



REGULAR PLANNING COMMISSION MEETING AGENDA
Wednesday, April 26, 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.

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 April 12, 2023 Planning Commission meeting
- 4) Additions or Deletions
- 5) **WOODS CROSSING AMENDED PRELIMINARY PLAT** This is a proposal for an amendment to the previously approved Woods Crossing Preliminary Plat, which would remove several previously approved residential lots in favor of a 9.15 acre lot on the southeast corner of Sunnyside Rd and Hill St, zoned as "R-2" Low Density District. This application also amends the road network design. The applicant is Leadership Circle, LLC.
- 6) **AIR PARK WAY REZONE** This is a proposal for a rezone of a 0.14 acre portion of the property at 2370 Air Park Way. The property is currently undergoing a boundary line adjustment, and the transferred acreage is being rezoned from "B-3" General Commercial District to "I-2" General Industrial District in order to avoid being split-zoned.
- 7) Other Business
- 8) Next Meeting will be May 10, 2023
- 9) Motion to Adjourn



**AGENDA DE REUNIONES ORDINARIAS DE LA COMISION
DE PLANEACION**

Miércoles 26 de Abril de 2023 -5:00 PM

Despachos del Ayuntamiento, Edificio Cívico Elks - Ave. Cascada Sur #107.

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 reunión 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 día 12 de abril de 2023.
- 4) Adiciones y supresiones
- 5) **PLANO CATASTRAL PRELIMINAR MODIFICADO DE “WOODS CROSSING”**
Esta es una propuesta para una enmienda al plano catastral preliminar modificado de “Woods Crossing” previamente aprobado, que eliminaría varios lotes residenciales previamente aprobados a favor de un lote de 9.15 acres en la esquina sureste de Sunnyside Rd y Hill St, zonificado como distrito de baja densidad “R-2”. Esta solicitud también modifica el diseño de la red de carreteras. El solicitante es “Leadership Circle, LLC”
- 6) **REZONIFICACION DE “AIR PARK WAY”** Esta es una propuesta para una rezonificación de una porción de 0.14 acres de la propiedad ubicada en 2370 Air Park Way. La propiedad se encuentra actualmente en un ajuste de la línea divisoria, y la superficie transferida se está rezonificando de distrito comercial general “B-3” al distrito industrial general “I-2” para evitar ser dividida en zonas.



- 7) Otros asuntos
- 8) La próxima reunión será el 10 de mayo de 2023
- 9) Moción de cierre de la sesión.



The Montrose City Planning Commission held a meeting on April 12, 2023 at 5:00 p.m. in the Centennial Room in the Old City Hall Annex at 433 S 1st St. 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), Steve Ball, Phoebe Benziger, Delphine Jadot, Richard Rogers, and Ronald Cairns (alternate). Absent: Jan Chastain.

Staff Members Present: William Reis (Planner I), Ben Morris (City Attorney), Scott Murphy (City Engineer), Sharon Dunning (Building Services Technician), Chris Ottinger (Community Development Specialist), William Woody (Public Information Officer).

There were 53 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 March 22, 2023 meeting as submitted. Chad Huffman seconded, and the motion carried unanimously.

ADDITIONS OR DELETIONS

None.

THE BRIDGES AT BLACK CANYON AMENDED PRELIMINARY PLAT.

This is a proposal for a 26-lot single-family residential subdivision located within The Bridges at Black Canyon Planned Development. This application renews the previously approved subdivision, located on proposed new streets off of Stone Bridge Drive and East Oak Grove Road. The applicant is Bridges of 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.

Applicant Presentation

Eric Feeley, representative for Bridges of Montrose, LLC, came forward to answer any questions.

Questions for Applicant and Staff

Planning Commissioners, applicant and staff discussed expiration of the original preliminary plat and any updates that have been made in this submittal.

Public Hearing

Three members of the public came forward with concerns about building heights, the impact of additional traffic on Stone Bridge Drive, and questions about types and price ranges of proposed new homes.

Discussion

Planning Commissioners, applicant and staff addressed traffic concerns, allowed building height and designs of houses.

Motion and Vote

Delphine Jadot moved to recommend to City Council approval of The Bridges at Black Canyon Amended Preliminary Plat application with the following condition(s). The approval of this Amended 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. Phoebe Benziger seconded, and the motion carried unanimously.

SENERGY ADDITION ZONING HEARING.

This is a proposal for initial zoning of "R-2" Low Density District for the proposed Senergy Addition, approximately 35.5 acres. This annexation is located on the north side of Miami Road, northeast of the intersection with 6750 Road. The applicant is Darin Carei, Senergy Builders.

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

The applicant was not present.

Questions for Staff

Planning Commissioners and staff discussed lot sizes, building height restrictions and allowable residential uses.

Public Hearing

Twenty-three members of the public came forward with concerns about density, maintenance of Miami Road, increased traffic, irrigation system preservation, road connections through existing subdivision, extension of 6750 Road to Highway 50, school density and impact to Johnson Elementary school, additional noise and light pollution, wildlife issues, impact to wetlands, and safety concerns for pedestrians as well as a dangerous corner on Miami Road. Many of the speakers mentioned a preference for R-1B zoning to match the existing subdivision.

Discussion

Planning Commissioners and staff discussed possible connections through Columbine Point Subdivision, the possible number of houses with R-2 zoning vs R-1B zoning, traffic and maintenance of Miami Road, and staff's reasoning behind the density recommendation.

Motion and Vote

Phoebe Benziger moved to recommend to City Council approval the initial zoning of "R-1B" Small Estate 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. Chad Huffman voted against the motion.

OTHER BUSINESS

Code Update Meeting, Monday April 17, 2023 at 5:30 p.m. at Police Station.

NEXT MEETING

The next Planning Commission meeting is scheduled for April 26, 2023, in the City Council Chambers.

PUBLIC COMMENT

None.

ADJOURNMENT

Phoebe Benziger moved to adjourn the meeting. Chad Huffman seconded, and the meeting ended at 7:11 p.m.

CHAIRPERSON

ATTEST



CITY OF MONTROSE
Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Planner II
DATE: April 26, 2023
RE: Woods Crossing Amended Preliminary Plat

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.

Applicant: Matt Miles, Leadership Circle, LLC

Planning Commission Consideration:

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

Application Background:

The Woods Crossing Amended Preliminary Plat will amend the remaining portions of the Woods Crossing Subdivision that have not yet been final platted. The previously approved Woods Crossing Final Plat #1 left some unbuilt Outlots. The amendment proposes the creation of a 9.15 acre lot on the southeast corner of Hill Street and Sunnyside Road. The proposal also creates minor adjustments to the remaining residential lots to the east, as well as a proposed new connection to Sunnyside Road. The amendments to the road network require the renaming of the previously dedicated Big Pines Loop (proposed to be renamed Big Pines Drive and Falcon Drive). The property is bordered on south by a previous filing of the Woods Crossing Subdivision, on the north by Sunnyside Road, and on the west and east (County parcels) by agricultural fields and single-family homes. The property is zoned "R-2" Low Density District on



the eastern side, and “R-3A” Medium High Density District on the western side. This amended plat application consists of 108 lots.

The hearing before City Council to approve or deny the Preliminary Plat is scheduled for May 16, 2023. A Final Plat will also be required within five (5) years of approval of this Preliminary Plat (City of Montrose Municipal Code, Section 4-7-5(C) (1) (a).

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 Low and Residential Mixed Density Medium. The Mixed Density Low residential land use is intended to preserve the traditional building pattern of the existing residential development in Montrose. It will continue to be the predominant density in the City. 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). The majority of the mixed-density medium residential land uses are designated in areas that are not yet developed. This district provides for a variety of residential types, mixed within a neighborhood, including single-family homes, townhomes, duplexes and triplexes.



3. 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.
- Municipal Code, Section 4-4-7.1(A) Intent: The “R-3A” Medium High Density District is intended to provide an area which suitable for single-family homes, duplexes and multi-family residences with intermediate overall density. This district provides for other uses which are compatible with such residential uses.
- The proposed uses are 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 zoned “R-1A” Large Estate District, “R-2” Low Density District, “R-3” Medium Density District, “R-3A” Medium High Density District, and agricultural (outside City limits).

4. The Woods Crossing Amended Preliminary Plat 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 Woods Crossing Amended Preliminary Plat. The Planning Commission may also continue the item. Proposed motions for Planning Commission consideration are included below.

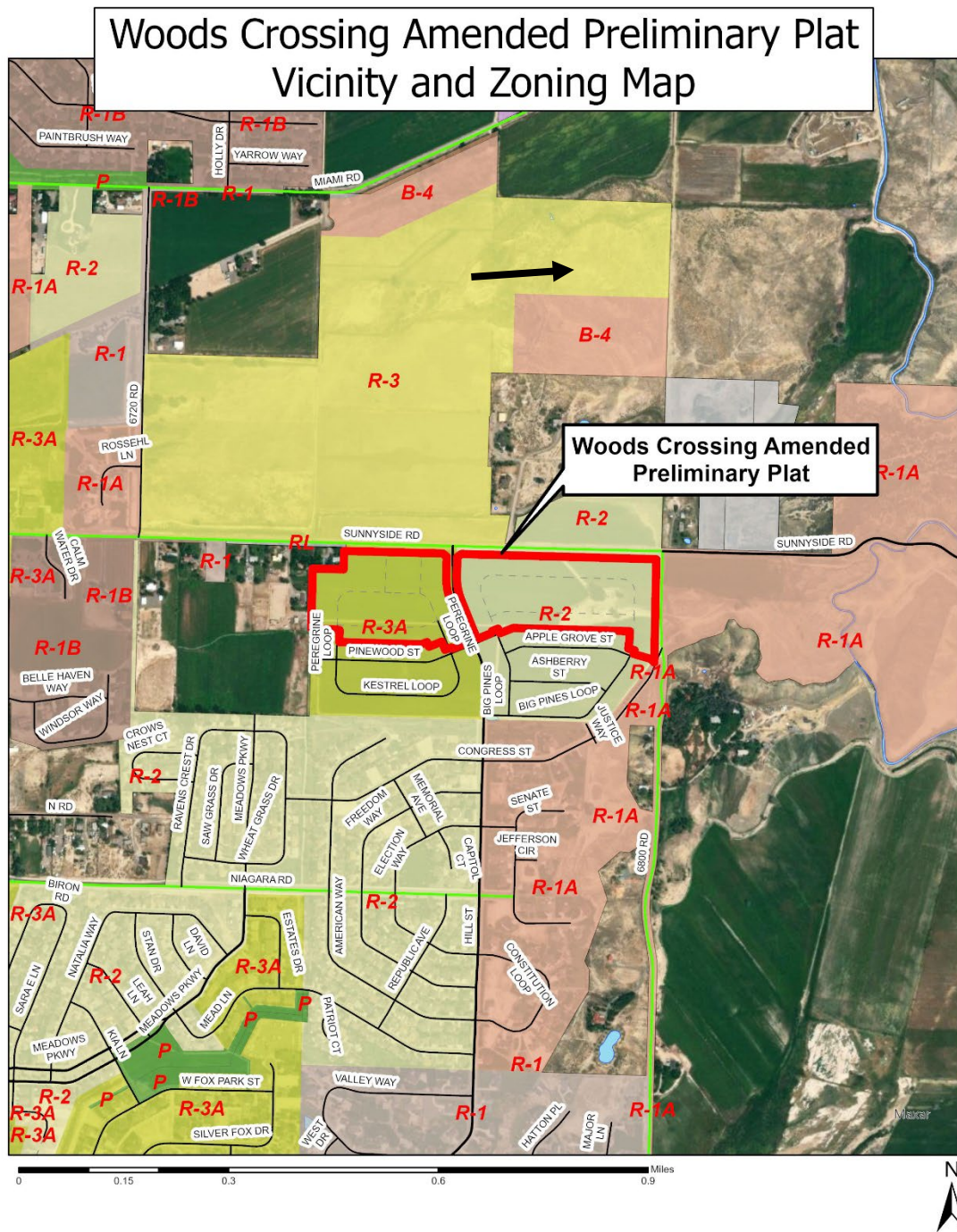
Planning Commission Recommendation Alternatives for Preliminary Plat:

Conditional Approval Motion: “I hereby make a motion to recommend to City Council approval of the Amended Preliminary Plat application with the following condition(s). The approval of this Amended 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.”

