

A regular meeting of the Montrose City Council was held on Tuesday, September 5, 2023, at 6:00 p.m. in the City Council Chambers of the Elks Civic Building. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Barbara Bynum, J. David Reed, Dave Frank, Doug Glaspell, Ed Ulibarri, Bill Bell, Ben Morris, Ann Morgenthauer, William Reis, Jace Hochwalt, Scott Murphy, Tim Cox, Greg Story, Lisa DelPiccolo, Matt Magliaro, Chris Dowsey

GUESTS: Howard Walser, Butch Zinsli, Frank Rodriguez, Jeff Rice

CALL TO ORDER

Mayor Barbara Bynum called the meeting to order at 6:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

CHANGES TO THE AGENDA

Mayor Pro Tem J. David Reed removed items 14 and 15, related to the Pallante Addition Annexation, from the agenda.

SUICIDE PREVENTION AWARENESS MONTH PROCLAMATION

Mayor Barbara Bynum and the Montrose City Council proclaimed September 2023 as Suicide Prevention Awareness Month in the City of Montrose. Mayor Bynum presented the proclamation to Jamie Hurst, suicide prevention coordinator with the Tri-County Health Network.

SPECIAL PRESENTATION FROM THE OLATHE POLICE CHIEF

Chief of Police Frank Rodriguez with the Olathe Police Department recognized the City Council and City of Montrose for ongoing support including the donation of surplus vehicles. Chief Rodriguez presented a plaque to Mayor Barbara Bynum.

CALL FOR PUBLIC COMMENT

MG Conty spoke regarding his experience as a newcomer to the City of Montrose. Mr. Conty said he purchased a building in the downtown area and would like to discuss available incentives to renovate the building.

Suzy Conty also spoke regarding her welcome to the community. Ms. Conty gave an overview of her business that offers support for parents and children.

Butch Zinsli spoke regarding weeds along a temporary road to Black Canyon Golf Course. Mr. Zinsli stated that a drip system installed for landscaping failed and weeds have taken over.

APPROVAL OF MINUTES

City Council considered the minutes of the August 15, 2023, regular City Council meeting.

A motion was made by Dave Frank, seconded by J. David Reed, to approve the minutes of the August 15, 2023, regular City Council meeting as presented. All voted yes. Motion passed.

ORDINANCE 2639 – FIRST READING

City Council considered Ordinance 2639 on first reading, an Ordinance of the City of Montrose, Colorado, extending the temporary moratorium to prohibit the establishment of any new or relocation of any existing adult gaming arcade uses within the city limits of the City of Montrose; providing that the moratorium shall be in effect for a period which shall terminate at the earliest of the City's adoption of an amendment to Title 11, Chapter 12 Adult Business Regulations, or the expiration of five hundred forty-seven (547) days from date of passage of Ordinance 2594; providing for legislative findings, intent, and purpose; providing repealing clauses; and providing an effective date.

Assistant City Attorney Matt Magliaro reported that Ordinance 2639 extends a moratorium that is set to expire on September 22, 2023, until March 21, 2025. Clean and redline versions of the Ordinance are included in the meeting packet. Mr. Magliaro stated that the proposed changes restate what the ordinance already allows.

City Councilors discussed the success of the moratorium in reducing the crimes associated with the businesses.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by J. David Reed, to pass Ordinance 2639 on first reading as presented. All voted yes. Motion passed.

ORDINANCE 2637 – SECOND READING

City Council considered Ordinance 2637 on second reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of two tracts within the Seasons Subdivision from "B-4," Neighborhood Shopping District, and "R-3A," Medium High Density District, to "R-4," High Density District.

Planning Manager Jace Hochwalt reported that the property is located at the northeast corner of the intersection of Hillcrest and Miami, and no changes were made since the ordinance was passed on first reading at the previous meeting. Mr. Hochwalt stated that the Planning Commission voted to recommend approval on November 30, 2022, with a vote of 4-3. Mr. Hochwalt reviewed the differences in the zoning designations. The R-4 zoning designation will allow a higher density and will resolve a split zoning issue.

Mr. Hochwalt recommended approval stating that the proposal meets rezone criteria, is in compliance with numerous goals and objectives of the Comprehensive Plan, is compatible with existing uses in the surrounding area, and resolves a split zoning issue.

