



REGULAR PLANNING COMMISSION MEETING AGENDA
Wednesday, November 8, 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 October 25, 2023 meeting
- 4) Additions or Deletions
- 5) **BLOWERS ADDITION ZONING HEARING** This is a proposal for initial zoning of "RL" Rural Living District for the proposed Blowers Addition, approximately 15.22 acres. This annexation consists of three parcels located on 6450 Rd.
- 6) Other Business
- 7) Next Meeting will be December 13, 2023
- 8) Motion to Adjourn





The Montrose City Planning Commission held a meeting on October 25, 2023 at 5:00 p.m. in City Hall Council Chambers. The meeting agenda was posted in accordance with the Colorado Open Meetings Act (C.R.S. §24-6-401, et.seq.).

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

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

There were 6 members of the public in attendance.

CALL TO ORDER

Chairperson David Fishering called the meeting to order at 5:03 p.m.

APPROVAL OF MINUTES

Two corrections were made: an incorrect name and Vice-Chair Chad Huffman had called the meeting to order.

Phoebe Benziger moved to approve the minutes of the October 11, 2023 meeting as corrected. Chad Huffman seconded, and the motion carried unanimously.

ADDITIONS OR DELETIONS

None.

BLUFF HARBOR LOT ADDITION ZONING HEARING.

This is a proposal for initial zoning of "MHR" Manufactured Housing Residential District for the proposed Bluff Harbor Lot Addition, approximately 0.72 acres. This annexation is located on the south side of Juniper Road. The applicants are Michael Nichols and Sabely Nichols.

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.

Public Hearing

No members of the public came forward.

Discussion

The Planning Commissioners and staff verified this project has been approved in the past, only the name and applicants have been changed.

Motion and Vote

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

OSPREY ADDITION ZONING HEARING.

This is a proposal for initial zoning of "R-3A" Medium High-Density District, "R-4" High Density District, and "P" Public District for the proposed Osprey Addition, approximately 9.53 acres. This annexation is located on the north side of E Oak Grove Road, also addressed as 1665 E Oak Grove Road. The applicants are Tanner Rentals, LLC; Oak Grove Investments, LLC; and City of Montrose

Staff Presentation

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

Scott Murphy gave an overview of some big picture projects as they relate to this project.

Applicant Presentation and Questions for Applicant

David Kienholz (Realtor), Gary Clark and John Nelson (All Points Transit) approached the podium to discuss the plans for the All Points Transit project to be located in one section of this property. Planning Commissioners and applicants discussed the parking situation for a park and ride, and what the site will look like.

Dean McCall, current owner, came to the podium to discuss what they are planning to achieve.

Question for Staff

Planning Commissioners and staff discussed land acquisition for the roundabout, relocation and required abatement work to move the house, zoning, and next steps.

Public Hearing

Two members of the public came forward to discuss traffic concerns and transportation needs.

Discussion

Planning Commissioners and staff discussed road access points, a potential traffic study, and public health and safety.

Motion and Vote

Phoebe Benziger moved to recommend to City Council approval of the initial zoning request of “R-3A” Medium High Density District, “R-4” High Density District, and “P” Public District. The request meets the

Code criteria based on the evidence and testimony presented at this hearing and in the staff report. Ron Cairns seconded, and the motion passed unanimously.

OTHER BUSINESS

None.

NEXT MEETING

The next Planning Commission meeting is scheduled for November 8, 2023. The November 22, 2023 and December 27, 2023 meetings are cancelled.

PUBLIC COMMENT

None.

ADJOURNMENT

Jan Chastain moved to adjourn the meeting. Chad Huffman seconded, and the meeting ended at 5:47 p.m.

Chairperson

Attest



CITY OF MONTROSE

Planning Services

MEMO

TO: Planning Commission
FROM: William Reis, Planner II
DATE: November 8, 2023
RE: Blowers Addition Annexation
ATTACHMENTS:

- Exhibit A: Maps
- Exhibit B: Zoning Code Excerpt

Public notice requirements have been fulfilled in accordance with Section 11-4-3(D) of the City of Montrose Municipal Code. A sign was posted on the property, letters sent to property owners within 300 feet, and an ad appeared in the Montrose Daily Press.