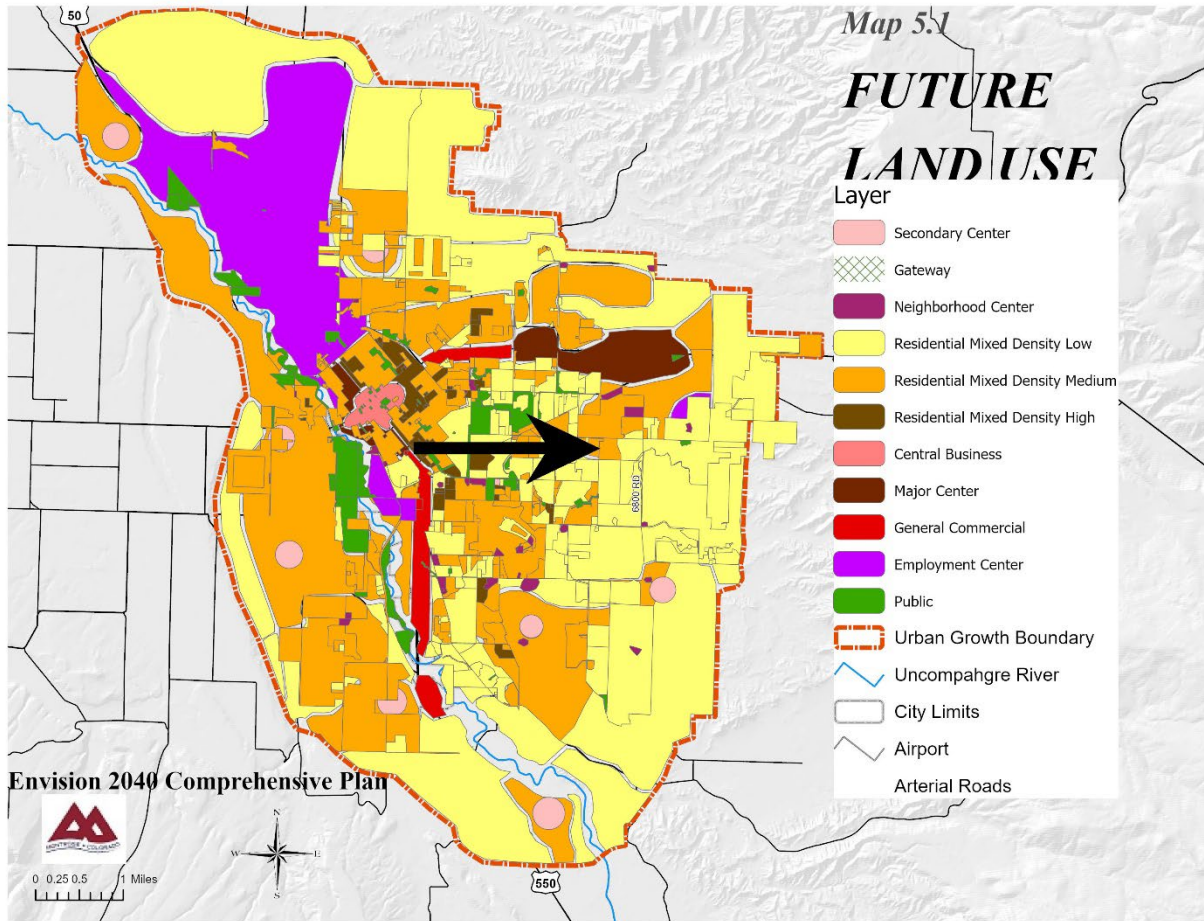
Denial Motion: “I hereby make a motion to recommend to City Council denial of the Amended Preliminary Plat application. The application does not meet the Code criteria based on evidence and testimony presented at this hearing and in the staff report.



EXHIBIT A: Area Maps
Vicinity and Zoning Map



Comprehensive Plan Future Land Use Map



WOODS CROSSING

AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



VICINITY MAP
N.T.S.

CERTIFICATE OF DEDICATION AND OWNERSHIP

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

Outlot 1 and Outlot 2, Woods Crossing Filing No. 1, according to the Plat recorded January 26, 2022 at Reception No. 946233, County of Montrose, State of Colorado

Have by these presents laid out, platted and subdivided into lots, as shown on this plat, under the name and style of WOODS CROSSING and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Celebration Avenue, Peregrine Court, Peregrine Loop, Barn Owl Court, Goshawk Street, Big Pines Drive and Black Fox Street.

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____.

Miami Road Properties, LLC

STATE OF COLORADO)
)ss.
COUNTY OF MONTROSE)

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

Witness my hand and official seal.

My commission expires _____

Notary

SURVEYOR'S CERTIFICATE

I, Frederick Ballard, a Professional Land Surveyor in the State of Colorado, do hereby certify that the above described parcel has been surveyed by me and/or under my direct supervision and that such survey is accurately represented hereon, and is based on my knowledge, information and belief, and is in accordance with applicable standards or practice and is not a guaranty or warranty, either expressed or implied, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law, and 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 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 commitment issued by Fidelity National Title Insurance Company, dated January 10, 2023, bearing policy number 210-F00545-23.

Frederick Ballard, P.L.S.
Registration No. 37690

Date: _____

LINEAL UNITS STATEMENT:

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

BASIS OF BEARINGS:

The bearing between the found 2" aluminum cap at the Northeast Corner of Section 36, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado and the found 2 1/2" aluminum cap LS16835 at the East 1/4 corner of said Section 36 bears S01°09'36"W (ASSUMED)

ENGINEER'S CERTIFICATE

I, David Schieldt, 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.

David W. Schieldt, P.E.
Registration No. 47195

Date: _____

ATTORNEY'S CERTIFICATE

I, _____, an attorney at law, duly licensed to practice in Colorado, do hereby certify that I have examined Title Policy No. _____ issued by _____ Title Insurance Company, dated _____, 200____ (the "Title Policy"), which insures to _____ the title to the Land herein platted and described in the above Certificate of Dedication and Ownership, and that, based solely on my review of the Title Policy, title to such land is in the Owners and Dedicators; and that the title to the Land dedicated hereon, including the dedication for utility easements, is free and clear of all liens and encumbrances except as specifically set forth in the Title Policy.

Attorney
Atty. Reg. No. _____
Date: _____

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 ordinances, regulations and specifications, and a Letter of Substantial Completion has been issued Security for the two (2) year warranty on all public improvements has been received to be held in escrow by the City in accordance with Municipal Code § 4-7-6 (D), and other applicable City ordinances and regulations. The following landscaping and/or irrigation improvements have been secured with a Subdivision Improvement Agreement: _____

City Engineer
Registration No. _____
Date: _____

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 20____, by _____, Deputy City Manager
of the City of Montrose.

Deputy City Manager

APPROVAL OF CITY ATTORNEY

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

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

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

Mayor

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. _____

Clerk and Recorder
Montrose County, Colorado

Deputy

APPROVAL OF PRELIMINARY PLAT

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

City Attorney _____ Date _____
Ben Morris

City Planning _____ Date _____
Commission Chair David Fishering

City Mayor _____ Date _____
Dave Frank

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.

DMC				DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81401 • (970) 249-2225 • (970) 249-2242 FAX www.del-mont.com • service@del-mont.com	
FIELD BOOK:	DRAWN BY:	DATE:	2023-04-04		
SHEET:	FILE:	JOB NO.:	22223		
1 of 4	22223V_PLAT-AMEND				
TITLE				WOODS CROSSING AMENDED PRELIMINARY PLAT	
CLIENT:				LEADERSHIP CIRCLE, LLC	
ADDRESS & PHONE:				1521 OXBOW DR. SUITE 210 MONTROSE, CO 81401 970-249-3398	
TYPE:				AMENDED PLAT	

WOODS CROSSING

AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN

CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

1. Local Improvement District

All lots platted hereon shall be subject to an assessment for the costs to construct improvements to that portion of Sunnyside Road and 6800 Road that abuts the Subdivision, said improvements including curb, gutter, sidewalk, drainage, base and pavement, and other related improvements. The Montrose City Clerk is hereby appointed as the Attorney-in-fact of each of the owners of the Woods Crossing subdivision for the purposes of executing improvement district petitions on their behalf, voting on their behalf in any election to approve any financial obligations for such improvement districts and for all other purposes related to the formation of such districts and construction of such improvements. These obligations shall run with the land and be binding upon all successors in interest to the said lots.

2. Drainage Easements

All Open Space Tracts contain drainage swales, sheet flow areas and/or improvements that are to be maintained by an Owner's Association. The Open Space Tracts shown herein are entirely encumbered by drainage easements 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 benefited by the easement, jointly and severally 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, unless otherwise located within a dedicated easement to the City. Upon failure to properly maintain the drainage easement(s) 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.

3. Driveway/Right-of-Way Reciprocal Access Easements (Townhomes)

The Owner(s) denoted on the CERTIFICATE OF DEDICATION AND OWNERSHIP, hereon, 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 Woods Crossing Townhomes Association, in Woods Crossing subdivision, their respective heirs, successors and assigns, a perpetual and reciprocal right-of-way easement, over Tract J so selected and reserved for use as driveways for ingress and egress. These reciprocal easements shall be appurtenant to lots 1-4, Block 2, in Woods Crossing Subdivision, which right shall run with the land, and shall be a benefit and a burden to each of the said lots, their owners, and all parties claiming by, through, or under them.

4. Driveway Maintenance (Townhomes)

Any driveways owned by: 1) the owners' association, if any, or 2) jointly held by the owners of more than one division of real property located in the Woods Crossing subdivision, or 3) subject to a reciprocal driveway use or access agreement or plat note, shall be jointly responsible for the maintenance of said driveways, unless said maintenance responsibilities are addressed by this subdivision's Covenants Conditions and Restrictions, if any, filed with the Montrose County Clerk and Recorder's Office for the County of Montrose, Colorado, in which case said driveway maintenance shall be as set forth in said Covenants Conditions and Restrictions. This provision shall run with the land in the Woods Crossing subdivision, and shall be a benefit and a burden to the owners of all lots final platted thereon, and shall be applicable to said owners, their successors, heirs, and assigns, and all parties claiming by through or under them.

5. 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 Woods Crossing 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 Woods Crossing Homeowners Association, a Colorado nonprofit corporation, Tract B, Tract D, Tract K, Tract M, Tract N and Tract O as 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 B, Tract D, Tract K, Tract M, Tract N and Tract O 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 Woods Crossing Homeowners Association, applicable to the development platted hereon, and made binding to the entity named above, was recorded under Reception No. _____, on the ____ day of, 202____, in the office of the Montrose County Clerk and Recorder.

7. Privately Owned Common Elements (Townhomes)

A. All general common elements, now existing or hereafter conveyed, shall be owned and maintained by Woods Crossing Townhomes Association, or in the absence of such entity, by the owners of all units having unique legal descriptions in the Woods Crossing subdivision, jointly and severally.

B. All limited common elements, now existing or hereafter conveyed shall be owned by Woods Crossing Townhomes Association, or in the absence of such entity, by the owners of all units having unique legal descriptions in the Woods Crossing subdivision, jointly and severally. Maintenance of said limited common elements shall be as set forth in said association's declaration of covenants, conditions and restrictions, if any, or otherwise said maintenance shall be the obligation of the respective unit.

C. The units depicted on this plat shall have uniform exterior appearance. Future improvements, modifications and repair to the units' exteriors shall be done in accordance with any applicable covenants and regulations of the owners' association, and performed in such a manner as to ensure uniformity and compatibility of the exterior of the units.

D. Easements are reserved on, over, and under the Common Elements and the units as shown on the Plat, for construction, maintenance and repair of public utilities. Tract J in its entirety is reserved for this purpose.

E. Tract J in its entirety is reserved for access to Lots 1-4 in Block 2.

F. Party Walls exist over and along the common boundaries between the units. The unit owners shall be deemed to own the necessary easements for the perpetual lateral and subjacent support, maintenance and repair of the respective Party Wall with equal rights of joint use.

G. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such general and limited common elements, nor shall the City be responsible for future dedications of such general and limited common elements. Upon failure to properly maintain such general and limited common elements 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.

8. Money in lieu of School Land Dedication

All residential lots or residential units having unique legal descriptions 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 § 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.

9. Money in lieu of Park Land Dedication

All residential lots or residential units having unique legal descriptions shall be required to make payment of money in lieu of park land dedication, at the time of issuance of building permit relative to improvements upon said lot. The payment of money in lieu of park land dedication is subject to §4-7-7(C)(4) of the Municipal Code.

10. Final Plat Conditional Approval

The approval of the Woods Crossing Subdivision Final 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.

11. Low Municipal Water Pressure

Water pressure within the subdivision is expected to range from 40 to 57 pounds per square inch (PSI) from the eastern to western ends, respectively.

