



REGULAR CITY COUNCIL MEETING AGENDA

Tuesday, March 19, 2024 - 6:00 PM

City Council Chambers, Elks Civic Building - 107 S. Cascade Ave.

The Montrose City Council is pleased to have residents of the community take time to attend City Council 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. Additional written comments are welcome and will be received at any time. The 11:00 p.m. rule will be enforced in accordance with City of Montrose Regulations (Sec. 7-15-2).

Public participation for this meeting will be in person in the City Council Chambers. The meeting can be [viewed online via livestream](#) and video recordings of the meetings can be viewed on our [YouTube page](#).

Hearing assistance devices are available for public use. Please let us know if you need accommodation. The City also offers interpretation for Spanish speakers. Schedule time to book this resource, by [emailing the City](#) at least 3 days before the meeting.

- 1) City Council meeting called to order by Mayor Barbara Bynum
- 2) The Pledge of Allegiance
- 3) Roll call by the City Clerk
- 4) Changes to the agenda including additions and deletions



6) CALL FOR PUBLIC COMMENT FOR NON-AGENDA ITEMS

The “Call for Public Comment” agenda item is a time when concerned members of the community may publicly voice their concerns and discuss items of interest. Please note that no formal action will be taken on the matters raised during this time.

Comments made during this time should be addressed to the Council and pertain to matters of at least general importance to the City and its operations. Please be aware that neither City Council nor City staff are expected to respond or engage in discussion or debate.

Personal attacks and disagreements, personnel and employment matters, the use of profanity or ethnic, racial or gender-oriented slurs are prohibited, as is any “disorderly conduct” which violates state or local law and shall not be permitted.

7) APPROVAL OF MINUTES (5 minutes)

City Council consideration of the minutes of the February 26, 2024, special City Council meeting, the March 4, 2024, Special City Council meeting, the March 4, 2024, regular City Council meeting and the March, 7, 2024, special City Council meeting. *Staff: City Clerk Lisa DelPiccolo*

Action: Consider making a motion to approve the minutes of the February 26, 2024, special City Council meeting, the March 4, 2024, Special City Council meeting, the March 4, 2024, regular City Council meeting and the March, 7, 2024, special City Council meeting as presented.

8) YOUTH CITY COUNCIL COMMENTS

9) ORDINANCE 2660 - SECOND READING (15 minutes)

City Council consideration of Ordinance 2660 on second reading, an Ordinance of the City of Montrose, Colorado, designating the E.J. Mathews Mercantile/Calloway Bros. building, with an historic address of 346 East Main Street as a City of Montrose Historic Property Pursuant to § 11-3 of the Official Code of the City of Montrose. *Staff Planner II William Reis*

Action: Hold a hearing. Consider making a motion to adopt Ordinance 2660 on second reading as presented.



10) FLEX PARK AT COLORADO OUTDOORS LAND ACCEPTANCE (10 minutes)

City Council consideration to accept Lot 24 of the Colorado Outdoors Subdivision, Amendment 7, Reception No 966762 being donated to the City of Montrose to support creation of the Flex Park at Colorado Outdoors. *Staff: City Engineer Scott Murphy*

Action: Accept public comment. Consider making a motion to accept Lot 24 of the Colorado Outdoors Subdivision, Amendment 7 for creation of the Flex Park at Colorado Outdoors as presented and authorize the City Manager to execute associated documents.

11) PUBLIC WORKS FACILITY AND RIO GRANDE EXTENSION DESIGN AWARD (15 minutes)

City Council consideration of the authorization of \$800,000.00 for the design and initial site cleaning for the Public Works Facility and Rio Grande Extension, including a contract with Blythe Group for an initial amount not to exceed \$700,000.00. *Staff: Public Works Director Jim Scheid*

Action: Accept public comment. Consider making a motion to authorize \$800,000.00 for the design and initial site cleaning for the Public Works Facility and Rio Grande Extension, including a contract with Blythe Group for an initial amount not to exceed \$700,000.00 as presented.

12) 2024 BLACK CANYON GOLF COURSE RENOVATION AWARD (15 minutes)

City Council consideration of the authorization of \$257,345.45 for a renovation and upgrade at the Black Canyon Golf Course including a contract award to Stryker and Company Inc. in the amount of \$214,772.72. *Staff: Public Works Director Jim Scheid*

Action: Accept public comment. Consider making a motion to authorize \$257,345.45 for a renovation and upgrade at the Black Canyon Golf Course including a contract award to Stryker and Company Inc. in the amount of \$214,772.72 as presented.

13) RESOLUTION 2024-04 (5 minutes)

City Council consideration of Resolution 2024-04 setting May 7, 2024, as the hearing date for the Blowers Addition Annexation. *Staff: Planner II William Reis*

Action: Accept public comment. Consider making a motion to adopt Resolution 2024-04 as presented.



14) RESOLUTION 2024-05 (10 minutes)

City Council consideration of Resolution 2024-05, a Resolution of the City Council of the City of Montrose, Colorado, authorizing the filing of an Energy and Mineral Impact Assistance Grant under the More Housing Now Initiative through the Colorado Department of Local Affairs to secure funding for public water infrastructure improvements and other infrastructure improvements for a proposed middle-income housing development within the City of Montrose, Colorado. *Staff: Community Development Director Jace Hochwalt*

Action: Accept public comment. Consider making a motion to adopt Resolution 2024-05 as presented.

15) CONSIDERATION OF THE DECLARATION TO BE A NON-SANCTUARY CITY (30 minutes)

City Council consideration of the declaration to be a Non-Sanctuary City.

Action: Accept public comment. Consider making a motion to approve or deny the declaration to be a Non-Sanctuary City.

16) STAFF REPORTS

17) CITY COUNCIL COMMENTS

18) MOTION TO ADJOURN

A special meeting of the Montrose City Council was held on Monday, February 26, 2024, at 2:00 p.m. in the City Council Chambers located in the Elks Civic Building at 107 S. Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

Present: Barbara Bynum, J. David Reed, Dave Frank, Doug Glaspell, Ed Ulibarri, Bill Bell, Matt Magliaro, Chris Dowsey, Tim Cox, Joseph Adkin, Jonathan Roberts, Michelle Berry, Lisa DelPiccolo, Briceida Ortega, Shani Wittenberg

Guests: Preston McEachern

CALL TO ORDER

Mayor Barbara Bynum called the meeting to order at 2:01 p.m.

LIQUOR LICENSE RENEWAL HEARING

A public hearing was held on the renewal of the Tavern liquor license at 35 N. Cascade Avenue held by Daisy McEachern, doing business as Red, White and Brew Tavern.

City Attorney Chris Dowsey stated for the record that J. David Reed represented Preston McEachern in an unrelated business matter approximately 25 years ago. Mr. Dowsey said it is his opinion and Mr. Reed's that there is not a conflict of interest, and Mr. Reed will participate in the proceedings.

Mr. Dowsey stated that this special meeting is for a contested liquor license renewal hearing. City Council is the local licensing authority with the mayor as the presiding officer. An electronic recording will serve as the record of the proceedings and will be kept by the City Clerk's office. The Legal Department will draft a written findings and decision following the proceedings which will be signed by the mayor and provided to the licensee. Mr. Dowsey reviewed the procedures for the hearing.

Assistant City Attorney Matt Magliaro stated that the initial Tavern liquor license was approved by City Council on February 7, 2023, and expired on February 23, 2024. A renewal application signed by Preston McEachern was submitted on January 29, 2024. Mr. Magliaro stated that City staff object to the renewal of the license and recommend denial.

Preston McEachern was present to represent the licensee.

Mr. Magliaro stated that a notice of this hearing was posted on the premises of the tavern on February 14, 2024, by the City Clerk and Sgt. Jonathan Roberts, and a notice of the hearing was published in the Montrose Daily Press on February 15, 2024. Notice was hand delivered and sent via certified mail to the applicant and to Benjamin Lewis, a registered agent of an associated corporation.

City Clerk Lisa DelPiccolo was administered an oath by Mr. Dowsey.

Ms. DelPiccolo stated that she received an application from Preston McEachern for renewal of the liquor license on January 29 and collected the applicable fees. The local fees were paid with a credit card at 10:24 a.m. on January 29, 2024, and Mr. McEachern signed the application forms in her presence.

Ms. DelPiccolo stated that she posted a notice of this hearing on the premises on February 14, 2024, and published a notice in the Montrose Daily Press on February 15, 2024.

Preston McEachern had no questions for Ms. DelPiccolo.

Montrose Police Officer Joseph Adkin was administered an oath by Mr. Dowsey.

Officer Adkin provided a summary of his law enforcement career, including DUI/impairment training, and previous experience with serving alcohol in restaurants and bars. Mr. Adkin stated that he is familiar with overservice laws and laws related to service to minors.

Officer Adkin stated that he was at Red, White, and Brew Tavern on an undercover special assignment on December 16, 2023. He stated that IDs were not checked at the main entrance or when alcohol was ordered. Multiple intoxicated individuals were observed on the premises, and two visibly intoxicated females served themselves alcohol behind the bar. Officer Adkin stated that he observed only one individual who was asked to provide ID, no intoxicated individuals were asked to leave or were denied alcohol, and no food was served.