Planning Commission Consideration:

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

Proposed schedule:

October 16:	Council Work Session Overview
November 7:	Council Resolution to set a hearing date
November 8:	Planning Commission zoning hearing
January 2:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
January 16:	2nd reading of annexation and zoning ordinances

Application Background:

The Blowers Addition is a proposed annexation approximately 15.22 acres in size. The annexation consists of three parcels located on the west side of 6450 Road, south of its intersection with Lincoln Road. It is within the City's Urban Growth Boundary, City of Montrose



Sewer Service Area, and City of Montrose Water Service Area. Annexation of this property will allow for connection to City utilities. An Annexation Agreement is required.

Proposed Zoning: “RL” Rural Living District

Applicant: Donnie D. Blowers, Barbara A. Blowers, Joallen L. Blowers

Staff Analysis:

1. The City-County IGA gives the City the option to annex properties within the IGA. The area is urbanizing and more than 1/6 of the perimeter is contiguous to the city limits. These factors support annexation.
2. An annexation agreement is required as a condition of this annexation.
3. Zoning Regulations
 - a. Municipal Code, Section, 11-7-12 (B), Zoning of Additions. “The Planning Commission shall recommend to the Council a zoning district designation for all property annexed to the City not previously subject to City zoning, and shall follow the review procedure set out in Section 4-4-31 in arriving at its recommendation. Proceedings concerning the zoning of property to be annexed may be commenced at any time prior to the effective date of the annexation ordinance or thereafter. *The zoning designation for newly annexed property shall not adversely affect the public health, safety and welfare* (emphasis added).”
 - b. Municipal Code, Section 11-7-5: The “RL” Rural Living District is intended to provide for farms, ranches, and clustered development with open space, and is designed to dovetail with allowed County residential densities.
 - c. The proposed zoning is compatible with existing zoning and general conditions in the area. The property is adjacent to properties that are zoned “RL” Rural Living District, “R-6” Medium Density/Manufactured Housing District, “I-1” Light Industrial District, and properties outside of City limits.
4. The Comprehensive Plan Future Land Use Map designates the area of the Blowers Addition as Residential Mixed Density Low and Employment Center. The Residential Mixed Density Low 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). This low-density 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. The Employment Center district is intended to encourage the development of planned light industrial, office, and business parks, as well as to identify locations for medium industrial uses such as manufacturing, warehousing and distributing, and indoor and outdoor storage. This district is also intended to accommodate secondary



uses that complement and support the primary workplace uses, such as hotels, restaurants, convenience shopping, childcare, and housing.

5. The property is located within Growth Area 1. According to the Comprehensive Plan, Growth Area 1 represents the most cost-efficient areas for the city to grow and comprises platted but unbuilt lots, annexed but unplatted land, and un-annexed small enclaves.
6. "RL" zoning requires the Planning Commission to recommend a minimum lot size as a condition of zoning. The applicant has requested a minimum lot size of 1 acre.
7. The "RL" zoning does not appear to be adverse to the public health, safety and welfare.

Staff Recommendation:

Staff recommends approval of the "RL" Rural Living District designation.

Planning Commission Recommendation Alternatives:

Approval Motion Recommendation:

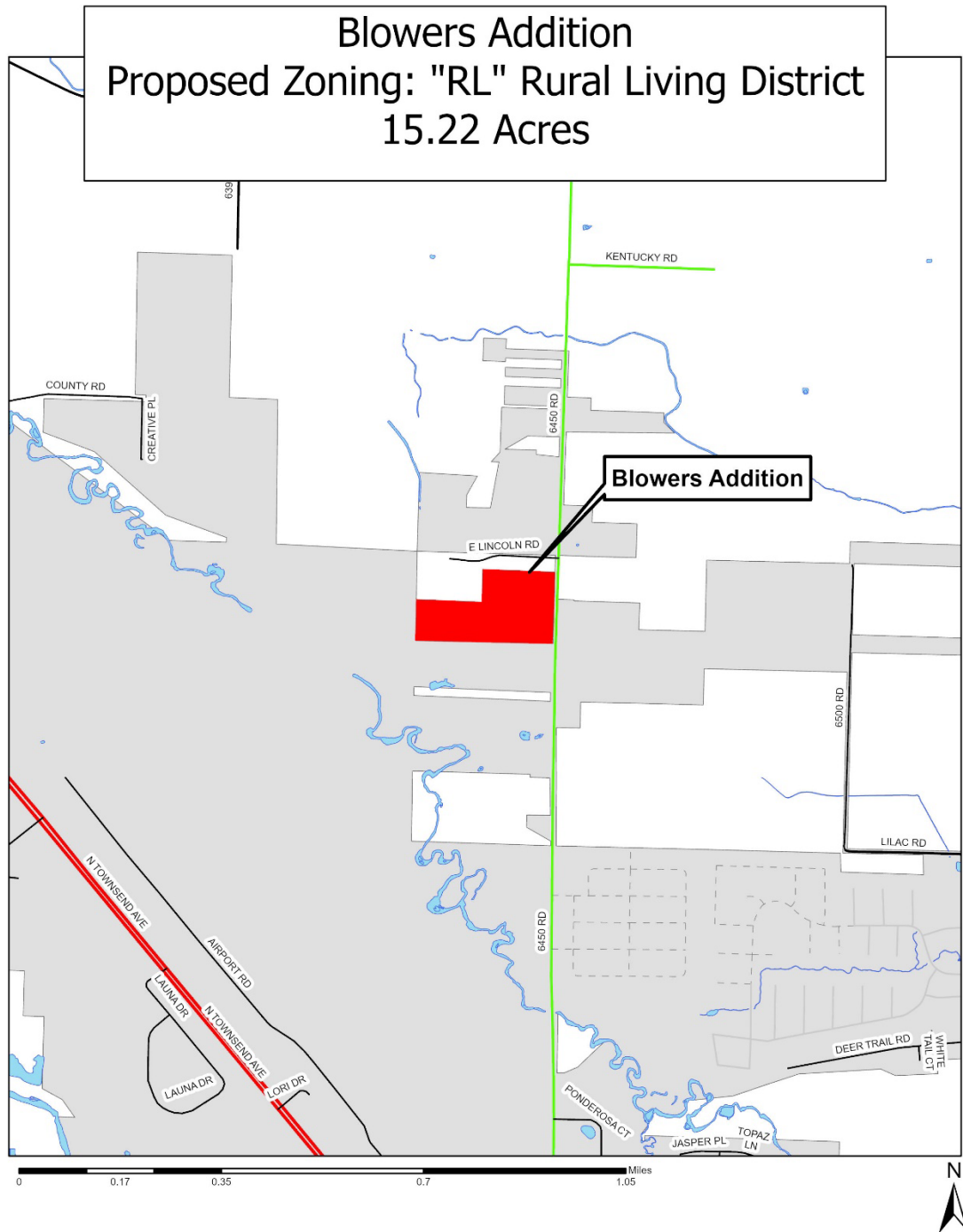
"I hereby make a motion to recommend to City Council approval the initial zoning request of "RL" Rural Living District with a minimum lot size of 1 acre. The request meets the Code criteria based on the evidence and testimony presented at this hearing and in the staff report."

Alternative Recommendation:

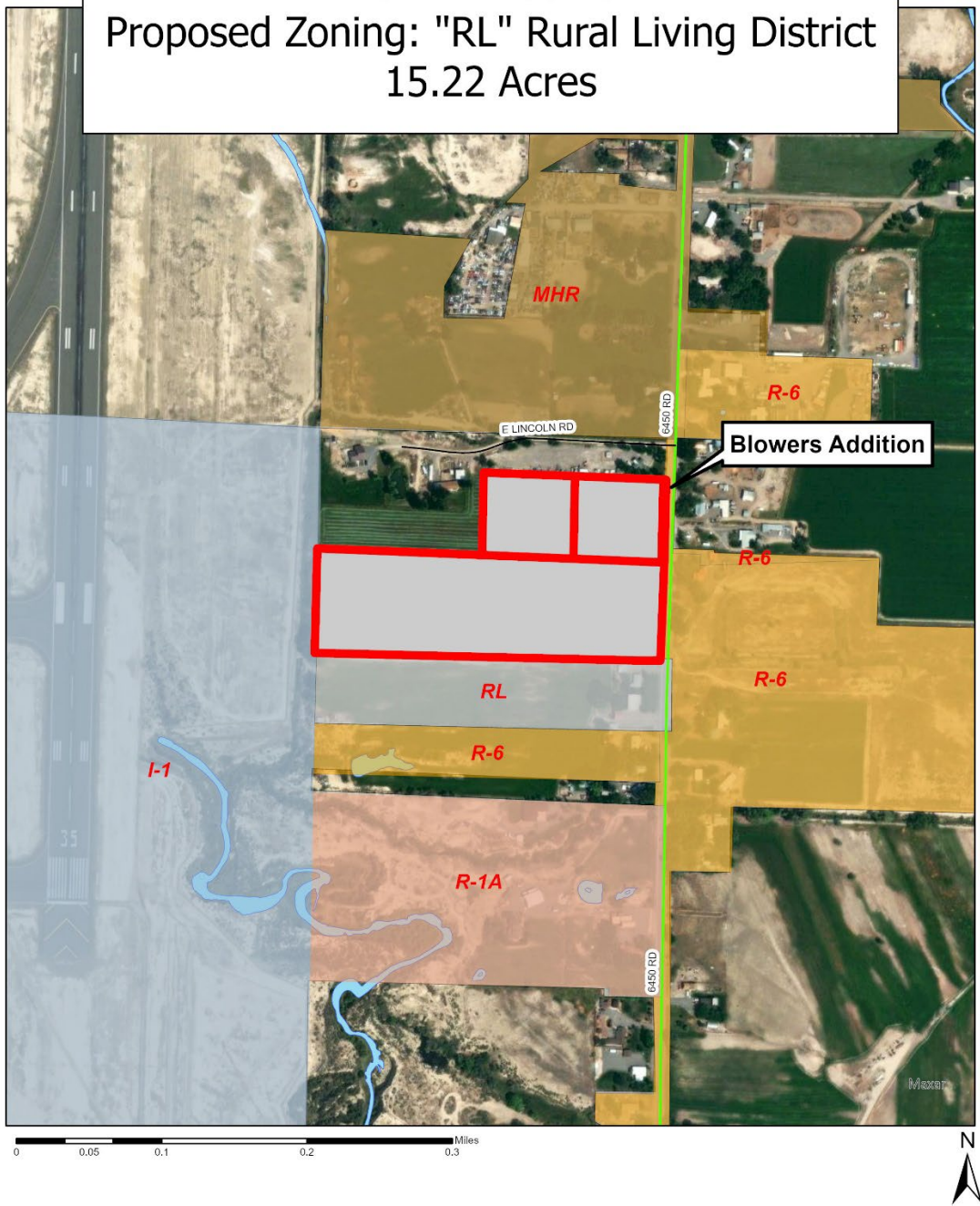
The Planning Commission may recommend a different zoning designation than that which was requested. The Planning Commission may not deny the annexation application.



