



**PLANNING AND ZONING  
COMMISSION MEETING  
JULY 18, 2023  
6:30 P.M.**

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE
2. PUBLIC PARTICIPATION: There is no limit to the number of speakers and no overall time limit. (Speakers have a time limit of three (3) minutes per person, may only speak once, and may not cede time to another commenter.)
3. NEW BUSINESS
  - a. Approval of the Regular Meeting Minutes of June 6, 2023  
Planning and Zoning Commission will consider approving the minutes from June 6, 2023, regular meeting.  
  
**Presenter:**
  - b. Resolution No. 13, Series 2023  
Planning and Zoning Commission will hear updates from Sarah McClain, Western Spaces, LLC, for the Comprehensive Plan and Housing Policy Updates  
  
**Presenter:** Rachael Marchbanks, Community/Economic Dev. Director
4. PUBLIC HEARINGS
  - a. Resolution No. 12, Series 2023  
Planning and Zoning Commission will consider approving a conditional use permit for Quick N Clean Car Wash, located at 1511 E. Main St., with five (5) conditions.  
  
**Presenter:** Nancy Dosdall, Contract City Planner
  - b. Continuation on Independent Log located at 1050 Lebanon Rd, Resolution No. 7, Series 2023  
  
Rezoning request through P&Z Resolution No. 7, Series 2023 as submitted.  
  
**Presenter:** Nancy Dosdall, Contract City Planner
5. UNFINISHED BUSINESS
6. OTHER ITEMS OF BUSINESS
  - a. June 2023 Permits issued

Planning and Zoning Commission will review.

**Presenter:**

7. ADJOURNMENT





CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

July 18, 2023

Agenda Item: 3. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: Approval of the Regular Meeting Minutes of June 6, 2023

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**BACKGROUND**

**RECOMMENDATION**

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**Attachments**

Minutes from June 6, 2023 regular meeting

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, JUNE 6, 2023

1. The meeting was called to order in the City Council Chambers at 6:30 p.m., and was opened with the Pledge of Allegiance. Commission members present were Vice-Chairperson Lance McDaniel, Commissioners Rebecca Levy and Katrina Weiss. Chairman Robert Rime and Commissioner Jim Skvorc were absent. City staff present included Contract City Planner Nancy Dosdall, Director of Community and Economic Development Rachael Marchbanks, City Attorney Patrick Coleman, City Manager Drew Sanders, Community and Economic Development Specialist Helen West, Community and Economic Development Assistant Lydia Regalado, Public Works Secretary Karie Bradshaw, IT Support Aaron Holleman, and Deputy City Clerk Cheryl Lindquist. There were 34 people present in the audience.
2. Approval of the Regular Meeting Minutes on May 2, 2023.  
Commissioner Levy moved that the minutes be approved. Commissioner Weiss seconded the motion and the vote was as follows:

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes	Absent

3. PUBLIC PARTICIPATION: none

4. PUBLIC HEARINGS:

Prior to the public hearings, City Attorney Coleman addressed the audience and commissioners explaining that these are “quasi-judicial” hearings and decorum must be maintained.

- a. Resolution No. 9, Series 2023

Contract City Planner Dosdall presented an application from Kathy Stone, for a Conditional Use Permit to establish Rocky Mountain Spray Liners and a hair salon in the existing location of Jimmy’s Transmission located at 210 East 1<sup>st</sup> Street. The building also has frontage at 24 S. Ash Street, which is proposed for the hair salon. Hair salons are a permitted use in the Central Business District (CBD) zone, however the spray liner business is determined to be a conditional use in the CBD zone. She explained the proposal is to replace Jimmy’s Transmission with Rocky Mountain Spray Liners. Although the businesses have similar impacts, the existing use was grandfathered in, with no evidence of receiving a Conditional Use Permit as required under current Cortez Land Use Code. The application states that hours of operation will be limited to Monday – Friday 7:00 am – 5:30 pm. Rarely the business will operate on a Saturday as needed, and the new use will not create loud noise. No vehicles will be parked in front of the business or on the street over-night. Planner Dosdall stated the

applicants have agreed that all vehicles will have valid registration and no vehicle will remain on site for more than 30 days.

The public hearing was opened and the applicant, Kathy Stone spoke on behalf of the Stone family businesses currently operating in town and how they do their best to manage their businesses and keep them well maintained and clean.

There were no questions and the hearing was closed.

Commissioner Weiss made the motion that the Planning and Zoning Commission recommends that City Council approve the Conditional Use Permit for Rocky Mountain Spray Liners on property located at 210 E. 1<sup>st</sup> St., in the Central Business District (CBD) zone, as submitted by Kathy Stone through P&Z Resolutions No. 9, 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. Operation of the business shall not exceed CRS 25-12-103, maximum permissible noise levels. Specifically, from 7:00 am to 7:00 pm noise levels shall not exceed 55 db(A) at the property line. From 7:00 pm to 7:00 am noise levels shall not exceed 50 db(A) at the property line.
3. The applicants shall operate the business in conformance with all provision of the submitted narrative.

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

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes	Absent

b. Resolution No. 7, Series 2023

Planner Dosdall presented an application from Anthony Moore and Mary Lancaster dba Independent Log Company to Rezone from Commercial Highway to Industrial for their property located at 1050 Lebanon Road. Independent Log Company operates as a Fire Mitigation and Response Company with several components. They operate and maintain equipment which is used for wildfire response including trucks, trailers, water trucks, earth moving equipment, and chain saws. For the most part, this equipment is off site at wildfire events during the wildfire season and returns for storage during the winter months. The season and number of events can vary wildly from year to year, but the season has recently been longer and fires are more frequent than in past years. In addition to wildfire response, the Independent Log Company conducts wildfire mitigation services, which primarily include tree cutting and thinning services. The cut trees are then brought to their properties, prepared and used in several ways, depending on the quality and size of the product, including log home construction, wood furniture construction, fence materials and firewood. These uses would most likely be considered “manufacturing” in that there are no retail sales of products from the site. The reason for the re-zone request is that Commercial zoning is much more restrictive than the Industrial zoning. One of the big issues is “Open Storage”. Section 5.07(j) of the LUC states that “No open storage of materials or commodities shall be

permitted in any district except as an accessory use to a main use located in a building in an I or PUD industrial district. No open storage operation shall be located in front of a main building.”

Staff has determined that when Section 5.07(j) of the LUC is applied to the proposed uses, the uses should more properly occur in the I, Industrial zone, since open storage is a key component of the operation. Planner Dosdall pointed out that the zoning surrounding this property was a mix of commercial, residential, and open space.

The Public Hearing was opened and many concerned residents spoke against having a logging business at that location. The residential and open space were the biggest factors opposing the re-zoning as presented from concerned public and neighbors. The public mentioned reasons including: earth moving at Carpenter, destroyed plants and trees, trash, misplaced wildlife, noise, dust, unsightly land, fear of reduced value of their homes, and quality of life. Several mentioned the fact the owners of Independent Log had worked without permits and had not contacted the residents to let them know what they were doing. There were concerns about the wetlands and hazardous waste. Planner Dosdall assured the audience there were no hazardous wastes when Code Enforcement and the Fire Department went on a call to the property. The barrels only held water. A citizen stated that the purpose of the commission is to hear and weigh all the facts and vote as the facts relate to the criteria.

Citizens that spoke in favor of the business, stated that Wildfire Mitigation is a very necessary business and is welcome to be located here. The clean-up of transients and trash has been extensive and to have a logging business in that area seems like a good fit. It was stated that the business will be a great addition to the community, increase employment, and the finished products are very nice. One citizen said the city and county worked hard in the past to create overlay in the area to bring business together.

Mr. Moore and Ms. Lancaster responded by saying they have no hazardous materials, no chemicals, and very low noise (89 decibels). As far as the sound buffer, they plan to plant trees and bring in large rocks along the east and south boundaries. No one else spoke and the Public Hearing was closed.

A motion was made by Commissioner Weiss to approve P&Z Resolution No. 7, Series 2023, a resolution that Planning and Zoning Commission<sup>0</sup> recommends that City Council approve the requested Rezone from C, Commercial to I, Industrial for property located at 1050 Lebanon Rd, Cortez, Colorado, as more completely described in the Resolution, with the following findings:

- a. The property is physically buffered from adjacent residential uses by topography, adjacent to existing Industrial uses. Other impacts can be mitigated with appropriate use conditions.
- b. The community will benefit from use of the property by the additional economic benefits of additional jobs, opportunities and taxes generated and the expansion of a much needed natural resource use.
- c. Adequate facilities are available to serve development for the type and scope suggested by the proposed zone.
- d. The proposal in conformance with the policies, intents and requirements of the Cortez comprehensive plan.

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

Levy	McDaniel	Skvorc	Weiss	Rime
No	No	Absent	Yes	Absent

The motion failed.

After some discussion, Commissioner Levy made a motion to continue the discussion on the request to Rezone property located at 1050 Lebanon Rd. to a date certain, which will be the next Planning and Zoning Commission meeting set for Tuesday, July 18, 2023, at 6:30 p.m.

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

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes	Absent

The motion passed.

c. Resolution No. 10, Series 2023

Planner Dosdall presented an application from Anthony Moore and Mary Lancaster dba Independent Log Company for a Conditional Use Permit for their property located at 1050 Lebanon Road. A Conditional Use Permit can help to make a difficult use for the City, compatible with surrounding land uses. Planner Dosdall stated the applicant's narrative does a good job of establishing that the proposed uses will not be objectionable due to noise, lighting, smoke, fumes, hours of operation or hazardous materials, as long as all statements in the narrative are adhered to at all times. The site plan is entirely lacking in terms of buffering, fencing and landscaping, which, if added, would go a long way to improving the appearance of the site. Planner Dosdall added the Parks and Recreation Department has requested buffering for adjacent property and natural features, which the applicants have agreed to in an email.

The Public Hearing was opened. There was no one to speak so the hearing was closed.

Commissioner Weiss made a motion to continue the discussion on the request for a Conditional Use Permit on property located at 1050 Lebanon Rd. to a date certain, which will be the next Planning and Zoning Commission meeting set for Tuesday, July 18, 2023, at 6:30 p.m.

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

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes	Absent

Motion passed.

d. Resolution No. 8, Series 2023

Planner Dosdall presented an application from Anthony Moore and Mary Lancaster dba Independent Log Company for Rezone from Commercial Highway to Industrial for their

property located at 10206 Highway 491. Basically, the information is the same as the previous Re-zone application, but this location is not adjacent to the Carpenter area and is adjacent to unincorporated county land.

The Public Hearing was opened. There was no one to speak so the hearing was closed.

A motion was made by Commissioner Weis to approve P&Z Resolution No. 8, Series 2023, a resolution that the Planning and Zoning Commission recommends that City Council approve the requested Rezone from C, Highway Commercial to I, Industrial for the property located at 10206 Hwy 491, Cortez, Co., as more completely described in the Resolution with the following findings:

- a. The Property is adjacent to existing Industrial uses. Impacts can be mitigated with appropriate use conditions.
- b. The community will benefit from use of the property by the additional economic benefits of additional jobs, opportunities and taxes generated and the expansion of a much needed natural resource use.
- c. Adequate facilities are available to serve development for the type and scope suggested by the proposed zone.
- d. The proposal in conformance with the policies, intents and requirements of the Cortez comprehensive plan.

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

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes	Absent
The motion passed				

e. Resolution No. 11, Series 2023

Planner Dosdall presented an application from Anthony Moore and Mary Lancaster dba Independent Log Company for a Conditional Use Permit located at 10206 Highway 491. Basically, the information is the the same as the previous Conditional Use Permit application, but is not adjacent to the Carpenter area and is adjacent to unincorporated county land. A Conditional Use Permit can help to make a difficult use for the city, compatible with surrounding land uses. Planner Dosdall stated the applicant’s narrative does a good job of establishing that the proposed uses will not be objectionable due to noise, lighting, smoke, fumes, hours of operation or hazardous materials, as long as all statements in the narrative are adhered to at all times.

The Public Hearing was opened. There was no one to speak so the hearing was closed.

Commissioner Weiss made a motion that the Planning & Zoning Commission recommend that the Cortez City Council approve the requested Conditional Use Permit for property located at 10206 Hwy 491, Cortez, Colorado, through P&Z Resolution No. 11, Series 2023, with the following conditions:

- a. 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 and all requirements of CDOT for required highway improvements.

b. The address shall be clearly marked for emergency response.

c. The Owner/applicants shall comply with the submitted project narrative at all times.

d. The Owner/applicants shall comply with all requirements of the City Engineer prior to establishment of any uses on the Property.

e. Pursuant to Section 4.01 of the Cortez Land Use Code, a subdivision plat approved by the City Council shall be required prior to the issuance of a building permit on the property. Commissioner Levy seconded the motion and the vote was as follows:

Levy	McDaniel	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes	Absent
The motion passed				

5. UNFINISHED BUSINESS: none

6. NEW BUSINESS:

Jennifer Gardner and McKayla Dunfey from Logan Simpson presented an update of the Land Use Code/ Housing Policy review which included a project overview and listening session results, housing plan update, and general discussion. Jennifer announced the website went live on June 6<sup>th</sup>, 2023. She talked about the visits they have had in the city, including the tour of the city, open house meetings, and listening sessions. Coming soon there will be some community forums, and joint City Council and Planning & Zoning Commission meetings. Logan Simpson is planning on a June 2024 adoption of the Land Use Code.

7. OTHER ITEMS OF BUSINESS:

a. Briefing on upcoming Land Use Code and Housing policy meeting dates from Rachael Marchbanks, Director of Community and Economic Development.

b. May 2023 Permits Issues

c. Rebecca Levy announced her resignation effective June 7, 2023 as she is moving. She is on several committees which will need to replace her. She was thanked for her service and wished good luck.

8. ADJOURNMENT:

Commissioner Weiss made a motion to adjourn and it was seconded by Vice-Chairman McDaniel. The vote was unanimous.

PLANNING & ZONING COMMISSION

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Lance McDaniel, Vice-Chairperson

ATTEST:

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Cheryl Lindquist, Deputy City Clerk





CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

July 18, 2023

Agenda Item: 3. b.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: Resolution No. 13, Series 2023

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#### BACKGROUND

The Draft Housing Action Plan (The Plan) for the City of Cortez represents months of diligent effort, community engagement, strategic planning, and policy development. It also draws heavily from the findings of the recent Housing Needs Assessment, ensuring the recommendations are rooted in the current realities of Cortez.

#### ISSUES

See attached

#### RECOMMENDATION

Staff recommends the Commission give their endorsement and formally recommend adopting the Housing Action Plan, initiating the next phase of progress towards increasing housing opportunities in Cortez, by approving Resolution No. 13, Series 2023.

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#### Attachments

Memo from Sarah McClain  
Action Plan  
Resolution No. 13, Series 2023



SUBJECT: Recommendation for Adoption of Housing Action Plan for Cortez

DATE: July 11, 2023

TO: Members of the Planning and Zoning Commission

FROM: Sarah McClain, Western Spaces, LLC

Dear Members of the Planning and Zoning Commission,

The Draft Housing Action Plan (The Plan) for the City of Cortez is completed and we would like to share it with you at the upcoming Planning and Zoning meeting on July 18<sup>th</sup>, 2023, to ask for your thoughts and ultimately your recommendation for approval to adopt the The Plan. This plan represents months of diligent effort, community engagement, strategic planning, and policy development. It also draws heavily from the findings of the recent Housing Needs Assessment, ensuring the recommendations are rooted in the current realities of Cortez.

The process involved a series of three work sessions, three community open houses, a questionnaire and a joint session with Council and Planning and Zoning. The result is an action plan that serves as a roadmap for the City, outlining a process for prioritizing and addressing housing needs, and working toward achieving a balanced housing environment for all residents. This plan is intended to reflect the community's shared vision for housing and pave the way for a prosperous future for Cortez.

I am looking forward to discussing the plan in detail at the upcoming Planning and Zoning meeting. It is my hope that the Commission will give their endorsement and formally recommend adopting the Housing Action Plan, initiating the next phase of progress towards increasing housing opportunities in Cortez.

Thank you for your time and consideration.

Best regards,

Sarah McClain



# **DRAFT Housing Action Plan**

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**City of Cortez  
2023**



# Acknowledgements

## *Housing Committee Members*

Cheryl Lindquist, Deputy Clerk/Permit Tech, City of Cortez  
Dave Waters, D&L Construction  
Don Haley, County Planner, Montezuma County  
Drew Sanders, City Manager, City of Cortez  
Heidi Mitchell, Executive Director, Habitat for Humanity of Montezuma County  
Jason Witt, Realtor/Owner, The Witt Group and Chair-Elect, Colorado Association of Realtors  
Jeffrey Barnett, HR Executive Director, Ute Mountain Casino  
Jessica Thurman, Community and Economic Development Coordinator, Montezuma County  
Kellie Willis, Executive Director, The Piñon Project Family Resource Center  
Lydia Regalado, Executive Assistant, City of Cortez  
Matt Keefauver, Council Member, City of Cortez  
Nancy Dossdall, Contract Planner, City of Cortez  
Rachael Marchbanks, Community and Economic Development Director, City of Cortez  
Robert Rime, P&Z Member, City of Cortez  
Shak Powers, Project Manager, Region 9 Economic Development District of Southwest Colorado  
Stephen Candelaria, Vice President of Operations/Co-Owner, Candelaria Construction  
Theresa Wilson, Executive Director, The Bridge

## *Cortez City Council*

Mayor Rachel Medina  
Mayor Pro-tem Arlina  
Councilmember Lydia DeHaven  
Councilmember David Rainey  
Councilmember Robert Dobry  
Councilmember Matthew Keefauver  
Councilmember Dennis Spruell

## *Cortez Planning and Zoning Committee*

Robert Rime, Chairman  
Lance McDaniel, Vice-Chair  
Rebecca Levy, Member  
Jim Skvorc, Member  
Katrina Weiss, Member

## *Consultant Team*

Western Spaces, LLC  
Williford, LLC  
Logan Simpson

Thank you to the individuals and the wider community who actively participated in this process, contributing their valuable insights and ideas that have been captured and preserved within this plan.



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## Introduction

The City of Cortez 2023 Housing Action Plan (The Plan) is an action-oriented, results-based strategic planning document that is to be used as a decision-making guide for taking critical next steps towards addressing the resident housing needs in Cortez.

The Plan outlines a set of housing goals and actions that have been prioritized based on community input. These initiatives are intended to be implemented over the next five years, aiming to make a substantial and positive difference in the quality and quantity of housing units in Cortez. The Plan recognizes the crucial role of housing in supporting a thriving community, contributing to the success of businesses, fostering economic development, and enhancing community vibrancy.



The City of Cortez is fully dedicated to addressing the pressing need for more affordable housing and considers the Plan as a proactive tool to tackle this issue head-on. By implementing the strategies outlined in the Plan, the City aims to create housing that meets the diverse needs of its residents while supporting the overall growth and prosperity of the community.

The City of Cortez 2023 Housing Action Plan represents a balanced approach to community housing that fits with the unique needs of Cortez, including:

- *Identifying and prioritizing specific community housing needs;*
- *Setting goals and objectives to target needs;*
- *Exploring various available tools to address identified housing needs;*
- *Prioritizing tools and developing strategies to implement those tools; and*
- *Assigning responsibilities and a timeline for implementation.*

The Plan is a living document that works best if it is revisited at least every three years and adjusted as needed. By conducting regular evaluations, the City can ensure that its housing initiatives remain responsive, effective, and aligned with the evolving needs of the community. This approach enables the Plan to be a flexible and adaptive tool that supports ongoing progress and positive outcomes, capitalizes on current market conditions, and leverages successful practices within Cortez.

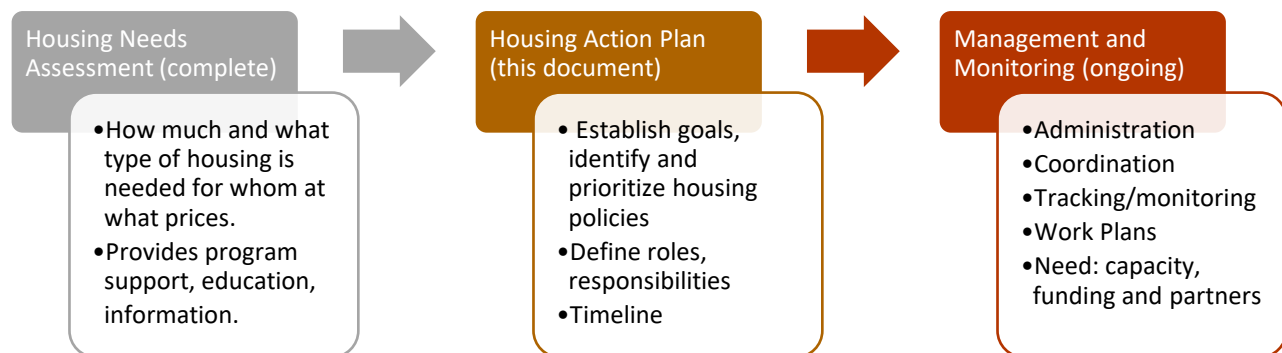


## The Housing Action Plan Process Explained

The action plan process involved a systematic approach that incorporated the recent Housing Needs Assessment, the active engagement of the community and the City, the establishment of clear goals, and the prioritization of policies. The plan serves as a roadmap for the community to address the housing needs and work towards achieving results that support all residents.

Over a series of three work sessions, the Housing Committee defined overarching goals for The Plan and developed a comprehensive list of policies aimed at addressing housing-related challenges in Cortez. This involved extensive discussions, research, and analysis to identify effective approaches and potential solutions. The Housing Committee included a group of stakeholders with a wide range of perspectives and expertise. The Committee distilled over 40 potential policies down to the priorities expressed in The Plan.

To ensure transparency and gather input from the wider community, three separate open house sessions were held, as well as an online questionnaire. This allowed residents and stakeholders to provide their perspectives and feedback on the proposed goals and policies. Additionally, a joint work session was organized with the council and planning and zoning departments to facilitate a comprehensive review and discussion of the policies.



The plan was developed in conjunction with the major update of the Cortez Land Use Code and it intended to support the Community Vision in the City's Comprehensive Plan.

### *Our Community Vision (2008 Cortez Comprehensive Plan)*

*"Centrally located in a rural landscape of agriculture and rich public lands, the City of Cortez provides outstanding and innovative public services while demonstrating the values of our thriving community. Taking pride in our history, diversity, and environment, our friendly community is full of opportunity, making housing, goods, and services universally attainable. The City's safe, efficient, and effective leadership maintains a small-town atmosphere where diversity and a sense of community coexist in integrated livable neighborhoods and a vivacious downtown."*

the 1990s, the number of people in the United States who are 65 years of age or older is projected to increase from 20 million to 35 million, and the number of people 75 years of age or older is projected to increase from 10 million to 15 million (U.S. Census Bureau, 1996).

The key themes from the community in formulating The Plan were:

- focus on housing quality
- be realistic
- work with the market
- build more housing across the spectrum
- rehabilitate existing units



As we move forward, we remain committed to upholding the spirit of collaboration and engagement that has brought us this far. We value the ongoing support of the community and encourage continued involvement as we work together to turn this plan into a reality.

