



REGULAR PLANNING COMMISSION MEETING AGENDA
Wednesday, March 22, 2023 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.

Public participation for this meeting will be in-person in the City Council Chambers and via Zoom at the following link:

Telephone participation is available at:

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 March 8, 2023 Planning Commission Meeting
- 4) Additions or Deletions
- 5) **SUNSET VILLAGE ADDITION ZONING HEARING** This is a proposal for initial zoning of "R-3A" Medium High Density District for the proposed Sunset Village Addition, approximately 10.01 acres. This proposal consists of two properties on the east side of 6600 Rd, located at 576 and 616 6600 Rd.
- 6) Other Business
- 7) Next Meeting will be April 12, 2023
- 8) Motion to Adjourn



AGENDA DE REUNIONES DE LA COMISION DE PLANEACION
Miércoles 22 de marzo de 2023- 5:00 PM
Salón Centenial, Anexo del Ayuntamiento – Calle Primera Sur #433.

La Comisión de Planeación de Montrose se complace en que los residentes de la comunidad se tomen el tiempo para asistir a las reuniones de la Comisión de Planeación. Alentamos su asistencia y participación. Se alienta a las personas que deseen ser escuchadas durante los procedimientos de audiencia pública a estar preparadas y, por lo general, se limitarán a tres minutos para permitir que todos tengan la oportunidad de ser escuchados. La regla de las 11:00 p.m. se aplicará de acuerdo con el reglamento de la Ciudad de Montrose (Sec. 7-15-2).

Los comentarios adicionales por escrito son bienvenidos. Si desea comentar sobre un tema de la agenda, envíe un correo electrónico a planningmail@cityofmontrose.org. Los comentarios por escrito deben recibirse antes del mediodía una semana antes de la reunión para ser incluidos en el paquete de la Comisión de Planeación. Después de ese plazo, los comentarios recibidos antes del mediodía del día anterior a la reunión se distribuirán a la Comisión de Planeación el día de la reunión.

Los dispositivos de asistencia auditiva están disponibles para uso del público. Por favor, avísenos si necesita algún otro tipo de asistencia específica. La ciudad también ofrece interpretación para hispanohablantes. Para dar tiempo a reservar este recurso, envíe un correo electrónico a planningmail@ci.montrose.co.us al menos tres días antes de la reunión.

- 1) Se declara abierta la sesión de la Comisión de Planeación.
- 2) Pase de lista por el Presidente de la Comisión de Planeación.
- 3) Aprobación de las minutas de la reunión de la Comisión de Planeación del 8 de marzo del 2023.
- 4) Adiciones o Eliminaciones.
- 5) **AUDIENCIA DE ZONIFICACIÓN PARA LA ADICIÓN DE “SUNSET VILLAGE”**
Esta es una propuesta para la zonificación inicial del distrito de densidad media alta "R-3A" para la adición propuesta de “Sunset Village” de aproximadamente 10.01 acres. Esta propuesta consta de dos propiedades en el lado este del 6600 Rd, ubicadas en el 576 y el 616 del 6600 Rd.
- 6) Otros Asuntos.
- 7) La siguiente reunión será el 12 de abril del 2023.
- 8) Moción de cierre.



The Montrose City Planning Commission held a meeting on March 8, 2023 at 5:00 p.m. in City Hall Centennial Room. 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), Phoebe Benziger, Jan Chastain, Richard Rogers, Steve Ball and Ronald Cairns (alternate). Absent: Chad Huffman (Vice-Chair) and Delphine Jadot.

Staff Members Present: Jace Hochwalt (Planning Manager), William Reis (Planner II), Ben Morris (City Attorney), Chris Dowsey (Assistant City Attorney), Scott Murphy (City Engineer), Chris Ottinger (Community Development Specialist), Sharon Dunning (Building Services Technician).

There were 22 members of the public in attendance.

CALL TO ORDER

Chairperson David Fishering called the meeting to order at 5:01 p.m.

APPROVAL OF MINUTES

Jan Chastain moved to approve the minutes of the February 8, 2023 meeting as submitted. Ron Cairns seconded, and the motion carried.

ADDITIONS OR DELETIONS

None.

THE GROVE PRELIMINARY PLAT.

This application is a request for a Preliminary Subdivision of 44.64 acres. This subdivision is located on Outlot A of the Brian Nichols-Amerdev Minor Subdivision, along 6725 Road, southeast of the intersection with Otter Road. The property is currently zoned “R-2” Low Density District and the Preliminary Subdivision proposes 129 single-family residential lots. The applicant is Chris Koch.

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

Chris Koch, applicant, came forward to discuss his project, including an overview of choices of home styles and floor plans.

Questions for Applicant and Staff

Planning Commissioners, staff and applicant discussed potential encroachments for porch overhangs and a future planned development process coming back to the Planning Commission. Also discussed were open spaces, foliage and trees, a playground and dog park, and the entrance location on Otter Road.

Public Hearing

None.

Discussion

Planning Commissioners agreed the project was straightforward and meets the criteria.

Motion and Vote

Richard Rogers moved 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. Ron Cairns seconded, and the motion carried unanimously.

DRY CEDAR CREEK PRELIMINARY PLANNED DEVELOPMENT.

This application is for the Residences at Dry Cedar Creek multi-family housing development. This Preliminary Planned Development proposes deviations from City standards, including three residential buildings on one lot. The site totals 7.34 acres and is located south of Ogden Road and east of Woodgate Road, adjacent to the east of the Montrose Recreation Center. The applicant is Michael Surak with Real America, LLC.

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

Mike Surak, applicant, was present on Zoom and gave a presentation on the project. Mr. Surak discussed the buildings, location, a neighborhood meeting, tax credits from CHAFA, range of affordability and apartment floor plans.

Questions for Applicant and Staff

Planning Commissioners and staff discussed the amount of pavement, impermeable soils, stormwater detention regulations, drainage, sidewalks, trees as a buffer along the sidewalk, setbacks and easements, and Dry Cedar Creek flood plain and floodway.

Planning Commissioners and applicant discussed the grant from the state, rent ranges, and building phases.

Public Hearing

None.

Discussion

Planning Commissioners discussed the numbers of affordable housing units.

Motion and Vote

Phoebe Benziger moved to recommend to City Council approval of the Dry Cedar Creek 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. Richard Rogers seconded, and the motion carried unanimously.

COBBLE CREEK SOUTH REZONE.