Officer Adkin stated that multiple groups of individuals were observed entering a bathroom for short periods of time. Officer Adkin had photo evidence of Mr. McEachern with a full bottle of alcohol, pouring the alcohol into the mouths of customers, and allowing them to drink from the bottle without limit.

Mr. McEachern stated that he knew the officers were present and a private party was being held on the premises that night.

Mr. Dowsey administered an oath to Sgt. Roberts. Sgt. Roberts reviewed his police experience, his experience with alcohol impairment detection, and his assigned role to conduct special investigations.

Sgt. Roberts stated that he participated in the undercover operation at Red, White and Brew Tavern on December 16, 2023. Sgt. Roberts stated that he was stationed outside of the tavern and observed visibly intoxicated individuals entering and leaving. Based on observations and photos taken by Officer Adkin, the bar was closed by the officers and citations were issued for overservice and DUI. The sentencing orders for guilty convictions for Preston McEachern, Benjamin Lewis and Michelle Martinez, dated January 29, 2024, were reviewed.

Sgt. Roberts summarized the record of reported multiple disturbances and numerous DUIs between April 26, 2023 and January 27, 2024.

Mr. McEachern questioned the witness.

Sgt. Roberts stated that the recipients of DUI arrests were seen exiting the establishment or were in the vicinity of the tavern before entering vehicles. Sgt. Roberts also said that an officer who provided video evidence of an altercation was not present.

Mr. Magliaro stated that the City rested its case.

Mr. Dowsey advised Preston McEachern of his Fifth Amendment rights and Mr. McEachern acknowledged that he understood.

Mr. McEachern stated that his daughter is the licensee, and he became a bouncer and ordered alcohol for the business after it opened. He said that midway through the first year of business problems began to develop and more bouncers were brought on board. Mr. McEachern stated that he will step down from operations of the business and others will take over. When asked if he is a convicted felon, Mr. McEachern stated that he has been convicted of a crime.

Mr. Dowsey administered an oath to Mr. McEachern.

Mr. McEachern stated that On January 29, he completed the liquor license renewal application on behalf of his daughter and in the presence of Ms. DelPiccolo. He acknowledged that earlier in the day, he pled guilty to overservice charges along with Benjamin Lewis and Michelle Martinez but did not disclose the convictions on the renewal application. Mr. Magliaro stated that this constitutes perjury in the second degree.

Closing remarks were presented.

Mr. Magliaro stated that the liquor license renewal application, signed by Mr. McEachern on behalf of Red, White & Brew Tavern, contains a false statement related to the convictions for overservice of patrons. Mr. Magliaro stated that in the one year the business has been open, fighting, disorderly conduct, and overservice have been documented. Mr. Magliaro requested denial of the renewal application.

Mr. McEachern acknowledged the problems with the establishment and requested 30 days to shut down the business.

Mr. Dowsey stated that the decision of City Council is effective upon the signed written findings document.

City Council discussed the information presented as well as the late filing of the liquor license renewal application and the uncertain ownership of the business.

A motion was made by Dave Frank, seconded by Doug Glaspell, to deny the renewal of a Tavern liquor license at 35 N. Cascade Avenue held by Daisy McEachern doing business as Red, White and Brew Tavern. All voted yes. Motion passed.

MOTION TO ADJOURN

At 3:38 pm, a motion was made by Doug Glaspell, seconded by Ed Ulibarri, to adjourn with no further action taken.

ATTEST:

Barbara Bynum, Mayor

Lisa DelPiccolo, City Clerk

A special meeting of the Montrose City Council was held on Tuesday, March 4, 2024, at 12:00 p.m., or immediately following the work session, in the City Council Chambers of the Elks Civic Building at 107 S. Cascade Avenue. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Barbara Bynum, J. David Reed, Dave Frank, Doug Glaspell, Ed Ulibarri, Bill Bell, Ann Morgenthaler, Chris Dowsey, Scott Murphy, Lisa DelPiccolo

CALL TO ORDER

Mayor Barbara Bynum called the special meeting to order at 11:13 a.m.

EXECUTIVE SESSION

At 11:14 a.m., a motion was made by J. David Reed, seconded by Dave Frank, to enter into an executive session for discussion of a personnel matter under C.R.S. Section 24-6-402(4)(f); and the following additional details are provided for identification purposes: City Manager O. and Municipal Court Judge evaluations. All voted yes. Motion passed.

RECONVENEMENT AND ADJOURNMENT

The special meeting reconvened at 1:14 p.m.

At 1:14 p.m. a motion was made by Dave Frank to adjourn the meeting with no further action taken.

ATTEST:

Barbara Bynum, Mayor

Lisa DelPiccolo, City Clerk

A regular meeting of the Montrose City Council was held on Tuesday, March 5, 2024, 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, Hunter Barton, Bill Bell, Ann Morgenthaler, Chris Dowsey, Greg Story, Lisa DelPiccolo, William Reis, Scott Murphy, Jace Hochwalt, Tim Cox, Matt Magliaro

GUESTS: Teri Alexander, Richard Brown, John Harold, Keith W. Rasmussen, Don Hawks, Ken Hodson, Shane Nicolas

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 added an executive session to the agenda as item 12A for the purpose of receiving legal advice.

CALL FOR PUBLIC COMMENT

John Harold thanked City Council and staff for improvements to the Brown Center which is used as an emergency shelter and to house agricultural workers.

Ken Hodson spoke regarding the effects of illegal immigration on municipalities such as Montrose. Mr. Hodson spoke against spending resources on illegal immigrants.

Richard Brown spoke regarding federal funds being diverted from veteran programs to assist migrants. Mr. Brown requested adoption of a resolution declaring Montrose a non-sanctuary city.

APPROVAL OF MINUTES

City Council considered the minutes of the February 20, 2024, special City Council meeting, and the February 20, 2024, regular City Council meeting.

A motion was made by Dave Frank, seconded by Doug Glaspell, to approve the minutes of the February 20, 2024, special City Council meeting, and the February 20, 2024, regular City Council meeting as presented. All voted yes. Motion passed.

RESCHEDULING OF CITY COUNCIL MEETING

City Council considered the rescheduling of the April 2, 2024, regular City Council meeting to Monday, April 1, 2024, at 6:00 p.m.

A motion was made by Dave Frank, seconded by Doug Glaspell, to reschedule the April 2, 2024, regular City Council meeting to Monday, April 1, 2024, at 6:00 p.m. as presented. All voted yes. Motion passed.

ORDINANCE 2660 – FIRST READING

City Council considered Ordinance 2660 on first reading, an Ordinance of the City of Montrose, Colorado, designating the E.J. Mathews Mercantile/Calloway Bros. building, with an historic address of 346 East Main Street as a City of Montrose Historic Property Pursuant to § 11-3 of the Official Code of the City of Montrose.

Planner II William Reis reported that the building is eligible for historic designation due to its association with the early history of downtown Montrose and because it is representative of 19th century commercial architecture in Montrose. Although the exact date of construction is unknown, the building meets the 50-year requirement for designation.

Mr. Reis reviewed the history of the building, the history of E.J. Mathews, and the buildings architectural features.

Mr. Reis recommended approval of the historic designation stating that the property meets all eligibility and integrity criteria.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to pass Ordinance 2660 on first reading as presented. All voted yes. Motion passed.

MOVING MONTROSE FORWARD SURFACE TREATMENT CONTRACT CHANGE ORDER NO. 2

City Council considered Change Order No. 2 in the amount of \$1,289,120.09 to A-1 Chipseal's Moving Montrose Forward Surface Treatment Contract for completion of 2024's surface treatment scope of work.

City Engineer Scott Murphy reported that a contract was executed with A-1 Chipseal in 2022 for surface treatments with an option to extend the contract for three years. This change order extends the contract for 2024 MoveMo street maintenance projects. Mr. Murphy reviewed areas to receive treatment this year. The funding for the contract is part of the \$5.2 million budgeted for street maintenance in 2024.

Public comment was accepted. No comments were received.

A motion was made by Dave Frank, seconded by Ed Ulibarri, to award a change order in the amount of \$1,289,120.09 to A-1 Chipseal's Moving Montrose Forward Surface Treatment Contract for completion of 2024's surface treatment scope of work as presented. All voted yes. Motion passed.

OGDEN ROAD SIDEWALK EXTENSION CONSTRUCTION CONTRACT

City Council considered \$245,413.00 in expenditures for construction of the Ogden Road Sidewalk Extension Project. This includes the award of a construction contract to Haynes Excavation in the amount of \$231,913.00 and a survey support contract to Del-Mont Consultants in the amount of \$13,500.00.

City Engineer Scott Murphy reviewed the location of the extension of sidewalks on the south side of Ogden Road between the Ogden/Woodgate Roundabout and The Residences at Dry Cedar Creek affordable housing project which is currently under construction. Mr. Murphy said the project originally included the widening of Ogden Road, but it was determined that widening is not possible without reconstruction of the road.

