMM. CENTER	0.12	N/A
OPEN SPACE	2.17	N/A
TOTAL	3.73	

TOTAL PROJECT DENSITY

USE	TOTAL AREA (ACRES)	(% OF PROPERTY)
IMPERVIOUS*	2.94	56.43
COMM. CENTER	0.12	1.60
OPEN SPACE	3.41	59.97
TOTAL	7.47	100.0

* - IMPERVIOUS AREA INCLUDES STRUCTURES, SIDEWALK, PATIOS, AND PAVEMENT NECESSARY FOR THE CONSTRUCTION OF THE PHASE.

OWNERSHIP AND MAINTENANCE

- THE LARGE COMMON AREAS, SIDEWALK AND COMMON RATIO AREAS AMONG GROUPS OF HOMES SHALL BE OWNED AND MAINTAINED BY THE PROPERTY OWNER.
- VEHICLE TRAVEL WAYS AND PARKING AREAS WITHIN THIS DEVELOPMENT SHALL BE OWNED BY AND THE RESPONSIBILITY OF THE PROPERTY OWNER.
- PROPOSED DWELLINGS ARE SUPPORTIVE HOUSING TO BE HELD UNDER A SINGLE OWNERSHIP. BUILDING LOCATIONS SHOWN ARE APPROXIMATE AND SUBJECT TO CHANGE.
- ALL ON-PROPERTY SANITARY SEWER IS A PRIVATE SYSTEM CONNECTING TO THE CITY OF MONTROSE PUBLIC SEWER SYSTEM AT THE SOUTHWEST CORNER OF THE PROPERTY. THE PRIVATE SYSTEM SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN.
- THE ONLY PUBLIC WATER SYSTEM IS THAT WHICH PROVIDES WATER TO THE PROPOSED FIRE HYDRANTS, AND UP TO THE PUBLIC SIDE OF THE MAIN WATER METERS FOR THE PROJECT. ALL OTHER WATER SYSTEM FEATURES FOR THIS PROJECT IS PRIVATE AND WILL BE THE RESPONSIBILITY OF THE PROPERTY OWNER TO MAINTAIN.
- THE COMMUNITY CENTER IS FOR RESIDENTS OF THIS DEVELOPMENT ONLY.

DEVIATIONS FROM CITY STANDARDS

- MULTIPLE DWELLINGS ON A SINGLE PARCEL.
- WHETHER THE NUMBER OF PARKING SPACES SHOWN MEETS THE REGULATIONS OR NOT, THE NUMBER OF SPACES WILL BE SET BY THIS PLAN.
- SUPPORTIVE HOUSING IS A CONDITIONAL USE IN THE I-1 LIGHT INDUSTRIAL DISTRICT, AND IS BEING APPROVED WITH THIS PLANNED DEVELOPMENT.

PARKING CALCULATIONS

15 SPACES PER DWELLING UNIT	8 PARKING SPACES FOR COMMUNITY CENTER
45 DWELLING UNITS	68 PARKING SPACES
COMMUNITY CENTER	8 PARKING SPACES
REQUIRED PARKING:	76 PARKING SPACES
PROVIDED SPACES:	81 PARKING SPACES
	7 A.D.A. PARKING SPACES

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:

A tract of land situated in Cedar Creek Addition & Government Lots 1 & 2, Section 21 of Township 49 North, Range 9 West, New Mexico Principal Meridian, City and County of Montrose, State of Colorado and being more particularly described as follows:

Lot B of the San Juan Industrial Park Subdivision - Phase 1 Plot as recorded at Reception No. 875241 in the Montrose County Clerk and Recorder's Office.

Have by these presents laid out, platted and subdivided the same into lots, as shown on this plat, under the name and style of CASA PLANNED DEVELOPMENT PLAN.

The easements shown on this plat are dedicated, granted and conveyed to the City of Montrose, Colorado for public utilities, including but not limited to water, sewer, electrical, telephone, gas and CITY lines, and drainage easements specifically labeled for dedication, together with 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, or otherwise subject to a previously recorded conveyance.

The undersigned Declarants and owners named herein, hereby submit this Planned Development Plan under the name and style of CASA Planned Development, in accordance with the requirements of Section 4-4-21 of the Official Code of the City of Montrose, Colorado, and hereby declare this Plan to be a covenant which shall run with the land described hereinbelow for the mutual benefit of the owners thereof, which Plan may be amended in accordance with the procedures for an amendment set forth in Section 4-4-21 of the Official Code of the City of Montrose, Colorado.

Executed this _____ day of _____, 20____.

Carson Mason Chief Executive Officer, CASA of the Seventh Judicial District

STATE OF COLORADO)

COUNTY OF MONTROSE) ss.

The above Certificate of Dedication and Ownership was acknowledged before me on this _____ day of _____, 20____ by _____.

Witness my hand and official seal.

My commission expires _____.