This is a request to rezone 122 acres from "R-3" Medium Density District with conditions, to "R-3" Medium Density District with no conditions. The conditions are specific to housing density, and the rezone request would allow the Applicant to build the site out to the standard R-3 density requirements instead of being restricted to 139 units as currently allowed. The site is adjacent to the south of the Cobble Creek Golf Course, bordering 6400 Road to the west and 6450 Road to the east. The applicant is Weststar Development, LLC.

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

Flint Ogle, representing the applicant, Weststar, came forward to give a presentation and justification for the rezone request.

Questions for Applicant

None.

Questions for Staff

Planning Commissioners and staff discussed the requested change to remove the density conditions and the potential increase in density, infrastructure, traffic studies, pedestrian issues, wetlands, and SIDs to improve roads.

Public Hearing

Three members of the public came forward with concerns about the wetlands, wildlife, number of housing units allowed, pedestrian traffic and the intersection with Highway 550.

Discussion

Planning Commissioners, staff and applicant discussed the theoretical number of allowable housing units, sidewalks along 6400 and 6450 Roads, and wildlife and wetlands habitat.

Motion and Vote

Richard Rogers moved to recommend approval of the rezone request of the Cobble Creek South Rezone to "R-3" Medium Density District with the following condition: The approval of this rezone is expressly

conditioned upon the execution and recording of the Agreement and Declaration of Covenants between the City of Montrose and Weststar Development, LLC that was authorized by City Council for signature at their February 21, 2023 Regular meeting. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report. Ron Cairns seconded, and the motion carried unanimously.

MIAMI BUSINESS PARK REZONE.

This is a request to rezone Lot 12 of the Miami Business Park Subdivision Filing No. 1 and Lots 5-11 of the Miami Business Park Subdivision Filing No. 2 from "OR" Office-Residential to "R-4" High Density District. The proposal comprises 8 parcels and a trail and detention tract totaling 5.56 acres located along the 600 block of E Star Court, adjacent to the south of the Star Drive-In Theatre. The applicant is ESC Partners LLC.

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

Sarah Judkins, applicant, gave a presentation. Dean McCall, also an applicant, was available to answer questions.

Questions for Applicant

Planning Commissioners and applicants discussed justification for R-4 zoning and potential building sizes.

Questions for Staff

None.

Public Hearing

One member of the public came forward with positive feedback regarding the project, but also had concerns with density and traffic.

Discussion

Planning Commissioners and staff discussed egress from the subdivision, traffic studies and roundabouts, and requirements for pedestrians.

Motion and Vote

Ron Cairns moved to make a motion to recommend approval of the rezone request of the Miami Business Park 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. Jan Chastain seconded, and the motion carried unanimously.

OTHER BUSINESS

None.

NEXT MEETING

The next Planning Commission meeting is scheduled for March 22, 2023.

PUBLIC COMMENT

None.

ADJOURNMENT

Phoebe Benziger moved to adjourn the meeting. Jan Chastain seconded, and the meeting ended at 6:54 p.m.

CHAIRPERSON

ATTEST



CITY OF MONTROSE

Planning Services

MEMO

TO: Planning Commission
FROM: Jace Hochwalt, Planning Manager
DATE: March 22, 2023
RE: ANX22-0103 Sunset Village Addition (Initial Zoning)

ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Annexation Plat Map
- Exhibit C: Zoning Code Excerpt

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 recommending the initial zoning for the Sunset Village Addition, a proposed annexation to the city limits of Montrose. The Planning Commission will consider all of the information in this memo in making a decision.

Application Background:

The Sunset Village Addition is a proposed annexation approximately 10.01 acres in size. The property is two parcels located at 576 6600 Road and 616 6600 Road. The parcels are within the City's Urban Growth Boundary, City of Montrose Sewer Service Area, and the Tri-County Water Service Area. The Applicant is seeking an initial zoning designation of R-3A (Medium High Density District) and intends to construct a multi-family development on the site at a future date. A pre-annexation agreement has already been executed with the property owner.

Proposed Zoning: "R-3A" Medium High Density District



Applicant: Cook Family Trust (Floyd L. Cook as Trustee)

Staff Analysis:

Staff Analysis:

1. The City-County IGA gives the City the option to annex properties within the IGA. The area is urbanizing and more than 1/6 of the perimeter is contiguous to the city limits. These factors support annexation.
2. An annexation agreement is required as a condition of this annexation.
3. Zoning Regulations:
 - a. Municipal Code, Section, 4-4-29(B), Zoning of Additions. "The Planning Commission shall recommend to the Council a zoning district designation for all property annexed to the City not previously subject to City zoning, and shall follow the review procedure set out in Section 4-4-31 in arriving at its recommendation. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the annexation ordinance or thereafter. *The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare* (emphasis added)."
 - b. Municipal Code, Section 4-4-7.1 (A) Intent: The "R-3A" Medium High Density District is intended to provide an area which is suitable for single-family homes, duplexes and multifamily residences with intermediate overall density. This district provides for other uses which are compatible with such residential uses.
 - c. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned "R-4" High Density District, and properties outside of City limits.
4. The Comprehensive Plan Future Land Use Map designates the area of the Sunset Village Addition as 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. The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed.
 - a. Goal LU (Land Use) 5: Infill & Redevelopment: Promote higher density infill and redevelopment of underutilized sites.
 - b. Goal HN (Housing & Neighborhoods)-1: Housing Variety. Encourage a variety of housing types, tenure, and density to meet the needs of the community.
 - i. 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.



- ii. Objective 1.2 Encourage a variety of housing densities (low, medium, high) throughout the community, including mixed-density neighborhoods.
- c. Goal HN-2: Affordable Housing. Increase access to affordable housing.
 - i. Objective 2.1 Encourage a mix of housing price ranges, thereby providing choices for residents of all incomes and ages.
- 5. The property is located within Growth Area 2. According to the Comprehensive Plan, Growth Area 2 has some level of, or moderate proximity to, existing infrastructure.
- 6. The “R-3A” zoning does not appear to be adverse to the public health, safety and welfare.

Staff Recommendation:

Staff recommends approval of the zoning designation of “R-3A” Medium High Density District. It is in compliance with the Comprehensive Plan and is compatible with existing uses in the surrounding area.

Planning Commission Recommendation Alternatives:

Approval Motion Recommendation:

“I hereby make a motion to recommend to City Council approval the initial zoning request of “R-3A” Medium High Density District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report.”