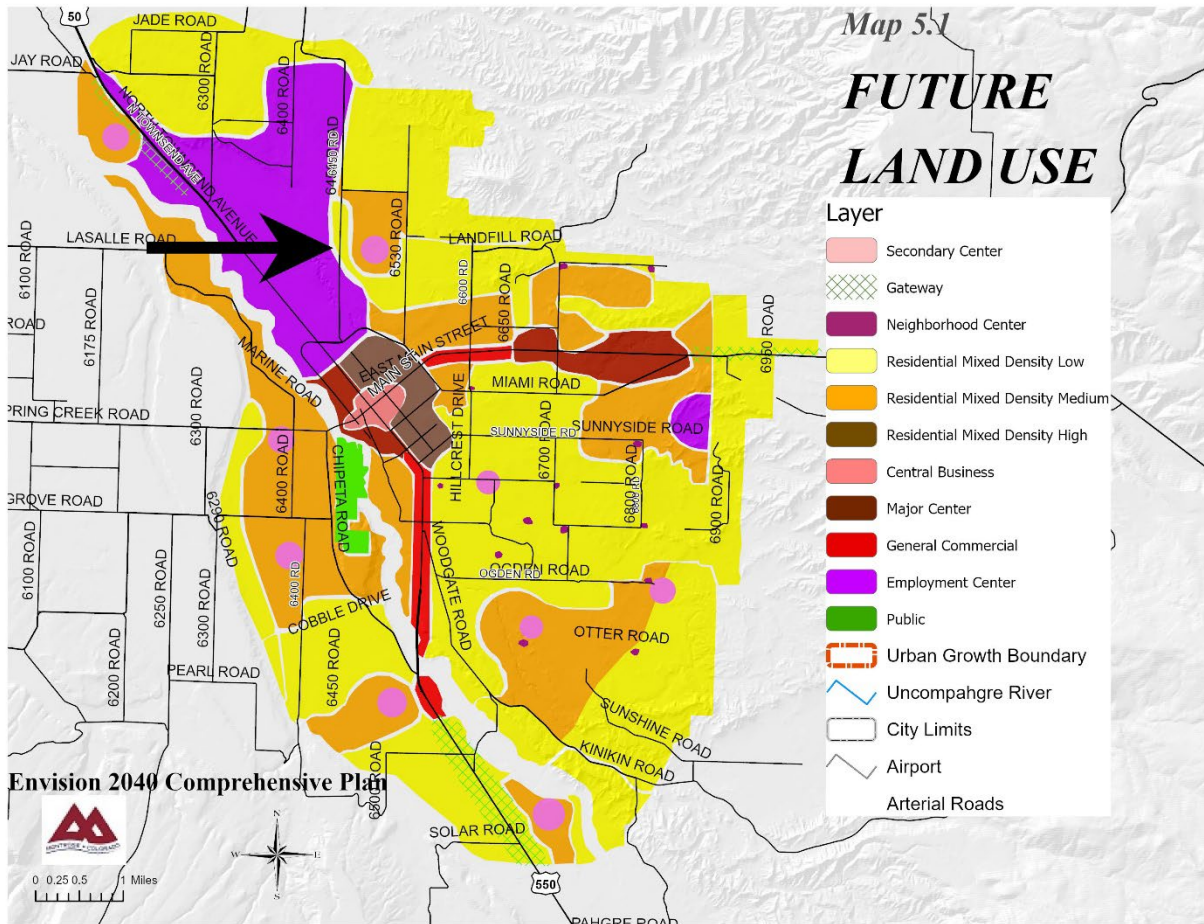
EXHIBIT A: Maps



Blowers Addition
Proposed Zoning: "RL" Rural Living District
15.22 Acres

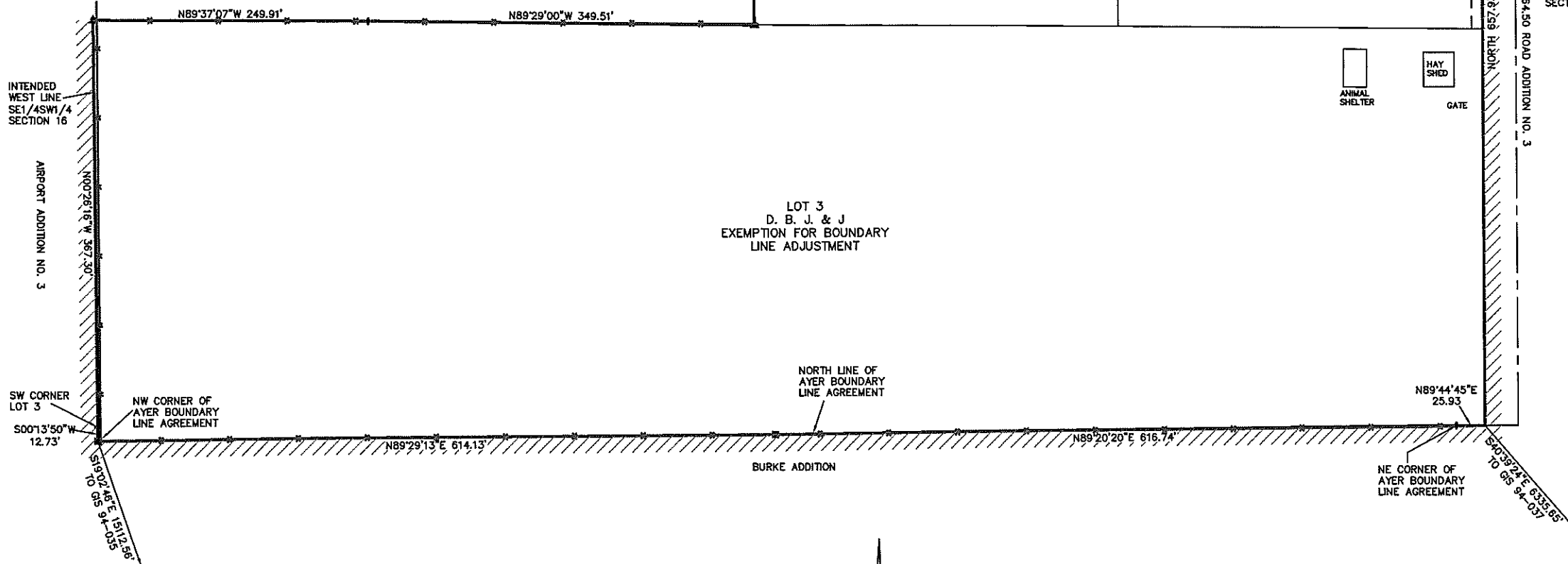
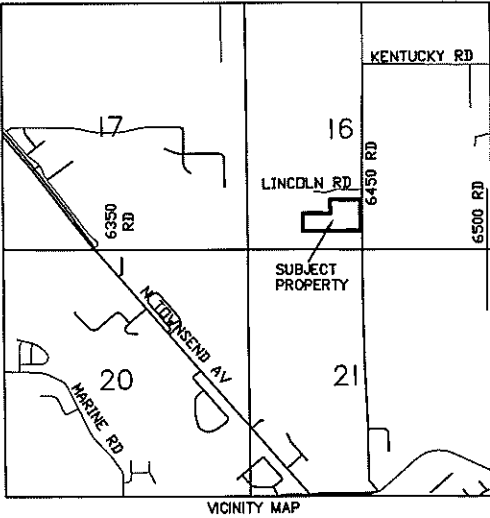