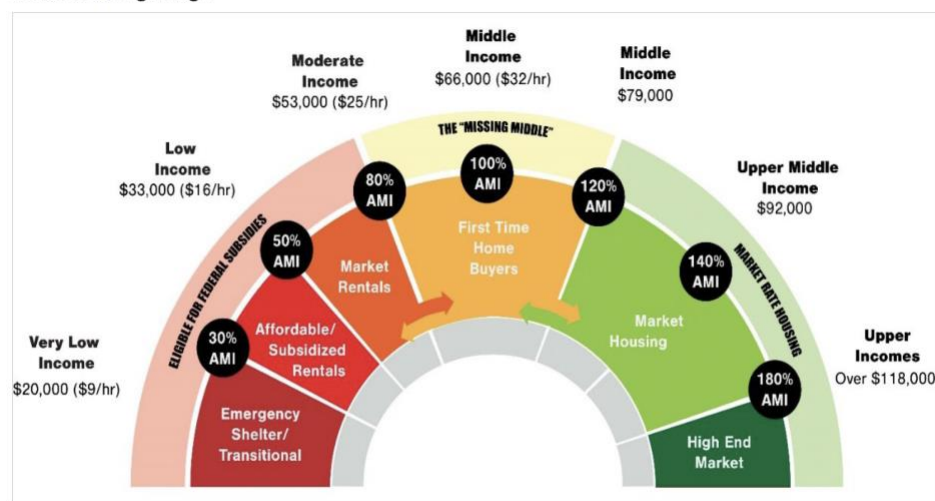


## Summary of Local Housing Needs

As measured and reported in the *Cortez Housing Needs Assessment 2023*, over the past two decades, housing production has not kept pace with population and economic growth. As a result, more housing is needed across the full spectrum, from supportive housing for people who have experienced homelessness, new rentals, and missing middle/first-time homebuyer opportunities to step-up housing and luxury rentals for new professionals filling jobs in the area.

Without housing options that are affordable to workers, whether for sale or rent, employers will continue to struggle, and this impacts the local economy. For this reason, housing is an essential component of economic development in Cortez.

Cortez Housing Bridge



Income examples are for 2-person household; incomes have been rounded  
Source: CHFA Income Limits 2022, Consultant Team

The greatest housing needs include:

- Ownership units priced below 140% AMI (\$79,000/year income; \$300,000 purchase price);
- Rental units priced below 80% AMI (\$53,000/year income; \$1,300/month rent). Units for up to \$1,700 per month are also needed by young professionals earning up to 100% AMI (\$66,000 per year);
- Homeless/transitional and special needs also rising.



# Summary of Housing Need by AMI up to 200% AMI

## 2023 Housing Needs Assessment

**“extremely” low income**  
 =<\$19,740 per year, poverty level  
 26% of Renter Households  
 10% of Owner Households  
**<30% AMI**

**Max Affordable rent:** <\$494 per month  
**\*Max Affordable home:** <\$65,700  
 Rental needed: 30-56  
 Ownership needed: 17-31

**“very” low income**  
**\$19,741 to \$32,900 per year**  
 20% of Renter Households  
 9% of Owner Households  
**30-50% AMI**

**Max Affordable rent:** \$823 per month  
**\*Max Affordable home:** \$109,600  
 Rental needed: 23-43  
 Ownership needed: 16-30

**“low” income**  
**\$32,901 to \$52,640 per year**  
 23% of Renter Households  
 23% of Owner Households  
**50-80% AMI**

**Max Affordable rent:** \$1,316 per month  
**\*Max Affordable home:** \$175,300  
 Rental needed: 26-49  
 Ownership needed: 40-75

**“moderate” income**  
**\$52,641 to \$65,800 per year**  
 9% of Renter Households  
 13% of Owner Households  
**80-100% AMI**

**Max Affordable rent:** \$1,645 per month  
**\*Max Affordable home:** \$219,200  
 Rental needed: 10-18  
 Ownership needed: 23-43

**“middle” income**  
**\$65,801 to \$78,960 per year**  
 5% of Renter Households  
 12% of Owner Households  
**100-120% AMI**

**Max Affordable rent:** \$2,303 per month  
**\*Max Affordable home:** \$263,000  
 Rental needed: 5-10  
 Ownership needed: 20-38

**“upper middle” income**  
**\$78,961 to \$92,120 per year**  
 3% of Renter Households  
 9% of Owner Households  
**120-140% AMI**

**Max Affordable rent:** \$1,974 per month  
**\*Max Affordable home:** \$306,800  
 Rental needed: 4-7  
 Ownership needed: 16-30

**“upper middle” income**  
**\$92,121 to \$131,600 per year**  
 8% of Renter Households  
 12% of Owner Households  
**140-200% AMI**

**Max Affordable rent:** \$3,290 per month  
**\*Max Affordable home:** \$438,300  
 Rental needed: 9-17  
 Ownership needed: 21-40

\*Max purchase price assumes a 30-year mortgage at 6.5% with 5% down and 20% of the payment covering taxes, HOA, PMI, and insurance. SOURCES: CHFA 2022 INCOME LIMITS, RIBBON DEMOGRAPHICS, LLC, CREN MLS, HNA CONSULTANT TEAM

## Goals

This Plan establishes three overarching goals that describe the desired outcomes that Cortez seeks to achieve. These goals establish a clear sense of direction and purpose, serving as a compass to align efforts, resources, and strategies towards a shared vision.

### Goal 1

**Preserve, protect, revitalize, and maintain the quality and attainability of the community's existing housing stock.**



In summary, this goal aims to achieve the following objectives:

- Safeguard Cortez's existing housing stock by preventing the loss or deterioration of housing units, preserving their historical or cultural significance, and maintaining the overall quantity and quality of housing options.
- Protect the affordability of existing housing options within the community that are attainable for a wide range of residents, particularly those with lower incomes.
- Promote responsible management practices for the community's housing stock, including proper maintenance, addressing repairs, and implementing strategies to prolong the lifespan and functionality of the existing housing units.

### Goal 2

**Increase the amount of housing produced in Cortez and encourage a diverse mix of housing types to improve housing availability and options for residents to best meet their needs.**



In summary, this goal aims to achieve the following objectives:

- Increase the amount of housing produced to meet the growing demand for housing and reduce scarcity, creating more options for residents to find suitable housing.
- Promote a diverse mix of housing types offering a range of choices for individuals, families, and households of different sizes and lifestyles, fostering a sense of community, encouraging social connections, and contributing to a thriving and livable environment.

### Goal 3

**Focus new housing on the full range of incomes in need and for various life stages with priority placed on entry level rentals, first-time homeownership, missing middle, and supportive housing.**



In summary, this goal aims to achieve the following objectives:

- Address the housing needs of individuals and households across various income levels ensuring that housing options are available and accessible to a diverse range of residents.
- Prioritize the development of entry level rental units, typically aimed at individuals or households with limited incomes or those just starting their housing journey.
- Emphasize the importance of promoting opportunities for first-time homeownership.
- Recognize the need for "missing middle" housing, which refers to housing types that bridge the gap primarily between 80 and 140% AMI.
- Acknowledge the significance of supportive housing, which combines attainable housing with supportive services to assist individuals or households with specific needs, such as those facing homelessness, mental health challenges, or substance abuse issues.

Priority Level	Types of Housing
1	Supportive Housing (below 30% AMI with services to support residents) Rentals - Priced up to 60% AMI (up to \$987/month in 2022) For Sale – Priced up to 80% AMI (up to \$175,300 purchase in 2022) Mobile Home Park Reinvestment
2	For Sale/For Rent for Seniors Rentals - Priced 60-100% AMI (up to \$1,645/month in 2022) For Sale – Priced 80 -140% AMI (up to \$306,800 in 2022)
3	Rentals - Priced above 100% AMI (over \$1,645/month in 2022) For Sale – Priced above 140% AMI (over \$308,800 in 2022)

Affordable price assumes 30% of income toward housing payment for a 2-person HH  
Max purchase price assumes a 30-year mortgage at 6.5% with 5% down and 20% of the payment covering taxes, HOA, PMI, and insurance.

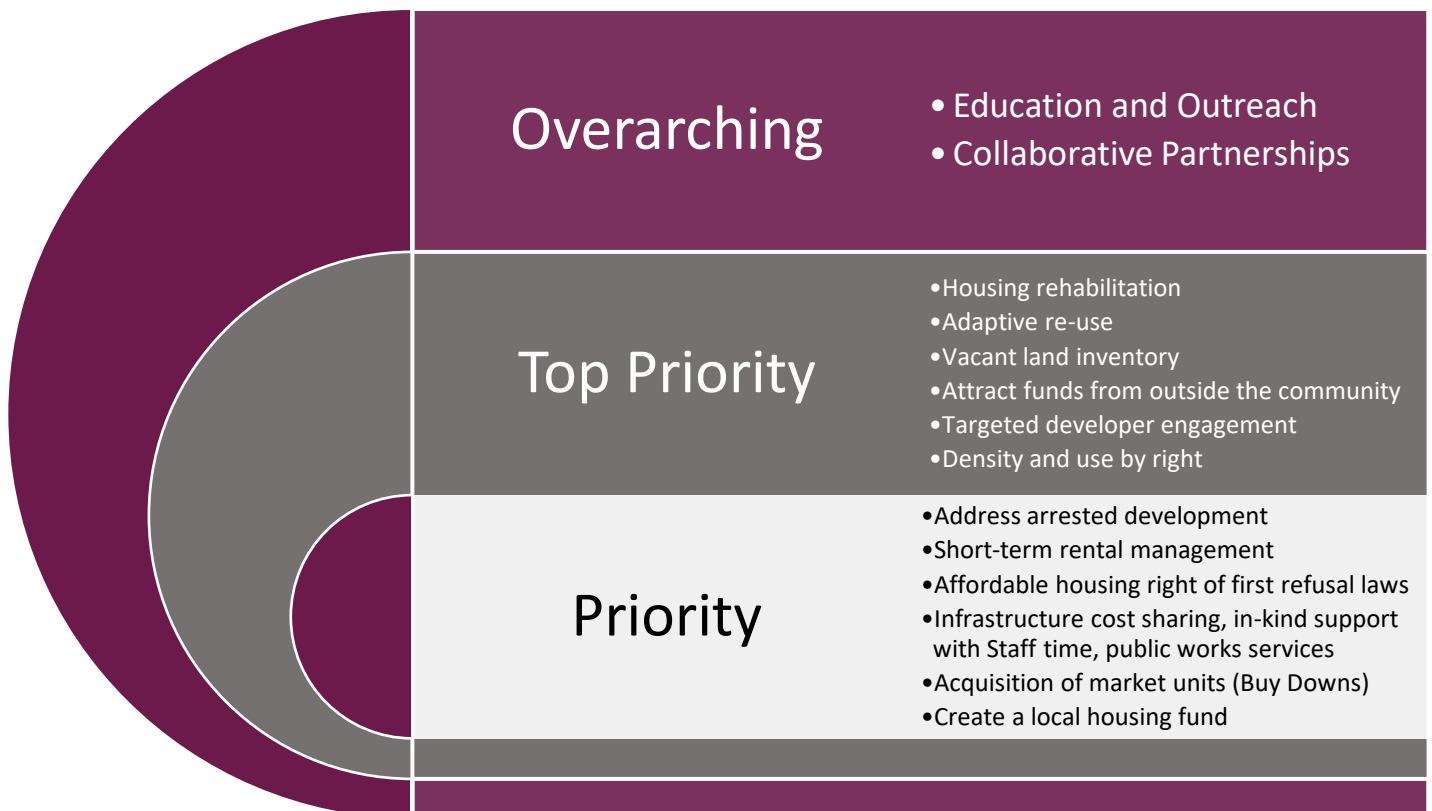
## A Focus on Action

All fourteen items specified in the Action Plan have been designated as priority action items to help achieve the three housing goals. The City's commitment to these priorities demonstrates their collective dedication to addressing affordable housing needs in Cortez.

The Plan incorporates two overarching components, education and outreach, as well as collaborative partnerships, which are to be integrated into each action.

The Top Priority action items have been identified for immediate implementation and have been further developed in detail within The Plan.

The Priority items have been thoroughly discussed and will be revisited periodically to align with the evolving nature of the plan and the City's needs. While these are not policies to implement immediately, they are policies to keep under consideration and may be added to the workplan as opportunities and resources become available.



# Overarching Education and Outreach



Consistent education and outreach and community engagement is a thread that goes through all components of The Plan and contributes to a more informed, engaged, and empowered community. It helps build consensus, shape policies, promote effective housing solutions, and foster a supportive environment for housing initiatives to be successful.

## What could this policy accomplish?

- Increase awareness and understanding of housing-related issues among community members, stakeholders, and decision-makers.
- Empower community members by providing them with knowledge and resources to participate in housing-related discussions and decision-making processes.
- Facilitate advocacy efforts by informing community members about their rights, available resources, and support services related to housing.
- Connect individuals and families to organizations, agencies, and programs that can assist them in finding affordable housing, accessing financial assistance, or addressing housing-related issues.
- Build capacity by providing training, workshops, or educational materials to stakeholders involved in housing development, management, or advocacy.

## How does the City employ this policy?

- Collaborate with local organizations, housing providers, community groups, and educational institutions to leverage their existing networks and resources.
- Organize public meetings, workshops, or town hall sessions to provide information about housing issues, present data and research findings, and engage community members in discussions.
- Develop informational campaigns that utilize various communication channels such as websites, social media, newsletters, and local media outlets to disseminate housing-related information.
- Develop dedicated online platforms or sections on the community website that provide comprehensive housing information, resources, and frequently asked questions.
- Engage schools and educational institutions to incorporate housing-related topics into their curricula.

## Education and Outreach Summary

<b>Ultimate Outcome</b>	Increase awareness and understanding of housing-related issues among community members, stakeholders, and decision-makers. Build trust between City of Cortez and residents.
<b>Lead Role</b>	Community and Economic Development
<b>Support Role</b>	Support Staff, City Council, Community Partners, Public information officer
<b>Short Term 1-2 years</b>	Now - incorporate into other policies, include in questionnaire with utility bill, target areas/groups and go to them.
<b>Mid-Term 2-5 years</b>	Continue to target groups and organizations, highlight opportunities as they arise.



# Overarching Collaborative Partnerships



Fostering collaborative partnerships is a thread that goes through all components of The Plan. This would enable stakeholders to work together towards common goals, leverage resources effectively, and address housing challenges more holistically, leading to positive and lasting impacts on housing affordability, accessibility, and quality within Cortez.

## What could this policy accomplish?

- Collaboration can lead to more effective strategies, shared resources, and a common goal.
- Foster creativity and collaboration in developing a broader range of housing solutions.
- Encourage regular communication, collaboration, and joint planning among partners, reducing duplication of efforts and ensuring that activities are well-coordinated.

## How does the City employ this policy?

- Organize networking events, workshops, or conferences that bring together stakeholders involved in housing-related activities.
- Actively seek partnerships with nonprofit organizations, developers, or other entities to implement specific housing initiatives. The below list is the beginning of a comprehensive list of potential partnerships.

## Existing and Potential Partners

"The Bridge" Emergency Shelter	Educational Providers	National Historic Society
Assisted Living Facilities	EEA	Neighborhood Organizations
Building Division	General Services Dept.	Parks and Rec. Dept.
Building Supply Businesses	Habitat for Humanity	Pinon Project
Business District Landowners	Historic Preservation Office	Planning Division
Business Owners	Homeowners	Police Department
Colorado Housing Inc.	HOMES Fund	Property Owners
Community Clubs and Organizations	Housing Solutions for the Southwest	Public Works Department
Community Connection Inc.	La Plata Regional Housing Authority	Realtors
Cross Connection Technician	Local Service and Utility Providers	Residents
CSU Ag Extension	Montezuma Community Collective	USDA
Developers	Montezuma County	
Downtown Land Owners	Montezuma County Housing Authority	

## Collaborative Partnerships Summary

<b>Ultimate Outcome</b>	Make sure City incorporates collaborative partnerships, foster creativity, bring in funding, bring in innovative ideas, divide the workload.
<b>Lead Role</b>	Multi-faceted, City Council, City Manager
<b>Support Role</b>	Depend on supporting policy, Community and Economic Development
<b>Short Term 1-2 years</b>	Add component to each policy - who could collaborate with?
<b>Mid-Term 2-5 years</b>	Continue to target groups and organizations, highlight opportunities as they arise.

# Top Priority

## Housing Rehabilitation and Weatherization



Given the age of the housing inventory and the high percentage of mobile homes, these services are particularly important in Cortez. Weatherization and home improvements of the type offered by Housing Resources of Western Colorado and Housing Solutions of Southwest, and the USDA can help residents live more affordably, safely and comfortably in their homes, and can help extend the useful life of the building.

### What could this policy accomplish?

- Improve the overall quality and condition of existing housing stock by addressing necessary repairs and upgrades.
- Enhance the safety, functionality, and longevity of homes, creating healthier living environments for residents.
- Contribute to energy efficiency and sustainability efforts leading to lower utility bills for residents, and a decreased carbon footprint for the community.
- Contribute to the long-term affordability and sustainability of housing in Cortez.



### How does the City employ this policy?

- Establish partnerships, including Housing Resources of Colorado and Housing Solutions of the Southwest.
- Conduct outreach campaigns to raise awareness about the benefits of housing rehabilitation and weatherization among homeowners and tenants.
- Prioritize energy efficiency measures such as insulation, weatherstripping, sealing air leaks, upgrading windows and doors, and installing energy-efficient appliances and lighting.
- Seek out local, state, and federal programs that support energy efficiency upgrades and housing rehabilitation (CHFA, DOH, USDA, Colorado Trust)

### Housing Rehabilitation and Weatherization Summary

<b>Ultimate Outcome</b>	Protecting your investment, more affordability, safety and comfortable living.
<b>Lead Role</b>	City Manager
<b>Support Role</b>	Code enforcement, Community and Economic Development
<b>Short Term 1-2 years</b>	Reach out to Housing Resources of Colorado and Housing Solutions of the Southwest.
<b>Mid-Term 2-5 years</b>	Seek out local, state and federal funding programs.

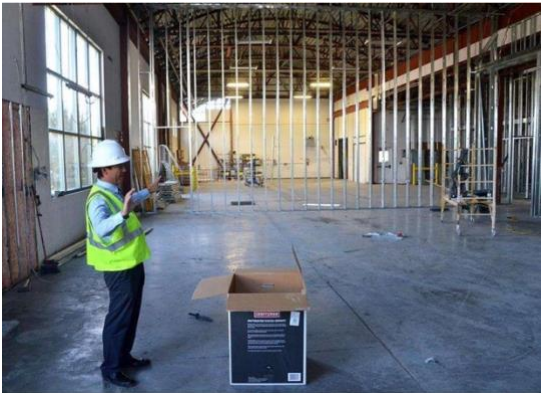




Throughout our stakeholder interviews, many opportunities for adaptive reuse were introduced, including the existing school building that could be converted to apartments and a motel that could be used for employee housing. As construction costs rise, adaptive reuse is increasingly cost-effective.

What could this policy accomplish?

- Increase the affordable housing supply, preserve historical heritage, provide cost-effective development, encourage sustainability, foster community revitalization, provide mixed-use opportunities, and social and economic benefits.
- By repurposing existing structures, Cortez can leverage resources and creativity to address housing challenges and create vibrant, sustainable, and inclusive neighborhoods.



How does the City employ this policy?

- Review policy and zoning framework to identify barriers or restrictions that may hinder the process.
- Conduct a feasibility analysis for potential adaptive reuse projects. Assess factors such as building condition, required renovations, cost estimates, financing options, and potential funding sources. Evaluate the economic viability and sustainability of each project to determine its feasibility.
- Establish partnerships with developers, housing nonprofits, financial institutions, and other stakeholders to leverage their expertise, resources, and funding opportunities.
- Explore grants, loans, tax incentives, and public-private partnerships such as Low-Income Housing Tax Credits (LIHTCs), Community Development Block Grants (CDBG), or other subsidy programs.

Adaptive Re-Use Summary

Ultimate Outcome	Increased affordable housing supply, cost-effective development, sustainability, community revitalization, mixed-use opportunities, and social and economic benefits.
Lead Role	Community and Economic Development
Support Role	Support Staff, City Grant writers
Short Term 1-2 years	Already updating code, already a development on Broadway under consideration, include feasibility analysis in land inventory.
Mid-Term 2-5 years	Establish partnerships, look for funding.

# Top Priority

## Vacant Land Inventory



Develop an inventory to serve as a valuable tool for understanding the existing land resources and their suitability for housing projects. The inventory would help to inform strategic decision-making regarding housing development by providing crucial information about the location, size, zoning regulations, infrastructure availability, and other relevant factors for each identified parcel.

### What could this policy accomplish?

- Enable the identification of specific sites that are suitable for different types of housing, such as affordable housing, mixed-income developments, or senior housing.
- Streamline the development process by providing readily available information about ownership, zoning, utilities, and other essential factors.
- Promote partnerships between the public, private, and nonprofit sectors.
- Assist in identifying areas in need of revitalization or redevelopment.
- The City of Cortez does not see being a housing developer as it's role, rather this is a private sector role, but the City would like to help catalyze the work by bringing land or other resources to make it financially feasible.

### How does the City employ this policy?

- Gather existing data sources that provide information on vacant land within the city. This will involve collaboration with the Montezuma County GIS department. It can also include property tax records, land use plans, and any previous studies or inventories conducted by the city or relevant agencies.
- Conduct a field survey to physically assess the properties identified as potentially vacant or underutilized.
- Seek input and involvement from relevant stakeholders.
- Prioritize based on criteria such as feasibility, market demand, infrastructure availability, and alignment with housing goals and strategies.
- Prioritize the most promising parcel and create opportunity to issue RFP.



### Vacant Land Inventory Summary

Ultimate Outcome	More housing that addresses our community needs, less vacant land within the City limits.
Lead Role	Community Development Director
Support Role	City GIS staff, other local governments and large employers, public works department.
Short Term 1-2 years	General inventory already created, continue to build and improve upon it.
Mid-Term 2-5 years	Inventory complete and most promising project (or two) moving forward by 2025.

# Top Priority

## Attract Funds from Outside the Community



Housing funds are in high demand across the state, and accessing these resources is competitive. But Cortez has a considerable need and is already demonstrating a commitment to housing solutions through code updates and incentives.

### What could this policy accomplish?

- This policy could bring substantial financial resources, accelerate implementation, leverage local investments, facilitate knowledge transfer, and achieve a lasting impact on the community's housing affordability and availability.

### How does the City employ this policy?

- Aggressively pursuing sources like the Low-Income Housing Tax Credit (which can support between 30-80% of the upfront costs to build rental housing for people under 80% AMI) and state resources like Transformational Housing, Proposition 123, and Colorado Division of Housing funds can help support the below market strategies recommended in this report.
- Pursue DOLA funds for infrastructure and philanthropic funds to support the nexus between health, housing, childcare, and other basic life necessities.
- Research additional funding opportunities like foundations, nonprofit organizations, corporate social responsibility programs,

or crowdfunding platforms. Stay updated on funding announcements, grant cycles, and eligibility criteria.