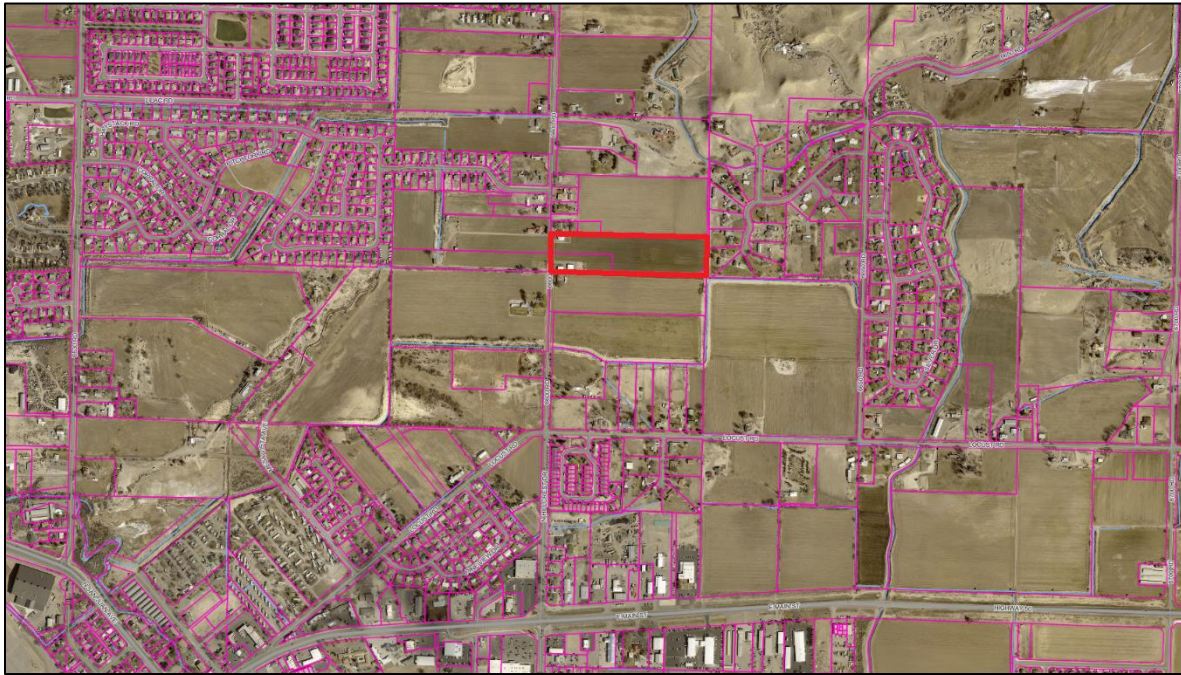
Denial Motion Recommendation:

“I hereby make a motion recommend denial of the zone request. The request does not meet the Code criteria based on the evidence and testimony presented at this hearing and in the staff report.”