Mr. Murphy reviewed the bid process. Eight bids were received, with the low bid submitted by Haynes Excavation. Because the road widening is not included, the project is substantially under budget.

Public comment was accepted. No comments were received.

A motion was made by Doug Glaspell, seconded by Dave Frank, to approve \$245,413.00 in expenditures for construction of the Ogden Road Sidewalk Extension Project as presented. All voted yes. Motion passed.

STAFF REPORTS

Sales, Use, and Excise Tax Report: Finance Director Shani Wittenberg provided a sales, use, and excise tax report for the month of December 2023. Ms. Wittenberg reported that total sales and use tax collections were up 4.2 percent as compared to December of 2022 with a positive budget variance of 10.8 percent. Year-to-date collections were up 3.6 percent with a positive budget variance of 12.7 percent.

Fourth Quarter Budget Review: Finance Director Shani Wittenberg reported that a complete report was included in the meeting packet. Ms. Wittenberg stated that the unaudited figures show that revenues for all major funds were collected at a level higher than budgeted and funds expended were lower than budgeted.

YOUTH CITY COUNCIL REPORT

Youth City Council Mayor Hunter Barton gave an update on the Youth City Council food drive, held in conjunction with Sharing Ministries, March 11 through March 25. Collection barrels will be placed at various locations throughout the City including City Hall, the Visitor Center, Peer Kindness, and the Montrose Library. Mr. Barton also stated that Youth City Councilors will participate in a legislative trip to Denver in April.

CITY COUNCIL COMMENTS

Mayor Barbara Bynum noted that the date of the April 2 City Council meeting was changed to Monday, April 1, at 6:00 p.m.

City Councilor Doug Glaspell commended staff for the success of the State of the City event on February 26.

City Councilor Ed Ulibarri thanked Public Works crews for snow removal efforts.

EXECUTIVE SESSION

At 6:47 p.m., a motion was made by J. David Reed, seconded by Dave Frank, to enter into an executive session for a conference with the City Attorney to receive legal advice pursuant to C.R.S. 24-6-402(4)(b) and the following additional details are provided for identification purposes: potential litigation. All voted yes. Motion passed.

RECONVENEMENT AND ADJOURNMENT

The meeting reconvened into regular session at 8:05 p.m. At 8:05 p.m., a motion was made by Dave Frank to adjourn the meeting with no further action taken.

ATTEST:

Barbara Bynum, Mayor

Lisa DelPiccolo, City Clerk

An emergency meeting of the Montrose City Council was held on Thursday, March 7, 2024, at 2:45 p.m. in the Community Room of the Montrose Public Safety Complex. Said meeting was posted in accordance with the Sunshine Law.

PRESENT: Barbara Bynum, J. David Reed, Dave Frank, Doug Glaspell, Ed Ulibarri, Bill Bell, Tim Cox, Greg Story, Lisa DelPiccolo, William Woody, David Bries, Jim Scheid, Gunnison Clamp

GUESTS: Don Hawks, Randy Havens, Debbie Reed, Ricardo Perez, Karen Sherman Perez, Kylea Henseler

CALL TO ORDER

Mayor Barbara Bynum called the emergency meeting to order at 2:45 p.m.

City Attorney Chris Dowsey reported that the emergency meeting was called for discussion purposes with no action items on the agenda. Mr. Dowsey stated that the City Council can take action at an emergency meeting, but the action would require ratification at a regular City Council meeting that is properly noticed.

DISCUSSION ON THE MIGRANT ISSUE FACING COLORADO

City Council discussed whether the migrant issue facing Colorado is a city issue and whether the health, safety, and welfare of the citizens need protection.

A motion was made by Doug Glaspell, seconded by Ed Ulibarri, to declare Montrose a non-sanctuary community and to proceed with the adoption of a resolution.

City Council discussed whether an official position should be declared to provide clarity on the issue.

A vote was held on the motion. Barbara Bynum voted no. All others voted yes. Motion passed.

City Council directed Mr. Dowsey to draft a resolution to ratify the action at the March 19, 2024, regular City Council meeting.

ADJOURNMENT

At 3:02 p.m. a motion was made by J. David Reed to adjourn the meeting with no further action taken.

ATTEST:

Barbara Bynum, Mayor

Lisa DelPiccolo, City Clerk



CITY OF MONTROSE
Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner II
DATE: March 19, 2024
RE: Historic Property Designation Application for the E.J. Mathews Mercantile/Callaway Bros. Building

City Council Consideration:

On February 27, 2024, the City of Montrose Historic Preservation Commission considered an application for historic property designation of the E.J. Mathews Mercantile/Callaway Bros. building, located at 346 Main St., according to Section 11-3 of the Montrose Municipal Code. The commission voted unanimously to recommend to the City Council for approval as a historic property.

Staff Analysis:

In reviewing the application, City staff submitted and the commission concurred with the following findings:

1. The structure meets the eligibility criteria per Montrose Municipal Code 11-3-3 (B) as follows:
 - a. The building is over fifty years old.
 - b. The building is associated with the history of downtown Montrose, having been erected as an early grocery store.
 - c. The building, although altered, is representative of Nineteenth Century Commercial architecture in Montrose, as reflected in the projecting cornice, segmental arched windows with stone sills, and decorative brickwork.
2. The structure has been found to also meet the integrity criteria per Montrose Municipal Code 4-15-3 (C).

ORDINANCE NO. 2660

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, DESIGNATING THE E.J. MATHEWS MERCANTILE/CALLAWAY BROS. BUILDING, WITH AN HISTORIC ADDRESS OF 346 EAST MAIN STREET, AS A CITY OF MONTROSE HISTORIC PROPERTY PURSUANT TO § 11-3 OF THE OFFICIAL CODE OF THE CITY OF MONTROSE

WHEREAS, pursuant to Montrose City Code, Chapter 11-3, City Council has established a public policy encouraging the protection, enhancement and perpetuation of historic properties within the City; and

WHEREAS, by motion approved on February 27, 2024, the City of Montrose Historic Preservation Commission (the "Commission") determined the E.J. Mathews Mercantile/Callaway Bros. building, with an historic address of 346 East Main Street in Montrose, as more specifically described in the legal description below (the "Property"), is eligible for the historic property designation pursuant to Montrose City Code § 11-3-3 as follows: the building is over fifty (50) years old; it is a large two-story corner painted brick commercial building with a flat roof, a heavy, projecting metal cornice with dentil molding and frieze clad with corrugated metal; has a series of paired segmental arched 1/1-light double-hung sash windows with painted stone sills on the second story; contains decorative brickwork on the second story in geometric pattern between groups of windows; has secondary cornice with dentils, and a one-story section has three storefronts with slightly inset entrances, doors with rectangular lights, fluted pilasters with stucco between, kickplates, window boxes, and awnings; has an entrance door with large rectangular light flanked by fluted wood pilasters; shows a small storefront with off-center entrance and two large display windows; has an entrance and windows flanked by fluted pilasters, and a plain wall north of this entrance that is clad with textured stucco; east wall has display windows sheltered by awnings, and north wall has a storefront with display windows sheltered by awnings; and

WHEREAS, the property is listed in the Colorado State Register of Historic Properties site form; and

WHEREAS, the Commission further determined the Property meets the criteria set forth in City Code § 11-3-3, is eligible for designation as an historic property, and has recommended to the City Council the Property be designated as an historic property; and

WHEREAS, the owner of the Property has consented to such historic property designation and desires to protect the Property; and

WHEREAS, such historic property designation will preserve the Property's significance to the community; and

WHEREAS, the City Council has reviewed the recommendation of the Commission and desires to follow such recommendation and designate the Property as an historic property; and

WHEREAS, designation of the Property as an historic property is necessary for the prosperity, civic pride, and welfare of the public.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO as follows:

Section 1. The City Council hereby makes and adopts the determinations and findings contained in the recitals set forth above.

Section 2. The Property located in the City of Montrose, Montrose County, Colorado, is described as follows, to wit:

LOTS 1 AND 2, BLOCK 94, TOWN OF MONTROSE, NOW A PART OF THE CITY OF MONTROSE, COUNTY OF MONTROSE, STATE OF COLORADO

also known by street and number as 346 EAST MAIN STREET, MONTROSE, CO 81401

Section 3. Alteration, additions, and other changes to the building and structures located on the Property will be reviewed for compliance with Montrose City Code § 11-3-5, as currently enacted or hereafter amended.

INTRODUCED, READ and PASSED on first reading this 5th day of March, 2024.

ATTEST:



Lisa DelPiccolo, City Clerk




Barbara Bynum, Mayor

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and the question of its adoption on second reading on Tuesday, the 19th day of March, 2024, at the hour of 6:00 p.m. at the Elks' Civic Building in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this 19th day of March, 2024.

Barbara Bynum, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

MEMORANDUM



TO: Honorable Mayor and Members of the City Council
FROM: Scott Murphy, *City Engineer*
DATE: March 13, 2024
RE: Flex Park at Colorado Outdoors Land Donation
CC: William Bell, Shani Wittenberg

Action

Consider the acceptance of Lot 24 of the Colorado Outdoors Subdivision, Amendment 7, Reception No 966762 being donated to the City of Montrose to support creation of the Flex Park at Colorado Outdoors.