12. Road Names

Proposed road dedication(s) on the Woods Crossing Amended Preliminary Plat deviate from the previously approved Woods Crossing Preliminary Plat. The applicant's requested amendments necessitate changes to the names of previously dedicated streets. Upon approval of this plat, the City of Montrose will administratively change the existing Big Pines Loop to Big Pines Drive and Falcon Drive, necessitating address changes for some previously addressed lots.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L2	N01°33'23"E	35.67'
L3	N46°33'23"E	21.21'
L4	N43°26'37"W	21.21'
L5	S66°49'38"E	21.21'
L6	N23°10'22"E	21.21'
L7	N88°26'37"W	37.11'
L8	S88°26'37"E	36.74'
L9	N43°26'37"W	21.21'
L10	N46°33'23"E	21.21'
L11	N37°37'42"W	17.38'
L12	S01°33'23"W	26.68'
L13	S01°33'23"W	26.68'
L14	S40°44'27"W	17.38'
L15	N43°26'37"W	21.21'
L16	S46°33'23"W	21.21'
L17	S43°26'37"E	21.21'
L18	S37°47'37"E	15.08'
L19	N46°33'23"E	21.21'
L20	S43°26'37"E	21.21'
L21	N46°33'23"E	21.21'
L22	S31°35'31"E	19.31'
L23	N43°26'37"W	28.28'
L24	N46°33'23"E	28.28'

CURVE DATA					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	157.08'	100.00'	090°00'00"	N46°33'23"E	141.42'
C2	116.27'	100.00'	066°36'59"	S55°08'08"E	109.83'
C3	40.81'	100.00'	023°23'01"	S79°51'52"W	40.53'
C4	157.08'	100.00'	090°00'00"	S43°26'37"E	141.42'
C5	85.35'	400.00'	012°13'33"	S07°40'10"W	85.19'
C6	49.61'	125.00'	022°44'26"	N12°55'36"E	49.29'
C7	60.89'	125.00'	027°54'34"	N38°15'06"E	60.29'
C8	42.13'	125.00'	019°18'33"	N61°51'39"E	41.93'
C9	43.72'	125.00'	020°02'27"	N81°32'09"E	43.50'
C10	117.81'	75.00'	090°00'00"	S46°33'23"W	106.07'
C11	87.20'	75.00'	066°36'59"	N55°08'08"W	82.37'
C12	27.47'	125.00'	012°35'28"	S57°04'08"E	27.41'
C13	62.65'	125.00'	028°43'04"	S36°24'52"E	62.00'
C14	20.42'	13.00'	089°59'59"	N66°49'38"W	18.38'
C17	187.74'	460.00'	023°23'01"	S10°08'08"E	186.44'
C18	55.92'	125.00'	025°37'53"	S74°18'38"E	55.45'
C19	54.38'	125.00'	024°55'32"	S49°01'56"E	53.95'
C20	20.02'	125.00'	009°10'38"	S31°58'51"E	20.00'
C21	51.06'	125.00'	023°24'21"	S15°41'22"E	50.71'
C22	12.09'	125.00'	005°32'34"	S01°12'54"E	12.09'
C23	117.81'	75.00'	090°00'00"	N43°26'37"W	106.07'
C24	59.44'	425.00'	008°00'46"	N05°33'46"E	59.39'
C25	31.25'	425.00'	004°12'47"	N11°40'33"E	31.24'
C26	2.87'	125.00'	001°19'03"	N87°47'06"W	2.87'
C27	20.42'	13.00'	090°00'00"	N23°10'22"E	18.38'
C28	220.39'	540.00'	023°23'01"	S10°08'08"E	218.86'
C29	8.24'	75.00'	006°17'35"	S71°19'09"W	8.23'
C30	22.37'	75.00'	017°05'26"	S83°00'40"W	22.29'
C31	8.23'	125.00'	003°46'16"	N70°03'29"E	8.23'
C32	42.79'	125.00'	019°36'46"	N81°45'00"E	42.58'

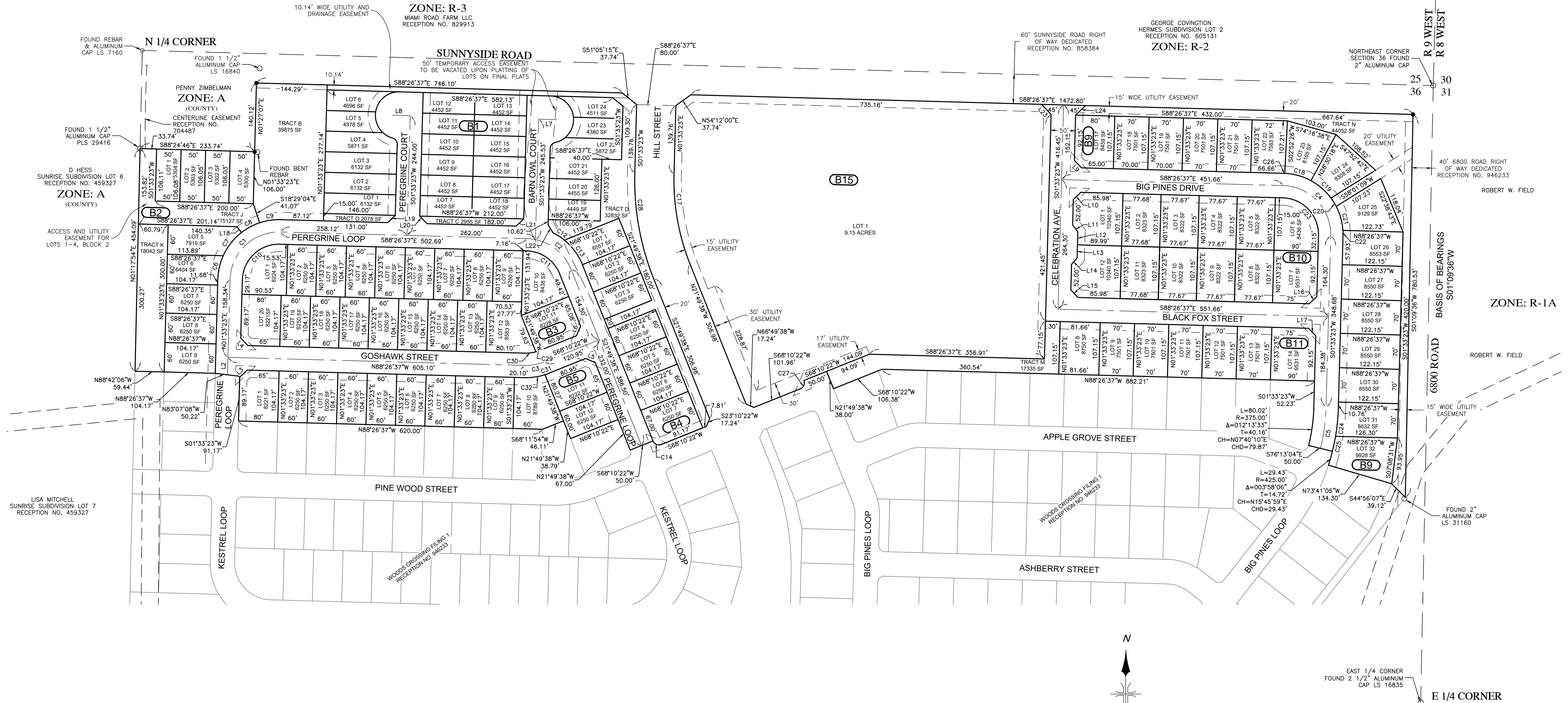
NOTICE: According to Colorado Law (13-80-105, CRS) you must commence any legal action based upon any defect in this survey within three (3) years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten (10) years from the date of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

DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81401 • (970) 249-2223 • (970) 249-2242 FAX www.del-mont.com • service@del-mont.com		TITLE WOODS CROSSING AMENDED PRELIMINARY PLAT	
		CLIENT LEADERSHIP CIRCLE, LLC	
ADDRESS & PHONE 1521 OXBOW DR. SUITE 210 MONTROSE, CO 81401 970-249-3398		TYPE AMENDED PLAT	
FIELD BOOK	DRAWN BY DCC	DATE 2023-04-04	
SHEET 2 of 4	FILE 22223V_PLAT-AMEND	JOB NO. 22223	

WOODS CROSSING

AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

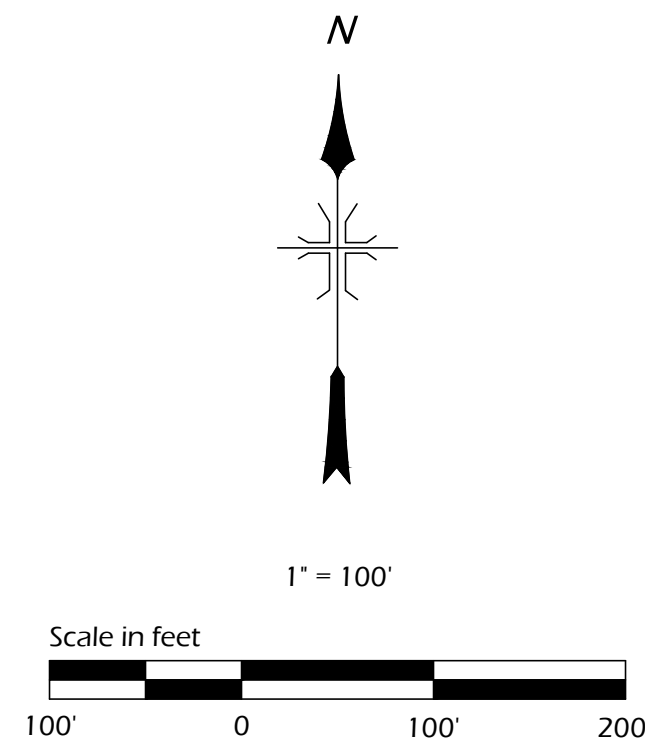


LEGEND

- ⊙ = EXISTING SANITARY SEWER MANHOLE
- ⊕ = EXISTING UTILITY POLE
- = EXISTING GUY ANCHOR
- = FD. REBAR & CAP (L.S. AS NOTED)
- = PROPOSED ALUMINUM CAP
- = PROPOSED ALUMINUM CAP WITNESS CORNER OR REFERENCE MONUMENT
- = 15' WIDE UTILITY EASEMENTS ALONG ALL STREETS, LOOPS AND COURTS UNLESS OTHERWISE NOTED
- △ = SIGHT ZONE TRIANGLES

AREA SUMMARY

RESIDENTIAL LOTS	= 25.83 ACRES
RIGHTS-OF-WAY	= 5.46 ACRES
OPEN SPACE (TRACTS B, C, D, J, K, M, N & O)	= 3.95 ACRES
TOTAL AREA	= 35.24 ACRES



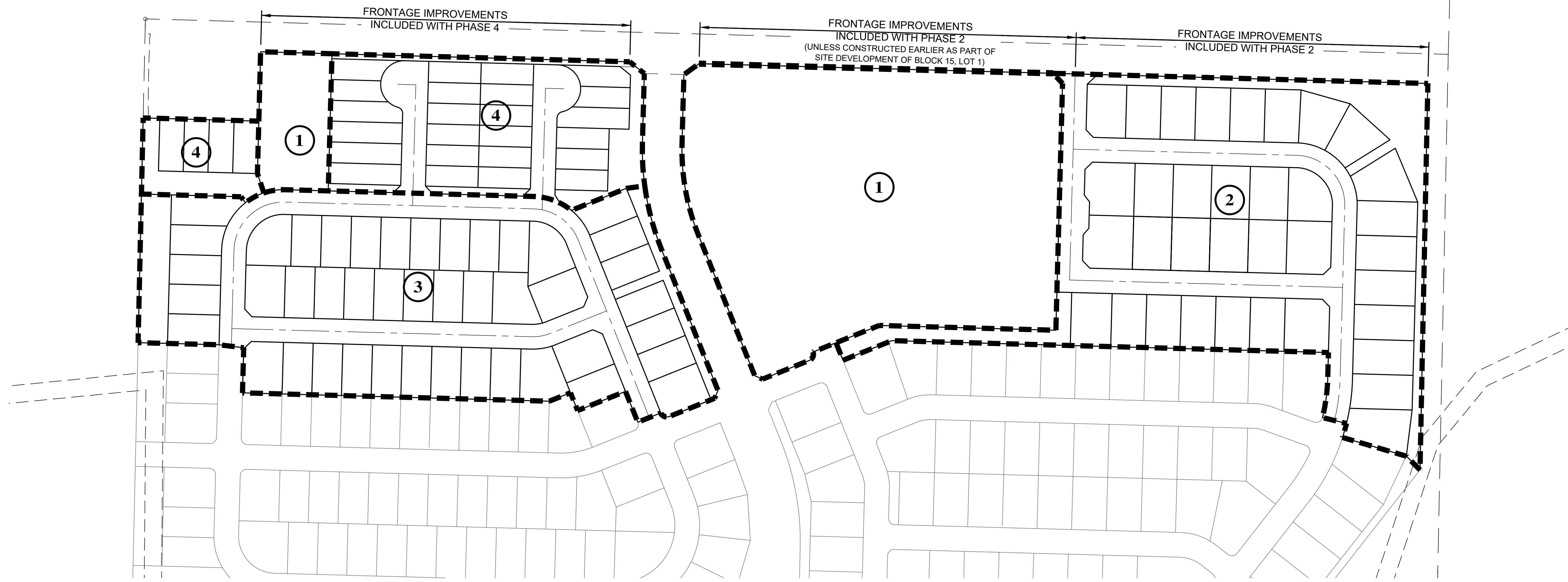
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FIELD BOOK:		DRAWN BY: DCC		DATE: 2023-04-04	
SHEET: 3 of 4		FILE: 22223V_PLAT-AMEND		JOB NO.: 22223	
TITLE: WOODS CROSSING AMENDED PRELIMINARY PLAT		CLIENT: LEADERSHIP CIRCLE, LLC		ADDRESS & PHONE: 1521 OXBOW DR. SUITE 210 MONTROSE, CO 81401 970-249-3398	
TYPE: AMENDED PLAT					