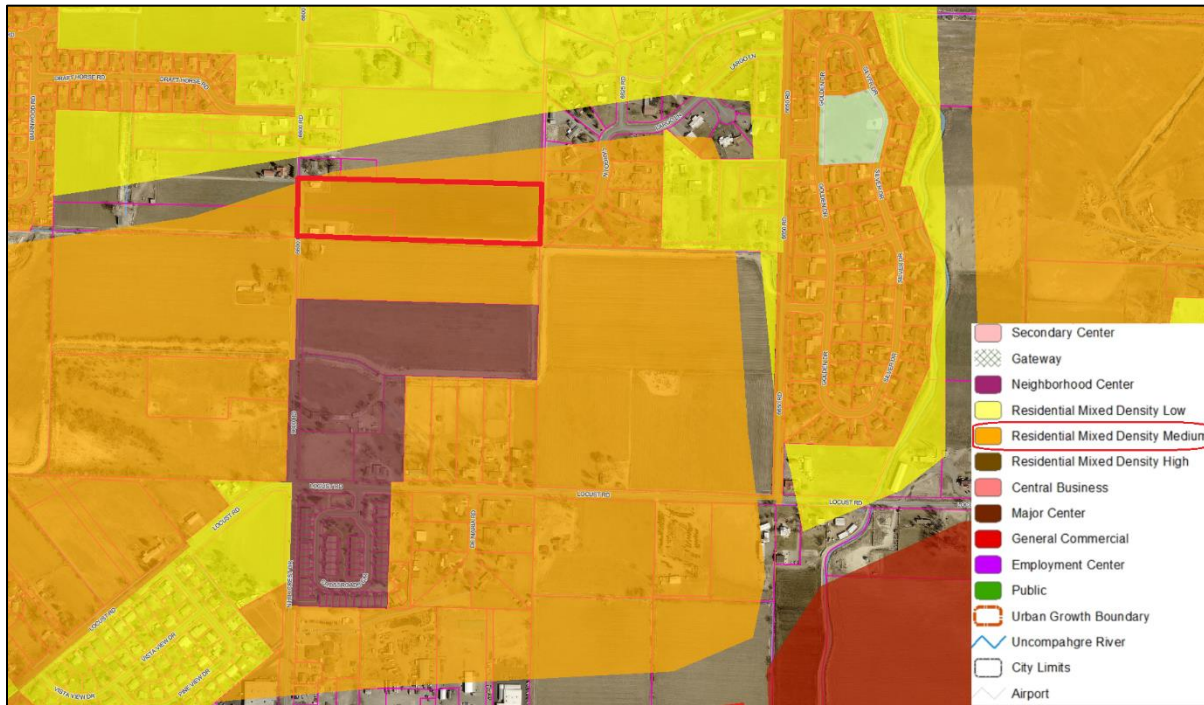


EXHIBIT A: Maps

Vicinity Map



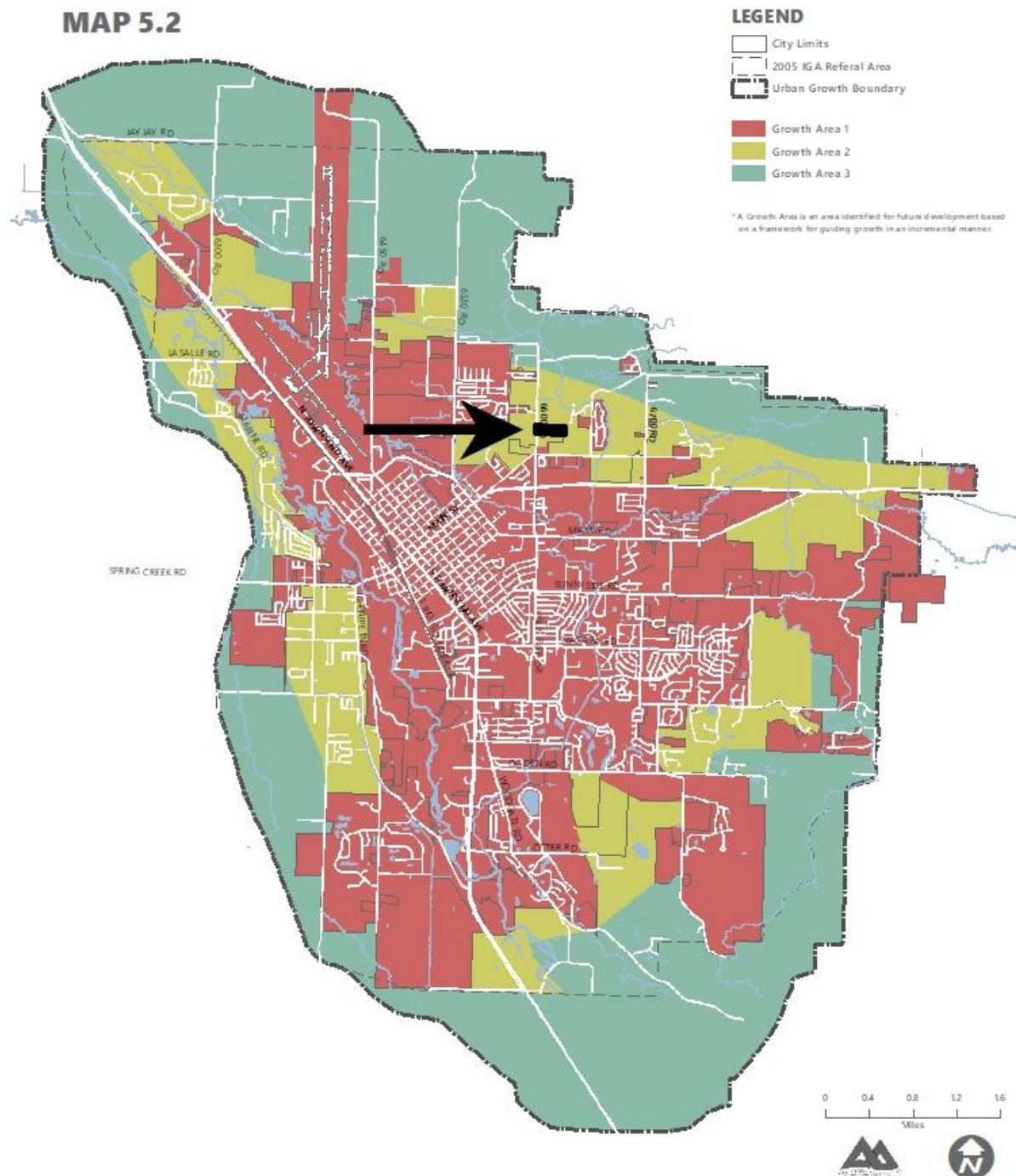
Comprehensive Plan Future Land Use Map



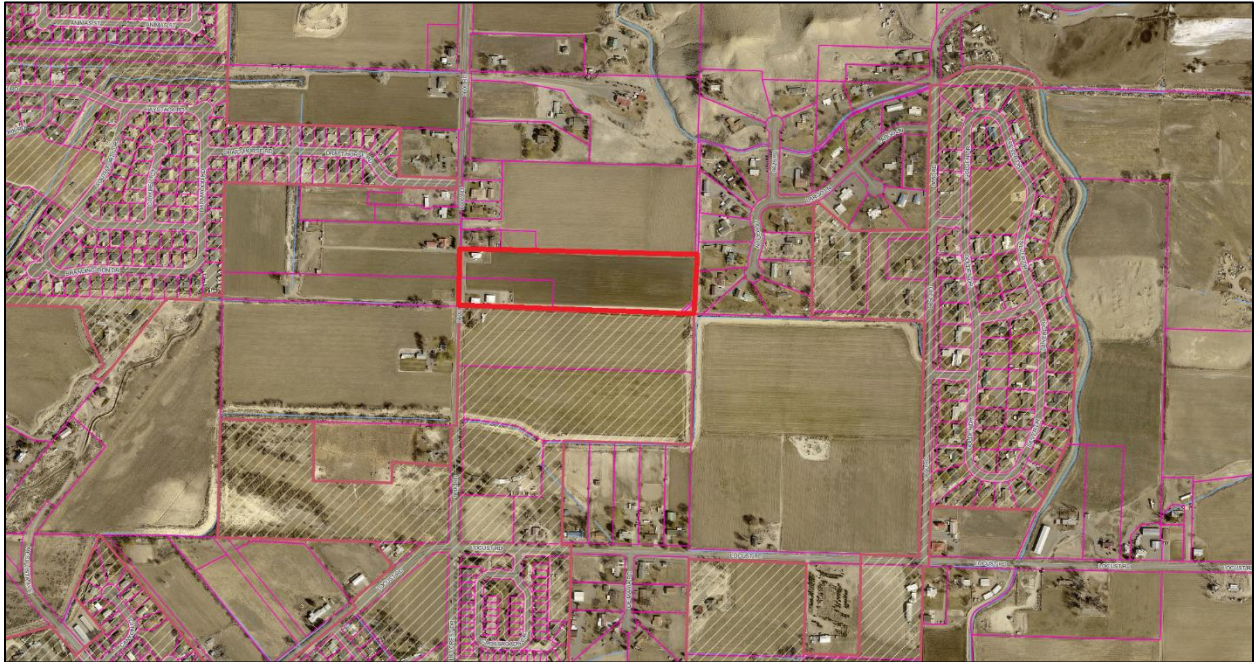
Comprehensive Plan Growth Areas Map

GROWTH AREAS*

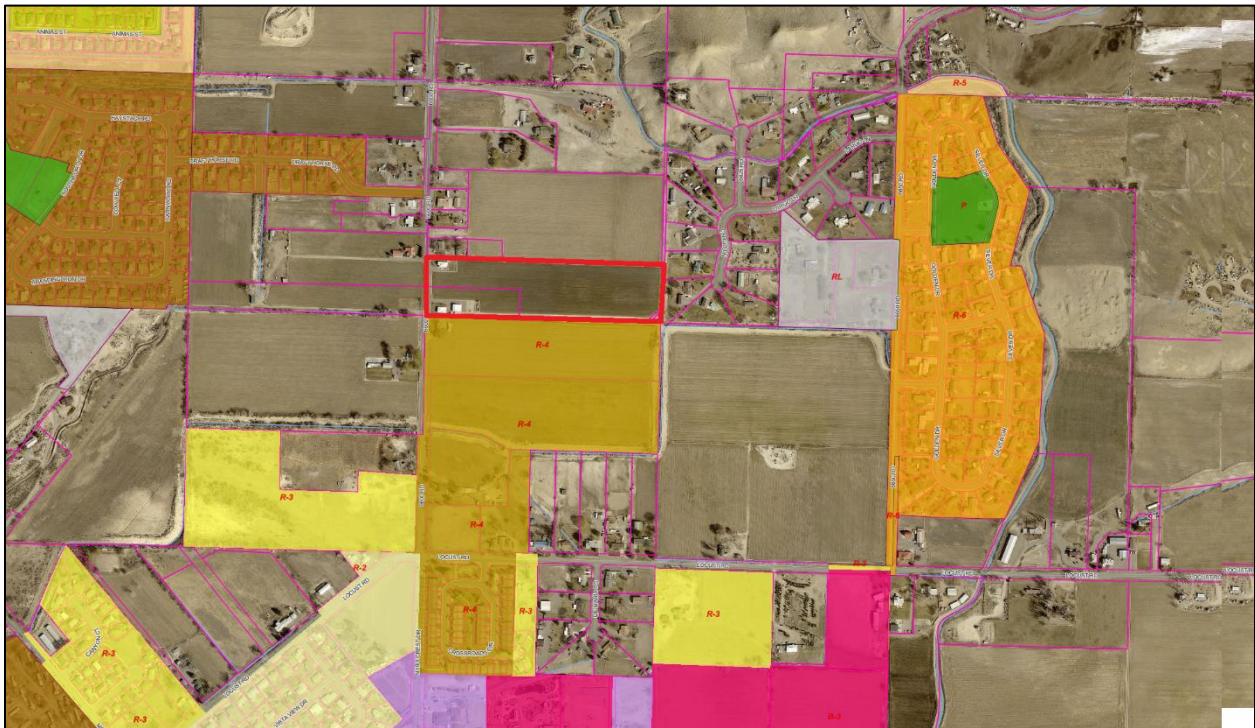
MAP 5.2



Existing City Limits Map



Existing Zoning Map



Stay here. Play everywhere.
MONTROSE COLORADO

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EXHIBIT C: Zoning Code Excerpt

Sec. 4-4-7.1. "R-3A" Medium High Density District.

- (A) *Intent.* The "R-3A" Medium High Density District is intended to provide an area which is suitable for single-family homes, duplexes and multifamily residences with intermediate overall density. This district provides for other uses which are compatible with such residential uses.
- (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.
 - (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 , § 4-4-7.1, 5-7-2019; Ord. No. 2561 , 10-19-2021)





Annexation Schedule