Comprehensive Plan Future Land Use Map



BLOWERS ADDITION

TO THE CITY OF MONTROSE, MONTROSE COUNTY, COLORADO
SITUATED IN THE SE1/4SW1/4, SECTION 16, T49N, R9W, N.M.P.M.,



BLOWERS ADDITION PROPERTY DESCRIPTION

A tract of land situated in the SE1/4SW1/4, Section 16, Township 49 North, Range 9 West, N.M.P.M., and being more particularly described as follows: Commencing at the northeast corner of said SE1/4SW1/4, Section 16; thence South along the east line of said SE1/4SW1/4, a distance of 150.00 ft.; thence N89°36'38"W, 30.00 ft. to a point on the westerly line of the 64.50 Addition No. 3 to the City of Montrose and the true point of beginning; thence leaving said westerly line N89°36'38"W, 10.00 ft. to the northeast corner of Lot 2, J.L.B. Minor Subdivision; thence N89°36'38"W, 321.98 ft. to the northeast corner of Lot 1, said J.L.B. Minor Subdivision; thence N89°36'38"W, 331.98 ft. to the northwest corner of said Lot 1; thence S00°43'10"E, 300.00 ft. to the southwest corner of said Lot 1 also being a point on the north line of Lot No. 3, D.B.J. & J. Exemption for Boundary Line Adjustment; thence the following two courses along said north line: N89°29'00"W, 349.51 ft.; N89°37'07"W, 249.91 ft. to the northwest corner of said Lot No. 3; thence S00°26'16"E, 367.30 ft. to the southwest corner of said Lot No. 3; thence S00°13'50"W, 12.73 ft. to the northwest corner of the Ayer Boundary Line Agreement; thence the following two courses along the north line of said Ayer Boundary Line Agreement: N89°29'13"E, 614.13 ft.; N89°20'20"E, 616.74 ft. to the northeast corner of said Ayer Boundary Line Agreement; thence leaving said Boundary Agreement Line N89°44'45"E, 25.93 ft. to the southeast corner of the aforementioned Lot 3, D.B.J. & J. Exemption for Boundary Line Adjustment, being a point on the westerly right-of-way line 6450 Road, as shown on said Exemption Plat, also being a point on the westerly line of said 64.50 Road Addition No. 3; thence North, 657.93 ft. to the true point of beginning containing 15.22 acres.

SURVEYOR'S CERTIFICATE
I, William D. Wiley a Registered Land Surveyor licensed under the laws of the State of Colorado, do hereby certify that this Annexation map of Blowers Addition was made under my direct supervision and that the information hereon is correct to the best of my knowledge and belief.

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

Date _____

MAYOR'S CERTIFICATE
This is to certify that the City of Montrose, a municipal corporation in the County of Montrose, State of Colorado, has by its Ordinance No. _____ adopted on this _____ day of _____, 20____, A.D. annexed the property described hereon to the City of Montrose.