- Create a comprehensive funding policy that outlines the objectives, target funding sources, and approaches for attracting external funds. The policy should identify specific housing projects or initiatives that align with the priorities of potential funding organizations. It should also include a timeline, responsibilities, and a clear action plan for pursuing and securing funding.
- Establish relationships and partnerships with organizations, institutions, and individuals that have access to external funding sources.
- Engage in targeted outreach efforts to inform potential funders about the city's housing action plan, its objectives, and the potential benefits of investing in the community.
- Provide a competitive procurement process, using public resources such as land or money should be done in an open, transparent way, where everyone can put their best foot forward.

### Attract Funds From Outside the Community Summary

<b>Ultimate Outcome</b>	Get funds soon to help fill the gap between what it costs to build or purchase housing and what our local workforce can afford.
<b>Lead Role</b>	City Manager
<b>Support Role</b>	Finance Director, Grant Writer, Com Dev Director, Community Stakeholders, potential partners.
<b>Short Term 1-2 years</b>	Incorporate into other strategies.
<b>Mid-Term 2-5 years</b>	Mid term, as project specific needs, partnerships, and opportunities become more clear.

# Top Priority

## Targeted Developer Engagement



Engage developers who specialize in affordable housing or have experience in developing entry level rentals, first-time homeownership projects, missing middle housing, and supportive housing.

### What could this policy accomplish?

- This approach increases the likelihood of attracting developers who are committed to affordable housing, fosters collaboration, and ultimately leads to the creation of more affordable housing options that meet Cortez's needs.
- Foster stronger collaborations between the city and developers, promoting a shared understanding of housing needs and goals.
- Ensure that housing developments align with the community's vision, resulting in projects that better meet the needs and preferences of residents.
- Attract new investment and spur economic growth in Cortez.
- By actively involving developers who specialize in affordable housing, the strategy promotes the creation of housing units that are accessible to a range of income levels.
- By establishing clear communication channels and streamlined procedures, the strategy enables smoother collaboration between developers and the city.

### How does the City employ this policy?

- Reach out to other communities for developer references. Identify developers who have experience and a track record of successful housing projects in the community or similar contexts.
- Initiate and cultivate relationships with targeted developers through direct engagement, networking events, or targeted outreach.
- Attend industry conferences, workshops, or trade shows where developers are present.
- Clearly communicate the city's Housing Needs Assessment and Housing Action Plan to the targeted developers.
- Encourage developers to participate in public-private partnerships or joint ventures to maximize resources and expertise.
- Provide developers with clear guidelines, checklists, and a single point of contact within the city to facilitate efficient communication and decision-making.

### Targeted Developer Engagement Summary

<b>Ultimate Outcome</b>	Start working together to solve our housing problems.
<b>Lead Role</b>	City Manager, Community Development Director
<b>Support Role</b>	City Council, City Staff, Community Stakeholders, Potential Partners
<b>Short Term 1-2 years</b>	Already begun
<b>Mid-Term 2-5 years</b>	Focus on specific projects and needs over time. Generally, this is a mid-term task.

# Top Priority

## Density and Use by Right



Encourage development that aligns with the community's planning goals, while also providing a more streamlined and efficient process for property owners and developers. It balances the need for increased housing supply and economic development with the preservation of community values and design standards.

### What could this policy accomplish?

- Address housing shortages, enhance housing affordability, and create vibrant and sustainable neighborhoods.
- Increase density in appropriate areas, promote mixed-use development, and streamline the approval processes.
- Balance the need for increased housing supply and economic development with the preservation of community values and design standards.



### How does the City employ this policy?

- Align with Comprehensive Code Update – already in process.
- Review existing zoning codes and identify areas where density and land use restrictions can be modified to allow for increased housing density.
- Target areas that can support increased density without compromising the overall livability and character of the neighborhoods.
- Simplify and streamline the approval processes for housing developments that comply with the density and use by right policy.
- Engage with neighborhood associations, community groups, and residents to address concerns, gather input, and create a shared understanding of the policy's objectives.

### Density and Use by Right Summary

Ultimate Outcome	Use our land and infrastructure efficiently to increase the inventory of housing within the community.
Lead Role	Community Development Director
Support Role	City Council, City Staff, Planning and Zoning, Community stakeholders
Short Term 1-2 years	Already begun
Mid-Term 2-5 years	Complete by end of 2024



## Priority Revisit Periodically



### *Address Arrested Development*

With over 300 platted but unbuildable lots, investing in orphaned subdivisions to unlock their development potential could significantly impact Cortez. We recommend reviewing and assessing the strategies proposed in “Chapter 7: Land Use Regulations Scan” and identifying an approach that would be the most advantageous for Cortez, and where and when to begin.

### *Short-term Rental Management*

Implement regulations and measures to effectively manage and control the operation of short-term rentals within Cortez, including setting up a regulatory framework, implementing a system for permitting and licensing, establishing occupancy and noise regulations, implementing health and safety standards and setting up a taxation and revenue management system.

### *Notice of Right of First Refusal Laws*

Legal provisions that grant certain individuals or entities the opportunity to purchase a property before it is sold to a third party. These laws are designed to protect tenants, affordable housing providers, or designated organizations by giving them the right to match the terms of a purchase offer and acquire the property under the same conditions. ROFR laws aim to preserve affordable housing (such as mobile homes), maintain community stability, and prevent displacement.

### *Infrastructure cost sharing, in-kind support with Staff time, public works services*

Bring additional public resources such as infrastructure extensions, in-kind labor, fee reductions/waivers, bond cap, certificates of participation, or general fund allocations.

### *Acquisition of Market Units (Buy Downs)*

Invest public funds to lower the sales price of units on the market in exchange for restricted below market housing.

### *Create a Local Housing Fund*

The City of Cortez can offset high development costs and influence what gets built in the City by leveraging a local fund that can absorb some of the cost increases and signal to the State and other funders that there is political will for affordable and workforce housing development. Some communities establish a dedicated local funding source for housing through inclusionary zoning, mitigation fees, or asking the voters for a dedicated tax. Other communities have seeded a local housing investment fund through American Rescue Plan Act (ARPA) dollars, the sale of assets, Congressionally Directed Spending, unrestricted reserve balances, or general fund allocations, which could be a good fit for Cortez.

## Appendix A – Area Median Income

The Area Median Income (AMI) is included throughout The Plan because it is a metric used by affordable housing funders. AMI is published annually by HUD for each county and varies by household size.

**Montezuma County 2022 Income Limits**

AMI	1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
140%	\$80,640	\$92,120	\$103,600	\$115,080	\$124,320	\$133,560	\$142,800	\$152,040
120%	69,120	78,960	88,800	98,640	106,560	114,480	122,400	130,320
100%	57,600	65,800	74,000	82,200	88,800	95,400	102,000	108,600
80%	46,080	52,640	59,200	65,760	71,040	76,320	81,600	86,880
70%	40,320	46,060	51,800	57,540	62,160	66,780	71,400	76,020
60%	34,560	39,480	44,400	49,320	53,280	57,240	61,200	65,160
55%	31,680	36,190	40,700	45,210	48,840	52,470	56,100	59,730
50%	28,800	32,900	37,000	41,100	44,400	47,700	51,000	54,300
45%	25,920	29,610	33,300	36,990	39,960	42,930	45,900	48,870
40%	23,040	26,320	29,600	32,880	35,520	38,160	40,800	43,440
30%	17,280	19,740	22,200	24,660	26,640	28,620	30,600	32,580

SOURCE: CHFA 2022 Income Limits, Consultant Team

The income distribution of the City of Cortez households by AMI is shown below. It is the result of comparing the income limit figures above relative to what households in Montezuma County make. Because AMI represents the median family income of an area, it does not incorporate incomes from non-family single and roommate households that represent 38% of households in Cortez. Therefore, household incomes in Cortez are generally lower than the family income limits above (see detailed explanation in Appendix A), and as a result, the share of households with incomes less than 100% AMI is more than 50% of households.

A large percentage of households in Cortez are in the lower tiers of the income scale. This aligns with other indicators of income disparity in the City, such as the share of households in poverty or using other public assistance programs.

More than one in ten Cortez residents (16%) live in poverty, which is about four percentage points higher than that of Montezuma County (12%). In the City, 12% of children under 18 live in poverty.

About 18% of households in Cortez receive food assistance through Food Stamps/SNAP benefits.

The income disparity by tenure is highlighted in the figure below, which includes the income range of a 2-person household for reference. Over two-thirds (69%) of renter households and 42% of owner households have incomes of 80% AMI and under.

	Household Income Range (2-person HH)	Renter Household s	Owner Household s	Total Household s
< 30%	\$0 to \$19,740	26%	10%	16%
30.1-50%	\$19,741 to \$32,900	20%	9%	13%
50.1-80%	\$32,901 to \$52,640	23%	23%	23%
80.1-100%	\$52,641 to \$65,800	9%	13%	11%
100.1-120%	\$65,801 to \$78,960	5%	12%	9%
120.1-140%	\$78,961 to \$92,120	3%	9%	7%
140.1-200%	\$92,121 to \$131,600	8%	12%	11%
>200%	> \$131,600	7%	11%	9%
<b>Total (2022 est.)</b>		<b>1,535</b>	<b>2,295</b>	<b>3,830</b>

May not sum to 100% due to rounding.

SOURCE: CHFA INCOME LIMITS 2022 (MONTEZUMA COUNTY), RIBBON DEMOGRAPHICS, LLC, CONSULTANT TEAM



**CITY OF CORTEZ**  
**PLANNING & ZONING COMMISSION RESOLUTION NO. 13, SERIES 2023**

**A RESOLUTION RECOMMENDING APPROVAL OF THE HOUSING ACTION PLAN  
2023 FOR THE CITY OF CORTEZ**

**WHEREAS**, the City of Cortez, Colorado (the “City”) has the authority to plan for and regulate the use of land pursuant to the Local Government Land Use Control Enabling Act, C.R.S. § 29-20-101, *et seq.*, and to provide for the health, safety and welfare of the public pursuant to its general police powers set forth in C.R.S. § 31-15-401; and it has the authority to provide for the health, safety and welfare of the public pursuant to C.R.S. § 31-15-401, and its general police powers; and

**WHEREAS**, the City, in 2022 and 2023, commissioned a Housing Needs Assessment to provide data and inform solutions to the housing challenges that people in the community are facing; and

**WHEREAS**, the City in 2023 contracted with Western Spaces, LLC., Williford, LLC., and Logan Simpson, LLC., (the “Consultants”) to follow the Housing Action Plan with an action-oriented, results-based strategic planning document that is to be used as a decision-making guide for taking critical next steps towards addressing the resident housing needs in Cortez; and

**WHEREAS**, the Consultants reviewed available data and conducted numerous interviews with local citizens and employers; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CORTEZ PLANNING AND ZONING COMMISSION THAT:**

It is in the best interests of the City to memorialize its support of the Housing Action Plan in substantially the form attached hereto and to allow the City to move forward with future recommended zoning and related code adoptions, policies or affordable housing strategies; and

The 2023 Housing Action Plan is hereby recommended for acceptance by the City Council and established as policy and direction for future housing needs.

MOVED, SECONDED, AND ADOPTED THIS 18th DAY OF JULY, 2023.

PLANNING AND ZONING COMMISSION

\_\_\_\_\_  
Robert Rime, Chairman

ATTEST:

\_\_\_\_\_  
Cheryl Lindquist, Deputy City Clerk



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

July 18, 2023

Agenda Item: 4. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: Resolution No. 12, Series 2023

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#### BACKGROUND

Quick N Clean CO-03, LLC, (the "Applicant") is proposing a Conditional Use Permit to construct a new 5,380 sq. ft. express car wash with associated vacuum and pay station canopies to be located on what is currently platted as 28 separate lots separated by a city-owned alley. An alley vacation, lot consolidation and site plan have already been approved for the use. Once consolidated, the new lot will total 2.185 acres. The property is located 1511 E. Main (the "Property"). The Property is currently vacant. The Property is zoned commercial highway (C).

#### ISSUES

See Attached

#### RECOMMENDATION

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, the Commission can make the motion to recommend 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. 12, 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. The ROW vacation and plat amendment shall be approved and recorded prior to issuance of a building permit for the property.
5. The alley vacation and plat amendment shall be recorded prior to issuance of a building permit.

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#### Attachments

Staff Report

Application, documants

Ordinance No. 1319, Series 2023

CC Resolution No. 9, Series 2023

CC Resolution No. 13, Series 2023  
documents



*City of Cortez  
Community & Economic  
Development Dept.  
123 Roger Smith Avenue  
Cortez, CO 81321*

Meeting Date: July 18, 2023  
Project No. PL22-000023

## **MEMO**

**TO:** Members of the Cortez Planning and Zoning Commission

**FROM:** Nancy Dosdall, Contract City Planner

**SUBJECT:** Public Hearing on an Application for a Conditional Use Permit for a 5,380 sq. ft. car wash (Quick N Clean) with associated vacuum and pay station canopies to be located on property at 1511 E. Main St., Cortez, CO, zoned Commercial Highway (C).

**APPLICANT:** Michael Scarbrough, Quick N Clean CO-03 LLC

**OWNER:** Quick N Clean CO-03, LLC

**ATTACHMENTS:** P&Z Resolution No. 12, Series 2023  
Plan Set including: Civil Site Plans  
Landscape Plans  
Floor Plans  
Architectural Elevations

## **BACKGROUND**

Quick N Clean CO-03, LLC, (the “Applicant”) is proposing a Conditional Use Permit to construct a new 5,380 sq. ft. express car wash with associated vacuum and pay station canopies to be located on what is currently platted as 28 separate lots separated by a city-owned alley. An alley vacation, lot consolidation and site plan have already been approved for the use. Once consolidated, the new lot will total 2.185 acres. The property is located 1511 E. Main Street, Cortez, CO (the “Property”). The Property is currently vacant. The Property is zoned Commercial Highway (C).

The Property is bounded on the west by commercially zoned land that includes Papa Murphy’s, on the east and south by vacant parcels and on the north by East Main St and across East Main St is Safeway. All neighboring properties are zoned Commercial Highway (C.)

## DEVELOPMENT STANDARDS

Development Standard	C Zone Requirement	Proposed
Min. lot area (sq. ft.)	3,000	2.185 acres (after consolidation)
Min. front yard (ft.)	10'	100+' approx
Min. side yard (ft)	0'	20+' approx
Min. rear yard (ft)	7'	23' approx
Max. lot coverage	50%	n/a
Min. floor area	n/a	n/a
Max height (ft)	50'	28' 9"
Parking	18 spaces	45 spaces
Landscaping	10% or 9,518 sq. ft.	40,992 sq. ft. or 43%

## ISSUES

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. Section 6-14.12 (f) states:

The Planning Commission in its consideration shall use the standards set forth in Chapter 5 of this code and shall include paving and layout of streets, alleys and sidewalks, means of ingress and egress, provisions for drainage, parking spaces, areas designated for landscaping, and other aspects deemed by the planning commission necessary to consider in the interest of promoting the public health, safety, order, convenience, prosperity and general welfare.

A conditional use is a use that may be permitted subject to conditions imposed upon the approval of the use that are designed to reasonably mitigate any adverse impacts upon surrounding properties. Both the planning commission and the city council shall use the following criteria in reviewing conditional use permit requests. It is specifically understood that certain criteria listed below may not apply to a particular application. The applicant shall adequately demonstrate that the applicable criteria have been met:

- (1) The proposed conditional use is compatible with adjacent existing uses and other allowed uses in the zoning district. Such compatibility shall be expressed in terms of appearance, architectural scale and features, site design and scope, landscaping, as well as the control of adverse impacts including noise, vibration, smoke, fumes, gas dust, odor, lighting, glare, traffic circulation, parking, or other undesirable or hazardous conditions.
- (2) The proposed conditional use has incorporated design features sufficient to protect adjacent uses including but not limited to: service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, buffering, fencing and site building placement.
- (3) All proposed accessory uses must demonstrate that they are necessary and desirable. All proposed accessory uses shall comply with the requirements of subsections(f)(1) and (2) of this section. Undesirable impacts created by these uses shall be controlled or eliminated.
- (4) Adequate public services (such as: streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, police and fire protection) must be available without the reduction of services to other existing uses.
- (5) Provisions for proper maintenance of the building, parking and loading areas, drives, lighting, signs, landscaping, etc. shall be provided.
- (6) The proposed conditional use shall conform to adopted plans, hours of operation, policies

and requirements for parking and loading, signs, highway access, and all other applicable regulations of this code and other applicable regulations.

## **DISCUSSION**

The project as submitted appears to meet all development standards. Comments below and suggested conditions will ensure adequate access, drainage, and all other aspects to promote the public health, safety, order, convenience, prosperity and general welfare.

**AGENCY REVIEW (Note – two rounds of comments were collected after a revised submittal and most agencies combined their comments on the site plan and alley vacation plat)**

### **GIS Coordinator (Doug Roth)**

No issues with the configuration of this site plan or procedurally vacating the 16' Alley ROW in order to rededicate the same area as a non-exclusive utility easement.

### **Cortez City Engineer (Kevin Kissler)**

There is a sewer line that also runs on the south side of their property within their property boundaries, I'd like to see their site plan include at least a 10' utility easement on the south side of the lot as well as their proposed 40' easement on the west side of the lot. Also, I would like to see their grease trap configuration included in the plans so we can pass that along to the sanitation district for their review. They need to specify the sidewalk width as 5' and being composed of 4500 psi concrete

### **Cortez Sanitation District (Jim Webb)**

After a careful review of the final plat, I have noted they have identified all of the Sanitation District's Collection system assets and we have no issues with the proposed plat.

### **Atmos Energy (Gary Arnett)**

Thank you for the clarification.

The existing width is good but if we ever needed to repair or replace that line it would be nice to have some additional room to the N. of the existing easement +5'. The fiber optic line appears to be close.

## **ALTERNATIVES**

1. The Commission can recommend that the Council approve the Conditional Use Permit for the proposed car wash on property located at 1511 E. Main, in the C zone, as submitted by Quick N Clean CO-03 LLC; or
2. The Commission can recommend denial of the application for the Conditional Use Permit and state its reasons; or
3. The Commission can ask for more information and table the application or continue the application to a date certain; or
4. The Commission can recommend that Council approve the Conditional Use Permit, and state any conditions it feels would be necessary to ensure compliance with the Land Use Code.

## RECOMMENDATION

Staff recommends Alternative “4” above, approval of the Conditional Use Permit through P&Z Resolution No. 12, Series 2023, with 5 conditions.

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, the Commission can **make the motion to recommend 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. 12, 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. The ROW vacation and plat amendment shall be approved and recorded prior to issuance of a building permit for the property.
5. The alley vacation and plat amendment shall be recorded prior to issuance of a building permit.

## **CONDITIONAL USE PERMIT APPLICATION CHECKLIST**

**Pre-application Conference:** Prior to filing the application, the applicant will meet with the zoning administrator or his agent to become acquainted with the submittal requirements of the City. At such meeting, the application contents, referral agencies, review procedures, use and area standards, and general character of the development will be discussed. The applicant may be represented by a land planner, engineer or surveyor.

### **Submittal Requirements:**

- Letter of petition requesting the conditional use permit
- Title certificate from a licensed title company or attorney listing:
  - the name of the property owner(s);
  - all liens;
  - all easements and judgments of record affecting the subject property

### **The petition shall show or be accompanied by:**

- Street address and legal description of the property
- Any and all plans, information, operating data and expert evaluation necessary to clearly explain the location, function, and characteristics of any building or use proposed
- Filing fee (\$300) to cover the costs of review in accordance with the current adopted fee schedule list of names with addresses of property owners within 300 feet of the affected property

**Both** the Planning Commission and the City Council shall use the following criteria in reviewing conditional use permit requests. It is specifically understood that certain criteria listed below may not apply to a particular application. The applicant shall adequately demonstrate that the applicable criteria have been met:

1) The proposed conditional use is compatible with adjacent existing uses and other allowed uses in the zoning district. Such compatibility shall be expressed in terms of appearance, architectural scale and features, site design and scope, landscaping, as well as the control of adverse impacts including noise, vibration, smoke, fumes, gas dust, odor, lighting, glare, traffic circulation, parking, or other undesirable or hazardous conditions.

2) The proposed conditional use has incorporated design features sufficient to protect adjacent uses including but not limited to: service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, buffering, fencing and site building placement.

3) All proposed accessory uses must demonstrate that they are necessary and desirable. All proposed accessory uses shall comply with the requirements of 1) and 2) above. Undesirable impacts created by these uses shall be controlled or eliminated.

4) Adequate public services (such as: streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, police and fire protection) must be available without the reduction of services to other existing uses.

5) Provisions for proper maintenance of the building, parking and loading areas, drives, lighting, signs, landscaping, etc. shall be provided.

6) The proposed conditional use shall conform to adopted plans, hours of operation, policies and requirements for parking and loading, signs, highway access, and all other applicable regulations of this code and other applicable regulations.

**After** considering the public comment relating the criteria listed above in relation to the conditional use permit being requested, the Planning Commission and the City Council, respectively, shall adopt a resolution stating their findings of the applicant's demonstrated ability to meet the criteria for a conditional use permit. A determination that the applicant has not met one or more of the applicable criteria shall be sufficient to deny the request. The Planning Commission and the City Council, respectively, may establish additional conditions of operation, location, arrangement and construction in the issuance of a conditional use permit if deemed to be in the public interest or to assure compliance with other aspects of the Land Use Code.



## **Conditional Use Permit Application Checklist**

9/13/2022

Date

APPLICANT: Michael Scarbrough

ADDRESS: 11811 N. Tatum Blvd. Suite 1051 Phoenix, AZ 85028

PHONE/FAX: 602-684-5210

FOR: Quick N Clean -1511 E. Main Street Cortez, CO

### **Submittal Requirements:**

- \_\_\_\_\_ Letter of petition requesting conditional use permit
- \_\_\_\_\_ Title certificate from licensed title company or attorney listing:
  - The name of the property owner(s)
  - All liens
  - All easements and judgments of record affecting the subject property

### **The Petition Shall Show or be Accompanied By:**

- \_\_\_\_\_ Street address and legal description of the property
- \_\_\_\_\_ Any and all plans, information, operating data and expert evaluation necessary to clearly explain the location, function & characteristics of any building or proposed use. Such as floor plans, site plan, or operating information. Provide a detailed narrative addressing the applicable criteria for a CUP, LUC section 6.10(f).
- \_\_\_\_\_ Filing fee (\$300) to cover the costs of review in accordance with the current adopted fee schedule

### **Notification Requirements**

- \_\_\_\_\_ Public hearing notice to paper 15 days prior to **P&Z** Meeting (20 days for paper to print on the 15 day schedule)
- \_\_\_\_\_ Notice to landowners 15 days prior to P&Z meeting
- \_\_\_\_\_ Public Hearing notice to paper 15 days prior to **Council** Meeting (20 days for paper to print on the 15 day schedule)

**CITY OF CORTEZ**  
**ORDINANCE NO. 1319, SERIES 2023**

AN ORDINANCE APPROVING OF A RIGHT OF WAY VACATION PLAT FOR  
VACATION OF THE 16 FOOT WIDE ALLEY LOCATED ON BLOCK 2 OF THE VEACH  
SUBDIVISION, A PORTION OF THE SW ¼ OF SECTION 25, T36N, R16W, NMPM  
LOCATED IN THE COMMERCIAL HIGHWAY (C) ZONING DISTRICT

WHEREAS, the owner/applicant Quick N Clean CO-03 (the "Owner/applicant") has applied for review of a ROW vacation plat to vacate the 16' alley located in Block 2 of the Veach Subdivision located in the SW ¼ of Section 25, T36N R16W, N.M.P.M Colorado (the "Property"); and more particularly described as:

Block 2 of the Veach Subdivision located in the SW ¼ of Section 25, T36N R16W, N.M.P.M  
Colorado

WHEREAS, the Owner/applicant has applied to the City for review of a vacation plat on the Property; and

WHEREAS, the Owner/applicant presented a plat and other submittal items for review by the City Planning and Zoning Commission at a regular meeting held on May 2, 2023; and

WHEREAS, Land Use Code Section 6.25, Vacation of rights-of-way and easements, indicates that the owner or developer of a property may request a vacation pursuant to all code requirements; and

WHEREAS, the Planning and Zoning Commission reviewed the right-of-way vacation plat for the Property and is recommended approval of the plat, as evidenced by the adoption of P&Z Resolution No. 6, Series 2023; and

WHEREAS, based on the evidence and testimony presented at its May 2, 2023 meeting, the Planning and Zoning Commission recommends certain conditions of approval for the requested right of way vacation; and

WHEREAS, it appears that all requirements of Chapters 4.00 and 6.00 of the City's Land Use Code for subdivision of this site have been or can be met.