(SEAL)

Notary

CITY APPROVAL OF P.D. PLAN

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

City Attorney _____ Ben Morris _____ Date _____

City Planning Commission Chair _____ David Fishering _____ Date _____

City Mayor _____ Dave Frank _____ Date _____

LEGEND



Scale in feet
50 0 50 100

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. _____

by _____ County Clerk & Recorder Deputy



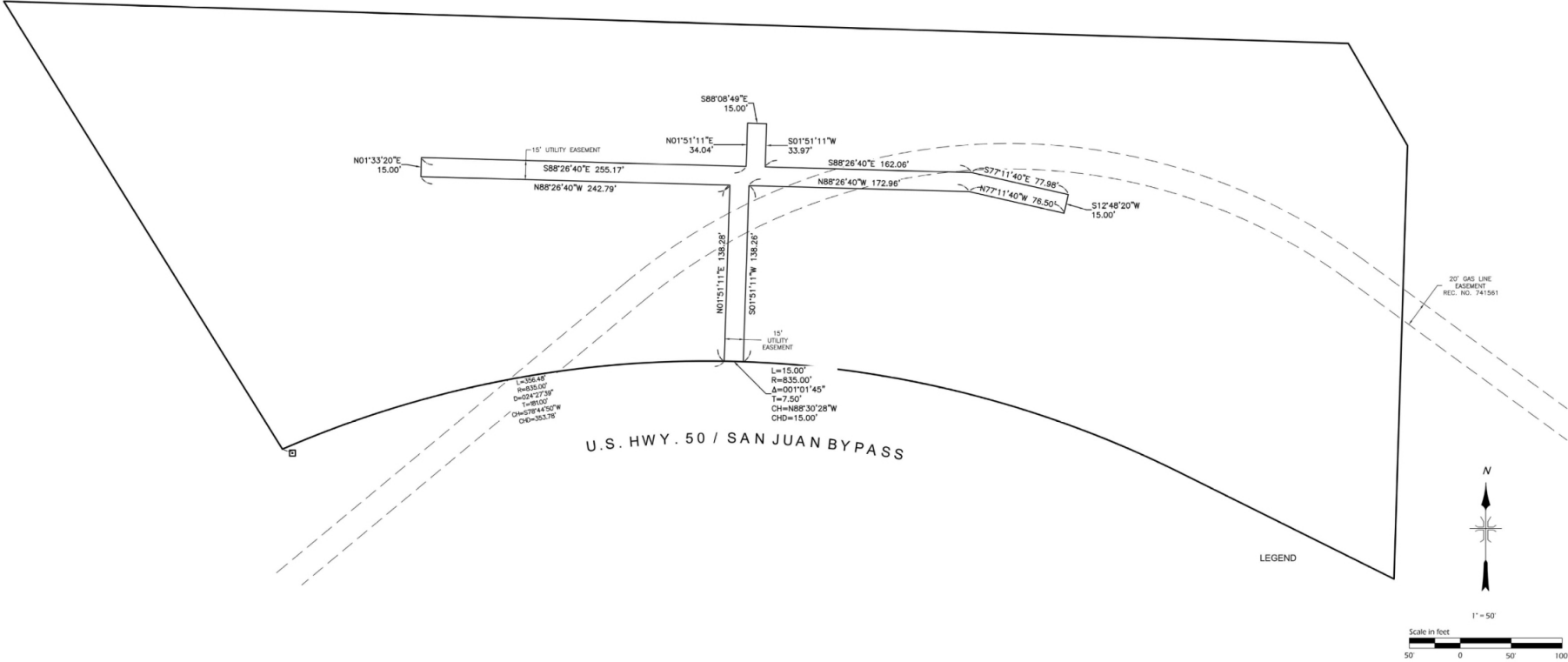
DEL-MONT CONSULTANTS, INC.
ENGINEERING SURVEYING
147 N. TOWNSEND
MONTROSE, CO 81401

PROJECT: 22033 PD PLAN
DATE: 2023-01-06
PAGE: 1 of 2

CASA
PRELIMINARY PLANNED DEVELOPMENT PLAN
CASA FOR CHILDREN
147 N. TOWNSEND
P.O. BOX 1708
MONTROSE, CO 81401
P.D. PLAN

CASA
PRELIMINARY PLANNED DEVELOPMENT PLAN

SITUATED IN SECTION 21, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO
JANUARY 2023



DMC		DEL-MONT CONSULTANTS, INC. ENGINEERING • SURVEYING 133 Colorado • Montrose, CO 81401 • (970) 249-2200 • www.delmont.com • dmcdigitalmont.com	
PROJECT	2 of 2	DATE	2023-01-06
FILE	22033V_PD_PLAN	DATE	22033
CASA		PRELIMINARY PLANNED DEVELOPMENT PLAN	
CASA FOR CHILDREN		147 N. TOWNSEND P.O. BOX 1708 MONTROSE, CO 81401	
P.D. PLAN			

Staff Guidance

- Staff finds that the Preliminary Planned Development is in compliance with the Planned Development regulations and Comprehensive Plan.
- The proposal meets the intent of the zoning district.
- Staff recommends approval of the CASA Planned Development.