Background

Master plans for Colorado Outdoors (located immediately west of the Justice Center on Grand Avenue) have planned for the eventual construction of a small neighborhood park at some point in the course of its development. Within Colorado Outdoors, construction of the Uncompahgre Riverway Trail, associated public restroom, Bright Beginnings childcare facility, and the Montrose Recreation District's (MRD) Flex Rec facility have helped to drive the need for construction of the park in 2024.

To that end, the City applied for a grant from the Colorado Health Foundation to help fund construction of the park and was successful in securing \$350k in grant funds. Following award of this grant, the City then moved forward with design of the park. The park is to be situated immediately adjacent to the four facilities discussed above at the location shown in Figure 1. An overview of the park is also included as an attachment to this memo.

In support of the Flex Park, the current landowners (Black Mountain Capital c/o Doug and David Dragoo) have agreed to donate the land required for its construction and operation. The park will be situated on Lot 24 of the Colorado Outdoors Subdivision, Amendment 7, recorded as Reception No 966762 with the Montrose County Clerk and Recorder. The lot is 0.56 acres in size and has an appraised value of \$350k. As part of the acceptance, the City will also execute an IRS Form 8283 to document the noncash charitable contribution.

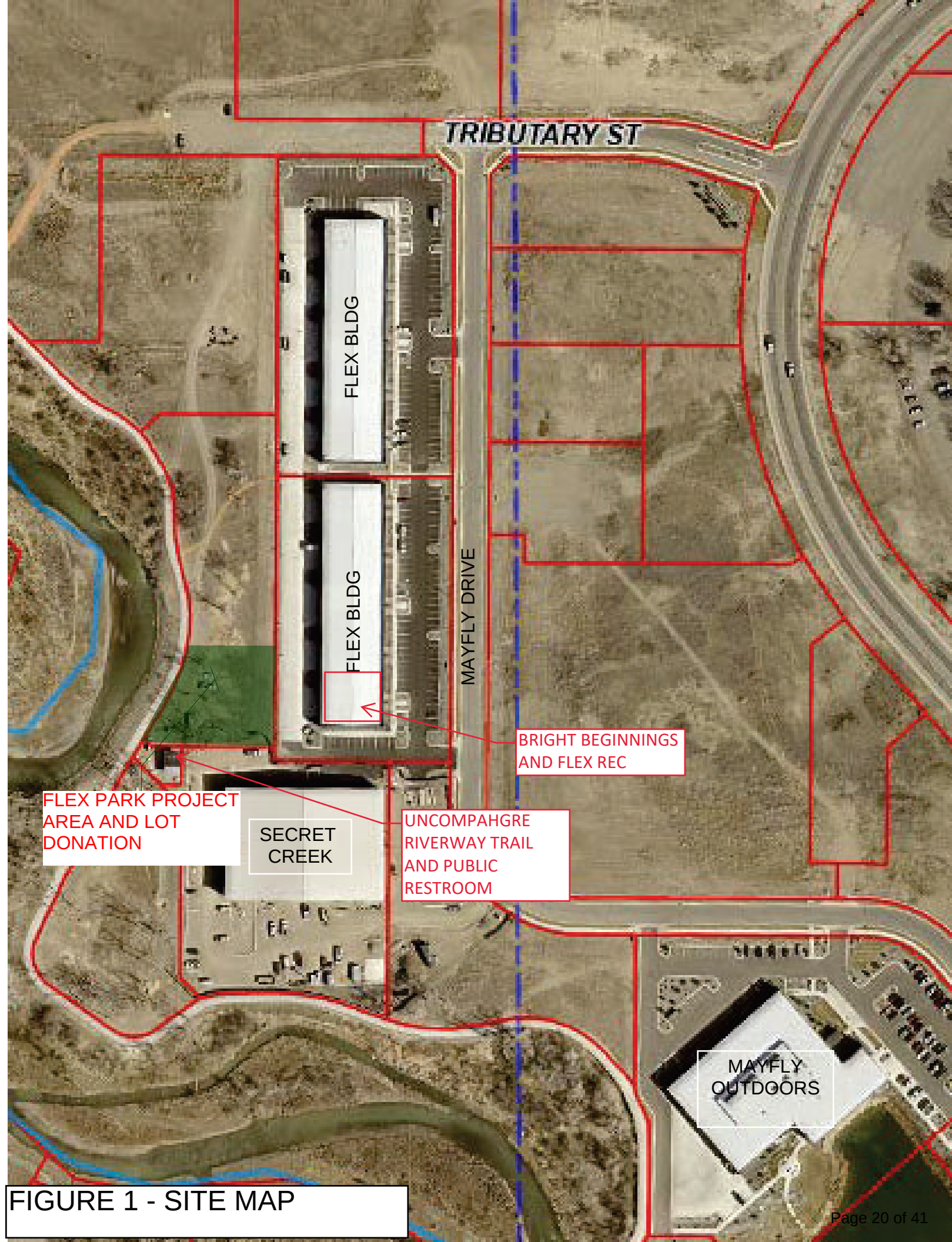
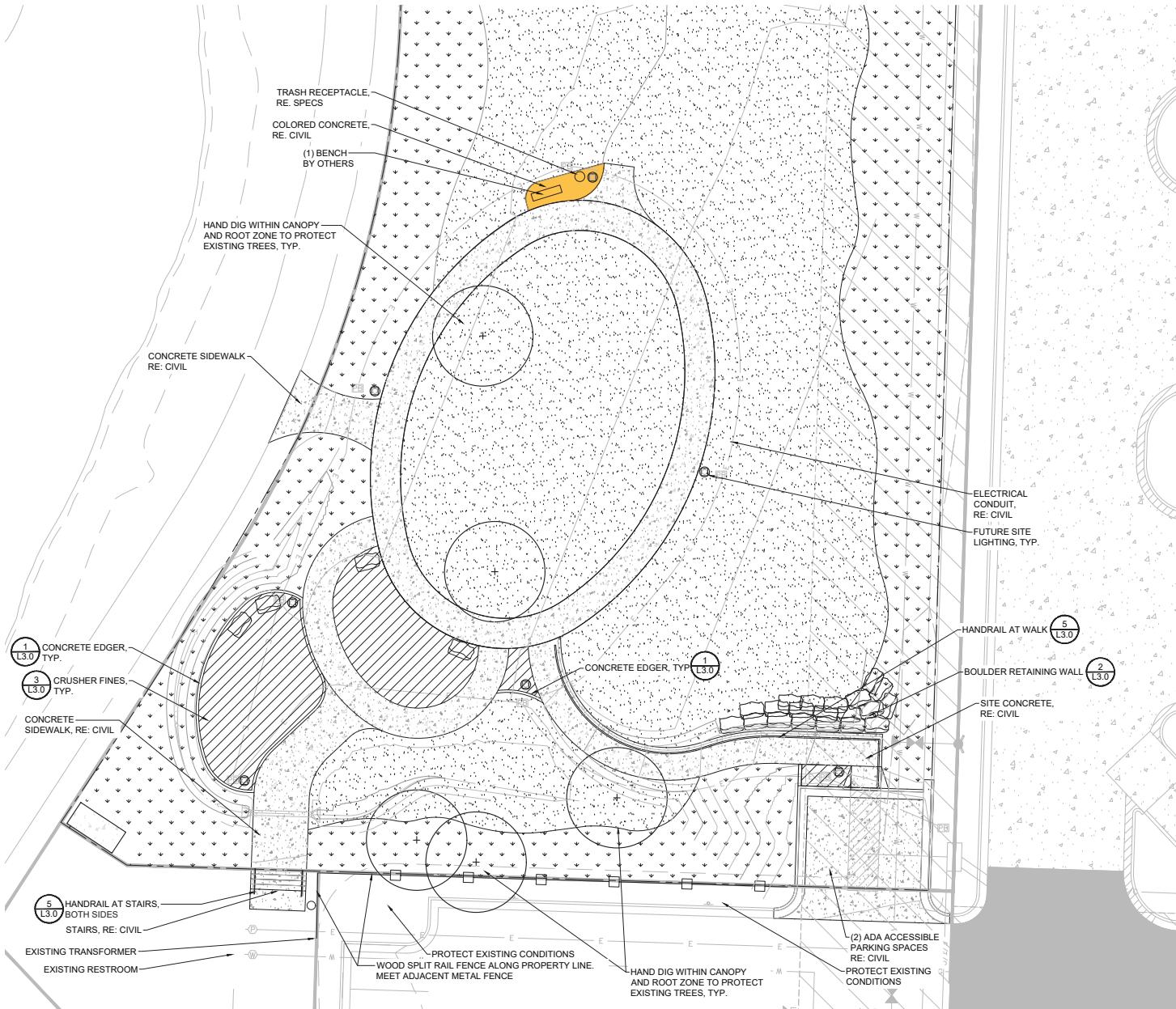
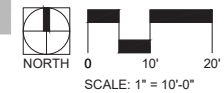


FIGURE 1 - SITE MAP



LEGEND

- SOD
- NATIVE SEED
- CONCRETE
- CRUSHER FINES
- SEAT BOULDERS
- FUTURE SITE LIGHTPOLE
- TRASH RECEPTACLE
- WOOD FENCE CENTERLINE
- EXISTING TREE TO REMAIN



COLORADO OUTDOORS FLEX PARK

MAYFLY DRIVE
MONTROSE, CO 81401

Project No.: 22216

Issued For: BID SET Date: 11.01.2023

Drafted By: ES

Checked By: LLCH

All drawings and written material appearing herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

OVERALL SITE PLAN

L1.0

1 OVERALL SITE PLAN

AUTHORIZATION RECOMMENDATION

TO: Honorable Mayor, and Montrose City Council
FROM: Jim Scheid, Public Works Director
Scott Murphy, City Engineer
Cc: William Bell, City Manager
Ann Morgenthaler, Deputy City Manager
DATE: March 4th, 2024
Subject: Public Works Facility and Rio Grande Extension Design Authorization Recommendation



Recommendation

Consider the authorization of \$800,000 for the design and initial site cleaning for the Public Works Facility and Rio Grande Ave Extension. This will include a contract with Blythe Group for an initial amount not to exceed \$700,000.