NOW, THEREFORE, THE CORTEZ CITY COUNCIL DOES HEREBY DECLARE:

THAT, the plat and full application for the Property are hereby approved, subject to the following conditions to ensure compliance with the standards in the Land Use Code for a preliminary plat:

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 the north to total 19' in width

AND THAT, the Owner/applicant shall coordinate with City staff to ensure that these conditions are fully met.


**PUBLIC HEARING.** This ordinance shall be considered for second and final reading on the May 23, 2023, at the hour of 7:30 p.m., in City Council Chambers in City Hall, 123 Roger Smith Avenue, Cortez, Colorado, at which time and place all persons interested may appear and be heard concerning the same.

MOVED AND APPROVED ON FIRST READING THIS MAY 9, 2023



Rachel B. Medina, Mayor

ATTEST:


  
Linda L. Smith, City Clerk

MOVED, SECONDED, AND ADOPTED ON FINAL READING THIS 23rd DAY OF MAY, 2023



Rachel B. Medina, Mayor

ATTEST:

  
Linda L. Smith, City Clerk

APPROVED AS TO FORM:

  
J. Patrick Coleman, City Attorney

**CITY OF CORTEZ  
RESOLUTION NO. 9, SERIES 2023**

**A RESOLUTION APPROVING A SITE DEVELOPMENT PLAN FOR THE  
CONSTRUCTION OF A CAR WASH AT 1511 E. MAIN ST., CORTEZ, COLORADO,  
LOCATED IN THE COMMERCIAL HIGHWAY (C) ZONING DISTRICT**

WHEREAS, owner/applicant Quick N Clean CO-03 LLC (the “Owner/applicant”) has applied for review of a site development plan for establishment of a new car wash to be located on property at 1511 E. Main St., Cortez, Colorado (the “Property”) and more particularly described as:

Lots 1 through 28 inclusive, Block 2, Veach Subdivision, the plat of which is recorded in Book 8 at Page 6

WHEREAS, the Owner/applicant has applied to the City for review of a site development plan for a car wash on the Property; and

WHEREAS, the Owner/applicant presented a site plan and necessary submittal items for review by the City Planning and Zoning Commission at a regular meeting held on May 2, 2023; and

WHEREAS, Land Use Code Section 6.14, Site Plans, indicates that the owner or developer of a property may request an application of these site plan requirements for development on property located in the Commercial (C) Zoning District; and

WHEREAS, the Planning and Zoning Commission reviewed the site plan for a car wash for the Property and is recommending approval of the site plan, as evidenced in the adoption of P&Z Resolution No. 5, Series 2023; and

WHEREAS, based on the evidence and testimony presented at its May 2, 2023 meeting, the Planning and Zoning Commission is recommending conditions of approval for the site plan; and

WHEREAS, it appears that all requirements of Chapters 5.00 and 6.00 of the City’s Land Use Code for development of this site have been or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE CORTEZ CITY COUNCIL:

THAT, this Resolution No.9, Series 2023, contains recommended conditions of approval for the site plan on the Property; and

THAT, the site plan and full application for the Property are hereby recommended to Council for approval, subject to the following conditions to ensure compliance with the standards in the land use code for a site development plan:

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. The ROW vacation and plat amendment shall be approved and recorded prior to issuance of a building permit for the Property.

AND THAT, the Owner/applicant is to coordinate with City staff to ensure that these conditions are fully met.

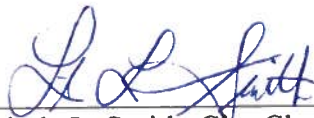
MOVED, SECONDED, AND ADOPTED THIS 23rd DAY OF MAY, 2023

CORTEZ CITY COUNCIL



Rachel B Medina, Mayor

ATTEST:



Linda L. Smith, City Clerk

**CITY OF CORTEZ  
RESOLUTION NO. 13, SERIES 2023**

**A RESOLUTION APPROVING A MINOR SUBDIVISION PLAT FOR LBC  
INVESTMENTS, LLC SUBDIVISION, A TWO-LOT SUBDIVISION LOCATED IN THE  
SOUTHEAST ¼ OF THE NORTHEAST ¼ OF SECTION 26, TOWNSHIP 36 NORTH,  
RANGE 16 WEST, N.M.P.M., LOCATED IN THE COMMERCIAL HIGHWAY (C)  
ZONING DISTRICT IN CORTEZ, COLORADO**

WHEREAS, the owner, Cortez Main LLC (the "Owner/applicant") has applied for review of a minor subdivision plat to divide a 1.6 acre tract into 2 lots located in the southeast ¼ of the Northeast ¼, Section 26, Township 36 North, Range 16 West, N.M.P.M, located in the Commercial Highway (C) zone district in Cortez, Colorado (the "Property"); and

WHEREAS, Land Use Code Section 6.11, Minor Subdivision Plats, indicates that the owner or developer of a property may request a subdivision pursuant to all code requirements; and

WHEREAS, the City Council reviewed the preliminary plat for a two-lot subdivision for the Property; and

WHEREAS, based on the evidence and testimony presented at the City Council May 23, 2023 meeting, staff recommended certain conditions of approval to be considered by the City Council; and

WHEREAS, it appears that all applicable requirements of the City of Cortez Land Use Code for subdivision of the Property have been or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CORTEZ CITY COUNCIL:

THAT, Resolution No. 13, Series 2023, contains the conditions of approval for the subdivision of the Property; and

THAT, the preliminary plat and full application for the Property are hereby approved, subject to the following condition to ensure compliance with the standards in the City of Cortez Land Use Code for a preliminary plat:

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. Prior to recordation, the plat shall be revised to dedicate the parking to specific users and include additional access easements to ensure adequate access to the structure located at 610 E. Main and also to allow for adequate cross access from east and west.

AND THAT, the Owner/applicant shall coordinate with City staff to ensure that this condition is fully met.

MOVED, SECONDED, AND ADOPTED THIS 23rd DAY OF MAY, 2023

CORTEZ CITY COUNCIL

A handwritten signature in black ink, appearing to read "Rachael Medina", written over a horizontal line.

Rachael B. Medina, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Linda Smith", written over a horizontal line.

Linda Smith, City Clerk



**WHEN RECORDED RETURN TO:**

Quick N Clean CO-03, LLC,  
a Colorado limited liability company  
7291 East Adobe Drive,  
Suite 115  
Scottsdale, Arizona 85255

**SPECIAL WARRANTY DEED**

For valuable consideration, the receipt and sufficiency of which are acknowledged, Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust ("**Grantor**"), conveys to Quick N Clean CO-03, LLC, a Colorado limited liability company ("**Grantee**"), the following real property situated in Mesa County, Colorado, together with all appurtenant interests, benefits, rights, and privileges (collectively, the "**Property**");

SEE **Exhibit "A"** ATTACHED HERETO  
AND BY THIS REFERENCE MADE A PART HEREOF

This conveyance is made by Grantor and accepted by Grantee subject to the terms, conditions and provisions hereof and further subject to all applicable easements, conditions, restrictions, covenants, minerals or royalty interests, mineral reservations, surface waivers, liens, encumbrances, regulations or orders of municipal and/or other governmental authorities, if any, or other matters of record, to the extent, but only to the extent, they are validly existing and affect the Property as of the date hereof.

To have and hold the Property, together with all rights and appurtenances thereto and in anyway belonging thereto, unto the Grantee, its successors and assigns forever, and Grantor does hereby bind itself, its successors and assigns, to warrant and forever defend the Property unto the Grantee, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, by, through, or under the Grantor, but not otherwise.

DATED as of July 5, 2022.

**"GRANTOR"**

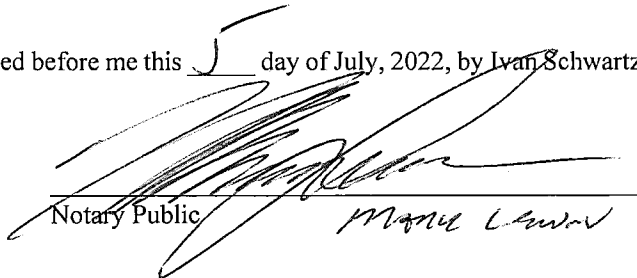
The Gilbert B. Schwartz Trust

By: 

Ivan Schwartz,  
Trustee

STATE OF FL )  
 ) ss.  
COUNTY OF BREVARD )

The foregoing instrument was acknowledged before me this 5 day of July, 2022, by Ivan Schwartz,  
Trustee of the Gilbert B. Schwartz Trust.

  
\_\_\_\_\_  
Notary Public *Mark Lewin*

My Commission expires:

12-16-25



MARK LEWIN  
Commission # HH 200816  
Expires December 16, 2025

**EXHIBIT "A"**  
**TO**  
**SPECIAL WARRANTY DEED**

[Legal Description]

Lots 1 through 28, inclusive, Block 2, Veach Subdivision, the plat of which is recorded in Book 8 at Page 6, excepting that portion of said Block 2 to the State Department of Highways, Division of Highways, State of Colorado described in Book 576, Page 471, County of Montezuma, State of Colorado.

**TD-1000**  
**Confidential Document**

This form provides essential market information to the county assessor to ensure accurate, fair and uniform assessments for all property. **This document is not recorded, is kept confidential, and is not available for public inspection.**

**This declaration must be completed and signed by either the grantor (seller) or grantee (buyer).** Questions 1, 2, 3, and 4 may be completed (prefilled) by a third party, such as a title company or closing agent, familiar with details of the transaction. The signatory should confirm accuracy before signing.

This form is required when conveyance documents are presented for recording. If this form is not completed and submitted, the county assessor may send notice. If the completed and signed form is not returned to the assessor within 30 days of notice, the assessor may impose a penalty of \$25.00 or 0.025% (0.00025) of the sale price, whichever is greater.

Additional information as to the purpose, requirements, and level of confidentiality regarding this form are outlined in Colorado Revised Statutes, sections 39-14-102, 39-5-121.5, and 39-13-102.

1. Physical Address and/or legal description of the real property sold: Please do not use P.O. Box numbers.  
1511 East Main Street, Cortez, CO 81321

2. Type of property purchased: ☐ Single Family Residential ☐ Townhome ☐ Condominium ☐ Multi-Unit Residential  
☐ Commercial ☐ Industrial ☐ Agricultural ☐ Mixed Use ☒ Vacant Land ☐ Other: \_\_\_\_\_

3. 07/06/2022 09/17/2021  
Date of closing: mm/dd/yyyy Date of contract: mm/dd/yyyy

4. \$450,000.00 \$  
Total Sale Price: include all real and personal property Contracted price (if different from final sale price)

5. List any personal property included in the transaction that materially impacts the total sale price. Personal property may include, but is not limited to: machinery or equipment, vehicles, exceptional appliances, electronic devices, furniture, or anything that would not typically transfer with the real property (attach additional pages if necessary).

<u>Description</u>	<u>Approximate Value</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
Personal Property Total: \$ _____	

If no personal property is listed, the entire purchase price will be assumed to be for the real property.

6. Did the total sale price include a trade or exchange of additional real or personal property? ☒ No ☐ Yes  
If Yes, approximate value of the goods or services as of the date of closing: \$ \_\_\_\_\_  
If Yes, does this transaction involve a trade under IRS Code Section 1031? ☐ No ☐ Yes

7. Was 100% interest in the real property purchased? ☐ No ☒ Yes  
Mark "No" if only a partial interest is being purchased. If No, interest purchased \_\_\_\_\_%

8. Is this a transaction between related parties or acquaintances? This includes persons connected by blood or marriage, or business affiliates, or those acquainted prior to the transaction. ☒ No ☐ Yes

9. Please mark type of sale: ☐ Builder (new construction) ☒ Public (MLS or Broker Representation)  
☐ Private (For Sale By Owner) ☐ Other (describe) \_\_\_\_\_

10. Mark any of the following that apply to the condition of the improvements at the time of purchase.

☐ New ☐ Excellent ☒ Good ☐ Average ☐ Fair ☐ Poor ☐ Salvage

11. Type of financing: (mark all that apply)

☒ None (all cash or cash equivalent)

☐ New/Mortgage Lender (government-backed or conventional bank loan)

☐ New/Private Third Party (nonconventional lender, e.g. relative, friend, or acquaintance)

☐ Seller (buyer obtained a mortgage directly from the seller)

☐ Assumed (buyer assumed an existing mortgage)

☐ Combination or Other: Please explain: \_\_\_\_\_

12. Total amount financed: \$ \_\_\_\_\_

13. Terms:

☐ Variable; Starting interest rate: \_\_\_\_\_ % ☐ Fixed; Interest rate: \_\_\_\_\_

Length of time: \_\_\_\_\_ years

Balloon payment? ☐ No ☐ Yes If yes, amount \$ \_\_\_\_\_ Due Date: \_\_\_\_\_

14. Mark any that apply: ☐ Seller assisted down payments ☐ Seller concessions ☐ Special terms or financing

If marked, please specify terms: \_\_\_\_\_

15. Was an independent appraisal obtained in conjunction with this transaction? ☒ No ☐ Yes

**For properties OTHER THAN Residential** (Residential is defined as: single family detached, townhomes, apartments and condominiums), please complete questions 16-18, if applicable.

16. Did the purchase price include a franchise or license fee? ☒ No ☐ Yes

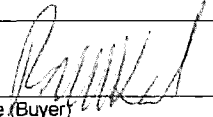
If yes, franchise or license fee value \$ \_\_\_\_\_

17. Did the purchase price involve an installment land contract? ☒ No ☐ Yes

If yes, date of contract: \_\_\_\_\_

18. If this is vacant land, was an on-site inspection conducted by the buyer prior to the closing? ☐ No ☒ Yes

Please include any additional information concerning the transaction and price paid that you feel is important:

\_\_\_\_\_  
x  7-5-2022 Quick N Clean CO-03, LLC  
Signature of Grantee (Buyer) Date: mm/dd/yyyy Printed name of Grantee  
Richard Karle, Manager

Signed in counterpart  
\_\_\_\_\_  
Signature of Grantor (Seller) Date: mm/dd/yyyy Printed name of Grantor  
Ivan Schwartz

9. Please mark type of sale: ☐ Builder (new construction) ☒ Public (MLS or Broker Representation)  
☐ Private (For Sale By Owner) ☐ Other (describe) \_\_\_\_\_

10. Mark any of the following that apply to the condition of the improvements at the time of purchase.

☐ New ☐ Excellent ☒ Good ☐ Average ☐ Fair ☐ Poor ☐ Salvage

11. Type of financing: (mark all that apply)

- ☐ None (all cash or cash equivalent)  
☐ New/Mortgage Lender (government-backed or conventional bank loan)  
☐ New/Private Third Party (nonconventional lender, e.g. relative, friend, or acquaintance)  
☐ Seller (buyer obtained a mortgage directly from the seller)  
☐ Assumed (buyer assumed an existing mortgage)  
☐ Combination or Other: Please explain: \_\_\_\_\_

12. Total amount financed: \$ \_\_\_\_\_

13. Terms:

☐ Variable; Starting interest rate: \_\_\_\_\_ % ☐ Fixed; Interest rate: \_\_\_\_\_

Length of time: \_\_\_\_\_ years

Balloon payment? ☐ No ☐ Yes If yes, amount \$ \_\_\_\_\_ Due Date: \_\_\_\_\_

14. Mark any that apply: ☐ Seller assisted down payments ☐ Seller concessions ☐ Special terms or financing

If marked, please specify terms: \_\_\_\_\_

15. Was an independent appraisal obtained in conjunction with this transaction? ☒ No ☐ Yes

**For properties OTHER THAN Residential** (Residential is defined as: single family detached, townhomes, apartments and condominiums), please complete questions 16-18, if applicable.

16. Did the purchase price include a franchise or license fee? ☒ No ☐ Yes

If yes, franchise or license fee value \$ \_\_\_\_\_

17. Did the purchase price involve an installment land contract? ☒ No ☐ Yes

If yes, date of contract: \_\_\_\_\_

18. If this is vacant land, was an on-site inspection conducted by the buyer prior to the closing? ☐ No ☒ Yes

Please include any additional information concerning the transaction and price paid that you feel is important:

\_\_\_\_\_  
\_\_\_\_\_

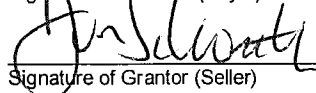
Signed in counterpart

Signature of Grantee (Buyer)

Date: mm/dd/yyyy

Richard Karle

Printed name of Grantee



7/5/22

Ivan Schwartz

Printed name of Grantor

Signature of Grantor (Seller)

Date: mm/dd/yyyy

07/07/2022 10:47:20 AM

Buyer Mailing Address: Future correspondence (tax bills, property valuations, etc.) regarding this property should be mailed to:

7291 East Adobe Drive, Ste 115	Scottsdale	Arizona	85255
Address (mailing)	City	State	Zip Code
(480)444-8060	richard@upperimage.net		
Daytime Phone	Email Address		

Contact information is kept confidential, for County Assessor and Treasurer use only, to contact buyer with questions regarding this form, property valuation, or property tax information.





## **Region 5 Levels of Traffic Assessments**

Section 2.3(5) of The State Highway Access Code (SHAC) specifies the thresholds and general requirements of a traffic impact study (TIS). A TIS is required when the proposed land use will generate a Design Hour Volume (DHV) of 100 vehicles or more, or when considered necessary or desirable by CDOT. However, the SHAC provides little detail about traffic assessment requirements for projects generating less than 100 vehicles per hour. This document describes the three levels of traffic assessments required for access permitting in CDOT Region 5. The permit applicant should contact CDOT R5 access permitting (970-385-3626) to determine the appropriate level of traffic evaluation and the specific requirements for each individual application.

### **Level One – Trip Generation Assessment**

The purpose of a Level One Assessment is to document the project trip generation and to confirm that auxiliary turn lanes are not required at the proposed access point.

A Level One Assessment is required for all projects that generate less than ten trips in the peak hour. A single-family home usually generates one trip in the peak hour so a project with nine or fewer homes would fit in this category. It is unlikely that any commercial or industrial development would fit in this category.

The Level One Assessment shall include the following:

- Description of project size and location
- Trip Generation Calculations per the Institute of Transportation Engineers Trip Generation document (latest version)
- A Professional Engineers seal on the calculation is preferred, but not required.

### **Level Two Auxiliary Turn Lane Assessment**

The purpose of a Level Two Assessment is to document the project trip generation and to determine auxiliary turn lane requirements at the proposed access points. The results of this assessment may reveal that no turn lanes are needed. The assessment may also reveal that a Traffic Impact Study is necessary (see Level Three), as determined by CDOT. It is strongly recommended that all assumptions be confirmed with the CDOT traffic engineer prior to completing the assessment.

A Level Two Assessment shall be required for all projects that generate between 10 and 99 trips in the peak hour. It shall include the following:

- Description of project size and location, include site & location maps
- Trip Generation Calculations per the ITE Trip Generation document (latest version)
- Diagram or table showing existing driveways and side roads within 1000 feet from the access
- A detailed statement of directional distribution assumptions for project traffic, include all correspondence; phone, emails etc., with local authorities concerning directional distribution.
- A detailed statement of the 20-year background traffic growth calculation (source of existing data, growth rate, factors, etc)
- Diagram or table showing am & pm peak-hour traffic volumes for:



Short Term Traffic – existing, site generated, & total

Long Term Traffic (20 Year) – background, site generated, & total

- Recommendations for auxiliary turn lanes per the SHAC
- Entering site distance at proposed access, include relative photos
- A Professional Engineer's seal and signature is required

### **Level Three Traffic Impact Study**

The purpose of a TIS is to understand the full traffic impact of the proposed development, and to identify traffic mitigation measures. A TIS is required when the proposed land use will generate a DHV of 100 vehicles or more, or when considered necessary or desirable by CDOT. Section 2.3(5) of the SHAC specifies the thresholds and general requirements of a TIS. A Professional Engineers seal is required. It is strongly recommended that all assumptions be confirmed with the CDOT traffic engineer prior to completing the study.

---

**Project Narrative**  
Quick N Clean  
1511 Main Street  
Cortez, CO

**Summary**

This project involves the development of an express car wash with associated vacuum and pay station canopies located at 1511 Main Street Cortez, CO. The property is currently zoned C.



**Description of Property – Current Conditions**

The property is currently vacant with an internal access drive on the eastern edge of the site with an access driveway onto Main Street.



## **Proposed Improvements**

Quick N Clean Car Wash (QNC) proposes to develop the existing, vacant parcel, into an express car wash with associated vacuums and pay station canopies. The tunnel will be fully enclosed with roll up doors being installed on both ends of the tunnel.

In addition, vacuum canopies, security lighting, and landscaping will be installed to City standards. A well-defined entrance to the tunnel will included 3 ATM style payment stations that will help direct customers to the beginning of the tunnel. Once the customer exits the tunnel, they will have the opportunity to vacuum their vehicle or leave the site. The proposed QNC will operate from 7 am –7p.m seven days a week.

## **Relationship to Surrounding Properties**

The property to the East and South is currently vacant. The property to west is an existing four tenant strip mall. The property to the North is a State Farm Insurance business as well as Safeway.