WOODS CROSSING

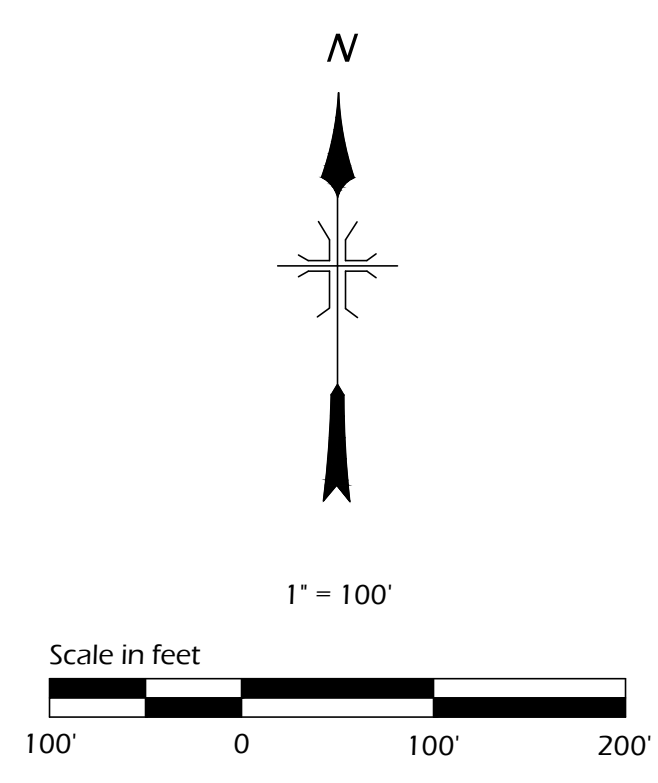
AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



PHASE SUMMARY

- PHASE 1 = 1 LOT
- PHASE 2 = 35 LOTS
- PHASE 3 = 44 LOTS
- PHASE 4 = 28 LOTS
- TOTAL = 108 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.

				DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 125 Colorado Ave. • Montrose, CO 81401 • (970) 249-2231 • (970) 249-2342 FAX www.del-mont.com • service@del-mont.com	
FIELD BOOK:		DRAWN BY: DCC		DATE: 2023-04-04	
SHEET: 4 of 4		FILE: 22223V_PLAT-AMEND		JOB NO.: 22223	
TITLE: WOODS CROSSING AMENDED PRELIMINARY PLAT				CLIENT: LEADERSHIP CIRCLE, LLC	
ADDRESS & PHONE: 1521 OXBOW DR. SUITE 210 MONTROSE, CO 81401 970-249-3398				TYPE: AMENDED 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.

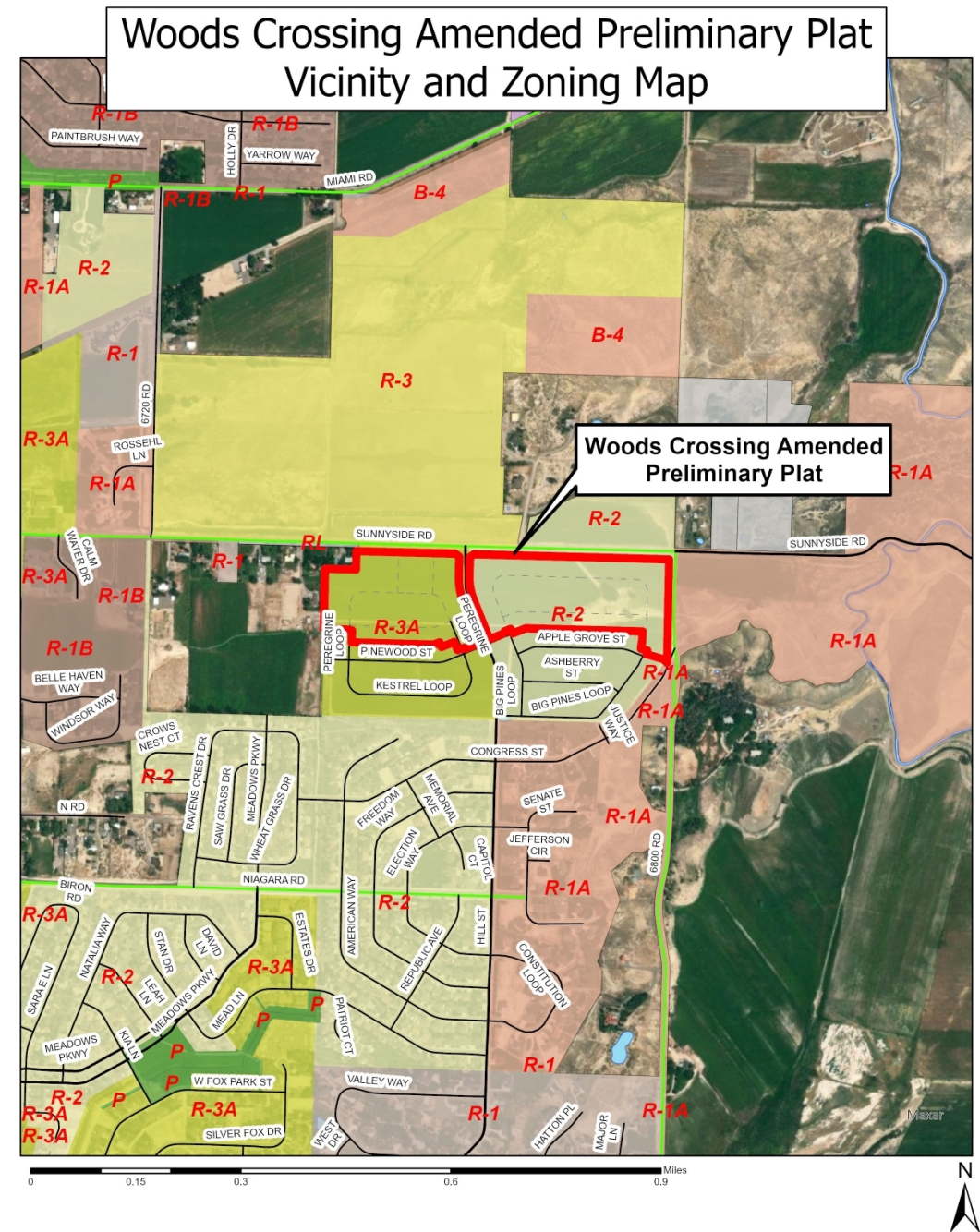
(Code 2012, § 4-7-5; Ord. No. 2062 , 6-2-2005; Ord. No. 2092 , 11-17-2005; Ord. No. 2173 , 11-15-2007; Ord. No. 2229 , 11-5-2009)



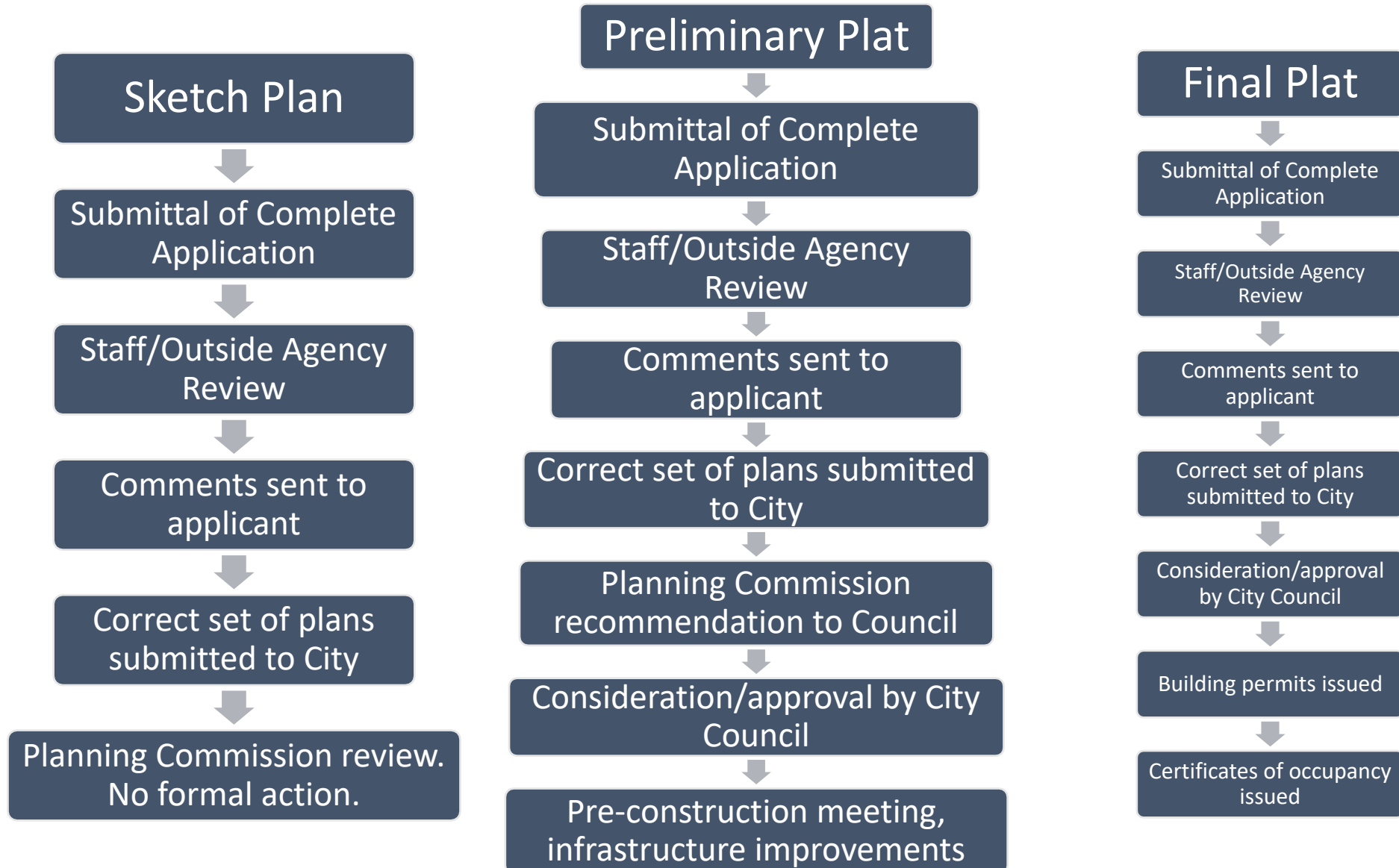


Project Background

- 108 proposed lots
- Zoned “R-2” Low Density & “R-3A” Medium High Density
- Amends the previously approved Woods Crossing Preliminary Plat, reducing the number of lots, and restructuring the street layout.