Mr. Hochwalt confirmed that any future development would be handled through a site development review or a formal subdivision or site development process. Any proposal would be fully vetted and would have to meet the intent of the land development code.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by J. David Reed, to adopt Ordinance 2637 on second reading as presented. Ed Ulibarri voted no. All others voted yes. Motion passed.

ORDINANCE 2638 – SECOND READING

City Council considered Ordinance 2638 on second reading, an Ordinance of the City of Montrose, Colorado, designating the Coors Building, 134 North 1st St, Montrose, Colorado, as a City of Montrose Historic Property Pursuant to § 11-3 of the Official Code of the City of Montrose. A hearing was held.

Planner II William Reis reported no changes to Ordinance 2638 since it passed unanimously on first reading at the previous meeting. Mr. Reis stated that the Coors Building is eligible for inclusion on the City's register of historic places due to its association with the history of saloons in Montrose and due to its design and construction elements. The building was erected as a saloon and rooming house by the Adolf Coors Company in 1905 and reflects design and construction elements of early 20th century architecture.

Mr. Reis recommended adoption of Ordinance 2638 as presented.

Mayor Barbara Bynum opened the hearing.

Public comment was accepted. No comments were received.

Mayor Bynum closed the hearing.

A motion was made by J. David Reed, seconded by Ed Ulibarri, to adopt Ordinance 2638 on second reading as presented. All voted yes. Motion passed.

THE GROVE PRELIMINARY PLANNED DEVELOPMENT

City Council considered The Grove Preliminary Planned Development.

Planner II William Reis reported that this item is associated with The Grove Subdivision Preliminary Plat which was approved by City Council on March 21, 2023. The applicant is requesting a Planned Development associated with the subdivision to allow for innovative urban design.

Mr. Reis said the request is for deviations to set back regulations specific to open air porch structures and does not apply to enclosed portions of structures. The property is zoned R-2, low density, and all lots will comply with the minimum lot size. Mr. Reis stated that there is no increase

or decrease to the density of the subdivision, and the subdivision can move forward if the Preliminary Planned Development is not approved.

Mr. Reis recommended approval stating that the Preliminary Planned Development is in compliance with PD regulations and is not adverse to public health, safety, and welfare.

Public comment was accepted.

Butch Zinsli asked for the location of the property. Mayor Barbara Bynum stated that the property is located south of the Brown Ranch Subdivision.

A motion was made by Dave Frank, seconded by J. David Reed, to approve The Grove Preliminary Planned Development as presented. All voted yes. Motion passed.

ORDINANCE 2640 – FIRST READING

City Council considered Ordinance 2640 on first reading, an Ordinance of the City of Montrose, Colorado, amending the zoning district designation of Lot 1 of the Parks & Wheeler Subdivision from "R-2," Low Density District to "R-3A," Medium High Density District.

Planner II William Reis reported that the 10.8 acres is located on the north side of Ogden Road. Mr. Reis stated that recently annexed property to the southwest is zoned R-3A and the applicant for that process provided a letter in support of this rezone application. The zoning of the surrounding area was reviewed. Mr. Reis stated that the property was originally annexed and zoned in 2001, and since then, there has been substantial commercial development in the vicinity.

Mr. Reis recommended approval stating that the proposal is in Compliance with the Comprehensive Plan and numerous goals and objectives, is compatible with existing uses in the surrounding area, and conditions in the affected area have changed materially since the area was last zoned.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Dave Frank, to pass Ordinance 2640 on first reading as presented. All voted yes. Motion passed.

STAFF REPORTS

Project Updates: City Engineer Scott Murphy reported that paving on 9th Street is completed, and the South 3rd Street Plaza and parking area is completed. A project to add a turn lane on Odelle Road between Townsend and Woodgate will take a few more weeks to complete. The Miami Road project is almost complete, but progress was delayed due to the discovery of old water lines. A paving date has been set for the 6700 Road Extension.

CITY COUNCIL COMMENTS

No comments were made.

MOTION TO ADJOURN

At 6:58 p.m., a motion was made by Dave Frank to adjourn the meeting with no further action taken.

ATTEST:



Lisa DelPiccolo, City Clerk



Barbara Bynum, Mayor

