

PLANNING AND ZONING COMMISSION  
REGULAR MEETING  
TUESDAY, MARCH 7, 2023

1. The regular meeting of the Planning and Zoning Commission was called to order at 6:30 p.m., and was opened with the Pledge of Allegiance. Commission members present were: Chairman Robert Rime, Lance McDaniel, Jim Skvorc, and Katrina Weiss. Vice-Chairperson Rebecca Levy arrived late. City staff present included Contract City Planner Nancy Dosdall, Director of Community and Economic Development Rachael Marchbanks, City Attorney Patrick Coleman and Deputy City Clerk Cheryl Lindquist. There were 6 people present in the audience.

2. Commissioner McDaniel moved that the minutes of February 7, 2023, be approved. Commissioner Skvorc seconded the motion, and the vote was as follows:

Levy	McDaniel	Rime	Skvorc	Weiss
Late	Yes	Absent	Yes	Yes

3. Election for Chairperson and Vice-Chairperson for the 2023 Term, Robert Rime was nominated and unanimously voted in as Chairperson and Lance McDaniel was nominated and unanimously voted in as Vice-Chairperson.

4. PUBLIC PARTICIPATION – None.

5. PUBLIC HEARING

a. Application for a preliminary plat for a 3-lot subdivision with dedication of right-of-way. Chairperson Rime opened the public hearing. Contract City Planner Dosdall presented the proposed three-lot subdivision dividing a 9.7-acre tract into 3 lots located on Lot 1 of the Chism Group Minor Subdivision. She explained why this had to be a preliminary plat review. This subdivision will create a separate lot for the residential project already approved that consists of a 42-unit affordable housing development by the Pinon Project and Shopworks, the applicant. Also, there will be two new lots for future growth. Dividing the two new lots there will a dedicated right-of-way for extension of Driscoll Drive. Planner Dosdall explained some of the issues have been complying with the Master Streets Plan, comprehensive plan, drainage, and the future utility services. The applicant appears to have met all development standards.

Commissioner Levy moved that Planning and Zoning recommend to City Council the approval of the preliminary plat for the Pinon Project Subdivision on the Re-subdivision of Lot 1 of the Chism Group Minor Subdivision, SW1/4 SE1/4, Section 23, T36N R16W, NMPM, in the Residential Multi-Family (R-2) zone, as submitted by ShopWorks Architecture LLC, through P&Z Resolutions No. 2, Series 2023, with the following condition:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.

Commissioner McDaniel seconded the motion, and the vote was as follows:

Levy	McDaniel	Rime	Skvorc	Weiss
Yes	Yes	Yes	Yes	Yes

b. Application for a site plan for a 2,365 sq. ft. retail/fast food restaurant with drive through to be located on property at 610 E. Main St., zoned Commercial Highway. Chairperson Rime opened the public hearing and Dana Jensen, who lives in a neighboring home on Adams St. spoke of the traffic issues this could cause with the school zone so near. She also talked about the truck traffic from City Market. Douglas Mize with Soudermiller as a civil engineer spoke about CDOT plans and utility easements. He answered multiple questions from the Commissioners. Contract City Planner Dosdall presented the applicant, LBC Investments, LLC, is proposing a site plan to construct a new 2,365 sq. ft. fast food restaurant with drive through to be located on a 1.68-acre parcel at 610 E. Main St. This is currently used as parking for the commercial structure also addressed 610 E. Main St, which is located on a separate parcel. The purpose of the site plan review is to ensure compliance with all regulations and to protect the public health, safety and welfare, to promote balanced growth, to ensure adequate provision of public services and facilities and to guide the character of the city.

Commissioners had many concerns with the project. The main concerns were delivery truck traffic, access issues, and appearance of the south side of the building facing Main St. Attorney Coleman suggested a short recess so Planner Dosdall could address the company's representatives in the audience. After the recess, Commission asked for a representative to answer a question. Clayton King, developer, agreed to provide a color rendering of the south side of the building.

Commissioner Skvorc made a motion to recommend that Council approve the site development plan for a new retail/fast food restaurant on property located at 610 E. Main, in the Commercial Highway (C) zone, as submitted by LBC Investments, LLC through P&Z Resolutions No. 3, Series 2023, with the following conditions:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Specifically, all public improvements shall comply with the minimum requirements of the 2009 City of Cortez Construction Design Standards and Specifications.
2. The appropriate construction drawings and reports for the project, signed and stamped by a Colorado licensed architect or engineer, must be approved by the Building Official and City Engineer, and a building permit obtained prior to any construction on the Property.
3. The landscaping improvements shall be installed prior to issuances of a Certificate of Occupancy. Irrigation and maintenance must be provided. In the event that

construction of the building and all other requirements are met prior to the installation of the landscaping, and the Applicant desires a Certificate of Occupancy, the Applicant may choose to provide a financial surety and obtain a CO in advance of completing the landscaping improvements. In this event, the Applicant shall provide an assurance bond, letter of credit, or other financial security agreed to by both parties, providing a guarantee of installation of the landscaping within a time frame approved by the City of Cortez.

4. Applicant shall submit a rendering of the south side elevation of the building as it faces Main St.
5. Property owner will enter into discussion with the City of Cortez to prevent traffic flow from N. Adams St. onto private property to the south.

Commissioner Weiss seconded the motion and the vote was as follows:

Levy	McDaniel	Rime	Skvorc	Weiss
Yes	No	Yes	Yes	Yes

6.UNFINISHED BUSINESS – none

7.NEW BUSINESS – none

8.OTHER ITEMS OF BUSINESS


a. Montezuma County has submitted a proposal for review for a High Impact/Special Use Permit Application, submitted by Daren & Kathy Stone for the existing WestView RV Park, on property located at 12092 Hwy 145, Dolores, CO, consisting of 25.44 acres, more or less, located north of Road M, east of Hwy 145, situated in Section 7, Township 36N, Range 15W, N.M.P.M. Planner Dosdall presented the County High Impact Permit/Special Use Permit request to build additional camping cabins and RV spaces at the existing WestView RV Park. The property is located within the 1 Mile area of influence. It is served via a shared driveway off Hwy 145 so will not directly impact City roads or the Master Street Plan. The Montezuma County Planning and Zoning Commission will hold a public hearing for this permit on March 9, 2023. Staff recommends that the Commission state any concerns and request comments be forwarded to the County if so desired. The Commission had no comments.

9.ADJOURNMENT:

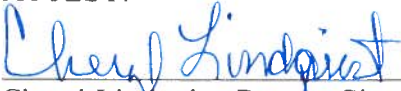
Commissioner Weiss made a motion to adjourn at 8:20 p.m. and it was seconded by Commissioner Skvorc. The vote was as follows:

Levy	McDaniel	Rime	Skvorc	Weiss
Yes	Yes	Yes	Yes	Yes

PLANNING & ZONING COMMISSION

  
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Robert Rime, Chairperson

ATTEST:

  
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Cheryl Lindquist, Deputy City Clerk