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:

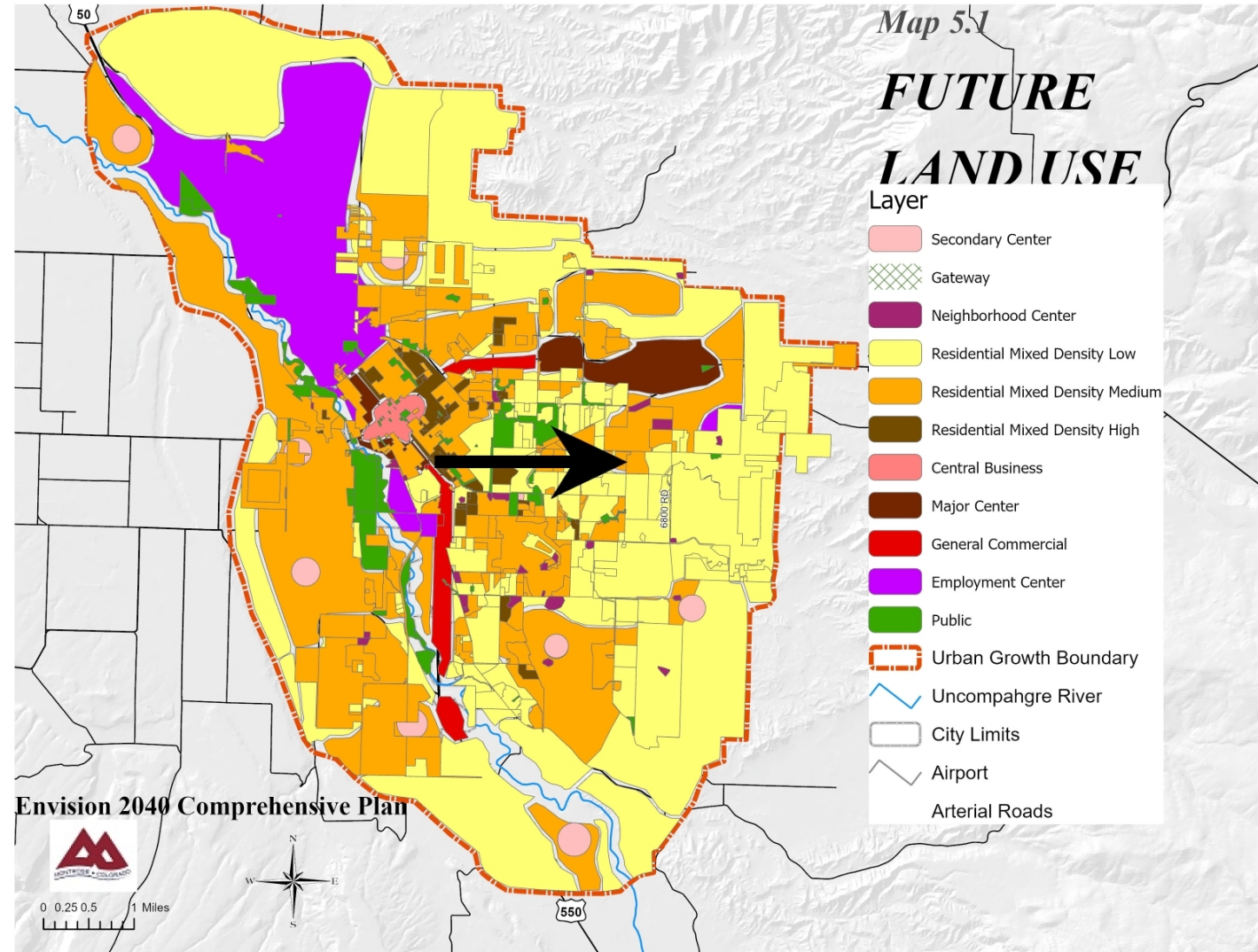
- (a)Conformance with the master plan and zoning regulations;
- (b)Relationship of development to topography, soils, drainage, flooding, potential hazard areas and other physical characteristics;
- (c)Availability of water, means of sewage collection and treatment, storm water drainage, access and other 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 – Land Use Chapter 3

Listed as **Residential Mixed Density Low** and **Residential Mixed Density Medium** in the future land use map.



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.
- Municipal Code, Section 4-4-7.1(A) Intent: The “R-3A” Medium High Density District is intended to provide an area which suitable for single-family homes, duplexes and multi-family residences with intermediate overall density. This district provides for other uses which are compatible with such residential uses.
- The proposed uses are 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 zoned “R-1A” Large Estate District, “R-2” Low Density District, “R-3” Medium Density District, “R-3A” Medium High Density District, and agricultural (outside City limits).

Zoning Regulations

- The dimensional requirements in the “R-2” & “R-3A” zoning districts are included below. (Municipal Code 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
R-3A	Single-family	N/A	N/A	6,250	15	25	5	15	35
	Duplex	N/A	N/A	9375	15	25	5	15	35
	All others	N/A	N/A	lgr 9,375 or 2,900/unit	15	20	10	15	35

WOODS CROSSING

AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



VICINITY MAP
N.T.S.

CERTIFICATE OF DEDICATION AND OWNERSHIP

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

Outlet 1 and Outlet 2, Woods Crossing Filing No. 1, according to the Plat recorded January 26, 2022 at Reception
No. 948233, County of Montrose, State of Colorado

Have by these presents laid out, platted and subdivided into lots, as shown on this plat, under the name and style of WOODS CROSSING and do hereby dedicate, grant and convey to the City of Montrose, Colorado, for the use of the public, Celebration Avenue, Peregrine Court, Peregrine Loop, Barn Owl Court, Goshawk Street, Big Pines Drive and Black Fox Street.

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 COV 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____.

Miami Road Properties, LLC

STATE OF COLORADO)

) ss.

COUNTY OF MONTROSE)

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

Witness my hand and official seal.

My commission expires _____

Notary

SURVEYOR'S CERTIFICATE

I, Frederick Ballard, a Professional Land Surveyor in the State of Colorado, do hereby certify that the above described parcel has been surveyed by me and/or under my direct supervision and that such survey is accurately represented herein, and is based on my knowledge, information and belief, and is in accordance with applicable standards or practice and is not a warranty or warranty, either expressed or implied, and conforms to all applicable requirements of the City Subdivision Regulations and applicable law and 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 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 commitment issued by Fidelity National Title Insurance Company, dated January 10, 2023, bearing policy number 210-F00545-23.

Frederick Ballard, P.L.S.
Registration No. 37690
Date: _____

LINEAL UNITS STATEMENT:

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

BASIS OF BEARINGS:

The bearing between the found 2" aluminum cap at the Northeast Corner of Section 36, Township 49 North, Range 9 West, New Mexico Principal Meridian, County of Montrose, State of Colorado and the found 2 1/2" aluminum cap L516835 at the East 1/4 corner of said Section 36 bears S01°09'36"W (ASSUMED)

ENGINEER'S CERTIFICATE

I, David Scheldt, 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 herein. 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.

David W. Scheldt, P.E.
Registration No. 47195
Date: _____

ATTORNEY'S CERTIFICATE

I, _____, an attorney at law, duly licensed to practice in Colorado, do hereby certify that I have examined Title Policy No. _____ issued by _____ Title Insurance Company, dated _____, 20____, (the "Title Policy"), which insures to _____ the title to the Land herein platted and described in the above Certificate of Dedication and Ownership, and that, based solely on my review of the Title Policy, title to such land is in the Owners and Dedicators; and that the title to the Land dedicated herein, including the dedication for utility easements, is free and clear of all liens and encumbrances except as specifically set forth in the Title Policy.

Attorney
Atty. Reg. No. _____
Date: _____

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 ordinances, regulations and specifications, and a Letter of Substantial Completion has been issued. Security for the two (2) year warranty on all public improvements has been received to be held in escrow by the City in accordance with Municipal Code § 4-7-6 (D), and other applicable City ordinances and regulations. The following landscaping and/or irrigation improvements have been secured with a Subdivision Improvement Agreement: _____

City Engineer
Registration No. _____
Date: _____

APPROVAL OF CITY MANAGER

Approved this _____ day of _____, 20____, by _____, Deputy City Manager
of the City of Montrose.

Deputy City Manager

APPROVAL OF CITY ATTORNEY

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

City Attorney
Atty. Reg. No. _____

APPROVAL OF CITY COUNCIL

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

Mayor

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. _____

Clerk and Recorder
Montrose County, Colorado

Deputy

APPROVAL OF PRELIMINARY PLAT

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

City Attorney _____ Date _____
Ben Morris

City Planning
Commission Chair _____ Date _____
David Fishering

City Mayor _____ Date _____
Dave Frank

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 herein.

FILED		WOODS CROSSING AMENDED PRELIMINARY PLAT	
DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 102 Colorado Ave. • Montrose, CO 81401 • (970) 249-3398 www.delmont.com • 2023-04-04		DATE: LEADERSHIP CIRCLE, LLC	
1521 OXBOW DR. SUITE 210 MONTROSE, CO 81401 970-249-3398		COMMISSIONER	
FILED		AMENDED PLAT	

WOODS CROSSING

AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

1. Local Improvement District

All lots platted herein shall be subject to an assessment for the costs to construct improvements to that portion of Sunnyside Road and 6800 Road that abuts the Subdivision, said improvements including curbs, gutters, sewers, drainage, lawns and sidewalks, and other related improvements. The Montrose City Clerk is hereby appointed as the attorney-in-fact of each of the owners of the Woods Crossing Subdivision for the purposes of executing improvement district petitions on their behalf, and on their behalf in any election to approve any financial obligations for such improvement districts and for all other purposes related to the formation of such districts and construction of such improvements. These obligations shall run with the land and be binding upon all successors in interest to the said lots.

2. Drainage Easements

All Open Space Tracts contain drainage swales, sheet flow areas and/or improvements that are to be maintained by an Owners' Association. The Open Space Tracts shown herein are hereby encumbered by drainage easements 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 benefited by the easement, jointly and severally 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, unless otherwise located within a dedicated easement to the City. Upon failure to properly maintain the drainage easement(s) shown herein, 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.

3. Driveway/Right-of-Way Reciprocal Access Easements (Townhomes)

The Owner(s) denoted on the CERTIFICATE OF DEDICATION AND OWNERSHIP, herein, 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 Woods Crossing Townhomes Association, in Woods Crossing Subdivision, their respective heirs, successors and assigns, a perpetual and reciprocal right-of-way easement, over Tract J as indicated and reserved for use as driveways for ingress and egress. These reciprocal easements shall be subject to the use of the lots in Block 2, in Woods Crossing Subdivision, which right shall run with the land, and shall be a benefit and a burden to each of the said lots, their owners, and all parties claiming by, through, or under them.

4. Driveway Maintenance (Townhomes)

Any driveways owned by: 1) the owners' association, if any, or 2) jointly held by the owners of more than one division of real property located in the Woods Crossing subdivision, or 3) subject to a reciprocal driveway use or access agreement or plat note, shall be jointly responsible for the maintenance of said driveways, unless said maintenance responsibilities are addressed by this subdivision's Covenants, Conditions and Restrictions, if any, filed with the Montrose County Clerk and Recorder's Office for the County of Montrose, Colorado, in which case said driveway maintenance shall be as set forth in said Covenants, Conditions and Restrictions. This provision shall run with the land in the Woods Crossing subdivision, and shall be a benefit and a burden to the owners of all lots platted therein, and shall be applicable to said owners, their successors, heirs, and assigns, and all parties claiming by through or under them.

5. 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 flat platted in Woods Crossing 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 herein, 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 herein, 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 Woods Crossing Homeowners Association, a Colorado nonprofit corporation, Tract B, Tract D, Tract K, Tract M, Tract N and Tract O as 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 Owners' Association. The Open Space Tracts shown herein are hereby encumbered by drainage easements shall be owned and maintained by the City.

C. Pedestrian Facilities

Open space Tract B, Tract D, Tract K, Tract M, Tract N and Tract O 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 Woods Crossing Homeowners Association, applicable to the development platted herein, and made binding to the entity named above, was recorded under Reception No. _____, on the _____ day of 202____, in the office of the Montrose County Clerk and Recorder.

7. Privately Owned Common Elements (Townhomes)

A. All general common elements, now existing or hereafter conveyed, shall be owned and maintained by Woods Crossing Townhomes Association, or in the absence of such entity, by the owners of all units having unique legal descriptions in the Woods Crossing subdivision, jointly and severally.

B. All limited common elements, now existing or hereafter conveyed shall be owned by Woods Crossing Townhomes Association, or in the absence of such entity, by the owners of all units having unique legal descriptions in the Woods Crossing subdivision, jointly and severally. Maintenance of said limited common elements shall be as set forth in said association's declaration of covenants, conditions and restrictions, if any, or otherwise said maintenance shall be the obligation of the respective unit.

C. The units depicted on this plat shall have uniform exterior appearance. Future improvements, modifications and repair to the units' exteriors shall be done in accordance with any applicable covenants and regulations of the owners' association, and performed in such a manner as to ensure uniformity and compatibility of the exterior of the units.

D. Easements are reserved on, over, and under the Common Elements and the units as shown on the Plat, for construction, maintenance and repair of public utilities. Tract J in its entirety is reserved for this purpose.

E. Tract J in its entirety is reserved for access to Lots 1-4 in Block 2.

F. Party Walls exist over and along the common boundaries between the units. The unit owners shall be deemed to own the necessary easements for the perpetual lateral and adjacent support, maintenance and repair of the respective Party Wall with equal rights of joint use.