Background

In November of 2023, the City entered into an agreement to purchase property near the intersection of Rio Grande Ave and Oak Grove Rd for the purpose of construction of a Public Works Facility and to secure the last piece of right of way needed for the eventual extension of Rio Grande Ave. The closing on this property is scheduled to be completed in the spring of 2024. A map showing the project overview is included in the packet as Exhibit A.

Public Works Facility: City Staff have been working on the long-range planning and design of a replacement public works facility since 2016. The existing facility located at 1221 6450 Road was built in the 1960's and has essentially reached the end of its useful life. The overall site layout and features do not meet modern operational needs of the department. Primary deficiencies of the building and site include, but are not limited to, insufficient floor space for the shop and administration staff, low ADA accessibility, less than adequate restroom size and quantity, structural deficiencies of the building, possible environmental hazards within the building (asbestos, lead, etc.) insufficient heated storage for cold-sensitive vehicles (such as vactors, sweepers, water trucks), insufficient wash bay, poor site circulation, poor separation of the public from operational activities, and lack of stormwater controls for water quality and quantity (incl. wash bays).

Planning efforts for a new facility indicated that the existing site would not be large enough for the long-term growth needs of the public works department. The site shown in Exhibit A has been recently purchased for this purpose. The site is ideal for the new public works facility given its central location, large size, and fit with the surrounding area (surrounded by similar operational campuses for the BLM, USFS, BOR, WAPA, and Tri-State).

The City wishes to create a public works facility that accommodates both existing and anticipated operational needs into the foreseeable future. The site layout and building spaces will be situated and constructed such that future expansions (additional storage, shop space, office space, etc.) can be readily accommodated when the need arises 30+ years into the future.

Public Works operations are critical to the overall function of the community, especially in the event of an emergency or natural disaster. To that end, the facility will be designed and constructed with an eye towards durability, resiliency, emergency preparedness, and with an elevated importance factor for building loads and floodplain protection.

In order to promote safety for both the public and for employee operations, the City would like the public works facility to maintain separation between the two without overlap (i.e., public traffic is separate from employee work areas and traffic circulation). For public that visit the site, the intent is for them to have a safe, easy-to-navigate, and welcoming experience. The project is also being designed to ensure all public facing elements are aesthetically pleasing and integrate well with the surrounding area.

Rio Grande Ave Extension: In order to stay ahead of long-term traffic growth, the City's comprehensive plan calls for the eventual extension of Rio Grande Avenue as a minor arterial to connect between East Oak Grove Road and the River Landing commercial area as shown in Exhibit A. To that end, the City has been working to secure the necessary rights of way for completion of this extension across four tracts of land to be crossed. Over the last six years and in partnership with the landowners, the City has been able to secure the rights of way needed on three of the four tracts. The last tract needed is at the northern end of the alignment and is included in the parcel that would be utilized as the Public Works Facility Site.

Normally, architectural facility/site design is separate from civil road design. In the case of this project the Public Works Facility design and the Rio Grande Ave Extension design have been combined into one design project. This is because of how interdependent the two projects are on each other, meaning that the design of one will impact the design of the other. To keep the design and eventual construction schedules without conflict it is most beneficial to keep the design of both as one project. The scale of the project is quite large and would be overseen by both Public Works Department and Engineering Department.

Design Team Procurement

The City issued a Request for Qualifications and Proposals (RFQP) in December of 2023 and received five proposals. Of the five proposals, two firms were shortlisted for interviews and interviews occurred on February 15th, 2024. The interviews were very insightful and it was apparent that this project is highly sought after and the competition was healthy. In addition to the design team's qualifications, project approach, and design strategy the shortlisted firms were asked to submit cost proposals for the entire design project which is anticipated to begin in 2024 and extend through 2025. After reviewing the qualifications, Blythe Group was a clear front runner in the selection process. After reviewing cost proposals, the City's review team selected Blythe Group for the project. The overall cost estimate for design including both the Public Works Facility and Rio Grande Ave Extension was proposed at \$2,681,638. The majority of this expense would occur in 2025, it is anticipated that the budgeted amount of \$700,000.00 in 2024 will be sufficient.

Site Clearing

The City's Public Works Crews will perform the site cleanup after any necessary abatement is performed. The Public Works crews will also perform the initial site clearing and preparation for the site to be constructed on in the coming years. It is anticipated that the costs of abatement, demolition, and clearing can be performed under \$100,000.

Net Financial Impact

The design and site clearing for this project has been included in the 2024 budget. The 2024 Capital Fund Budget includes \$550,000.00 in 465-6050-962-000 and \$250,000.00 in 460-6515-962-000 for a total of \$800,000.00 for this combined project. The not to exceed amount for design in 2024 of \$700,000.00 plus the amount of \$100,000.00 for site cleaning and preparation comes to the budgeted amount of \$800,000.00 in 2024. The remaining design and site preparation will be proposed in the 2025 City budget.



REFERENCE DRAWINGS			REVISIONS			 CITY OF MONTROSE ENGINEERING DEPARTMENT 1221 14th St. N. MONTROSE, CO 81401 PH: 248-1480 FAX: 232-4780 WWW.CITYOFMONTROSE.ORG	DATE: 10/3/2023 JOB NO: 21.8.1 DRAWN: SAM DESIGN: SAM CHECKED: IS SCALE: NTS	RIO-GRANDE EXTENSION & PUBLIC WORKS SHOP MONTROSE, COLORADO PROJECT OVERVIEW AND PURCHASE AREA	Sheet: 1 of: 1
CITY AERIAL	2022								

AUTHORIZATION RECOMMENDATION



TO: Honorable Mayor, and Montrose City Council
FROM: Jim Scheid, Public Works Director
Cc: William Bell, City Manager
Ann Morgenthaler, Deputy City Manager
Mark Armstrong, Facilities Manager
DATE: March 4th, 2024
Subject: 2024 BCGC Mechanical Renovation Authorization Recommendation

Recommendation

Consider the authorization of \$257,345.45 for a renovation and upgrade at the Black Canyon Golf Course (BCGC) including a contract award to Stryker and Company Inc. in the amount of \$214,772.72.

Background

The purpose of this project is to replace the aging roof and HVAC mechanical system at the Black Canyon Golf Course pro-shop and restaurant facility. The roof condition has caused some deterioration of the wooden structure beneath which is requiring repairs and the HVAC system will also require additional structural members to be added in the roof framing. The roof shingles and any worn decking will be replaced with similar materials. The HVAC mechanical system has been completely redesigned to heat and cool the building as well as provide improved make-up air needed for the kitchen exhaust hood more adequately. This project also includes an electrical service upgrade to accommodate the growing electrical needs of the restaurant.

The City of Montrose issued an RFP for this project in December of 2023 and received one proposal from Stryker and Company. The bid price is within the range that was expected for the project and the City has a positive work history with Stryker and Company.

Stryker and Company Construction Contract	\$ 214,772.72
DMEA Service Upgrade	\$ 15,000.00
Owners Contingency (12%)	\$ 27,572.73
Total	\$ 257,345.45

Net Financial Impact

This project was initially planned to start in 2023 and conclude in 2024. The design timeline was extended to accommodate the electrical systems upgrade which pushed the start of the project into 2024. The project was initially budgeted in 2023 in the amount of \$220,000 and the remaining project budget was budgeted in the current 2024 budget in the amount of \$200,000. Since the 2023 budget was not utilized for this project the 2024 budget may need to be supplemented in the amount up to \$57,345.45.



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: William Reis, Planner II
DATE: March 19, 2024
RE: Blowers Addition Annexation
ATTACHMENTS:

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

City Council Consideration:

City Council is considering setting a hearing date for the proposed Blowers Addition annexation application. A Resolution establishing the date, time, and place must be approved by City Council in accordance with the Annexation provisions of the Colorado Constitution and Colorado Revised Statutes. The hearing must not be held less than 30 days nor more than 60 days after the effective date of this resolution setting the hearing. City Council will consider all of the information in this memo in making a decision.