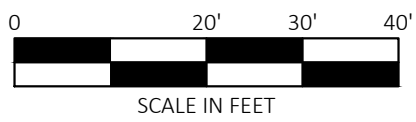
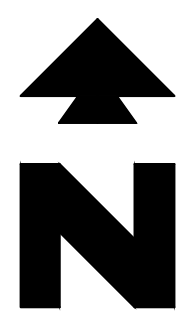
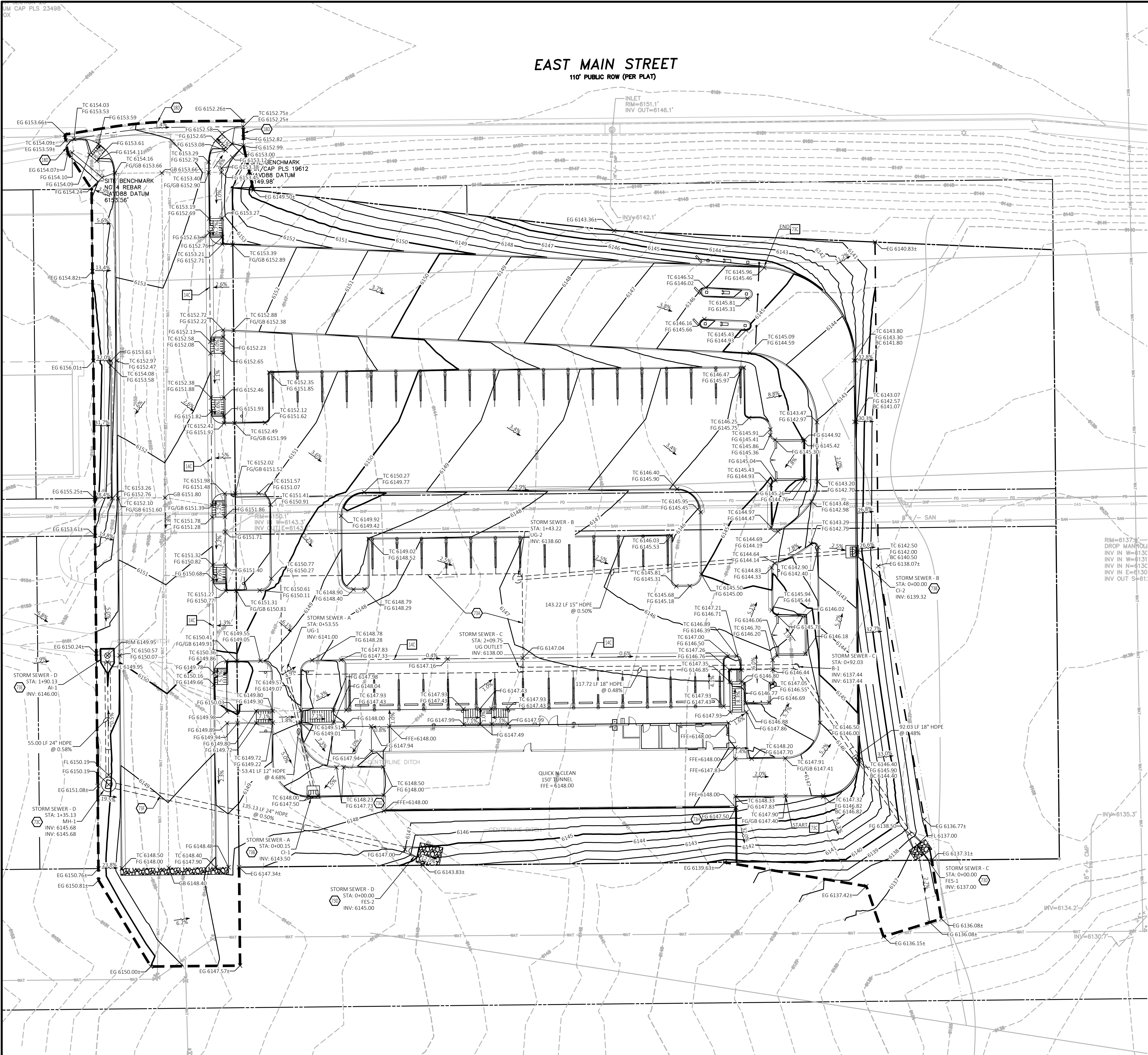


## **Property Contacts**

Richard Karle 480-444-8060 [Richard@upperimage.net](mailto:Richard@upperimage.net) 7291 East Adobe Drive Suite 115 Scottsdale, AZ 85255

Michael Scarbrough 602-684-5210 [Mike@3K1.us](mailto:Mike@3K1.us) 11811 North Tatum Boulevard Suite 1051 Phoenix, AZ 85028





EXISTING LEGEND

LEGEND

- LIGHT POLE
- FIRE HYDRANT
- UTILITY POLE
- SANITARY SEWER MAHOLE
- STORM SEWER MANHOLE
- WATER VALVE
- GAS VALVE
- WATER METER
- OVERHEAD UTILITY LINES
- GAS - UNDERGROUND GAS LINES
- SAN - UNDERGROUND SANITARY SEWER LINES
- STW - UNDERGROUND STORM SEWER LINES
- FO - UNDERGROUND FIBER OPTIC LINE
- WAT - UNDERGROUND WATER LINES
- FND PIN/CAP PLS 19612
- FND PIN/CAP PLS ILLEGIBLE
- FND NO 4 REBAR
- SET PIN/CAP PLS 14142

- ZONE AE LIMITS BY ELEVATIONS
- ZONE AE LIMITS BY SCALING GRAPHIC

PROPOSED LEGEND

- XXX - PROPERTY LINE/RIGHT OF WAY LINE
- - CONTOUR ELEVATIONS
- - - - - GRADE BREAK
- - FLOWLINE
- - - - - STORM DRAIN
- - - - - LIMITS OF OFF-SITE GRADING
- - - - - LIMITS OF ON-SITE GRADING
- XX.XX - SPOT ELEVATIONS: BC = BOTTOM OF CURB EG = EXISTING GRADE FG = FINISHED GRADE FL = FLOW LINE GB = GRADE BREAK TC = TOP OF CURB

GENERAL GRADING NOTES

- PRIOR TO INSTALLATION OF STORM OR SANITARY SEWER, THE CONTRACTOR SHALL EXCAVATE, VERIFY, AND CALCULATE ALL CROSSINGS AND INFORM THE OWNER AND THE ENGINEER OF ANY CONFLICTS PRIOR TO CONSTRUCTION. THE ENGINEER WILL BE HELD HARMLESS IN THE EVENT THE ENGINEER IS NOT NOTIFIED OF DESIGN CONFLICTS.
- CONTRACTOR HAS THE OPTION TO BID THE FOLLOWING MATERIAL FOR THE STORM SEWER SYSTEM EXCEPT WHERE OTHERWISE NOTED: RCP, OR HDPE AS INDICATED ON THIS PLAN WHERE THE WORD PIPE IS USED. ALL PIPES SHALL HAVE A MAXIMUM ROUGHNESS COEFFICIENT ("N") OF 0.013 AND SHALL MEET OR EXCEED THE PIPE MANUFACTURERS REQUIREMENTS FOR MINIMUM AND MAXIMUM COVER. CONTRACTOR SHALL REFER TO THE PROJECT CONTRACT REQUIREMENTS FOR STORM SEWER SYSTEMS FOR ACCEPTABLE TYPE AND MATERIAL.
- ALL SLOPES AND AREAS DISTURBED BY CONSTRUCTION SHALL BE GRADED SMOOTH AND 4" OF TOPSOIL APPLIED. IF ADEQUATE TOPSOIL IS NOT AVAILABLE ON SITE, THE CONTRACTOR SHALL PROVIDE TOPSOIL, APPROVED BY THE OWNER, AS NEEDED. THE AREA SHALL THEN BE SEED, FERTILIZED, MULCHED, WATERED AND MAINTAINED UNTIL HARDY GRASS GROWTH IS ESTABLISHED IN ALL AREAS (SEE LANDSCAPE PLAN FOR SEED MIX AND PROPER APPLICATION RATE). ANY AREAS DISTURBED FOR ANY REASON PRIOR TO FINAL ACCEPTANCE OF THE PROJECT SHALL BE CORRECTED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES, AND WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AT LEAST 48 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATION OF UTILITIES.
- UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN THE SPECIFICATIONS OF THE LOCAL AUTHORITIES:
  - ALL STORM DRAIN PIPE BEDDING SHALL BE INSTALLED PER DETAIL 28A (REF. C9.1 - DETAIL SHEET).
  - ALL STORM DRAIN PIPES ARE MEASURED FROM CENTER OF STRUCTURES AND ENDS OF FLARED END SECTIONS.

GRADING NOTES

- 18D MATCH EXISTING PAVEMENT ELEVATIONS
- 73A UNDERGROUND DETENTION SYSTEM: ADS SC-310 STORMTECH SYSTEM WITH MIN. INSTALLED VOLUME OF 5000 CF
- 73B 4" COMBINATION INLET
- 73C 4" STORM MANHOLE
- 73D FLARED END SECTION WITH RIP RAP
- 73E AREA INLET
- 73F CONTRACTOR TO VERIFY CROSSING BETWEEN STORM AND WATER MAIN
- 73G 3' CURB CUT FOR LANDSCAPE DRAINAGE RELIEF
- 73H 6" SLAB REVEAL

GRADING DETAILS (REF: DETAIL SHEETS)

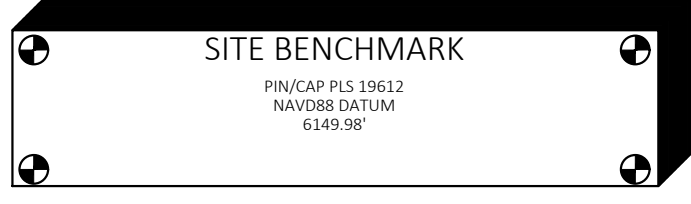
- 14C CONCRETE SWALE IN PAVED AREA (REF: SHEET C9 - DETAIL SHEET)
- 73C REINFORCED REVERSED CURB (REF: SHEET C9.1 - DETAIL SHEET)

FLOOD ZONE INFORMATION

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 08083C0802C, DATED 09/26/2008, THIS PROPERTY IS IN FLOOD ZONE AE. THE 1% ANNUAL CHANCE FLOOD (100-YEAR FLOOD), ALSO KNOWN AS THE BASE FLOOD, IS THE FLOOD THAT HAS A 1% CHANCE OF BEING EQUALLED OR EXCEEDED IN ANY GIVEN YEAR. THE SPECIAL FLOOD HAZARD AREA IS THE AREA SUBJECT TO FLOODING BY THE 1% ANNUAL CHANCE FLOOD. THE BASE FLOOD ELEVATION IS THE WATER-SURFACE ELEVATION OF THE 1% ANNUAL CHANCE FLOOD.

Cut/Fill Summary

Name	Cut	Fill	Station	Volume	Remarks
123123	1.123	1.123	10000.00	1.123	1.123
TOTAL	1.123	1.123	10000.00	1.123	1.123



CEI ENGINEERING ASSOCIATES, INC.  
710 W Pinedale AVE  
FRESNO, CA 93711  
PHONE: (559) 447-3119  
FAX: (559) 447-3129



CLIENT  
3K1 CONSULTING SERVICES, LLC.  
11811 N. TATUM BOULEVARD,  
PHOENIX, ARIZONA 85028  
PHONE: (602) 850-8100



PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

REVISION

NO.	DESCRIPTION	DATE

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, COLORADO, 81321

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION

PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	4/13/2023
REVISION	REV-2

GRADING PLAN

SHEET TITLE  
SHEET NUMBER

C5

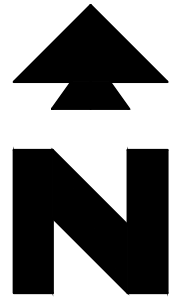


EAST MAIN STREET  
110' PUBLIC ROW (PER PLAT)

NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF PORCHES, RAMPS, VESTIBULE, SLOPED PAVING, TRUCK DOCKS, BUILDING UTILITY ENTRANCE LOCATIONS AND PRECISE BUILDING DIMENSIONS.

SITE BENCHMARK

PIN/CAP PLS 19612  
NAVD88 DATUM  
6149.98'



Know what's below.  
Call before you dig.

EXISTING LEGEND

- LIGHT POLE
- FIRE HYDRANT
- UTILITY POLE
- SANITARY SEWER MAHOLE
- STORM SEWER MAHOLE
- WATER VALVE
- GAS VALVE
- WATER METER
- OVERHEAD UTILITY LINES
- UNDERGROUND GAS LINES
- UNDERGROUND SANITARY SEWER LINES
- UNDERGROUND STORM SEWER LINES
- UNDERGROUND FIBER OPTIC LINE
- UNDERGROUND WATER LINES
- FND PIN/CAP PLS 19612
- FND NO 4 REBAR
- FND PIN/CAP PLS 14142

- ZONE AE LIMITS BY ELEVATIONS
- ZONE AE LIMITS BY SCALING GRAPHIC

PROPOSED LEGEND

- PROPERTY LINE/RIGHT OF WAY LINE
- STORM DRAIN
- GAS SERVICE
- UGE
- UGT
- X"SS
- X"W

GENERAL UTILITY NOTES

- ALL WATER LINES 2" AND SMALLER SHALL BE TYPE K-COPPER, ALL WATER LINES 4" AND LARGER SHALL BE PVC, AWWA C900 (DR14, RATED AT 200 PSI) OR APPROVE EQUAL. ALL WATER LINES SHALL HAVE 4'-0" MIN. COVER.
- ALL SANITARY SEWER LINES 6" AND SMALLER SHALL BE PVC (SDR35) WITH 12" MIN. COVER.
- CONTRACTOR SHALL COORDINATE ANY DISRUPTIONS TO EXISTING UTILITY SERVICES WITH ADJACENT PROPERTY OWNERS.
- ALL ELECTRIC, TELEPHONE AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE DESIGNATED UTILITY COMPANIES.
- CONSTRUCTION SHALL NOT START ON ANY PUBLIC UTILITY SYSTEM UNTIL WRITTEN APPROVAL HAS BEEN RECEIVED BY THE ENGINEER FROM THE APPROPRIATE GOVERNING AUTHORITY AND CONTRACTOR HAS BEEN NOTIFIED BY THE ENGINEER.
- PRIOR TO THE CONSTRUCTION OF OR CONNECTION TO ANY STORM DRAIN, SANITARY SEWER, WATER MAIN OR ANY OF THE DRY UTILITIES, THE CONTRACTOR SHALL EXCAVATE, VERIFY AND CALCULATE ALL POINTS OF CONNECTION AND ALL UTILITY CROSSINGS AND INFORM CEI ENGINEERING AND THE OWNER/DEVELOPER OF ANY CONFLICT OR REQUIRED DEVIATIONS FROM THE PLAN. NOTIFICATION SHALL BE MADE A MINIMUM OF 48 HOURS PRIOR TO CONSTRUCTION. CEI ENGINEERING AND ITS CLIENTS SHALL BE HELD HARMLESS IN THE EVENT THAT THE CONTRACTOR FAILS TO MAKE SUCH NOTIFICATION.
- UNLESS OTHERWISE SHOWN, CALLED OUT OR SPECIFIED HEREON OR WITHIN SPECIFICATIONS: ALL WATER LINE FITTINGS SHALL BE INSTALLED WITH THROUST BLOCKING PER DETAIL 31C. ALL WATER LINE PIPE BEDDING SHALL BE INSTALLED PER DETAIL 42A. ALL SANITARY SEWER PIPE BEDDING SHALL BE INSTALLED PER DETAIL 42B.

UTILITY NOTES

- POINT OF CONNECTION - WATER SERVICE (PER LOCAL CODES).
- METERED DOMESTIC WATER SERVICE ENTRY (PER ARCH. PLANS, SEE SIZE THIS SHEET).
- POINT OF CONNECTION - SANITARY SEWER SERVICE (PER LOCAL CODES).
- BUILDING SANITARY SEWER SERVICE CLEAN-OUT.
- SANITARY SEWER SERVICE ENTRY (PER ARCH. PLANS).
- SANITARY SEWER SERVICE ENTRY (PER ARCH. PLANS).
- SANITARY SEWER SERVICE ENTRY (PER ARCH. PLANS).
- POINT OF CONNECTION FOR ELECTRICAL SERVICE (CONTRACTOR TO COORDINATE WITH ELECTRIC PROVIDER)
- PROPOSED ELECTRIC TRANSFORMER.
- PROPOSED POINT OF CONNECTION FOR GAS SERVICE (CONTRACTOR TO COORDINATE WITH GAS PROVIDER)
- PROPOSED GAS METER.
- MAINTAIN MIN. 18" VERTICAL SEPARATION
- LOCATION FOR THIS UTILITY AS SHOWN IS FOR DRAWING PURPOSES ONLY. CONTRACTOR SHALL VERIFY THE EXACT LOCATION IN FIELD PRIOR TO THE CONSTRUCTION OF THE PROPOSED UTILITY LINE TO BE CONNECTED. CONTRACTOR SHALL NOTIFY CEI ENGINEERING ASSOCIATES, INC. IF THE DESIGN AS SHOWN IS NOT ACHIEVABLE.
- SAND OIL SEPARATOR (REF. PLUMBING PLANS)
- REF. PLUMBING PLANS FOR CONTINUATION
- SAMPLE PORT (REF. ARCH. PLANS)
- RECLAIMED SYSTEM (REF. PLUMBING PLANS)
- UNDERGROUND ELECTRICAL SERVICE ENTRY (PER ARCH. PLANS) (REF. ELECTRICAL SCHEMATIC PLANS FOR ELECTRIC SERVICE CONSTRUCTION INFORMATION.)
- UNDERGROUND TELEPHONE SERVICE ENTRY (PER ARCH. PLANS) (REF. TELEPHONE SCHEMATIC PLANS FOR TELEPHONE SERVICE CONSTRUCTION INFORMATION.)
- POINT OF CONNECTION TO BE VERIFIED BETWEEN CIVIL AND ARCHITECTURAL PLANS PRIOR TO CONSTRUCTION OF SANITARY SEWER SYSTEM.
- UNDERGROUND GAS SERVICE ENTRY (PER ARCH. PLANS) (REF. SCHEMATIC PLANS FOR GAS SERVICE CONSTRUCTION INFORMATION.)
- CITY OF CORTEZ APPROVED BACKFLOW PREVENTER

UTILITY DETAILS (REF. DETAIL SHEETS)

- SANITARY SEWER CLEAN-OUT (REF. SHEET C9.1, CONSTRUCTION DETAILS).
- WATER METER AND PIT PER MONTEZUMA WATER COMPANY DETAIL (REF. SHEET C9.3, CONSTRUCTION DETAILS)



CEI ENGINEERING ASSOCIATES, INC.

710 W Pinedale AVE  
FRESNO, CA 93711  
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FAX: (559) 447-3129



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3K1 CONSULTING SERVICES, LLC.  
11811 N. TATUM BOULEVARD,  
PHOENIX, ARIZONA 85028  
PHONE: (602) 850-8101



PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

REVISION

NO.	DESCRIPTION	DATE

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, COLORADO, 81321

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION

PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	4/25/2023
REVISION	REV-2

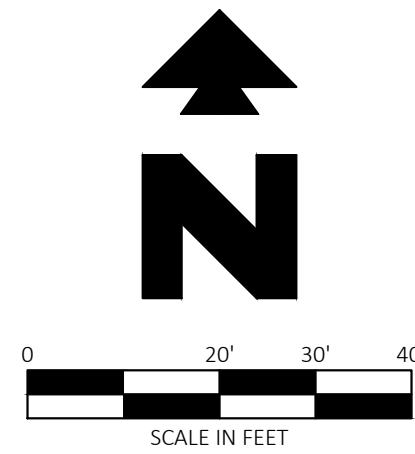
UTILITY PLAN

SHEET TITLE  
SHEET NUMBER

C8



EAST MAIN STREET  
110' PUBLIC ROW (PER PLAT)



Know what's below.  
Call before you dig.

NOTE:  
SEE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF  
RAMPS, SLOPED PAVING, BUILDING UTILITY ENTRANCE LOCATIONS AND  
PRECISE BUILDING DIMENSIONS.

PROJECT INFORMATION	
PROJECT NAME:	QUICK N CLEAN
PROJECT ADDRESS:	1511 EAST MAIN STREET, CORTEZ, COLORADO
PROJECT DESCRIPTION:	DEVELOPMENT OF A FREE-STANDING EXPRESS CAR WASH BUILDING WITH ASSOCIATED VACUUM AND PAY STATION CANOPIES.
SITE INFORMATION	
EXISTING PROPERTY	2.19± AC. / 95,191± S.F.
PROPOSED R/W DEDICATION	N/A
PROPOSED PROPERTY	2.19± AC. / 95,191± S.F.
BUILDING AREA	5,380± S.F.
LANDSCAPE AREA (ONSITE)	0.94± AC. / 40,992± S.F.
SITE LANDSCAPE RATIO	43.06% (10% REQUIRED)
ZONING INFORMATION	
JURISDICTION:	CITY OF CORTEZ, COLORADO
EXISTING ZONING:	C- COMMERCIAL HIGHWAY DISTRICT
PROPOSED ZONING:	C- COMMERCIAL HIGHWAY DISTRICT
MAX. BUILDING HEIGHT ALLOWED:	50'-0"
PROPOSED BUILDING HEIGHT:	28'-9"
SETBACKS:	BUILDING: FRONT YARD: 10 FT SIDE YARD: 0 FT REAR YARD: 7 FT LANDSCAPE: FRONT YARD: 0 FT SIDE YARD: 0 FT REAR YARD: 0 FT
PARKING REQUIREMENTS	
PARKING REQUIRED:	CAR WASH: 1 SPACE PER 300 SQ. FT.
PARKING PROVIDED:	STANDARD: 43 ACCESSIBLE: 2 TOTAL PARKING: 45
BICYCLE PARKING REQUIRED:	TBD
BICYCLE PARKING PROVIDED:	TBD

EXISTING LEGEND

	LIGHT POLE
	FIRE HYDRANT
	UTILITY POLE
	SANITARY SEWER MAHOLE
	STORM SEWER MANHOLE
	WATER VALVE
	GAS VALVE
	WATER METER
	OVERHEAD UTILITY LINES
	UNDERGROUND GAS LINES
	UNDERGROUND SANITARY SEWER LINES
	UNDERGROUND STORM SEWER LINES
	UNDERGROUND FIBER OPTIC LINE
	UNDERGROUND WATER LINES
	(A) FND PIN/CAP PLS 19612
	(B) FND PIN/CAP PLS 14142
	(C) FND NO 4 REBAR
	(D) SET PIN/CAP PLS 14142
	ZONE AE LIMITS BY ELEVATIONS
	ZONE AE LIMITS BY SCALING GRAPHIC

PROPOSED LEGEND

	PROPERTY LINE/RIGHT OF WAY LINE
	CONCRETE CURB AND GUTTER, SEE DETAIL 01A/01B (REF. SHEET C9 - DETAIL SHEET).
	BUILDING CONTROL POINT
	PROPOSED PARKING SPACES
	PEDESTRIAN PATH OF TRAVEL

GENERAL SITE NOTES

- ALL DIMENSIONS SHOWN ARE TO THE FACE OF CURB UNLESS OTHERWISE NOTED.
- ALL CURB RETURN RADII SHALL BE 2' OR 10', AS SHOWN TYPICAL ON THIS PLAN, UNLESS OTHERWISE NOTED.
- ALL PARKING LOT SIGN BASE SUPPORTS SHALL BE INSTALLED PER DETAIL 12F (REF. SHEET C9 - DETAIL SHEET).