G. The City is not responsible or liable in any manner for the maintenance, repair, or operation of such general and limited common elements, nor shall the City be responsible for future dedications of such general and limited common elements. Upon failure to properly maintain such general and limited common elements shown herein, 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.

8. Money in lieu of School Land Dedication

All residential lots or residential units having unique legal descriptions 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 § 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.

9. Money in lieu of Park Land Dedication

All residential lots or residential units having unique legal descriptions shall be required to make payment of money in lieu of park land dedication, at the time of issuance of building permit relative to improvements upon said lot. The payment of money in lieu of park land dedication is subject to §4-7-7(C)(4) of the Municipal Code.

10. Final Plat Conditional Approval

The approval of the Woods Crossing Subdivision Final 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.

11. Low Municipal Water Pressure

Water pressure within the subdivision is expected to range from 40 to 57 pounds per square inch (PSI) from the eastern to western ends, respectively.

12. Road Names

Proposed road dedication(s) on the Woods Crossing Amended Preliminary Plat deviate from the previously approved Woods Crossing Preliminary Plat. The applicant's requested amendments necessitate changes to the names of previously dedicated streets. Upon approval of this plat, the City of Montrose will administratively change the existing Five Loop to Big Five Drive and Falcon Drive, necessitating address changes for some previously addressed lots.

LINE TABLE		
LINE #	DIRECTION	LENGTH
L2	N01°33'23"E	35.67'
L3	N46°33'23"E	21.21'
L4	N43°26'37"W	21.21'
L5	S66°49'38"E	21.21'
L6	N23°10'22"E	21.21'
L7	N88°26'37"W	37.11'
L8	S88°26'37"E	36.74'
L9	N43°26'37"W	21.21'
L10	N46°33'23"E	21.21'
L11	N37°37'42"W	17.38'
L12	S01°33'23"W	26.68'
L13	S01°33'23"W	26.68'
L14	S40°44'27"W	17.38'
L15	N43°26'37"W	21.21'
L16	S46°33'23"W	21.21'
L17	S43°26'37"E	21.21'
L18	S37°47'37"E	15.08'
L19	N46°33'23"E	21.21'
L20	S43°26'37"E	21.21'
L21	N46°33'23"E	21.21'
L22	S31°35'31"E	19.31'
L23	N43°26'37"W	26.28'
L24	N46°33'23"E	28.28'

CURVE DATA				
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING CHORD LENGTH
C1	157.08'	100.00'	090°00'00"	N46°33'23"E 141.42'
C2	116.27'	100.00'	066°38'59"	S55°08'08"E 109.83'
C3	40.81'	100.00'	02°23'01"	S79°51'52"W 40.53'
C4	157.08'	100.00'	090°00'00"	S43°26'37"E 141.42'
C5	85.35'	400.00'	012°13'33"	S07°40'10"W 85.19'
C6	49.61'	125.00'	022°44'28"	N12°55'36"E 49.29'
C7	60.89'	125.00'	027°54'34"	N38°15'06"E 60.29'
C8	42.13'	125.00'	019°18'33"	N61°51'39"E 41.93'
C9	43.72'	125.00'	020°02'27"	N81°32'09"E 43.50'
C10	117.81'	75.00'	090°00'00"	S46°33'23"W 106.07'
C11	87.20'	75.00'	066°38'59"	N58°08'08"W 82.37'
C12	27.47'	125.00'	012°35'28"	S57°04'08"E 27.41'
C13	62.65'	125.00'	028°43'04"	S36°24'52"E 62.00'
C14	20.42'	13.00'	089°59'59"	N66°49'38"W 18.38'
C17	187.74'	460.00'	023°23'01"	S10°08'08"E 186.44'
C18	55.92'	125.00'	025°37'53"	S74°18'38"E 55.45'
C19	54.38'	125.00'	024°55'32"	S49°01'56"E 53.95'
C20	20.02'	125.00'	009°10'38"	S31°58'51"E 20.00'
C21	51.06'	125.00'	023°24'21"	S15°41'22"E 50.71'
C22	12.09'	125.00'	005°32'34"	S01°12'54"E 12.09'
C23	117.81'	75.00'	090°00'00"	N43°26'37"W 106.07'
C24	59.44'	425.00'	008°00'46"	N05°33'46"E 59.39'
C25	31.25'	425.00'	004°12'47"	N11°40'33"E 31.24'
C26	2.87'	125.00'	001°19'03"	N87°47'06"W 2.87'
C27	20.42'	13.00'	090°00'00"	N23°10'22"E 18.38'
C28	220.39'	540.00'	023°23'01"	S10°08'08"E 218.86'
C29	8.24'	75.00'	006°17'35"	S71°19'09"W 8.23'
C30	22.37'	75.00'	017°05'26"	S83°00'40"W 22.29'
C31	8.23'	125.00'	003°46'16"	N70°03'29"E 8.23'
C32	42.79'	125.00'	019°36'46"	N81°45'00"E 42.58'

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 herein.

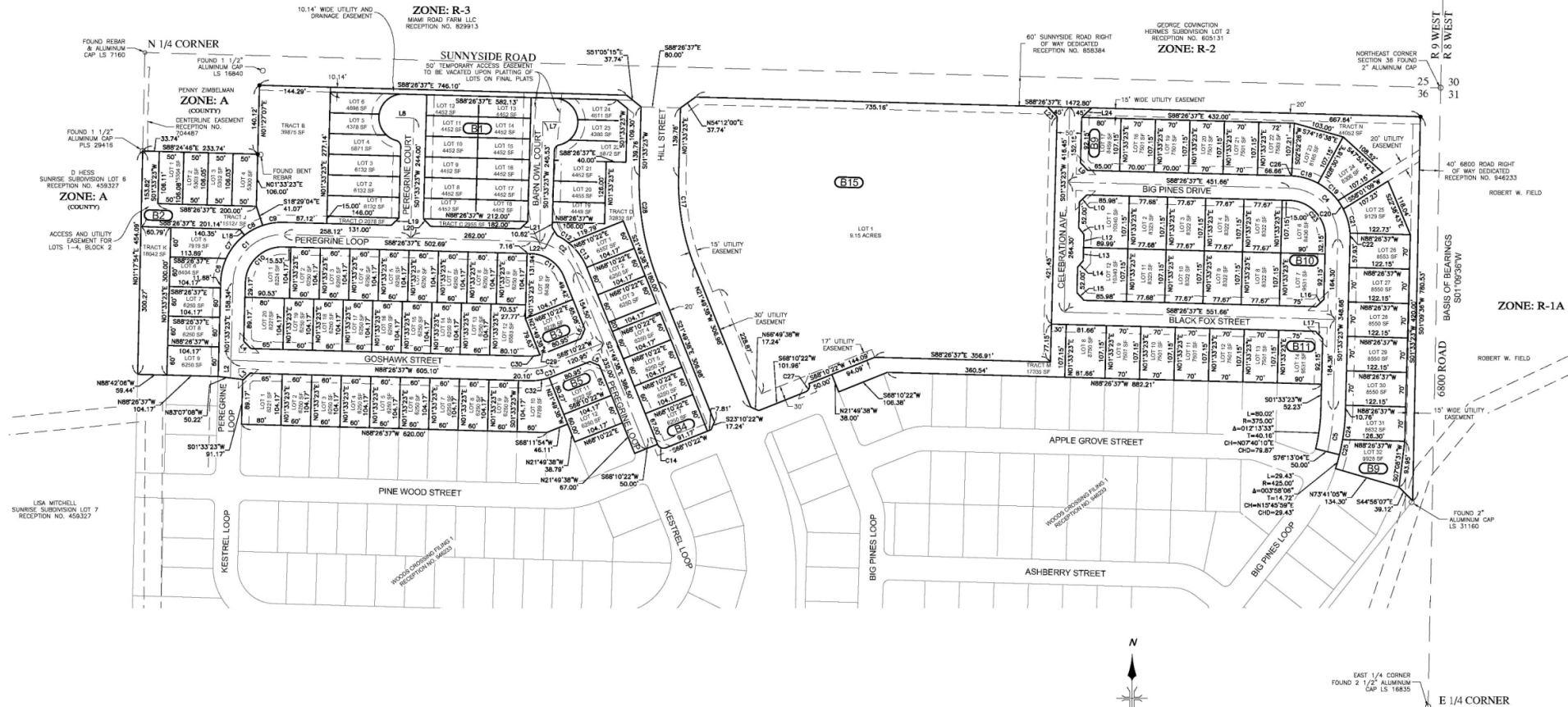
WOODS CROSSING AMENDED PRELIMINARY PLAT		DATE: _____
LEADERSHIP CIRCLE, LLC		DATE: _____
1521 OXBOW DR. SUITE 210 MONTROSE, CO 81401 970-249-3398		DATE: _____
AMENDED PLAT		DATE: _____

FILED BY: _____	DATE: _____	DATE: _____
2 of 4	2223V PLAT-AMEND	22223

WOODS CROSSING

AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



LEGEND

- ⊕ = EXISTING SANITARY SEWER MANHOLE
- ⊕ = EXISTING UTILITY POLE
- ⊕ = EXISTING GUY ANCHOR
- ⊕ = FD, REBAR & CAP (L.S. AS NOTED)
- ⊕ = PROPOSED ALUMINUM CAP
- ⊕ = PROPOSED ALUMINUM CAP WITNESS CORNER OR REFERENCE MONUMENT
- ⊕ = 15' WIDE UTILITY EASEMENTS ALONG ALL STREETS, LOOPS AND COURTS UNLESS OTHERWISE NOTED
- ⊕ = SIGHT ZONE TRIANGLES

AREA SUMMARY

RESIDENTIAL LOTS	= 25.83 ACRES
RIGHTS-OF-WAY	= 5.46 ACRES
OPEN SPACE (TRACTS B, C, D, J, K, M, N & O)	= 3.95 ACRES
TOTAL AREA	= 35.24 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 herein.



DEL-MONT CONSULTANTS, INC.
ENGINEERING & SURVEYING
1521 OXBOW DR., SUITE 210
MONTROSE, CO 81401
970-249-3398

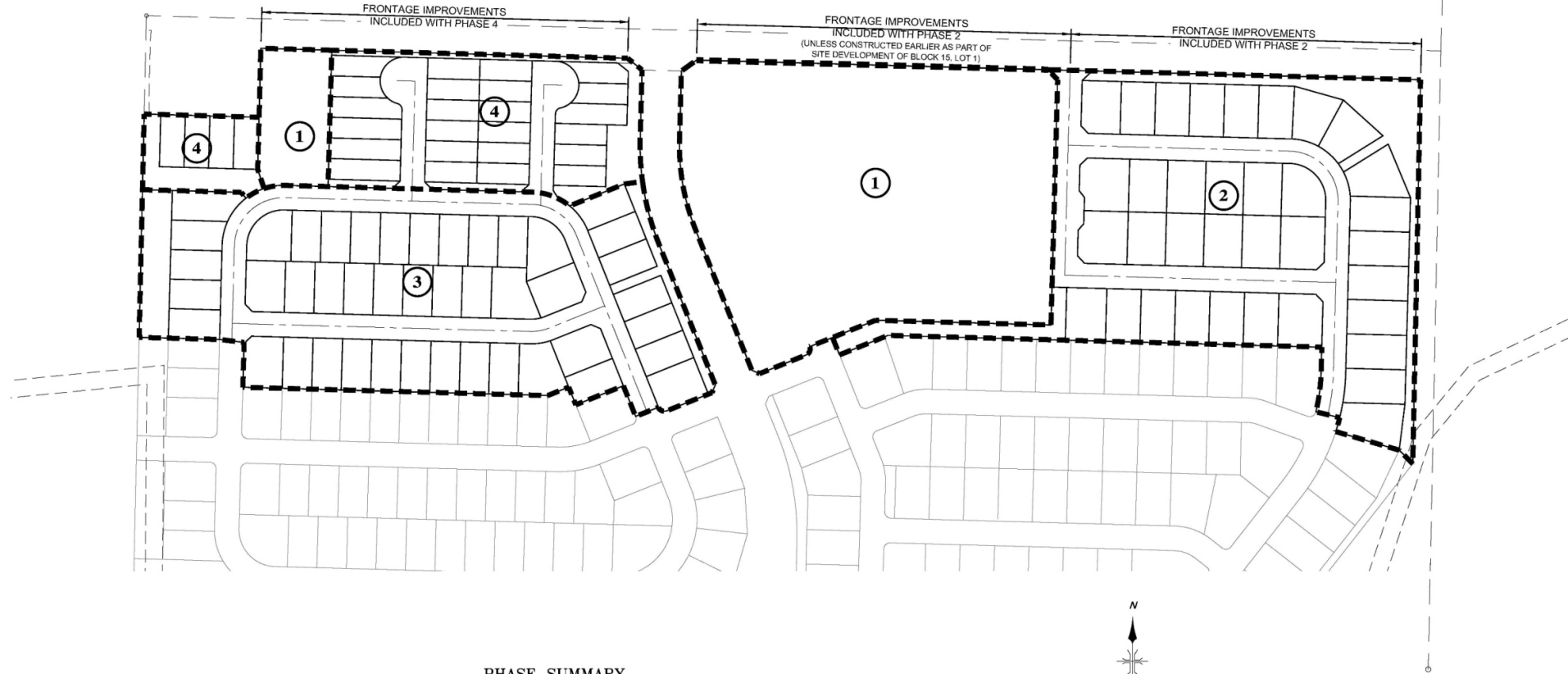
FILED BY: 3 of 4
DATE: 2023-04-04
PROJECT: 2223V PLAT-AMEND
SHEET: 22223

WOODS CROSSING
AMENDED PRELIMINARY PLAT
LEADERSHIP CIRCLE, LLC
1521 OXBOW DR., SUITE 210
MONTROSE, CO 81401
970-249-3398
AMENDED PLAT

WOODS CROSSING

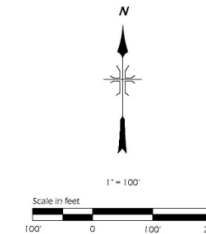
AMENDED PRELIMINARY PLAT

SITUATED IN SECTION 36, TOWNSHIP 49 NORTH, RANGE 9 WEST, NEW MEXICO PRINCIPAL MERIDIAN
CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO



PHASE SUMMARY

PHASE 1 = 1 LOT
PHASE 2 = 35 LOTS
PHASE 3 = 44 LOTS
PHASE 4 = 28 LOTS
TOTAL = 108 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.