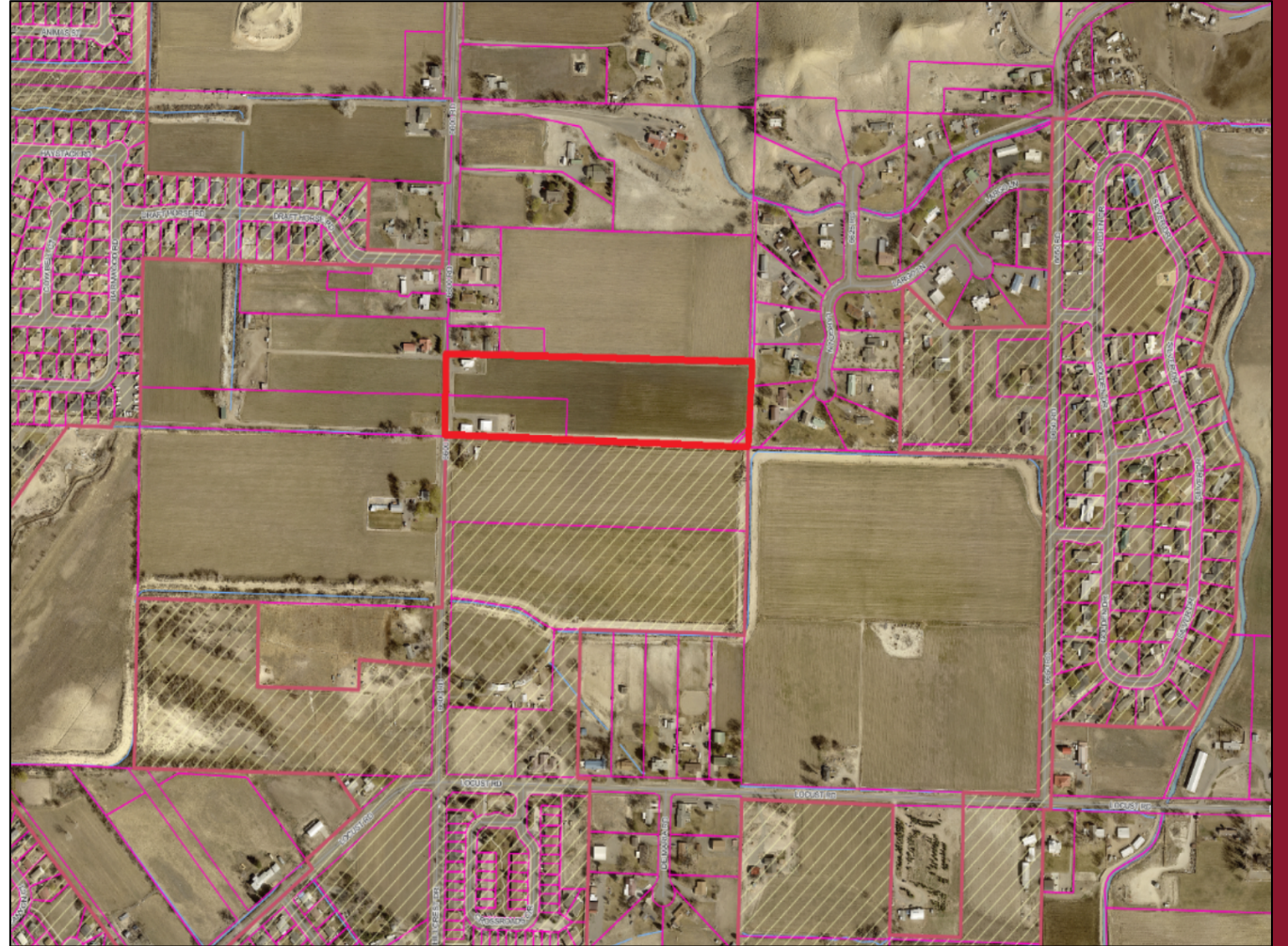
February 6:	Council Work Session Overview
March 7:	Council Resolution to set a hearing date
March 21:	Planning Commission zoning hearing
April 18:	City Council Annexation hearing, 1 st reading of annexation ordinance, and 1st reading of zoning ordinance
May 2:	2nd reading of annexation and zoning ordinances

*Schedule subject to change based on finalization of Annexation Agreement

This is an aerial map of a portion of the City of Elgin, Illinois. The map displays property boundaries outlined in pink. A specific parcel, located in the upper-middle section of the map, is highlighted in red. This parcel is situated between Elm St and Locust St, and between N. Main St and N. Elm St. The map includes labels for various streets, including Elm St, Locust St, ELMAN ST, and N. Main St. Other visible features include the Elgin River, the Elgin Public Library, and several residential and commercial buildings. The map also shows the Elgin River and the Elgin Public Library.