Proposed schedule:

March 19:	Council Resolution to set a hearing date
April 10:	Planning Commission zoning hearing
May 7:	City Council Annexation hearing, 1st reading of annexation ordinance, and 1st reading of zoning ordinance
May 21:	2nd reading of annexation and zoning ordinances



Application Background:

The Blowers Addition is a proposed annexation approximately 12.94 acres in size. The annexation consists of two 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

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

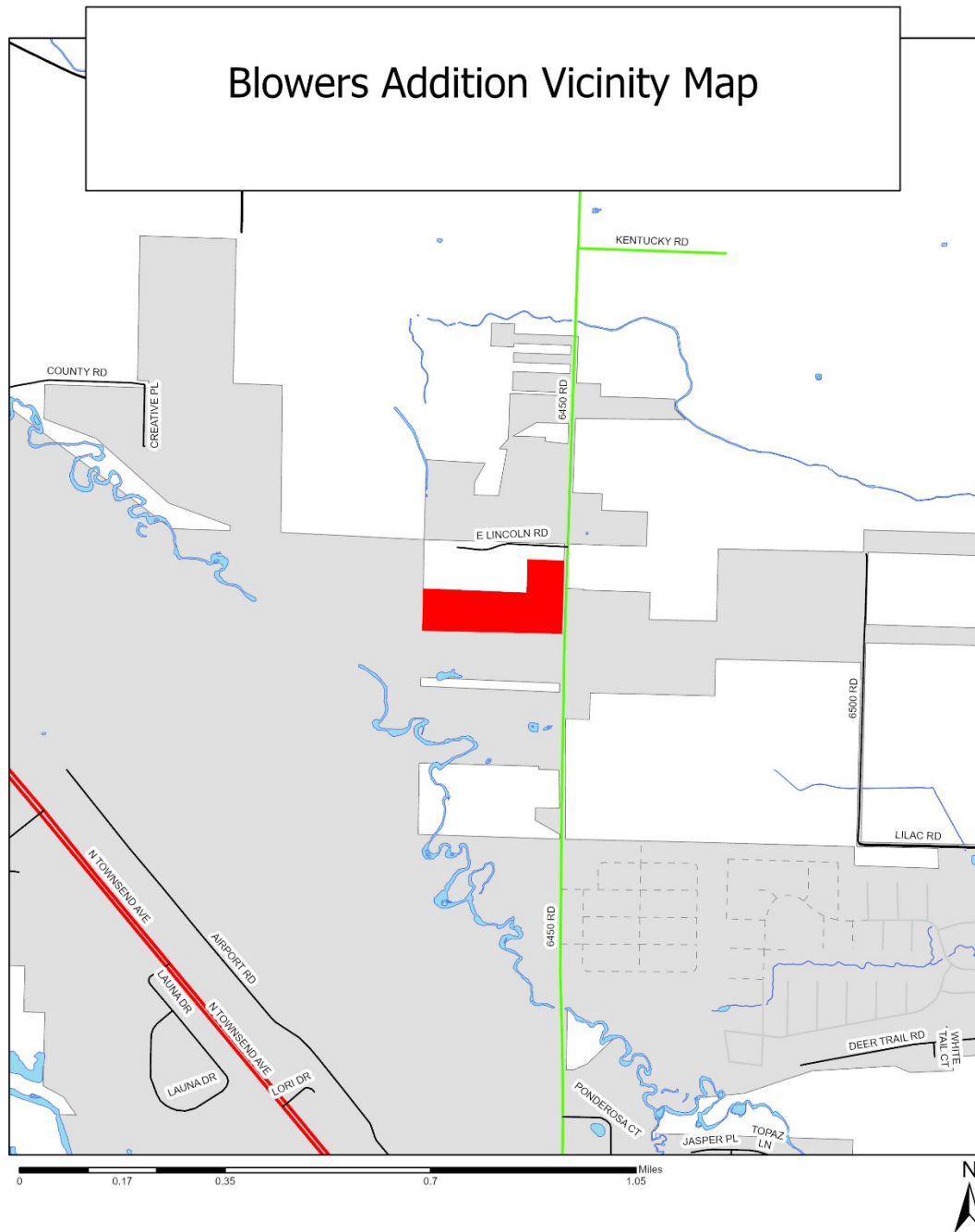


development of planned light industrial, office, and business parks, as well as to identify locations for medium industrial uses such as manufacturing, warehousing and distributing, and indoor and outdoor storage. This district is also intended to accommodate secondary uses that complement and support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

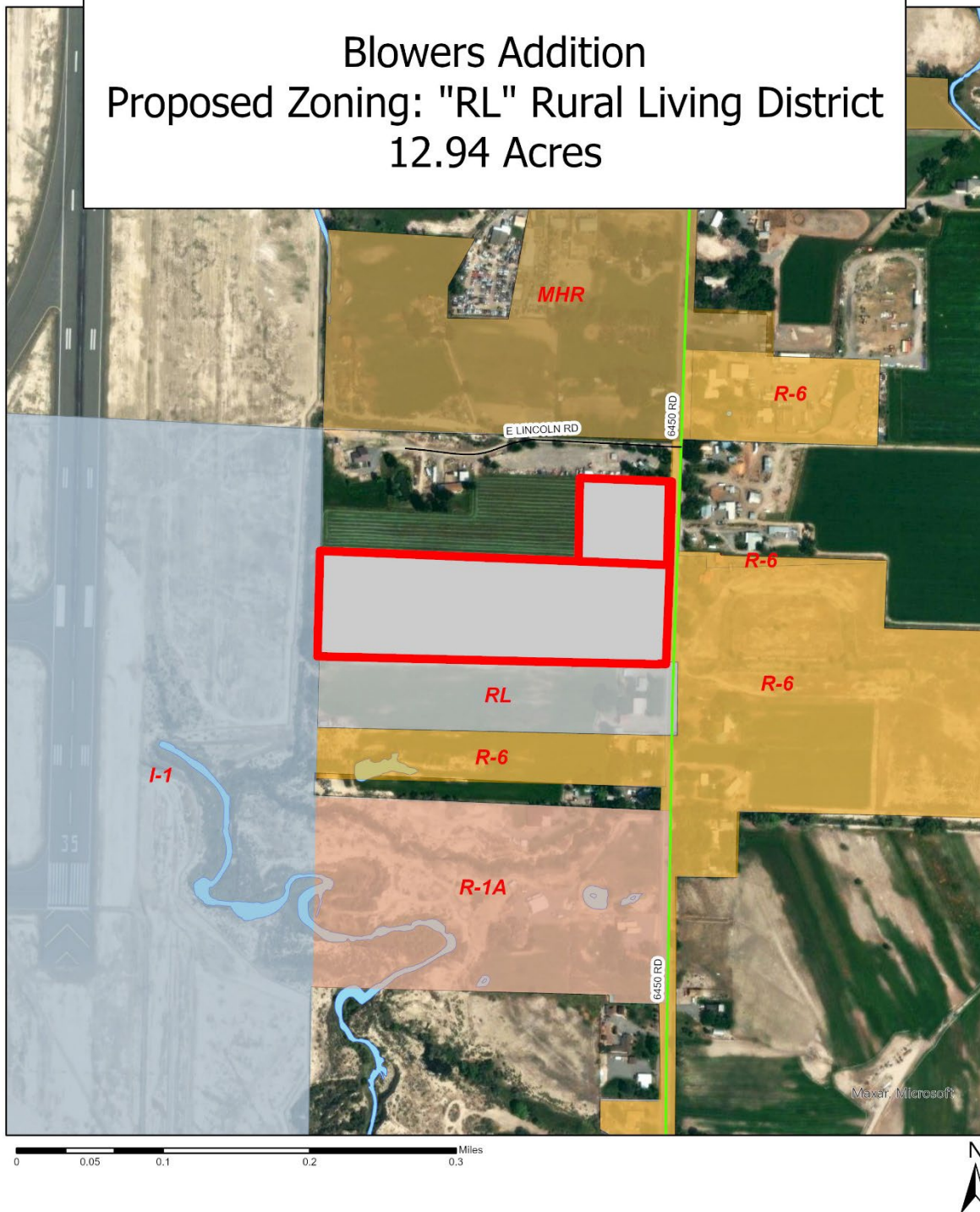
5. The property is located within Growth Area 1. According to the Comprehensive Plan, Growth Area 1 represents the most cost-efficient areas for the city to grow and comprises platted but unbuilt lots, annexed but unplatted land, and un-annexed small enclaves.
6. The “RL” zoning does not appear to be adverse to the public health, safety and welfare.