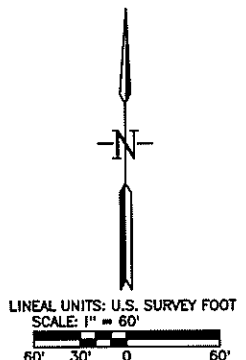
Mayor, City of Montrose

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

_____, by _____
Clerk & Recorder Deputy
Montrose County, Colorado

NOTE: All apparent or recorded rights of way and easements which may burden this property are not shown.
NOTICE: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

LEGEND
■ = FOUND REBAR AND SURVEY CAP LS #37690
▲ = FOUND REBAR AND SURVEY CAP LS #12180
— = FENCE LINE
⊙ = CENTERLINE
POB = POINT OF BEGINNING



MONTROSE CITY LIMITS

CONTIGUOUS CITY LIMITS = 2,294.76 FT.
TOTAL PERIMETER = 3,858.13 FT.
ACRES ANNEXED = 15.22 ACRES

CF: 23-69 BLOWERS ADD Plot Scale 1" = 100' Book 783 Page 25 DATE 8/9/23 REVISIONS:	BLOWERS ADDITION TO THE CITY OF MONTROSE, MONTROSE COUNTY, COLORADO SITUATED IN THE SE1/4SW1/4, SECTION 16, T49N, R9W, N.M.P.M., FOR: DON BLOWERS MESA SURVEYING INC. P.O. Box 1287 Montrose, CO 81402 (970)-240-9994 Sheet 1 of 1 File No. 23-69
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EXHIBIT B: Zoning Code Excerpt

Sec. 11-7-6. District uses.

- (A) *Permitted uses.* Those uses designated as permitted uses on the schedule of uses in Subsections 11-7-6(G) and 11-7-6(H) are allowed as a matter of right subject to approval of a site development plan per Section 11-8-1 of this Title.
- (B) *Conditional uses.* Uses listed as conditional uses on the schedule of uses in Subsections 11-7-6(G) and 11-7-6(H) shall be allowed only if the Planning Commission determines, following review pursuant to Chapter 11-4 of this Title, that the following criteria are substantially met with respect to the type of use and its dimensions:
- (1) The use will not be contrary to the public health, safety, or welfare.
 - (2) The use is not materially adverse to the City's Comprehensive Plan.
 - (3) Streets, pedestrian facilities, and bikeways in the area are adequate to handle traffic generated by the use with safety and convenience.
 - (4) The use is compatible with existing uses in the area and other allowed uses in the district.
 - (5) The use will not have an adverse effect upon other property values.
 - (6) Adequate off-street parking will be provided for the use.
 - (7) The location of curb cuts and access to the premises will not create traffic hazards.
 - (8) The use will not generate light, noise, odor, vibration, or other effects which would unreasonably interfere with the reasonable enjoyment of adjacent property.
 - (9) Landscaping of the grounds and the architecture of any buildings will be reasonably compatible with that existing in the neighborhood.
- (C) *Principal uses.* The primary use of a lot is referred to as a principal use which may be a land use or a structure. Only one principal use per lot is allowed except where a mix of residential and nonresidential uses may be permitted in a specified zone district.
- (D) *Accessory uses.* Accessory uses shall comply with all requirements for the principal use, except where specifically modified by this Chapter, and shall also comply with the following limitations:
- (1) An accessory use shall be clearly incidental, customary to and commonly associated with the operation of the permitted use.
 - (2) An accessory use shall be operated and maintained under the same ownership as the permitted use.
 - (3) An accessory use shall be located on the same lot as a principal use.
- (E) *Temporary Use Permits.*
- (1) The City Manager or his designee may issue a permit authorizing a temporary use of premises in a district for a use which is otherwise not allowed in such a district for a period of up to one year in accordance with this Subsection.
 - (2) The temporary use permit may be issued by the City Manager only after it determines that unusual circumstances exist, not created by the applicant, such as damage, destruction or delay in construction of applicant's permanent premises, which results in significant hardship, and that the temporary use



will not unreasonably interfere with the use of other property, or result in any permanent adverse effects to other property, or create a safety or health hazard.