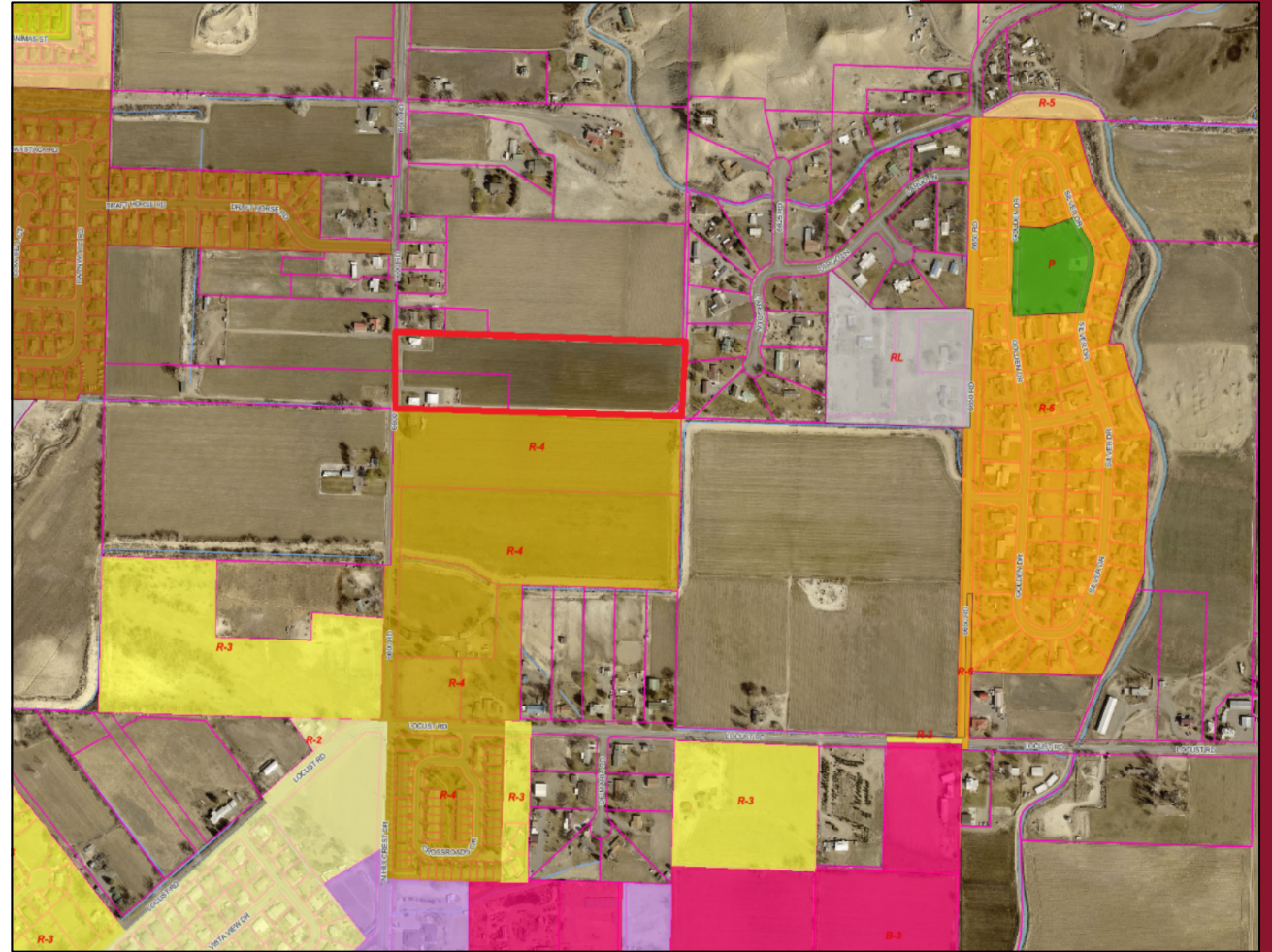
Site Location

- 10.01 acres
- Within the City's Urban Growth Boundary, City of Montrose Sewer Service Area, & Tri-County Water Service Area
- Area is urbanizing and more than 1/6 of the perimeter is contiguous to city limits.