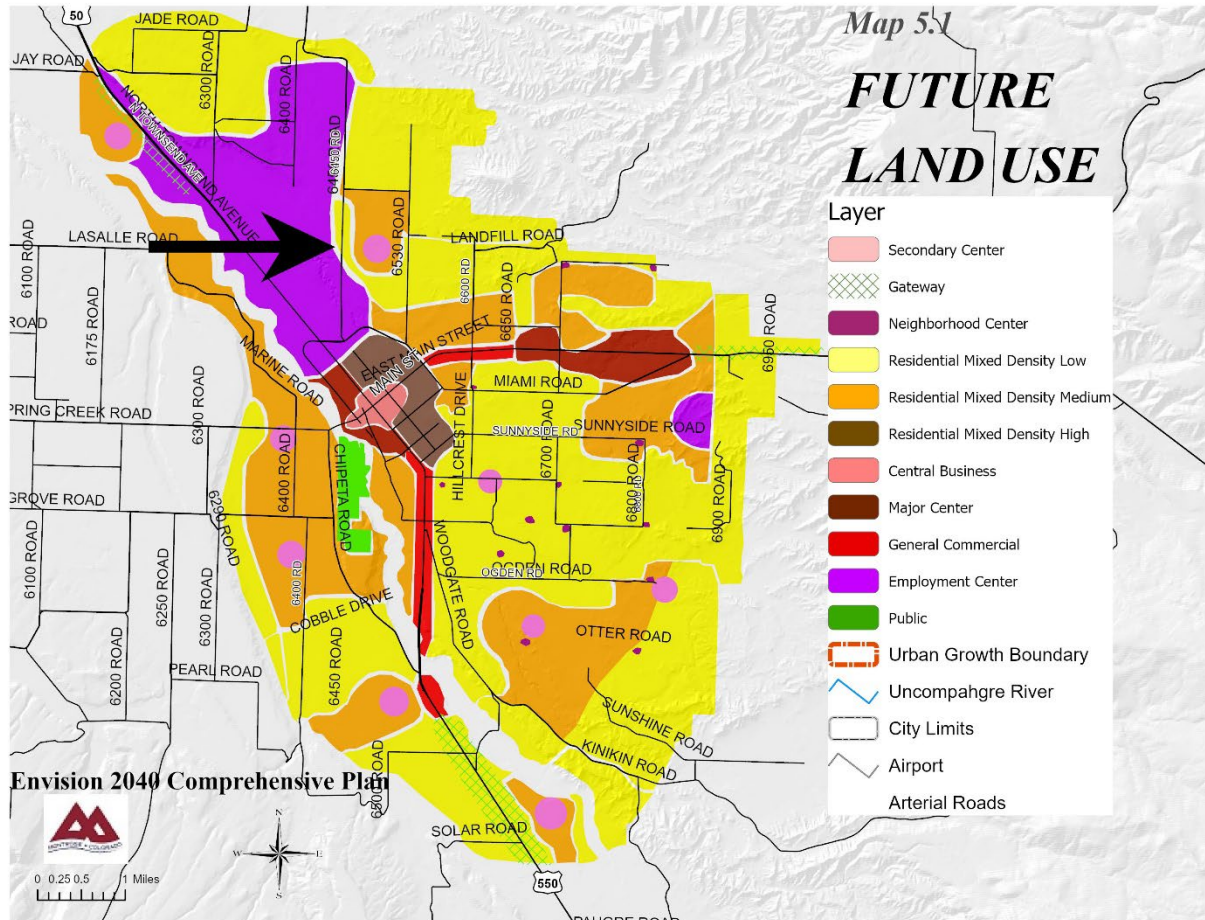
EXHIBIT A: Maps



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

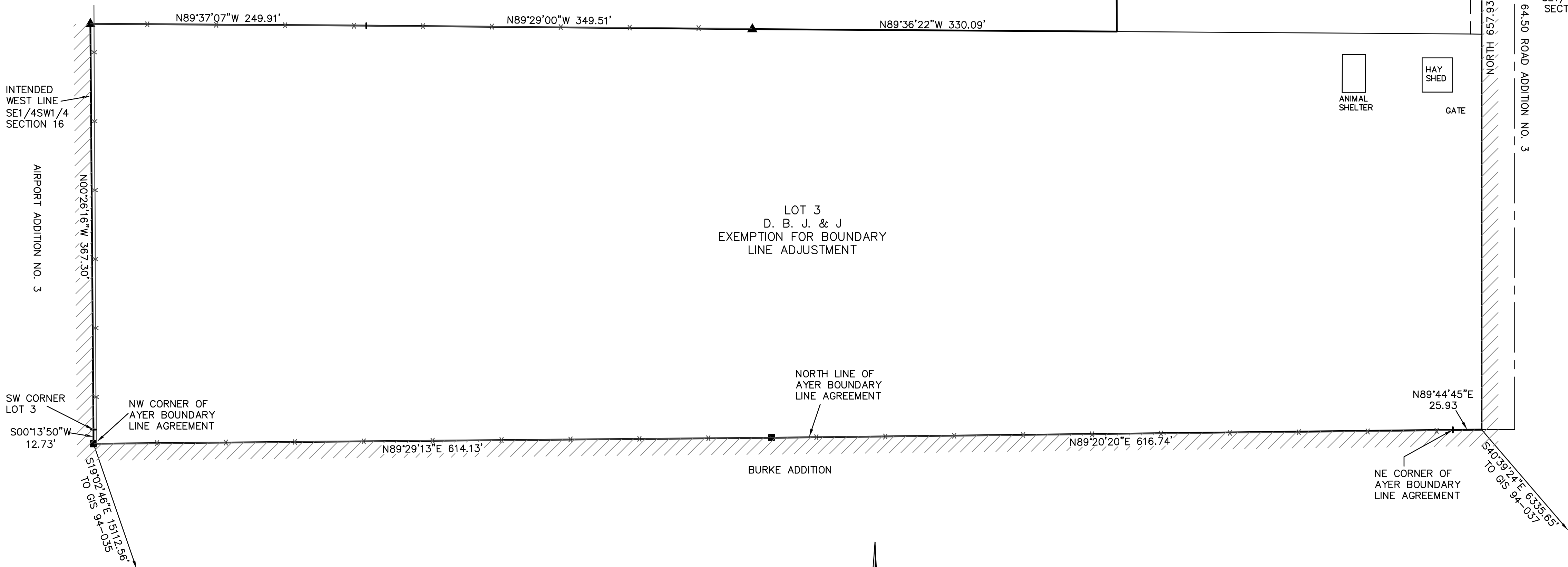
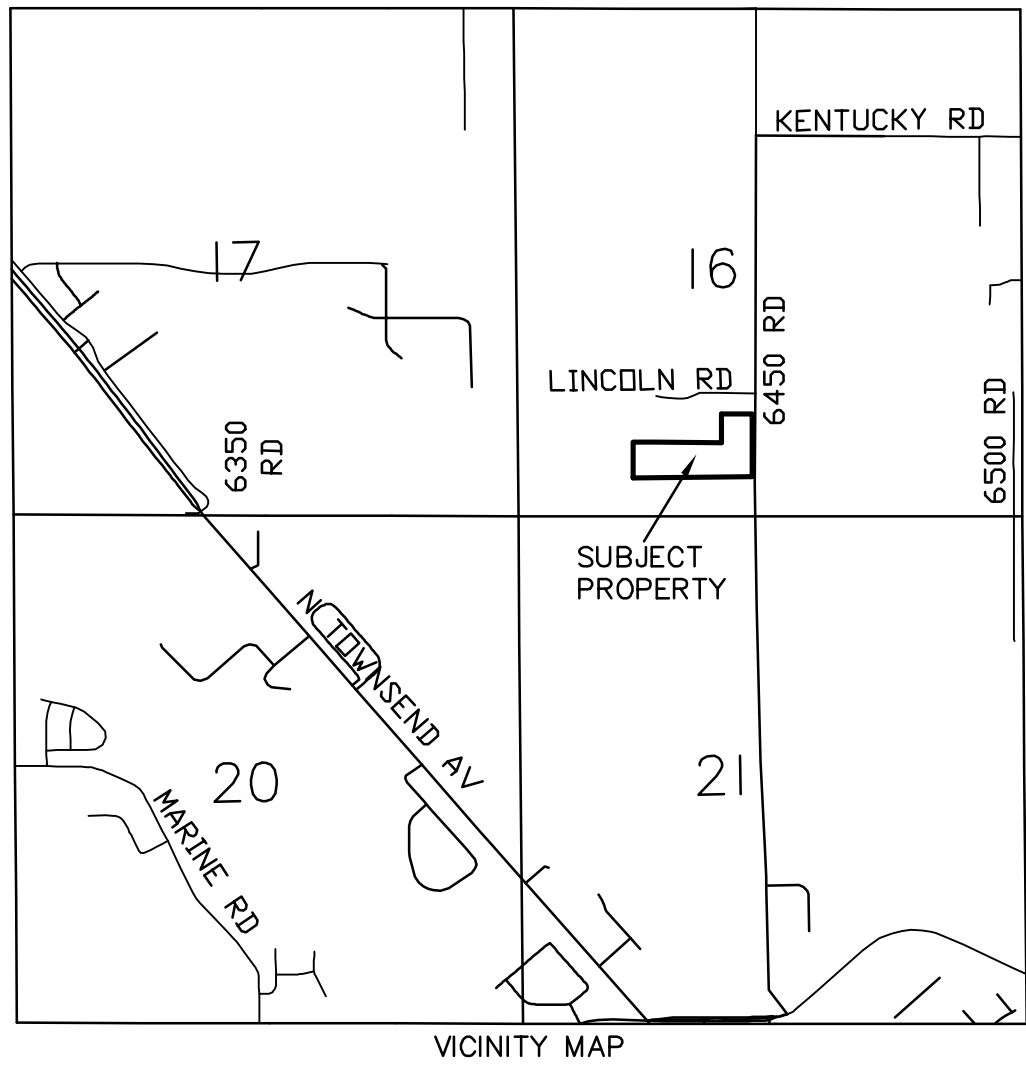