- (3) The City Manager or his designee shall hold such hearings concerning the application and provide such notice thereof as the circumstances merit in his opinion. The permit may be granted subject to conditions appropriate to ensure compliance with this Subsection.
- (4) *Temporary Construction or Sales Office.* A building within a subdivision may be utilized as a temporary construction or sales office for a period up to one year by the developer of that subdivision during the period of the construction and initial sales respectively of the building and improvements within the area encompassed by the preliminary plat for each subdivision. The City Manager may authorize additional one-year periods for use as a construction office if construction is continuing in the area after the preceding year, or as a sales office if not all of the houses in the area have been sold during the year preceding.

(F) *Uses Not Listed.*

- (1) Uses not listed in a zone district are prohibited except that such uses may be approved by the City Manager provided such uses are found to be similar to a permitted use.
- (2) Any person aggrieved by a decision of the City Manager pursuant to this Subsection may appeal that decision to the City Council under the following procedure:
 - (a) The appeal must be made in writing and filed within 30 days of the decision being appealed.
 - (b) The City Council shall consider the appeal at a public hearing held within 30 days of receipt of the written appeal, notice of which shall be given to the appellant by US mail at least 15 days prior to the hearing.
 - (c) The City Council shall approve or deny the appeal.
 - (d) The decision of the City Council shall be the final decision of the City on the matter, appealable only to the district court.

(G) *Schedule of Residential Zone District Uses.*

Land Use	R L	R- 1	R- 1A/B	R- 2	R- 3	R- 3A	R- 4	R- 5	R- 6	MH R
<i>COMMERCIAL USES</i>										
Bed and breakfast (See Sec. 11-11-1)					C		C		C	
Farms and ranches, excluding commercial greenhouses, and commercial feedlots, fur farms, fish farms, poultry houses, hog farms, dairies and similar operations with a high density of animals.	P									
Rental storage units with a maximum rental unit size of 200 square feet.										C
Short-term rentals	P	P	P	P	P	P	P	P	P	P
<i>INSTITUTIONAL USES</i>										
Assisted living facilities					C	C	C		C	C
Childcare facilities	C	C	C	C	C	C	C	C	C	C



Family childcare home	P	P	P	P	P	P	P	P	P	P
Government buildings and facilities	P	P	P	P	P	P	P	P	P	P
Religious assembly	C	C	C	C	P	P	P	C	C	P
Schools	C	C	C	C	C	C	C	C	C	C
<i>RECREATIONAL USES</i>										
Golf courses	P									
Parks, open space and recreation facilities	P	P	P	P		P	P	P	P	P
<i>RESIDENTIAL USES</i>										
Duplex					P	P	P		P	
Group homes—handicapped/disabled 8 persons or less (see Sec. 11-11-2)	P	P	P	P	P	P	P	P	P	P
Group homes—handicapped/disabled > 9 persons (see Sec. 11-11-2)	C	C	C	C	C	C	C	C	C	C
Group homes, other (see Sec. 11-11-2)	C	C	C	C	C	C	C	C	C	C
Home occupation (See Sec. 11-11-3)	A	A	A	A	A	A	A	A	A	A
Manufactured housing				¹				P	P	P
Mobile homes (See Sec. 11-13)										P
Mobile home parks (See Sec. 11-13)										P
Modular housing								P	P	P
Multi-family dwelling					C	P	P		C	
Single-family dwelling	P	P	P	P	P	P	P	P	P	P
<i>UTILITIES AND TELECOMMUNICATION FACILITIES</i>										
Antennas (See Sec. 11-14-6)	C	C	C	C	C	C	C	C	C	C
Public utility service facilities	P	P	P	P	P	P	P	P	P	P
Towers (See Sec. 11-14-5)	C	C	C	C	C	C	C	C	C	C
<i>OTHER USES</i>										
Accessory uses (See Sec. 11-7-6(D))	A	A	A	A	A	A	A	A	A	A
Temporary use (See Sec. 11-7-6(E)(1-3))	T	T	T	T	T	T	T	T	T	T
Temporary Construction or Sales Office (See Sec. 11-7-6(E)(4))	T	T	T	T	T	T	T	T	T	T
Travel home (See Sec. 11-13-6(2))		T	T	T	T	T	T	T	T	T

Legend: Use Type

P: Permitted Use

C: Conditional Use

A: Accessory Use

T: Temporary Use

¹ Manufactured housing is prohibited except for the following subdivision which was under development on July 1, 1998: Rainbow Meadows Subdivision.

(Ord. No. 2626 , § 3(exh. A), 5-16-2023)