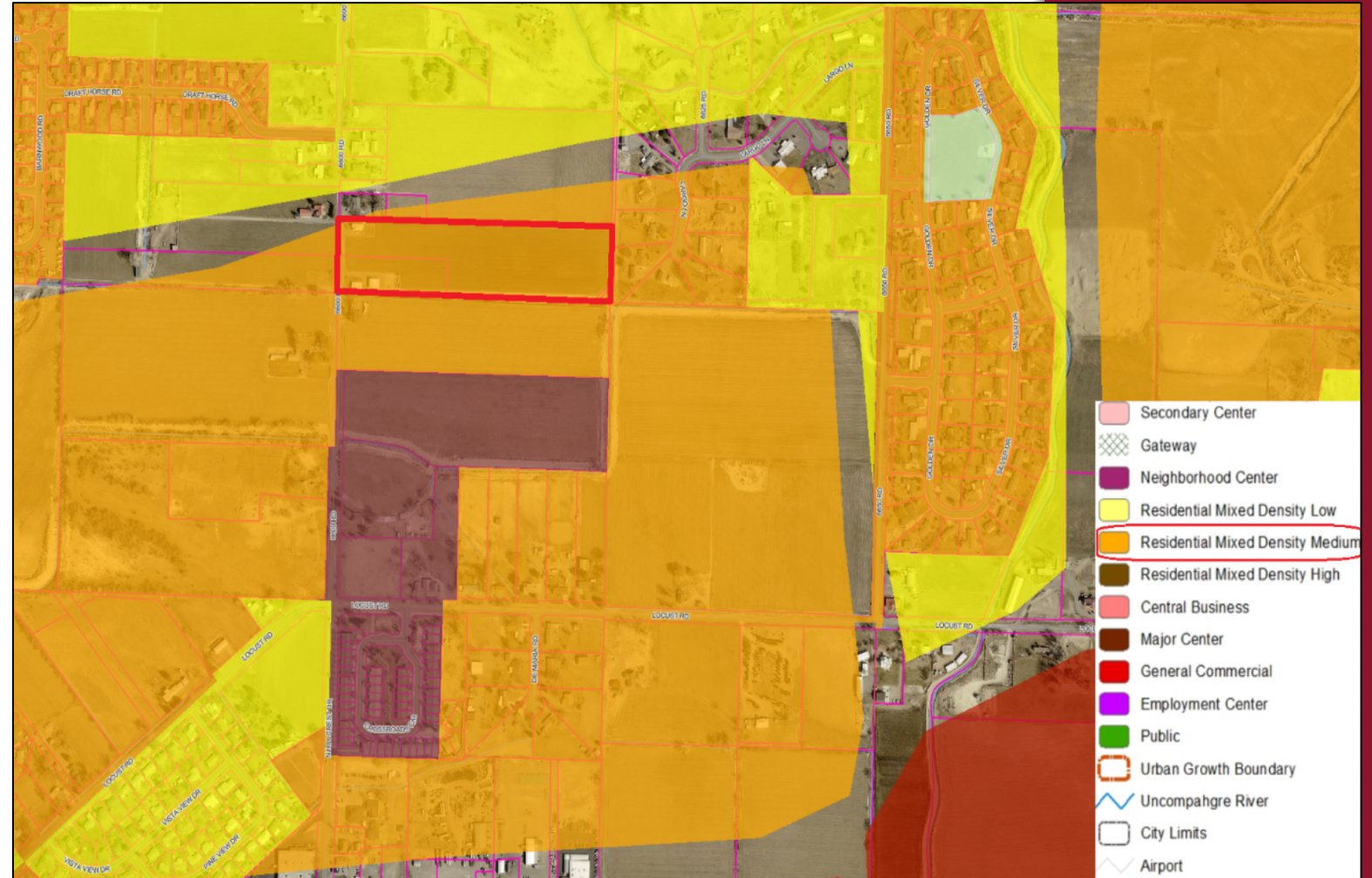
Site Details

- Zoning of surrounding area is “R-4” High Density District, and properties outside City limits.
- The “R-3A” Medium High Density District is intended to provide an area which is suitable for single-family homes, duplexes and multifamily residences with intermediate overall density.



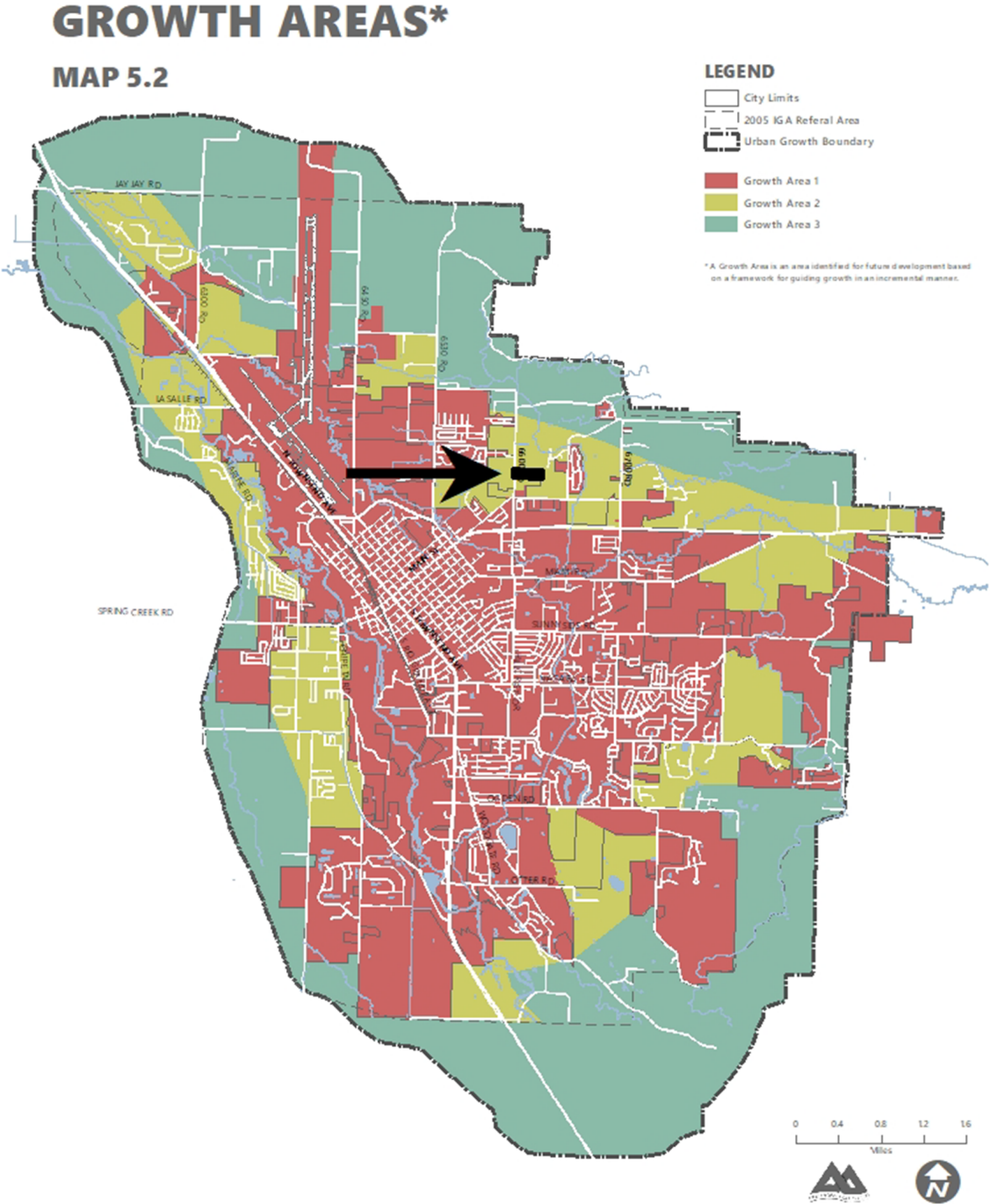
Comprehensive Plan Future Land Use Map

- Property designated as 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.



