

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, May 2, 2023

1. The meeting was called to order in the City Council Chambers at 6:34 p.m., and was opened with the Pledge of Allegiance. Commission members present were: Chairman Robert Rime, Rebecca Levy, Vice-Chairperson Lance McDaniel, Jim Skvorc, and Katrina Weiss. 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 two people present in the audience.
2. Approval of the Regular Meeting Minutes of April 4, 2023  
Commissioner Weiss moved that the minutes be approved. Commissioner McDaniel seconded the motion and the vote was as follows:

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

3. PUBLIC PARTICIPATION: none

4. PUBLIC HEARINGS:

- a. Resolution No. 6, Series 2023

Contract City Planner Dосdall presented an application from Quick N Clean CO-03, LLC, proposing to vacate an existing, undeveloped alley located in Block 2 of the Veach Subdivision and combine 28 existing lots into one parcel for development. If approved, the new lot will total 2.185 acres. The property is located at 1511 E. Main, Cortez, Colorado (the "Property"). The Property is currently vacant and is zoned Commercial Highway (C). She stated the alley has never been constructed and it appears that a portion of the alley may have been vacated when the Walgreens building was constructed. The Walgreens building would prevent the alley from accessing Sligo Street to the east and other construction appears to partially block construction of the alley to the west. The unconstructed alley does not appear necessary to provide access to any other parcels of land, and vacating it will not otherwise result in any adverse impacts. The alley does not appear in any adopted City plans. It is noted, while having secondary access to properties is good transportation planning, there is also unconstructed right-of-way to the south of the Property that could serve as an extension of 1<sup>st</sup> Street and provide access as required for future development. Planner Dосdall explained there are three proposals for this project. First, tonight's meeting is for a 16 ft. alley right-of-way vacation. If approved, the project would move forward to City Council to combine all the existing lots into one lot and re-dedicate the utility easement for public use. Planning and Zoning Commission will then review the site plan for the one parcel. Planner Dосdall pointed out the criteria in the code for the Commission's recommendation to City Council on the alley vacation.

- (1). Must not conflict with adopted policies or plans;
- (2). Shall not create a landlocked parcel of land;
- (3). Shall not restrict the access of any parcel so that access is unreasonable or economically prohibitive; and
- (4). Shall not result in adverse impacts on the health, safety, and/or general welfare of the general community, and reduce the quality of public facilities or services provided to any parcel of land, i.e., fire/police protection, accesses, and/or utility services.

The alley has never been constructed and does not continue to the west of the property. There are other right-of-ways to the east and south of the property. All utility companies responded to the requests for comments.

Chairman Rime opened the Public Hearing for comments. Nick Barber from 3K1, the representative for Quick N Clean stated they are open to suggestions or questions.

No questions were asked and the Public Hearing was closed.

Commissioner Weiss made the motion that Council approve the alley right-of-way vacation through P&Z Resolution No. 6, Series 2023, with the following three 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.
- (2). The plat shall be recorded at the Montezuma County Clerk and Records Office within six (6) months of Council approval, in accordance with Land Use Code Section 6.05 (d)(2)a.
- (3). The proposed 16' utility easement shall be increased to total 19' in width.

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

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

a. Resolution No. 5, Series 2023

Planner Dosedall presented an application from Quick N Clean CO-03, LLC, (the "Applicant") that are proposing a site plan to construct a new 5,380 sq. ft. express car wash with associated vacuum and pay station canopies to be located on the newly combined property. The applicants have applied to combine all lots into one. If approved, the new lot will total 2.185 acres. The property is located at 1511 E. Main (the "Property"). The Property is currently vacant. The Property is zoned Commercial Highway (C). All neighboring properties are zoned Commercial Highway (C).

Chairman Rime opened the Public Hearing for comments. Nick Barber from 3K1, the representative for Quick N Clean was available for questions. Commissioner Skvorc wanted them to be aware that there are archeological sites on the property.

The Public Hearing was closed.

Commissioner Weiss made the motion that Council approve the site development plan for a new car wash on property located at 1511 E. Main, in the Commercial Highway (C) zone, as submitted by Quick N Clean CO-003, LLC through P&Z Resolutions No. 5, Series 2023, with the following conditions:

- (1) If 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) The ROW vacation and plat amendment shall be approved and recorded prior to issuance of a building permit for the property.

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

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

5. UNFINISHED BUSINESS: none

6. NEW BUSINESS: none

7. OTHER ITEMS OF BUSINESS:

- a. April 2023 Building Permits issued.

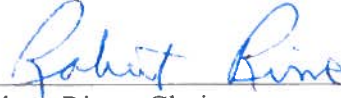
Director Marchbanks gave a brief overview of the Land Use Code revision and Housing Needs Assessment (HNA). She stated the “Community Listening Sessions” have been very well attended by a variety of business folks as well as city and county concerned citizens. These sessions are continuing virtually through May. Logan Simpson will now review the existing code with the knowledge gained through the sessions. Director Marchbanks also presented a

slideshow on these projects. She will be presenting at the City Council workshop as well as the regular meeting on May 9, 2023. Commissioners asked that information on the HNA be sent to them via email.

8. ADJOURNMENT: Chairman Rime called for a motion to adjourn with Commissioner Skvorc making the motion and Commissioner Levy seconding and the vote was as follows:

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

PLANNING & ZONING COMMISSION



Robert Rime, Chairperson

ATTEST:

  
Cheryl Lindquist, Deputy City Clerk