SITE DETAILS

- 02A PRECAST CONCRETE WHEEL STOP (REF. SHEET C9 - DETAIL SHEET).
- 03M WHEELCHAIR RAMP IN SIDEWALK (REF. SHEET C9 - DETAIL SHEET).
- 10A TRAFFIC FLOW ARROW (REF. SHEET C9 - DETAIL SHEET).
- 10B STOP BAR (REF. SHEET C9 - DETAIL SHEET).
- 10C FIRE LANE MARKING (REF. SHEET C9 - DETAIL SHEET).
- 10F ENTER PAVEMENT MARKING WITH ARROW (REF. SHEET C9 - DETAIL SHEET).
- 10G EXIT PAVEMENT MARKING WITH ARROW (REF. SHEET C9 - DETAIL SHEET).
- 10I CROSSWALK MARKING (REF. SHEET C9 - DETAIL SHEET).
- 11A DO NOT ENTER SIGN (REF. SHEET C9 - DETAIL SHEET).
- 11N PEDESTRIAN CROSSING SIGN (REF. SHEET C9 - DETAIL SHEET).
- 12G STOP SIGN (REF. SHEET C9 - DETAIL SHEET).

SITE NOTES

- 01A SEEDED GREEN AREA.
- 02B TRANSFORMER PAD (PER ELEC. CO. AND/OR ARCH. PLANS).
- 02E TRASH DUMPSTER ENCLOSURE (PER ARCH. PLANS).
- 12B 4-INCH TRAFFIC YELLOW ALIGNMENT STRIPES (TYP.).
- 70A "VACUTECH" VACUUM ENCLOSURE, REF. ARCHITECTURAL PLANS VACUUM CANOPY BY OTHERS AND SHOWN ON THIS PLAN FOR REFERENCE. REFER TO VENDOR PLANS FOR FINAL PLACEMENT AND INSTALL REQUIREMENTS.
- 70B "VACUTECH" VACUUM, REFER TO VENDOR PLANS FOR FINAL PLACEMENT AND INSTALL REQUIREMENTS.
- 70C PAY STATION (REF. ARCH. PLANS).
- 70D ACCESSIBLE PARKING STALL, ISA SYMBOL AND SIGNAGE (PER ARCH. PLANS).
- 70E TWO (2) FOOT DETECTABLE WARNING.
- 70F "VACUTECH" SHADE CLOTH CANOPY, REF. ARCHITECTURAL PLANS VACUUM CANOPY BY OTHERS AND SHOWN ON THIS PLAN FOR REFERENCE. REFER TO VENDOR PLANS FOR FINAL PLACEMENT AND INSTALL REQUIREMENTS.
- 70G ROLL BACK CURB SEGMENT TO RETAIN VEHICULAR ACCESS FOR ALLEY (PER CITY OF CORTEZ STANDARDS).

SITE BENCHMARK

PIN/CAP PLS 19612  
NAVD88 DATUM  
6149.98'



CEI ENGINEERING ASSOCIATES, INC.  
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PLANS PREPARED FOR  
QUICK N CLEAN  
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SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

REVISION

NO.	DESCRIPTION	DATE

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, COLORADO, 81321

FOR REVIEW ONLY  
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PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	4/24/2023
REVISION	REV-2

SITE PLAN

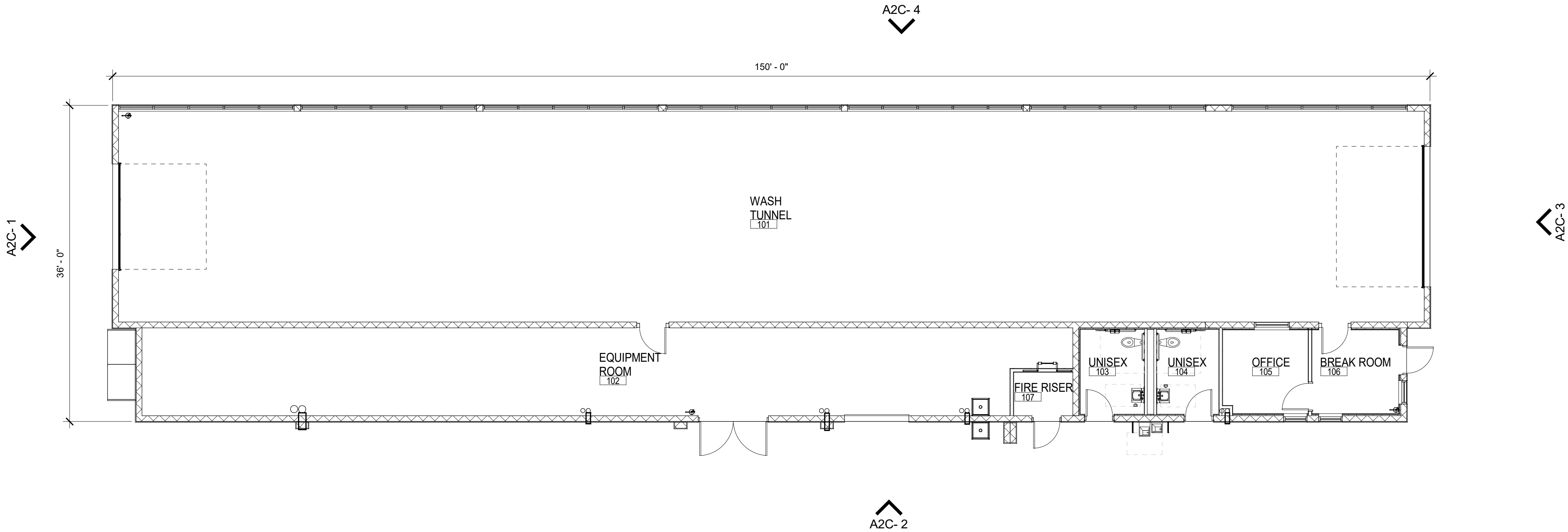
SHEET TITLE  
SHEET NUMBER

C3





1 FLOOR PLAN  
1/8" = 1'-0"



QUICK N CLEAN CAR WASH

1511 EAST MAIN STREET

CORTEZ, CO 81321



2696 S COLORADO BLVD, SUITE 525

DENVER, CO 80222

(303) 962-9764

www.cshqa.com

SCHEMATIC  
DESIGN

PROJECT 22075.000	DATE 04-29-2022
DRAWN WRS	CHECKED MES

REVISED

SHEET TITLE

FLOOR PLAN

SHEET

A1C

ORIGINAL SHEET SIZE  
24" x 36"

JESSE GOLDMAN, ARCHITECT

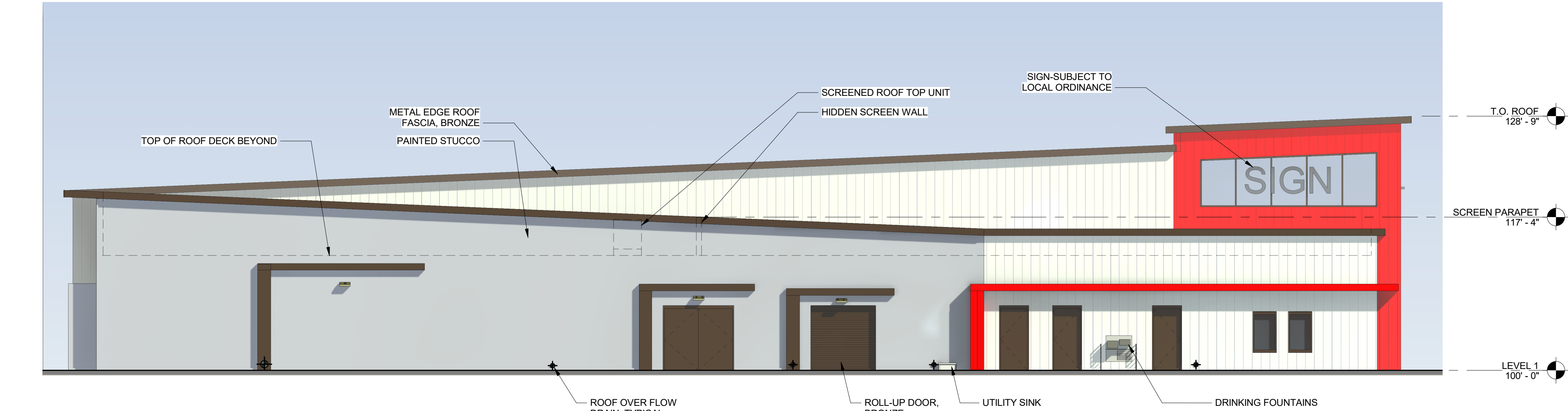
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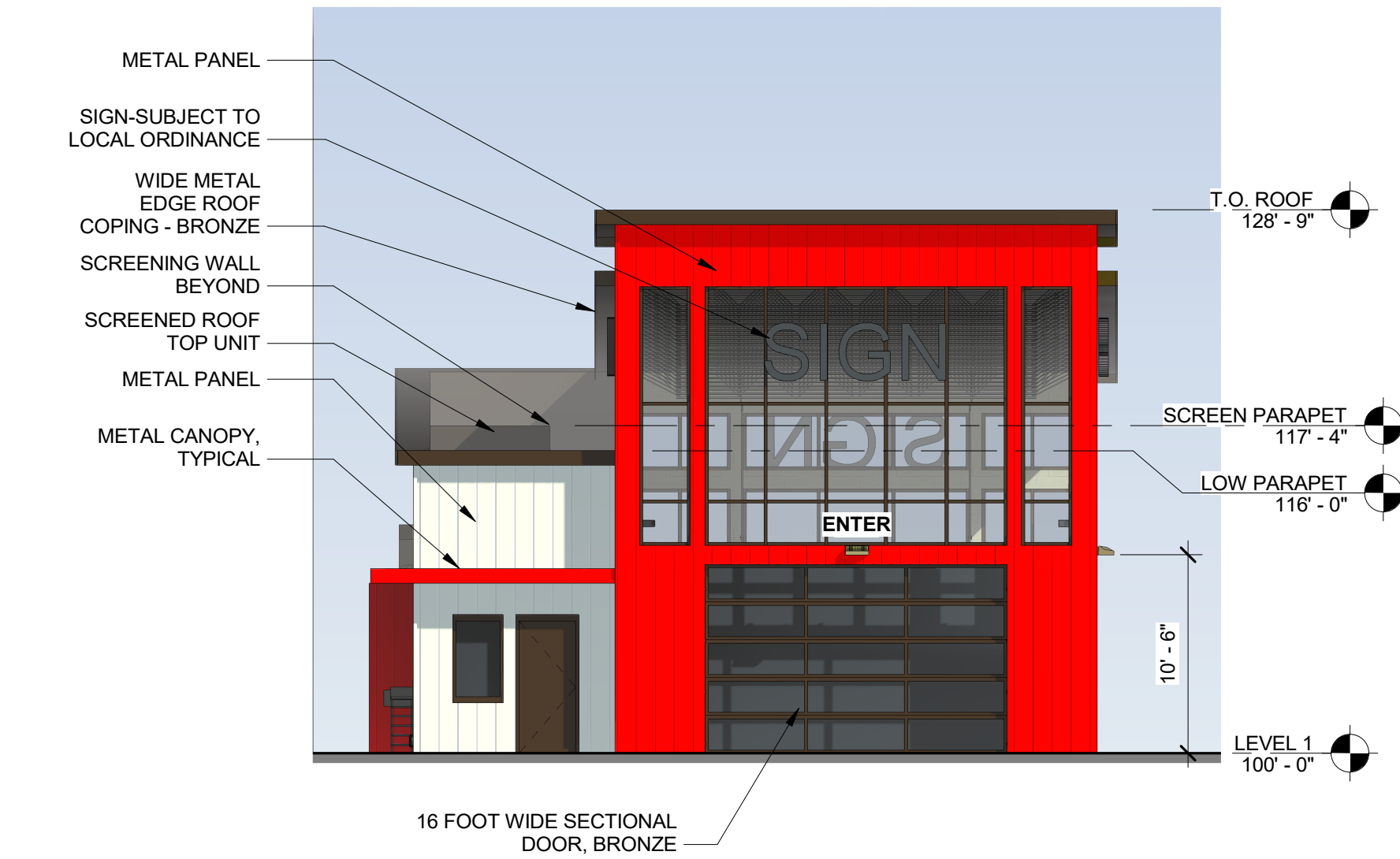
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CONSTRUCTION



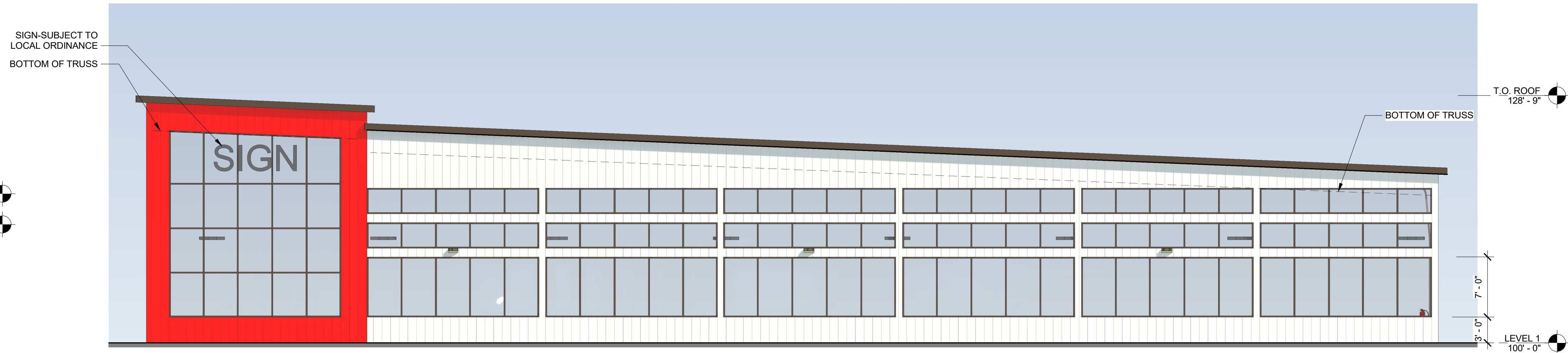
1 EAST ELEVATION  
1/8" = 1'-0"



2 NORTH ELEVATION  
1/8" = 1'-0"



3 WEST ELEVATION  
1/8" = 1'-0"



4 SOUTH ELEVATION  
1/8" = 1'-0"

## MATERIALS AND FINISHES

	STUCCO FIELD COLOR	BENJAMIN MOORE - SMOKE EMBERS 1466
	EXTERIOR DOORS AND TRIM	MEDIUM BRONZE
	VERTICAL METAL PANEL AND TRIM	BENJAMIN MOORE - RUBY RED 2001-10
	VERTICAL METAL PANEL FIELD COLOR	WHITE

PRELIMINARY  
NOT FOR  
CONSTRUCTION

JESSE GOLDMAN, ARCHITECT

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(303) 962-9164

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CORTEZ, CO 81321

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CSHQA

## SCHEMATIC DESIGN

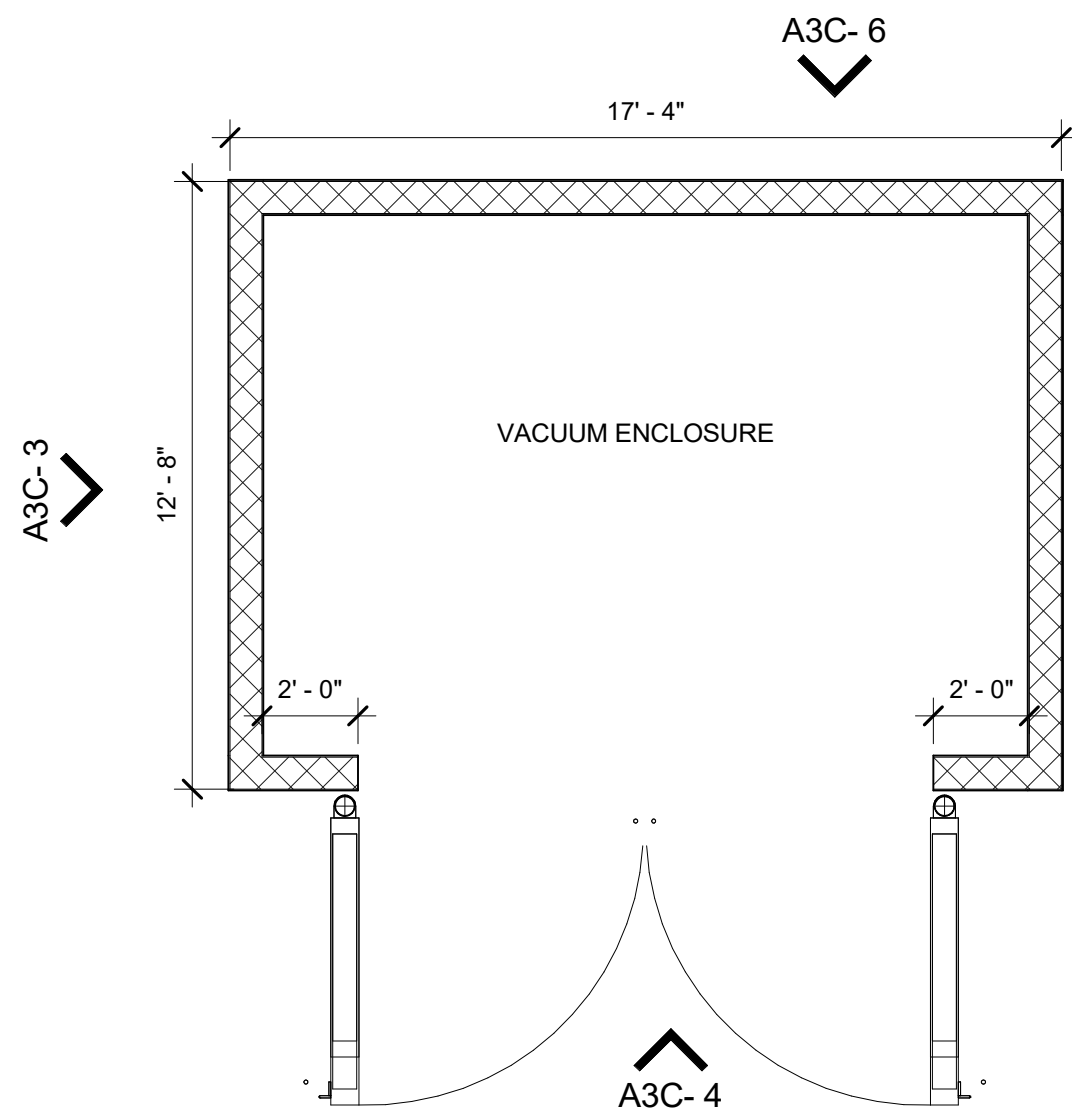
PROJECT 22075.000	DATE 04-29-2022
DRAWN RJ	CHECKED MES

REVISED

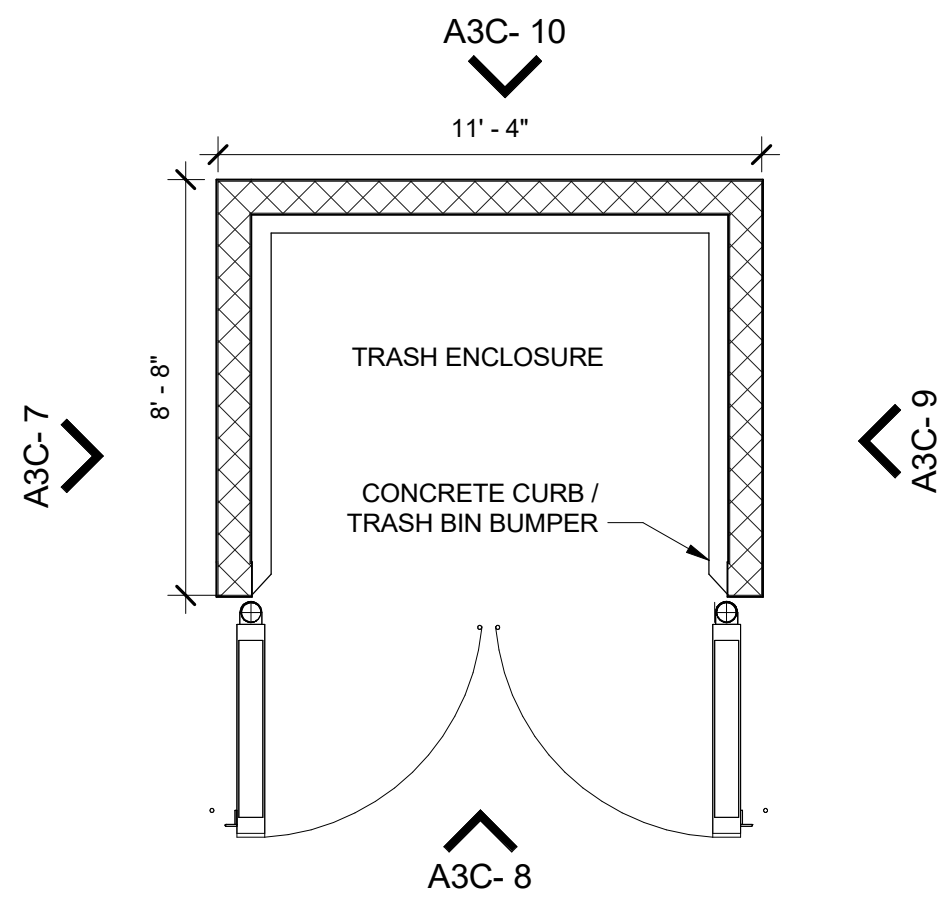
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**BUILDING  
ELEVATIONS**

SHEET

**A2C**  
ORIGINAL SHEET SIZE  
24" x 36"



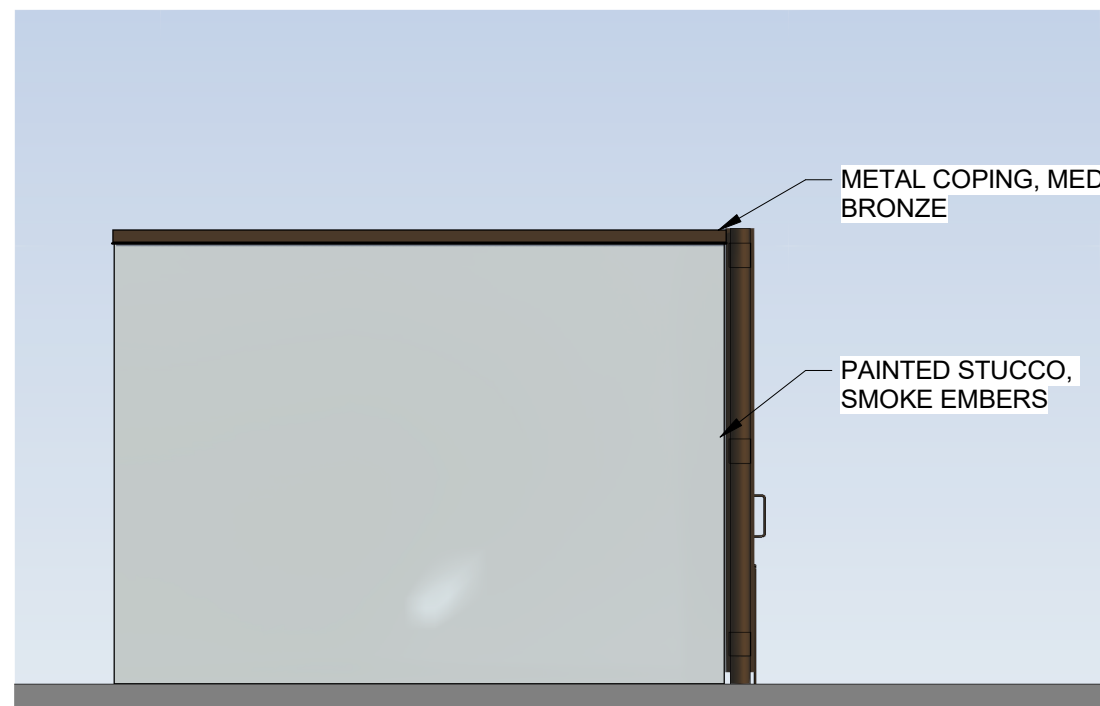
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1/4" = 1'-0"