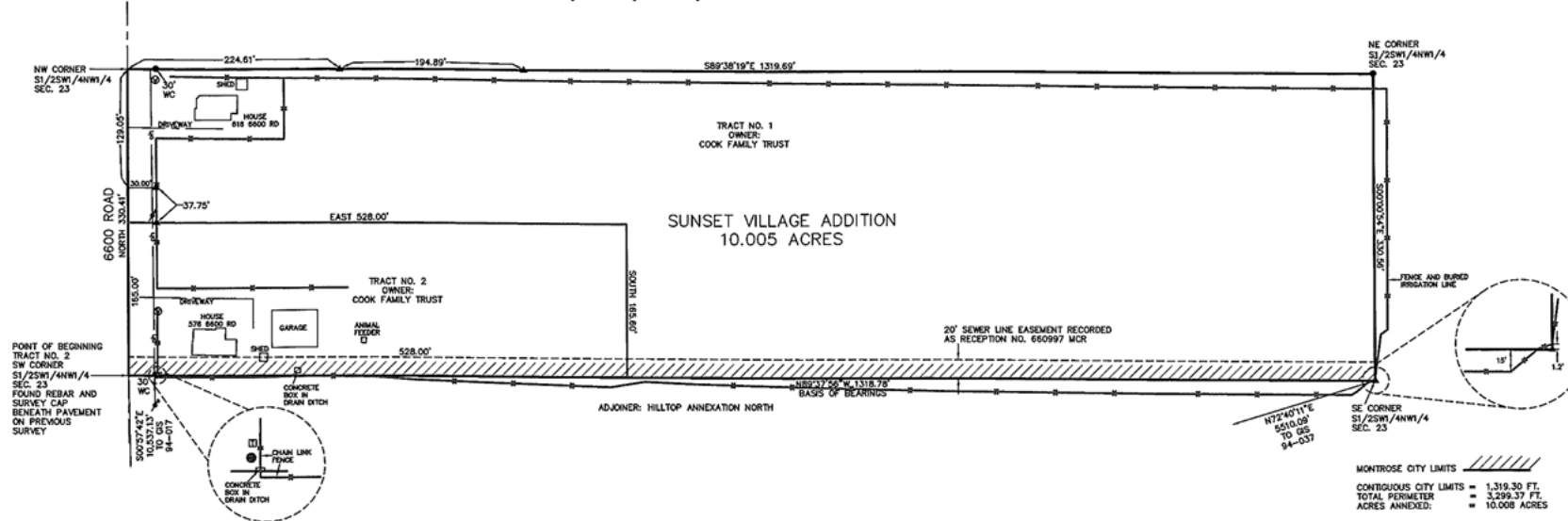
Growth Area 2

Property is has some level of, or moderate proximity to, existing infrastructure.



PLAT OF SURVEY SUNSET VILLAGE ADDITION

TO THE CITY OF MONTROSE, MONTROSE COUNTY, COLORADO
BEING THE S1/2SW1/4NW1/4 SECTION 23, T49N, R9W, N.M.P.M.



CERTIFICATE OF 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:

Tract No. 1
The S1/2SW1/4NW1/4, Section 23, Township 49, North, Range 9 West, N.M.P.M., Montrose County, Colorado, less that property recorded July 30, 1973 in Book 602 at Page 240 Montrose County Records (Tract No. 2)

Tract No. 2
A Tract of land in the SW1/4NW1/4, of Section 23, Township 49, North, Range 9 West, N.M.P.M., described as beginning at the southwest corner of the NW1/4 of said Section 23; thence North, 165 ft.; thence East, 528 ft. to a point 165 ft. north of the south line of said SW1/4NW1/4, Section 23; thence South, 165 ft. thence West, 528 ft. to the point of beginning. Combined acreage of Tracts No. 1 & 2 is 10.005 acres.

Have by these presents laid out as shown on this plat, under the name and style of

SUNSET VILLAGE ADDITION

Executed this _____ day of _____, 20____

OWNER: Tract No. 1 & Tract No. 2, Cook Family Trust

By _____ Title _____

STATE OF COLORADO } ss.

COUNTY OF MONTROSE }

The above Certificate of Dedication and Ownership was acknowledged before me

on this _____ day of _____, 20____

by _____ Title _____ of Cook Family Trust

Witness my hand and official seal. My commission expires _____

Notary _____

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 plotted 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 at Law
Registration No. _____

Date _____

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 plotted 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 at Law
Registration No. _____

Date _____

SURVEYOR'S CERTIFICATE

I, William D. Wiley 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.

William D. Wiley
Colorado Registered Land Surveyor
Registration No. 12180

Date _____

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 20____

by _____ City Manager of the City of Montrose.

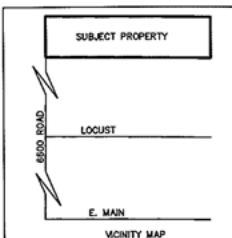
City Manager

APPROVAL OF CITY ATTORNEY

Approved for recording this _____ day of _____, 20____

by _____ City Attorney of the City of Montrose.

City Attorney



MONTROSE CITY LIMITS
CONTIGUOUS CITY LIMITS = 1,319.30 FT.
TOTAL PERIMETER = 3,299.37 FT.
ACRES ANNEXED = 10.005 ACRES

LEGEND
▲ = FOUND REBAR AND SURVEY CAP LS #12180
● = SET REBAR AND SURVEY CAP LS #12180
WC = WITNESS CORNER
— = UTILITY POLE WITH OVERHEAD UTILITY LINE
— = WATER METER
— = SEWER MANHOLE
— = TELEPHONE ROSE
— = FENCE LINE
MCR = MONTROSE COUNTY RECORDS

RECORDER'S CERTIFICATE
This plat was filed for record in the office of the Clerk and Recorder of Montrose County, Colorado, at the time of _____ on the _____ day of _____, 20____ under Reception No. _____ by _____ Clerk & Recorder, Montrose County, Colorado Deputy

"NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three 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 years from the date of the certification shown hereon."

OF: SUNSET VILLAGE ADDITION Plat Book _____ Page _____ L.L. & L.W. DATE: 10/22/2022 11/16/22 L.W.	PLAT OF SURVEY SUNSET VILLAGE ADDITION TO THE CITY OF MONTROSE, MONTROSE COUNTY, COLORADO BEING THE S1/2SW1/4NW1/4 SECTION 23, T49N, R9W, N.M.P.M. for: COOK FAMILY TRUST MESA SURVEYING ASSOCIATES INC. P.O. Box 1287 (970) 240-9994 Montrose, CO 81402 Sheet _____ of _____ File No. 22-133
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Summary

- Area is urbanizing and more than 1/6 contiguous to city limits
- Annexation Agreement is required.
- Annexation Impact Report is required.
- Proposal is consistent with the public health, safety, and welfare, city annexation policies, and the Comprehensive Plan.
- Staff recommends approval of the annexation and “R-3A” Medium High Density District
- The Planning Commission shall make a zoning recommendation to City Council.