DMC DEL-MONT CONSULTANTS, INC. ENGINEERING & SURVEYING 100 Colorado Ave. • Montrose, CO 81401 • (970) 249-3398 www.delmont.com • info@delmont.com			
FILED BY:	DRAWN BY:	DATE:	PROJECT NAME:
4 of 4	DCC	2023-04-04	WOODS CROSSING AMENDED PRELIMINARY PLAT
FILED:	DATE:	DATE:	DATE:
22223V PLAT-AMEND	22223	AMENDED PLAT	LEADERSHIP CIRCLE, LLC 1521 OXBOW DR., SUITE 210 MONTROSE, CO 81401 970-249-3398

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 “R-2” & “R-3A” zoning districts.
- Staff recommends Conditional Approval of the Woods Crossing Amended Preliminary Plat.
 - [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: April 26, 2023
RE: Air Park Way Rezone

ATTACHMENTS:

- Exhibit A: Maps & Illustrations
- Exhibit B: Photos of Project Area
- 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 shall make a recommendation to City Council on the Air Park Way Rezone. The Planning Commission will consider all of the information in this memo in making a decision.

Applicant: S&J Development, LLC

Application Background:

The Applicant is proposing a request to rezone of a portion of the property at 2370 Air Park Way totaling approximately 0.14 acres from I-2 (General Industrial) to B-3 (General Commercial). The property owner is in the process of completing a boundary line adjustment with the neighboring property to the west, and to avoid having any parcels split-zoned, a rezone is proposed so that each lot has a clearly distinguished zoning boundary. The property is more particularly described as follows:



A portion of Lot 1 of Gordon Minor Subdivision, as recorded at Reception Number 718789 at the Montrose County Clerk and Recorder, situate in the Northwest Quarter of Section 20, Township 49 North, Range 9 West of the New Mexico Principal Meridian, City of Montrose, County of Montrose, State of Colorado, said portion being more particularly described as follows;

BEGINNING at the southerly common corner to said Lot 1 and Lot 1 of Air Park Way Minor Subdivision, as recorded at Reception Number 944239, whence common line between said Lot 1 of Gordon Minor Subdivision and said Lot 1 of Air Park Minor Subdivision bears North 22°25'17" West, as shown on the plat of said Air Park Way Minor Subdivision, with all bearings contained herein relative thereto;

Thence North 22°25'17" West along said common line a distance of 187.74 feet to the northerly point on said common line, being on a ditch centerline; thence North 85°43'35" East along said ditch centerline, being the northerly line of said Lot 1 of Gordon Minor Subdivision, a distance of 84.11 feet;

Thence South 10°23'09" East, a distance of 40.56 feet to a point of cusp with a curve concave to the southeast, having a radius of 51.46 feet and a central angle of 85°11'45" and being subtended by a chord which bears South 31°04'09" West 69.66 feet;

Thence westerly along said curve, a distance of 76.52 feet;

Thence South 11°31'44" East tangent to said curve, a distance of 81.91 feet to said southerly common corner and the POINT OF BEGINNING.

Proposed Zoning: "B-3" General Commercial

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:

- The amendment is not adverse to the public health, safety and welfare; and
- 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 “B-3” General Commercial District. The current zoning is “I-2” General Industrial District.
 - Zoning Regulations. The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers. (Section 4-4-14)
 - Exhibit C includes an excerpt from the Municipal Code showing uses by right in the "B-3" General Commercial District.
3. The properties zoned immediately adjacent to the north and east are I-2 (General Industrial) while the properties to the south and west is zoned P (Public).
4. General Conformance with the Comprehensive Plan:
 - The Comprehensive Plan Future Land Use Map (Chapter 5) designates the areas to be rezoned Employment Center. The Employment Center designation is intended to encourage development of planned light industrial, office, and business parks, as well as to identify locations for medium industrial uses such as manufacturing, warehousing and distribution, 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.
 - Goal LU (Land Use) 3: The Comprehensive Plan and land use plan are living documents that are kept current and will change over time.
 - Objective 2.3: Access the City’s land use regulations to determine whether the regulations are encouraging desired development types.
 - Objective 2.5: Continue the City’s commitment to encouraging growth through timely and reasonable development review processes.
5. The “B-3” zoning designation to avoid a split-zone of a single parcel 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 "B-3" General Commercial District.

Planning Commission Recommendation:

Approval Motion Recommendation:



"I hereby make a motion to recommend approval of the rezone request of the Air Park Way Rezone to "B-3" General Commercial District. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report."

Denial/No Action Motion Recommendation:

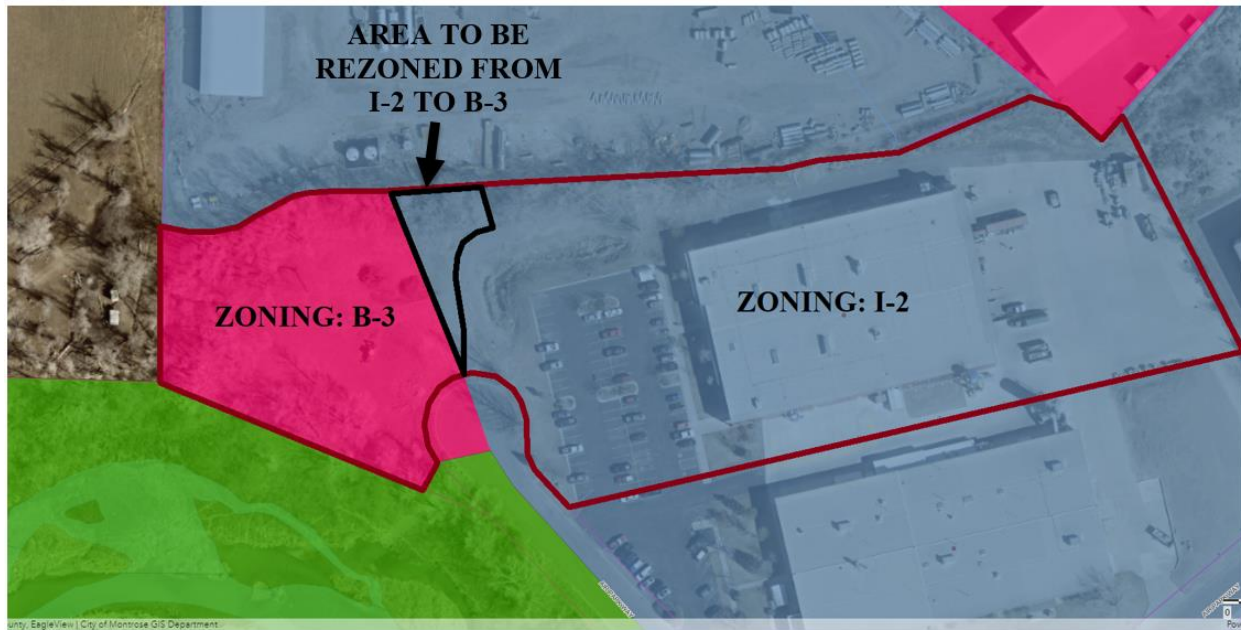
"I hereby make a motion to recommend denial on the request. The request does not meet the Code criteria based on the evidence and testimony presented at this hearing and in the staff report."



EXHIBIT A: Maps & Illustrations
Vicinity Map



Zoning Map



Comprehensive Plan Future Land Use Map



Survey Exhibit

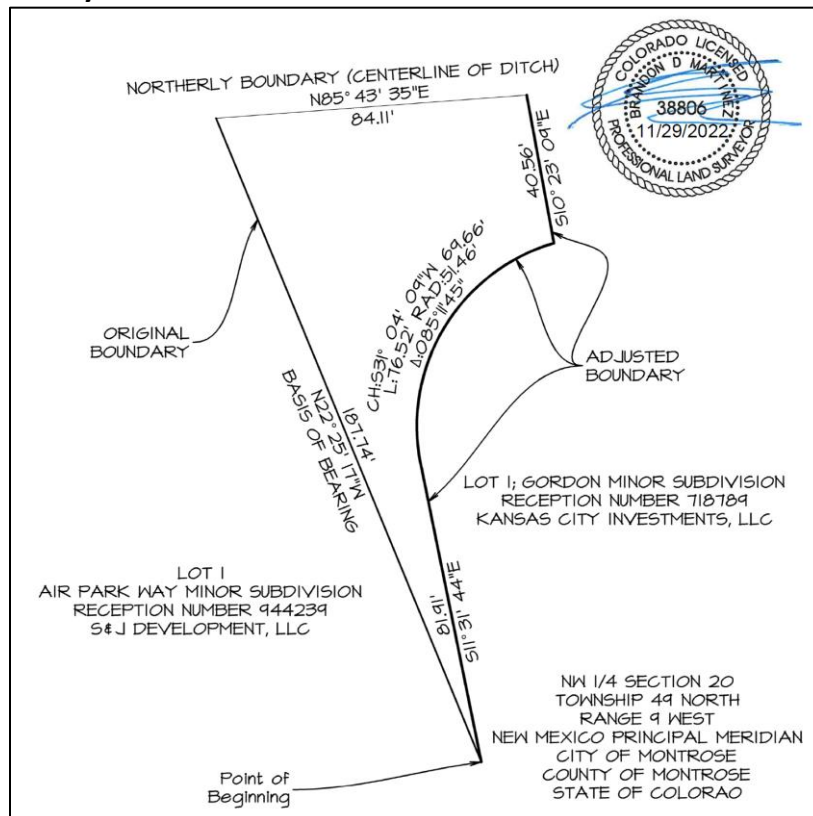


EXHIBIT B: Photos of Project Area



Exhibit C: Zoning Code Excerpt

Sec. 4-4-14. - "B-3" General Commercial District.

(A) Intent. The "B-3" General Commercial District is intended for a large variety of uses that require large storage areas to conveniently serve customers.

(B) Uses by Right.

- (1) Uses listed as "uses by right" in the "B-1," "B-2" and "B-2A" districts.
- (2) Automobile and vehicle sales or service establishments.
- (3) Farm implement sales or service establishments.
- (4) Mobile home sales or service establishments.
- (5) Building materials sales establishments.
- (6) Rental businesses.
- (7) Feed storage and sales establishments.
- (8) Veterinary clinics or hospitals for large animals.
- (9) Automobile body shops.
- (10) Automotive repair and service establishments.
- (11) Construction and contractor's office and equipment storage facilities.
- (12) Above ground storage facilities for hazardous fuels.
- (13) Parking facilities.
- (14) Renewable energy facilities.
- (15) Short-term rentals.

(C) Conditional Uses.

- (1) Uses listed as conditional uses in the "B-1," "B-2" and "B-2A" districts.
- (2) Warehouses and storage facilities.
- (3) Antennas and towers are allowed only as conditional uses in all zones and are subject to the provisions of Section 4-4-21 and the other applicable requirements of City ordinances and regulations.
- (4) Supportive housing.

(D) Not Included in this District. The following uses are not to be construed as a use by right or a conditional use in the "B-3" General Commercial district:

- (1) Manufacturing and industrial uses except as allowed by Subsection (C)(1) of this Section.