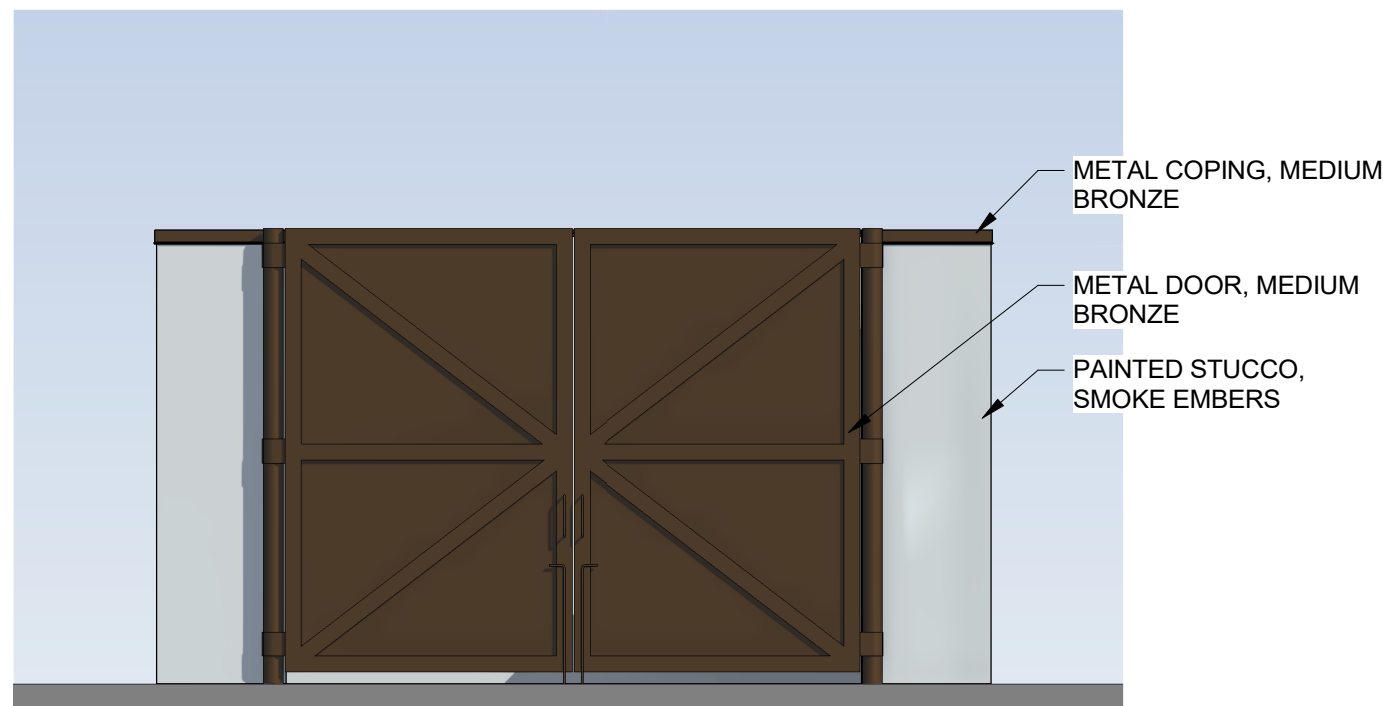
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1/4" = 1'-0"

MATERIALS AND FINISHES

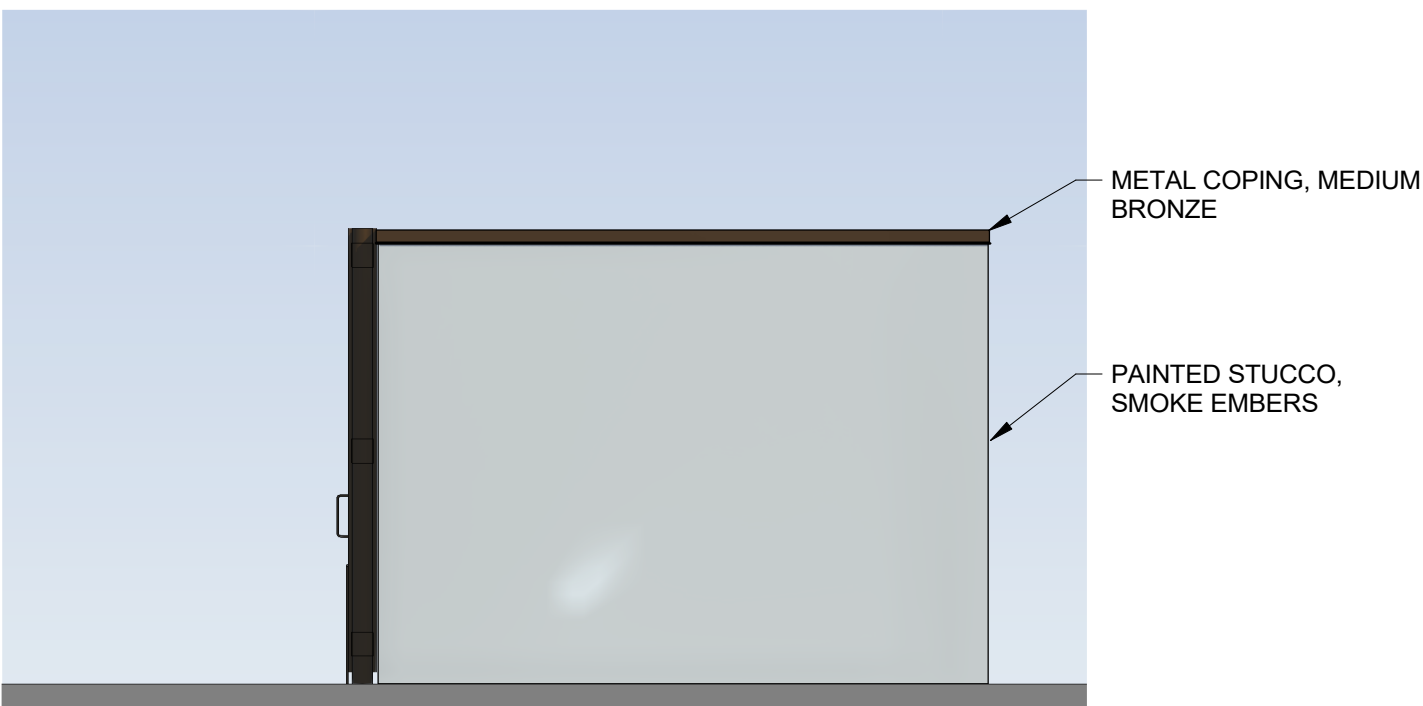
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	EXTERIOR DOORS AND TRIM	MEDIUM BRONZE
	VERTICAL METAL PANEL AND TRIM	BENJAMIN MOORE - RUBY RED 2001-10
	VERTICAL METAL PANEL FIELD COLOR	WHITE



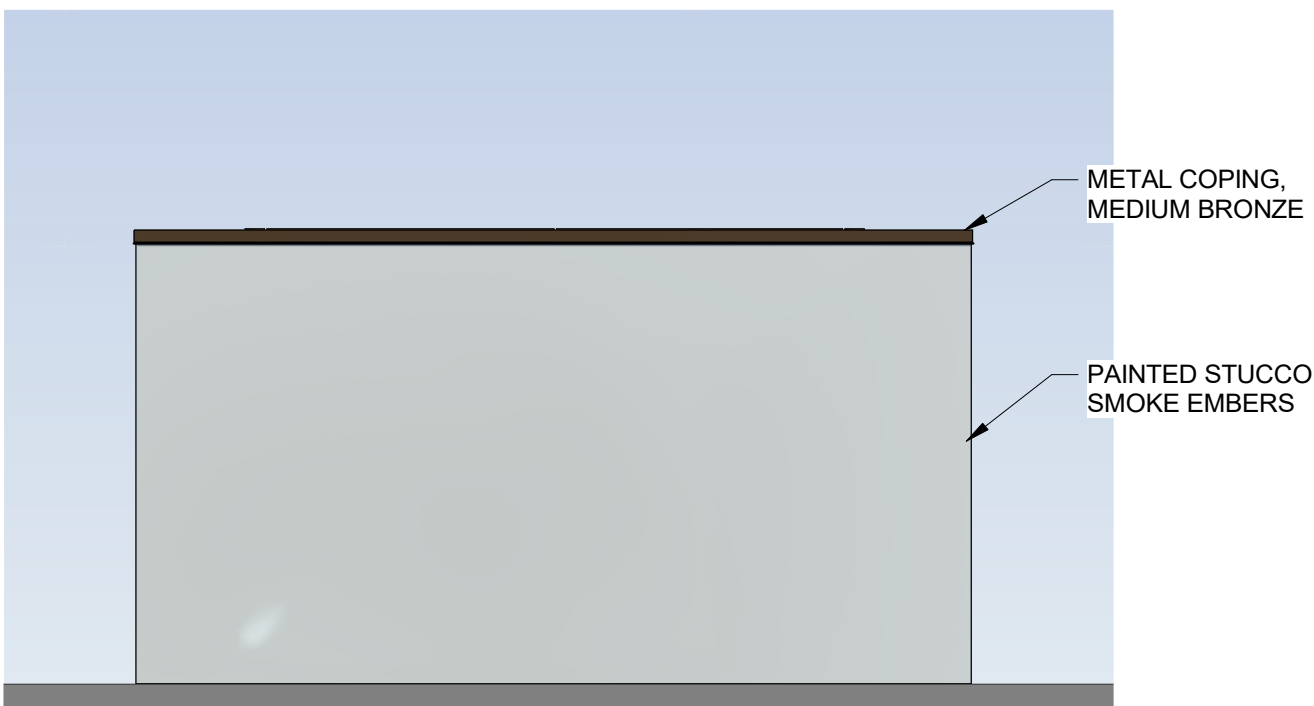
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1/4" = 1'-0"



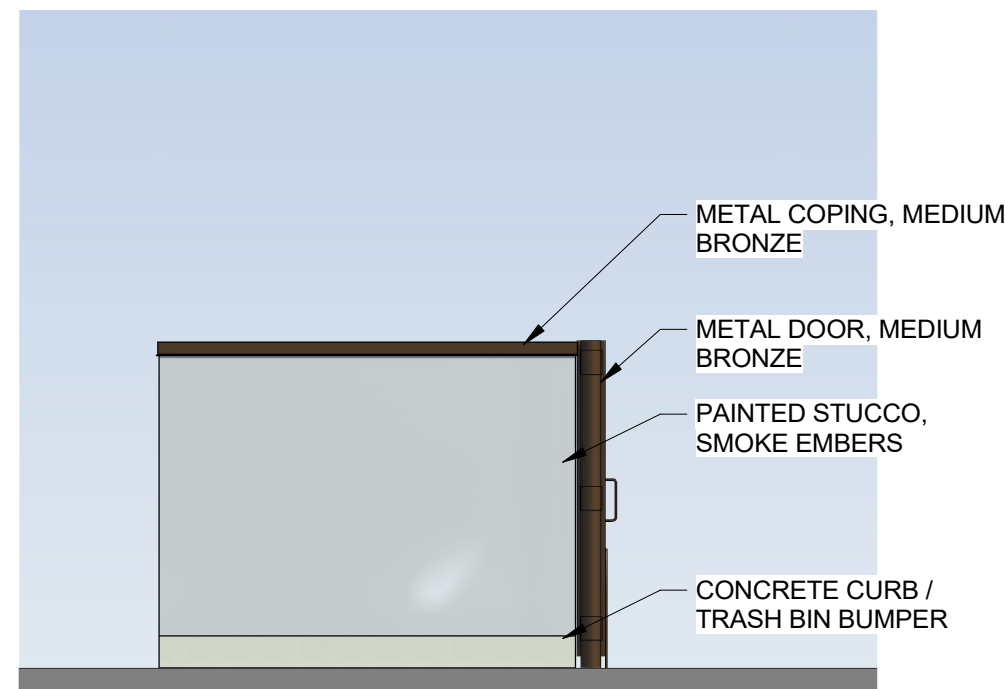
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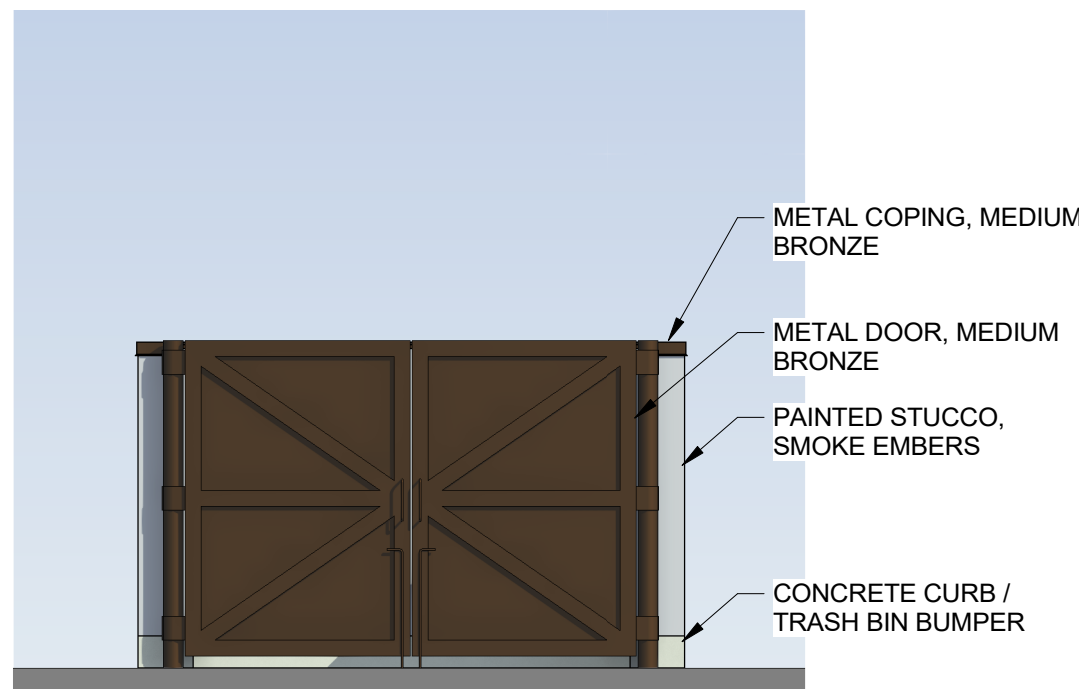
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1/4" = 1'-0"



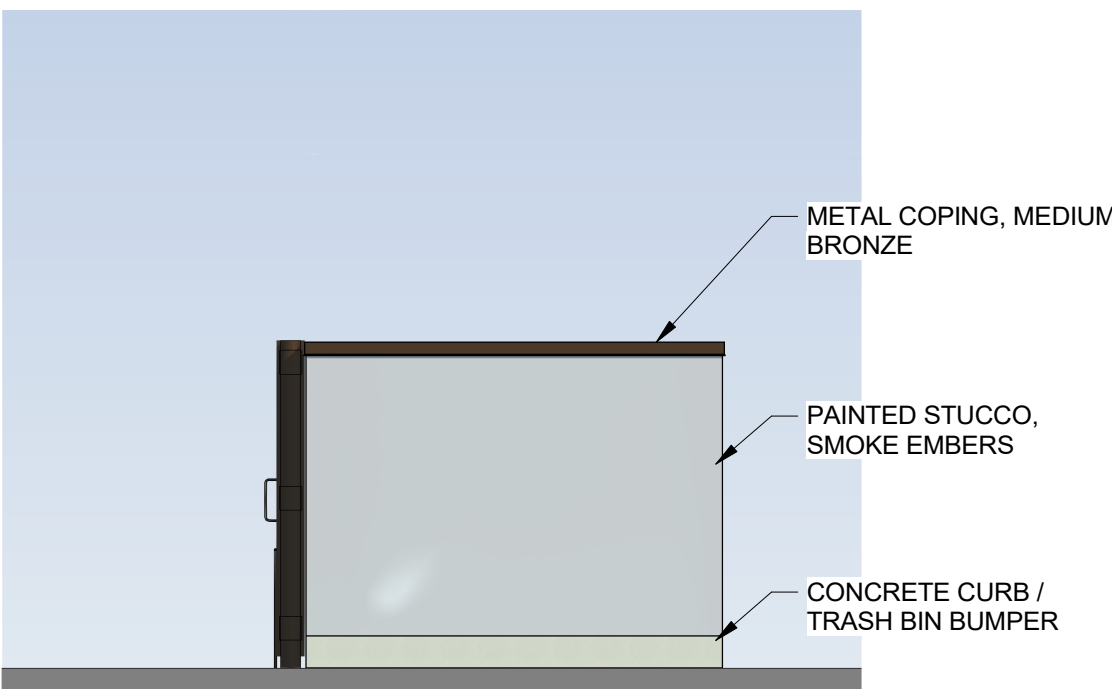
6 VACUUM ENCLOSURE REAR ELEVATION  
1/4" = 1'-0"



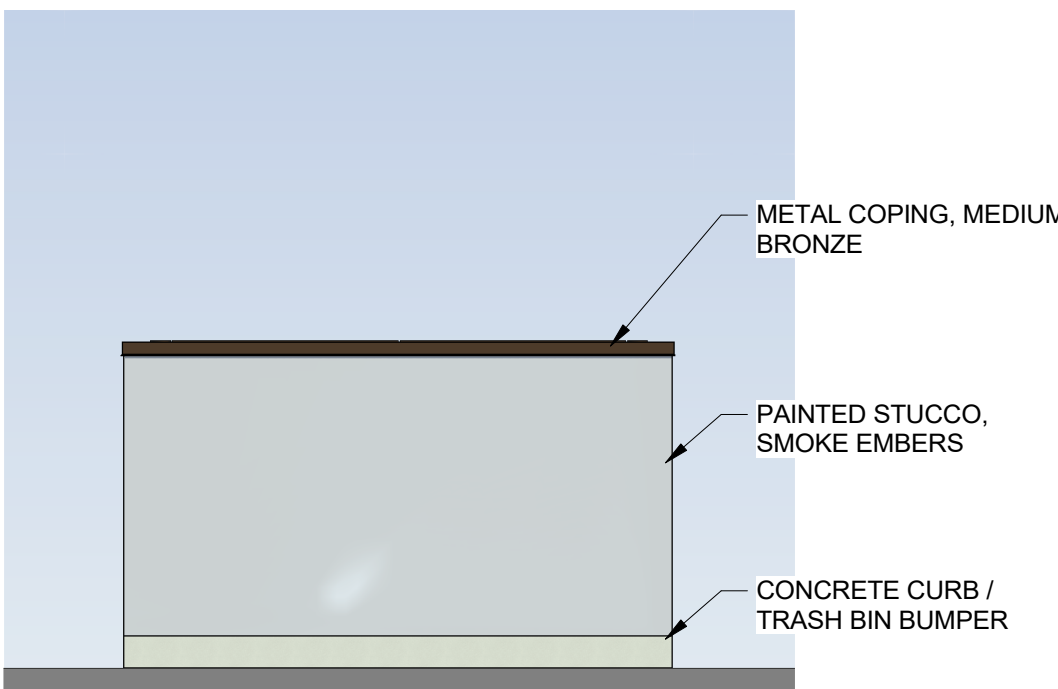
7 TRASH LEFT ELEVATION  
1/4" = 1'-0"



8 TRASH FRONT ELEVATION  
1/4" = 1'-0"



9 TRASH RIGHT ELEVATION  
1/4" = 1'-0"



10 TRASH REAR ELEVATION  
1/4" = 1'-0"

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SCHEMATIC  
DESIGN

PROJECT 22075.000	DATE 04-29-2022
DRAWN RJ	CHECKED Checker

REVISED

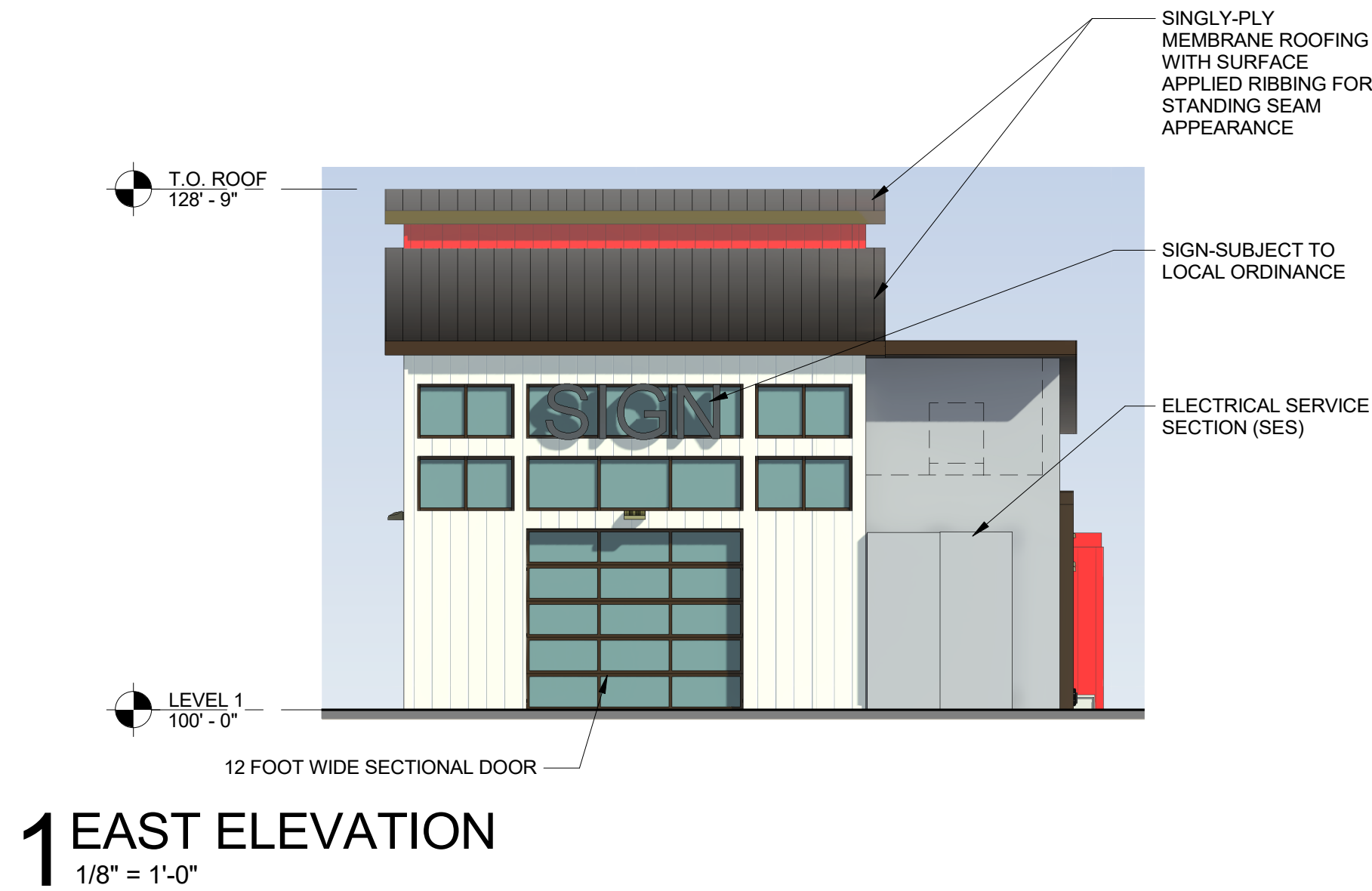
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ENCLOSURES