Comprehensive Plan Future Land Use Map



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, a distance of 150.00 ft.; thence North along the east line of said SE1/4SW1/4, a distance of 150.00 ft.; thence North, 657.93 ft. to the northeast corner of Lot 2, J.L.B. Minor Subdivision; thence North, 321.98 ft. to the northwest corner of Lot 2, said J.L.B. Minor Subdivision; thence S00°21'33"E, 299.99 ft. to the southwest corner of said Lot 2 also being a point on the north line of Lot 3, D.B.J. & J. Exemption for Boundary Line Adjustment; thence the following three courses along said north line: N89°36'22"W, 330.09 ft.; N89°29'00"W, 349.51 ft.; N89°37'07"W, 249.91 ft. to the northwest corner of said Lot 3, D.B.J. & J. Exemption for Boundary Line Adjustment; thence S00°26'16"E, 367.30 ft. to the southwest corner of said Lot 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 6450 Road Addition No. 3; thence North, 657.93 ft. to the true point of beginning containing 12.94 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.*

CP: 23-69 BLOWERS ADD
Plot Scale 1" = 60'
Book 783 Page 25

DATE 8/9/23

REVISIONS:
1/17/24 revise addition

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

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

LINEAL UNITS: U.S. SURVEY FOOT
SCALE: 1" = 60'
60' 30' 0 60'

MONTROSE CITY LIMITS

CONTIGUOUS CITY LIMITS = 2,294.76 FT.
TOTAL PERIMETER = 3,856.24 FT.
ACRES ANNEXED = 12.94 ACRES

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)



RESOLUTION NO. 2024-04

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, as follows:

1. The City Council hereby finds that the Annexation Petition submitted for the annexation of the property denominated as the **BLOWERS ADDITION**, as described on **Exhibit A** hereto, is in substantial compliance with the requirements of C.R.S. § 31-12-107(1), as amended.
2. The City Council shall hold a hearing to determine if the proposed annexation complies with C.R.S. §§ 31-12-104, 105, or such parts thereof as may be required to establish eligibility for annexation under the terms of C.R.S. Part 1, Article 12, Title 31. The hearing shall be held on the 7th day of May, 2024, in the Montrose City Council Chambers at the Elks Civic Building at 6:00 P.M.

ADOPTED by the City Council of the City of Montrose, Colorado, this 19th day of March, 2024.

CITY OF MONTROSE, COLORADO

Barbara Bynum, Mayor

ATTEST:

Lisa DelPiccolo, City Clerk

EXHIBIT A

Legal 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 northwest corner of Lot 2, said J.L.B. Minor Subdivision; thence S00°21'33"E, 299.99 ft. to the southwest corner of said Lot 2 also being a point on the north line of Lot 3, D.B.J. & J. Exemption for Boundary Line Adjustment; thence the following three courses along said north line: N89°36'22"W, 330.09 ft.; N89°29'00"W, 349.51 ft.; N89°37'07"W, 249.91 ft. to the northwest corner of said Lot 3, D.B.J. & J. Exemption for Boundary Line Adjustment; thence S00°26'16"E, 367.30 ft. to the southwest corner of said Lot 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 12.94 acres.



CITY OF MONTROSE

Planning Services

MEMO

TO: City Council
FROM: Jace Hochwalt, Community Development Director
DATE: March 19, 2024
RE: Energy and Mineral Impact Assistance Fund Grant Application Authorization

ATTACHMENTS:

- Exhibit A: Resolution 2024-05

City Council Consideration:

City of Montrose Staff is seeking approval from City Council to apply for an Energy and Mineral Impact Assistance Fund Grant Application under the More Housing Now Initiative through the Colorado Department of Local Affairs. The purpose of this grant application is to secure funding for public water infrastructure improvements in 6600 Road, as well as utility infrastructure improvements for a proposed middle-income housing development within the City of Montrose.

Background:

The Colorado Department of Local Affairs, Division of Local Government (DOLA) supports efforts by local governments to adopt land use and other strategies to increase opportunity for affordable and attainable housing development. A significant barrier to redevelopment is the cost to upgrade and upsize or otherwise provide needed infrastructure to incentivize affordable and attainable housing development. While these project types are already eligible under Energy & Mineral Impact Assistance Fund (EIAF) program guidelines, the More Housing Now Initiative helps address the significant demand for local government infrastructure to support these projects.

The grant application request would be specifically for public water infrastructure improvements within 6600 road, as well as utility improvements for a proposed multi-family middle-income housing development that would serve residents who fall between 60% and 140% Area Median Income (AMI). This would provide housing options for a large portion of the public that does not qualify for lower income housing options, but that cannot afford the current market rate housing options. In addition to the housing, there will be a small proposed

transit station. It should be noted that the grant application is due April 1, 2024, and submission of the grant is contingent on the City securing a water service area boundary change along the 6600 Road corridor from the Tri-County Water Conservancy District. Conversations with the District are ongoing.

Financial Considerations:

The maximum request for this grant opportunity is \$2,000,000, with a required 25% local match. The City's contribution, which would be up to \$500,000, would be specific to the public water infrastructure improvements and main line extensions within 6600 Road. This would help the housing project proposed to be located at 540 6600 Road, as well as any future projects along 6600 Road. The rest of the funding would be used for utility infrastructure for the proposed housing project and transit station.

Recommendation:

City Staff recommends approval by City Council to authorize the submission of Energy and Mineral Impact Assistance Fund Grant Application under the More Housing Now Initiative to the State of Colorado, Division of Local Governments. The requested grant will be utilized to secure funding for public water infrastructure improvements in 6600 Road, as well as utility infrastructure improvements for a proposed middle-income housing development within the City of Montrose.

RESOLUTION NO. 2024-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, AUTHORIZING THE FILING OF AN ENERGY/MINERAL IMPACT ASSISTANCE FUND GRANT APPLICATION THROUGH THE MORE HOUSING NOW AND LAND USE INITIATIVE FOR PURPOSES OF FUNDING PUBLIC WATER INFRASTRUCTURE IMPROVEMENTS AND UTILITY INFRASTRUCTURE IMPROVEMENTS FOR A PROPOSED MIDDLE-INCOME HOUSING DEVELOPMENT WITHIN THE CITY OF MONTROSE, COLORADO.

WHEREAS, the City of Montrose, Colorado desires to apply for grant funding for the purposes of infrastructure costs related to a main line water extension along 6600 Road and other infrastructure improvements for a workforce housing development; and

WHEREAS, the proposed workforce housing development that the grant would support will provide for workforce housing to serve middle-income residents with an area median income between 60% and 140%; and

WHEREAS, the City of Montrose requests an Energy/Mineral Impact Assistance Fund Grant under the More Housing Now and Land Use Initiative, administered by the Colorado Department of Local Affairs (“DOLA”), in an amount up to \$2,000,000.00; and

WHEREAS, the City of Montrose will have a required match of 25% of the grant funding, not to exceed \$500,000, all of which will go towards the public main line water extension within 6600 Road; and

WHEREAS, the City of Montrose shall submit the grant application contingent on securing an agreement with Tri-County Water Conservancy District to allow the City to provide water services to the proposed workforce housing development; and

NOW THEREFORE, be it resolved by the City Council of the City of Montrose, Colorado as follows:

Section 1. The City Council of the City of Montrose directs the City Manager, and City Staff, to act in connection with the Energy/Mineral Impact Assistance Fund Grant application and to provide such additional information as may be required by DOLA.

RESOLVED AND ADOPTED this 19th day of March, 2024, by the City Council of the City of Montrose.

CITY OF MONTROSE, COLORADO

Barbara Bynum, Mayor

ATTEST

Lisa DelPiccolo, City Clerk

MEMORANDUM



TO: Honorable Mayor and Members of the City Council
DATE: March 19, 2024
RE: Consideration of the Declaration to be a Non-Sanctuary City

Action

Consider the motion to declare the City of Montrose a Non-Sanctuary City, that was passed during the March 8, 2024 emergency meeting.

Background

On March 5, 2024, a few citizens made public comment regarding an influx of international migrants immigrating into the U.S. and Colorado.

On March 6, 2024, Montrose County passed a resolution to declare that it is not a Sanctuary County.

On March 7, 2024, the Montrose City Council called an emergency meeting to further discuss these issues. During that meeting a motion passed to declare the City of Montrose a Non-Sanctuary City and to subsequently have the declaration be memorialized in a Resolution. In order to take effect, any action taken during an emergency meeting must be ratified at a subsequent regularly noticed meeting. Should this action be ratified, it will be memorialized with a Resolution.