(E) Performance Standards.

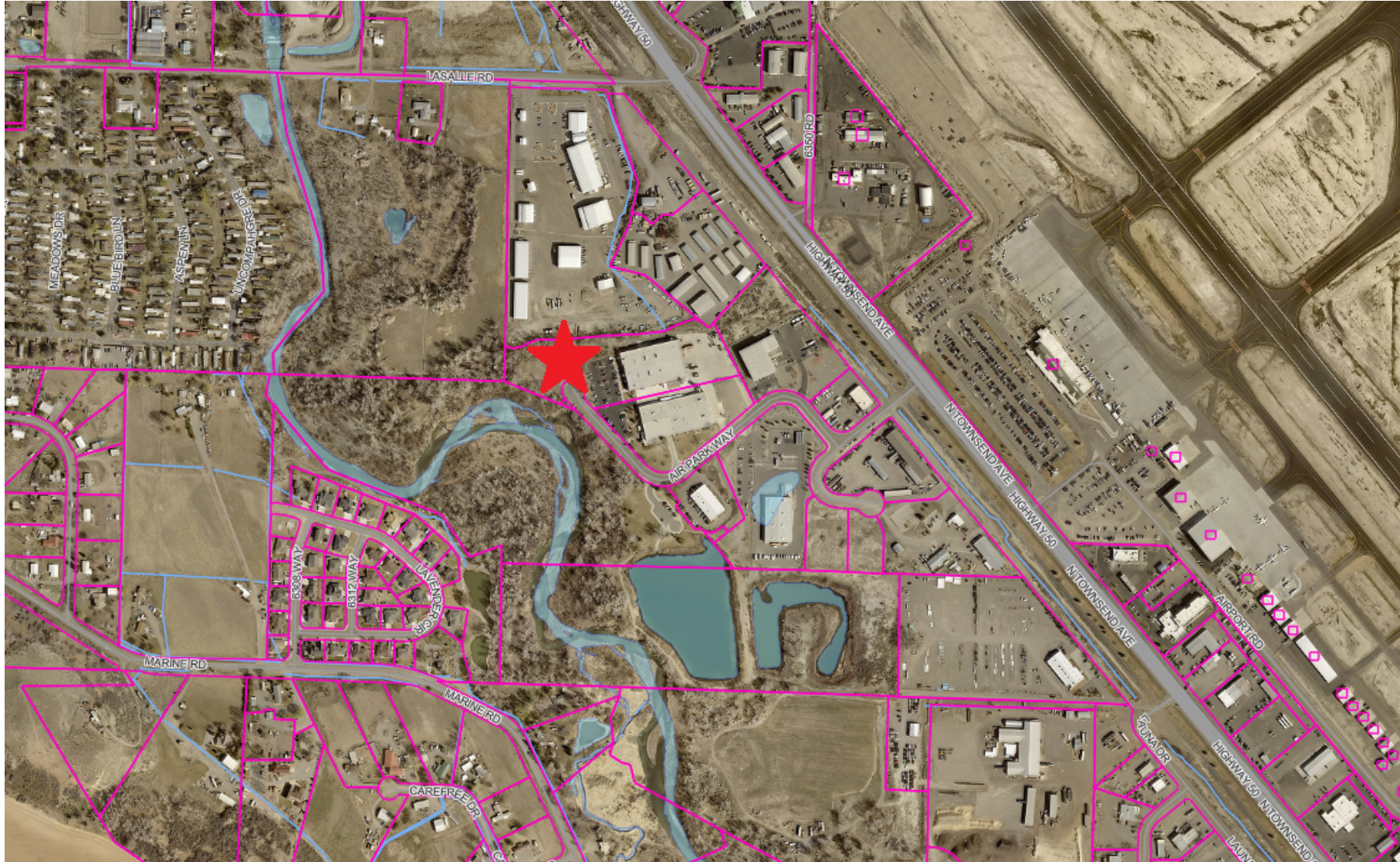
- (1) Manufacturing and storage associated with manufacturing shall be indoors.
- (2) No use may create a nuisance to other property by reasons of dust, odor, noise, light, smoke, or vibration or other adverse effects which cannot be effectively confined on the premises.

(Ord. No. 2472 , § 4-4-14, 5-7-2019; Ord. No. 2561 , 10-19-2021; Ord. No. 2581 , § 1, 3-15-2022)

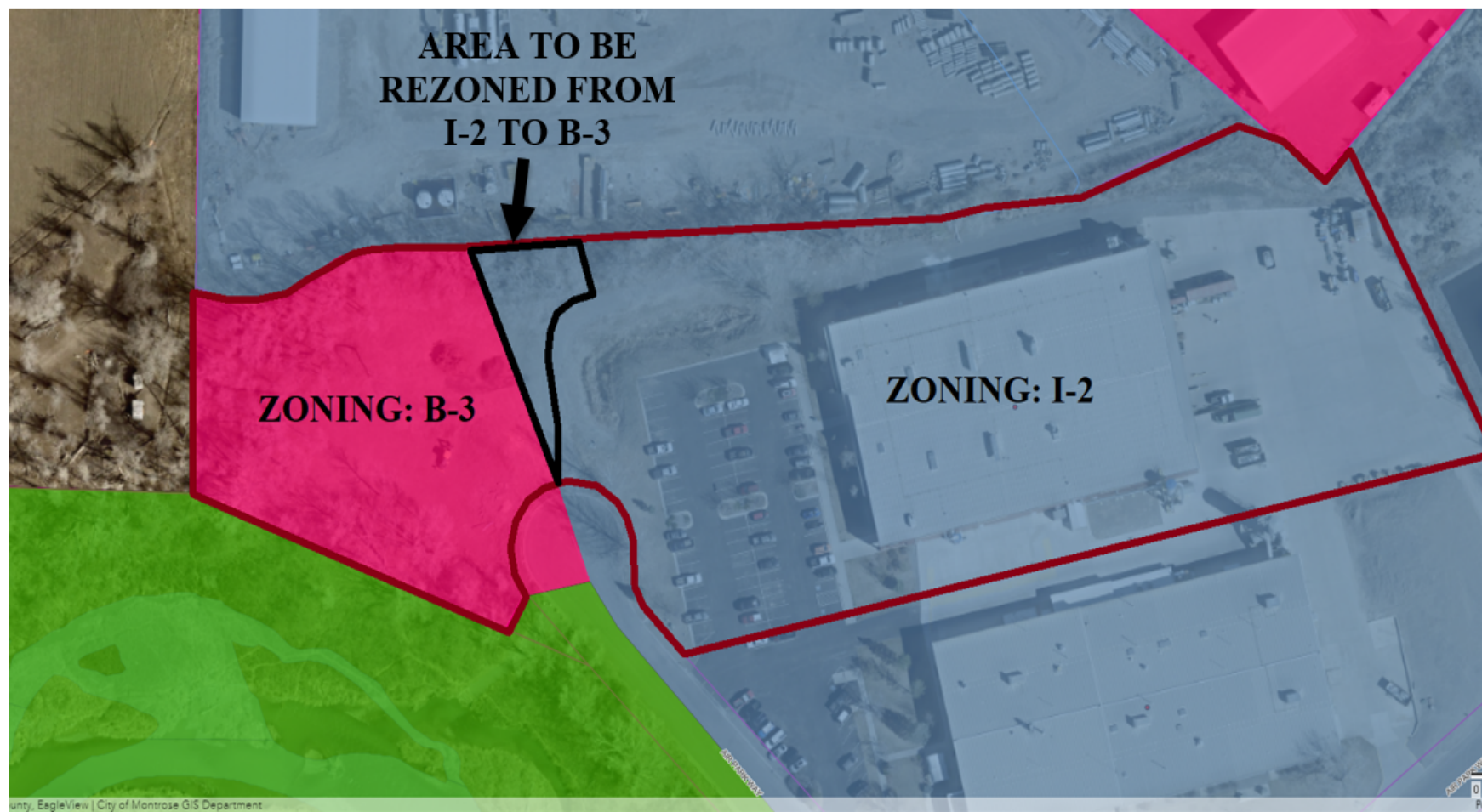




General Vicinity Map



Existing Zoning Map



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

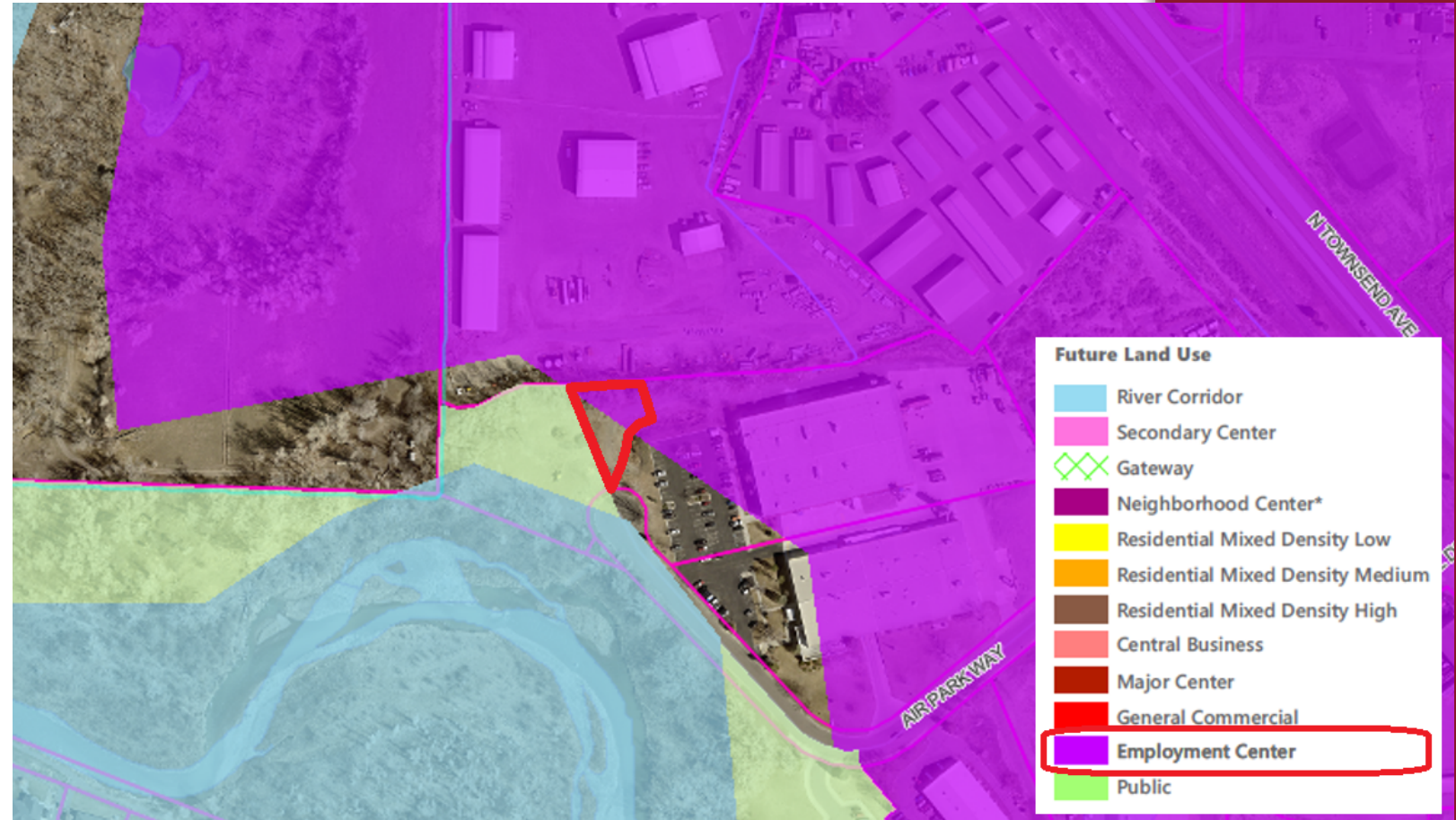
(b) The amendment is in substantial conformity with the master plan or,

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.

Comprehensive Plan – Land Use Chapter 5

- The Comprehensive Plan Future Land Use Map designation is Employment Center, which is intended to encourage development of planned light industrial, office, and business parks, as well as to identify locations for medium industrial uses such as manufacturing, warehousing and distribution, and indoor and outdoor storage.



Staff Recommendation

- Staff finds that the proposal meets the rezone criteria stated in Section 4-4-29(A).
- It is in compliance with the future land use map and goals and objectives of the Comprehensive Plan.
- It is compatible with existing uses in the surrounding area.
- Rezoning will fix the split-zoning due to the approved boundary line adjustment.

In conclusion, Staff recommends approval of the rezone to B-3.