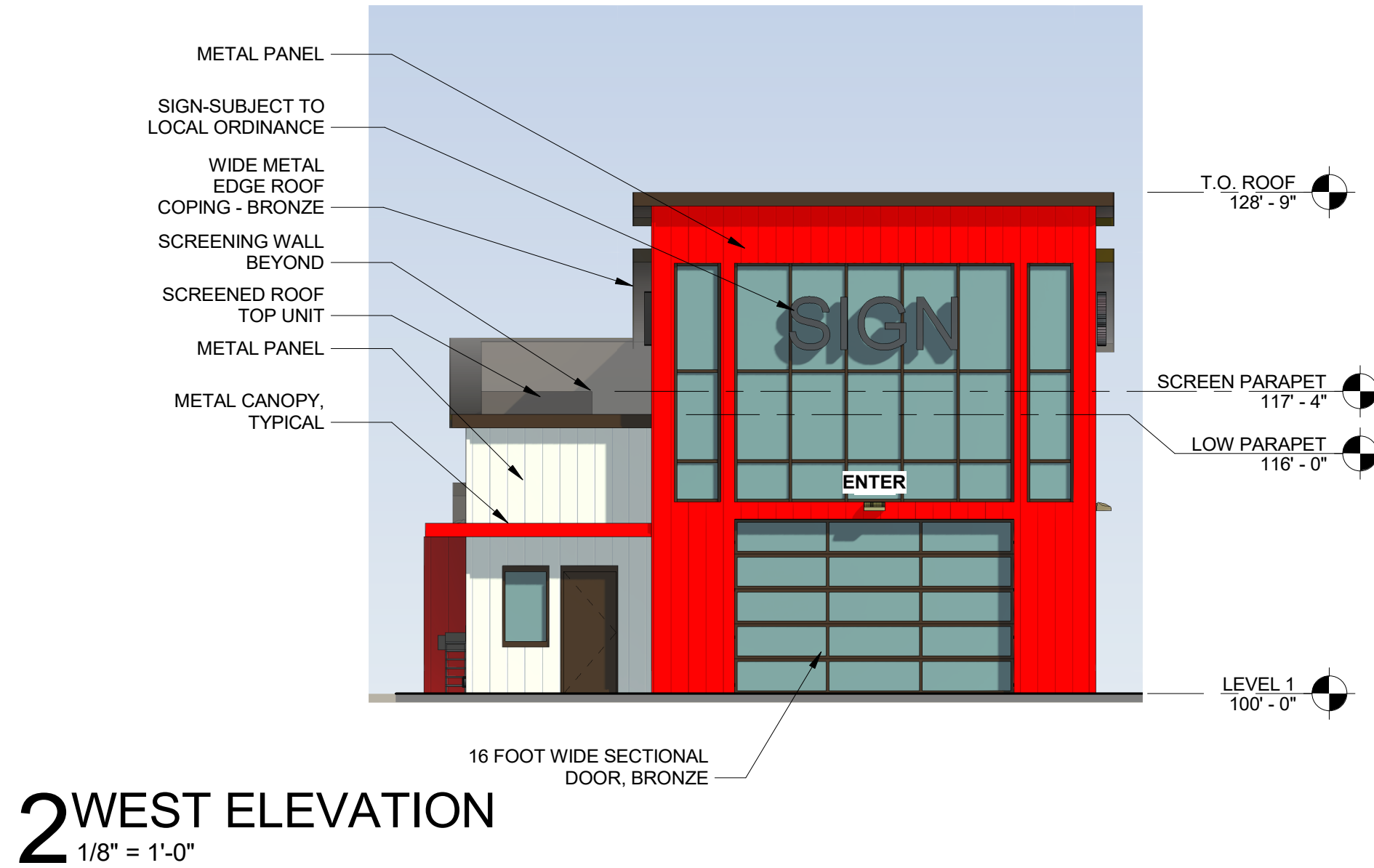
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A3C  
ORIGINAL SHEET SIZE  
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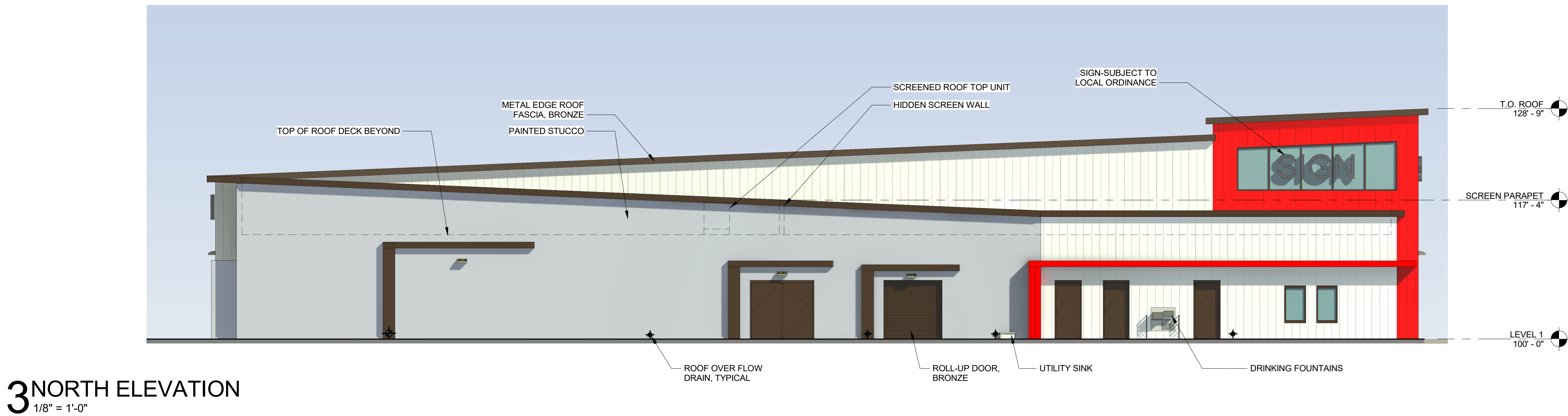




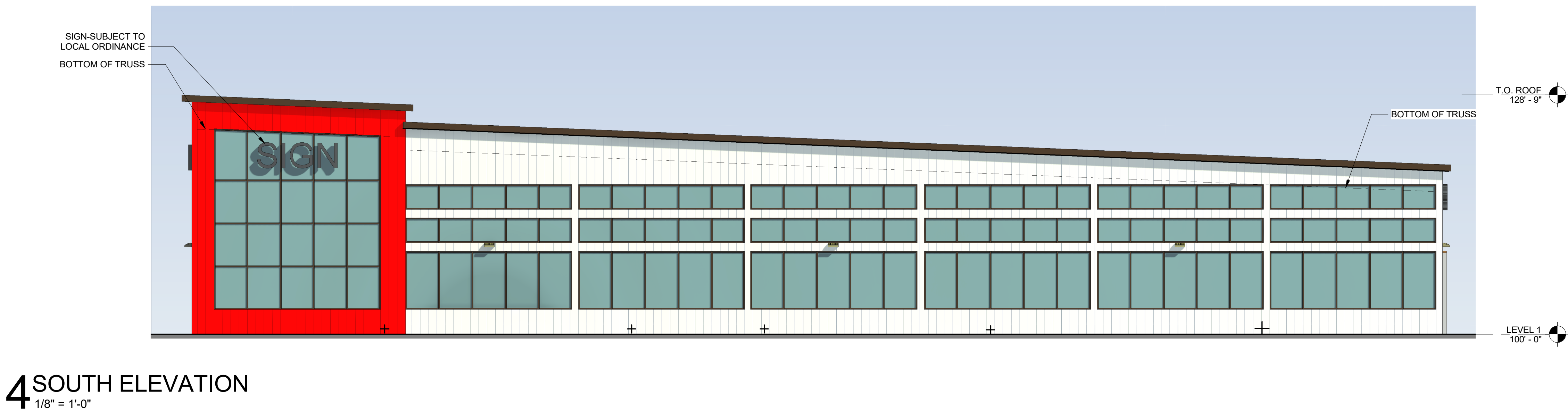
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## MATERIALS AND FINISHES

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	EXTERIOR DOORS AND TRIM	MEDIUM BRONZE
	VERTICAL METAL PANEL AND TRIM	BENJAMIN MOORE - RUBY RED 2001-10
	VERTICAL METAL PANEL FIELD COLOR	WHITE

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## SCHEMATIC DESIGN

PROJECT 22075.000	DATE 11-02-2022
DRAWN PP	CHECKED WS

REVISED

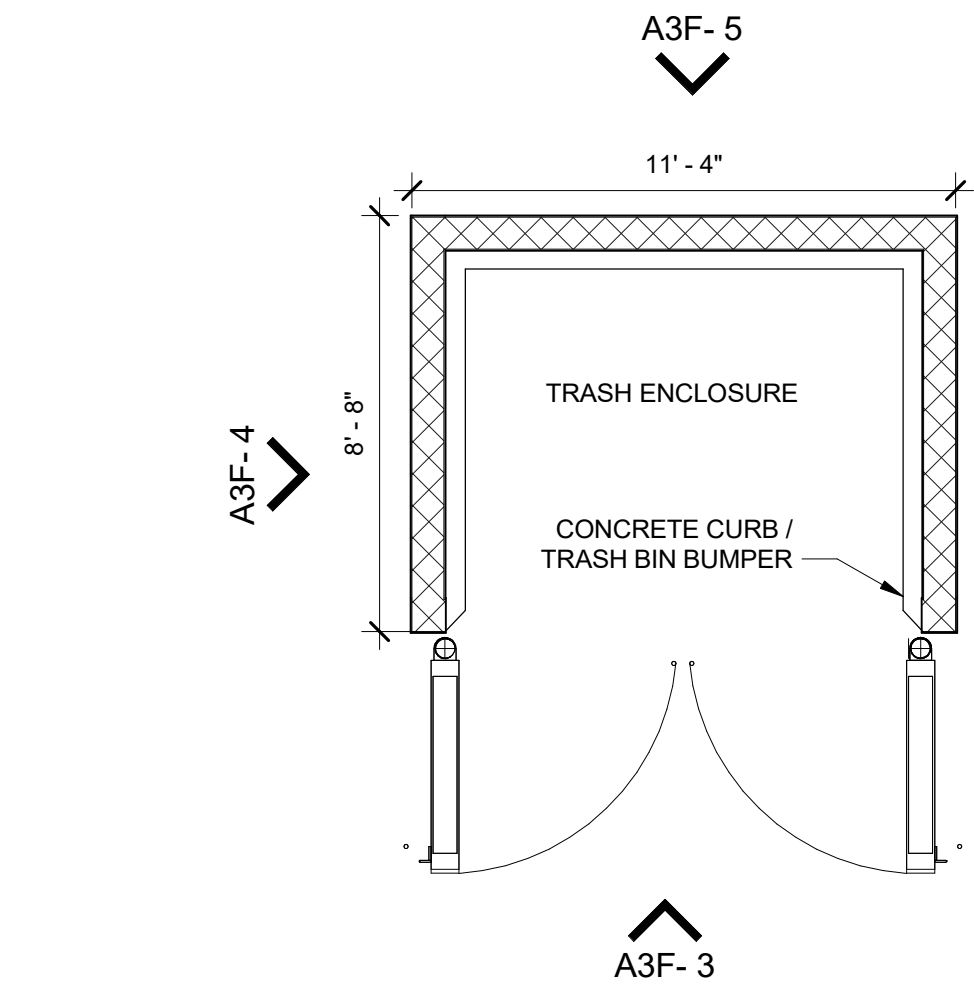
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BUILDING  
ELEVATIONS

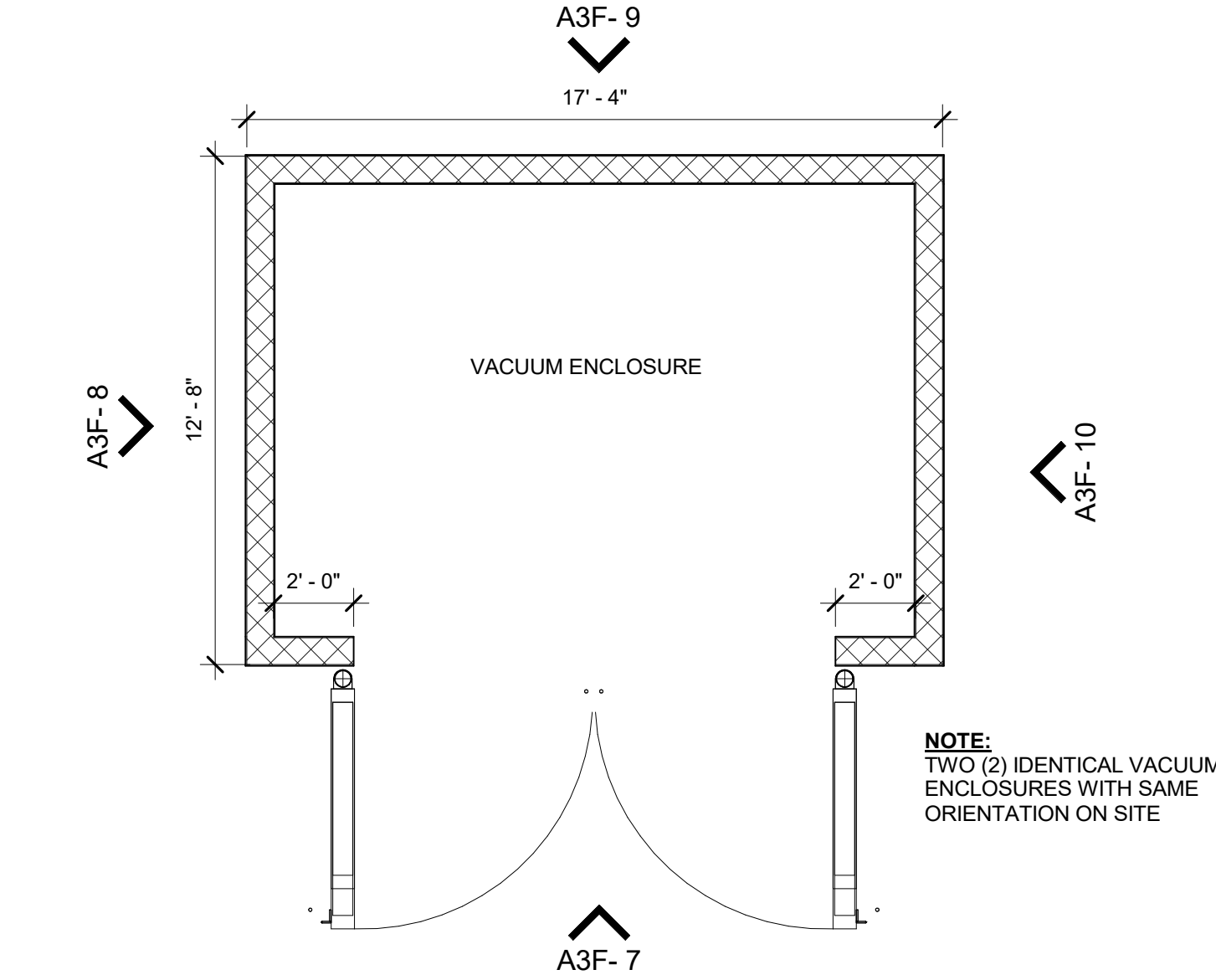
SHEET

A2F

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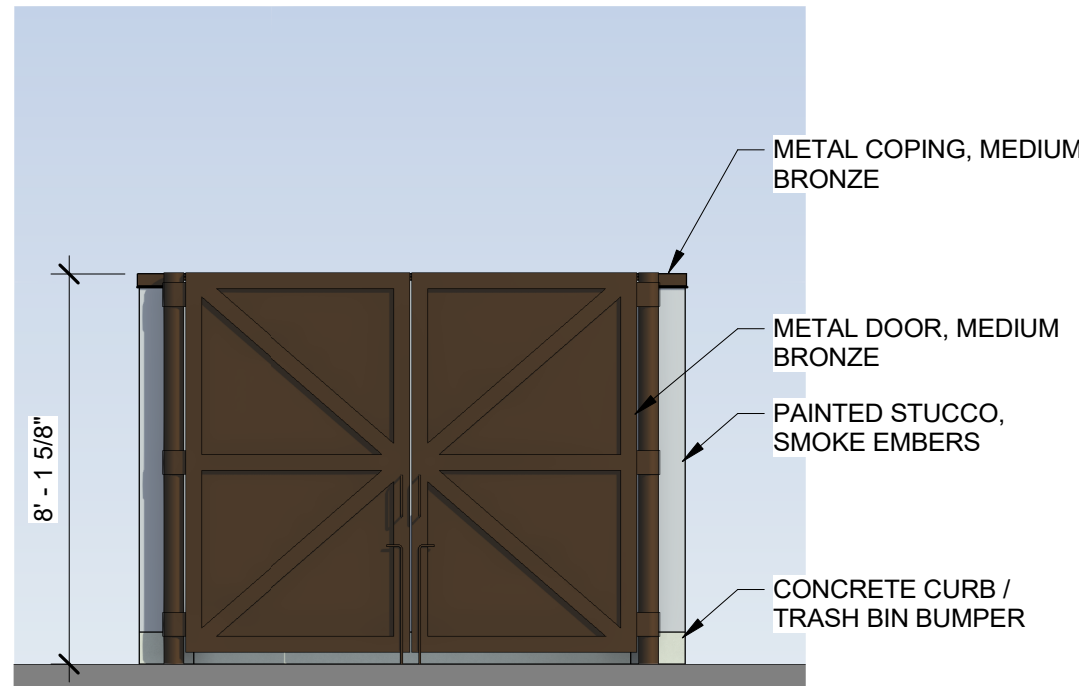
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1/4" = 1'-0"



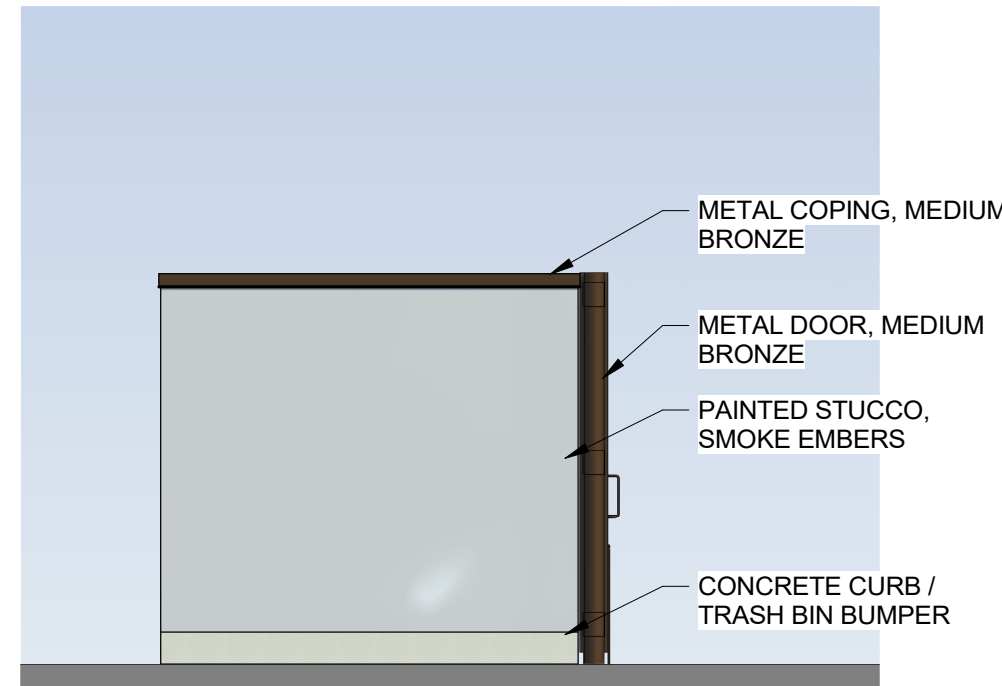
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1/4" = 1'-0"

## MATERIALS AND FINISHES

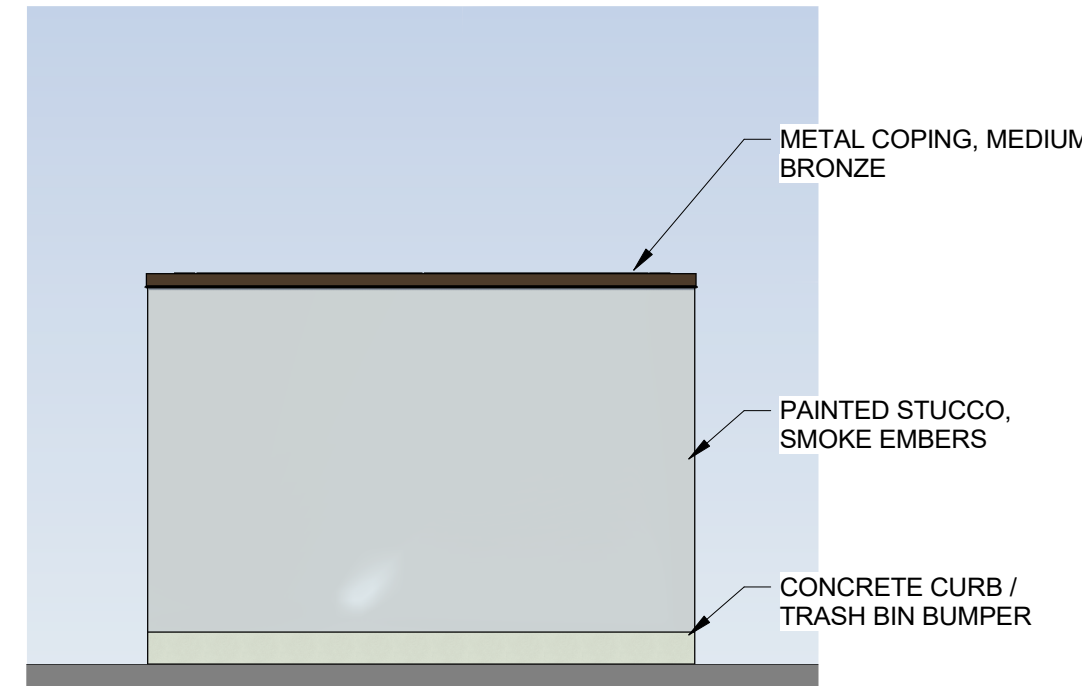
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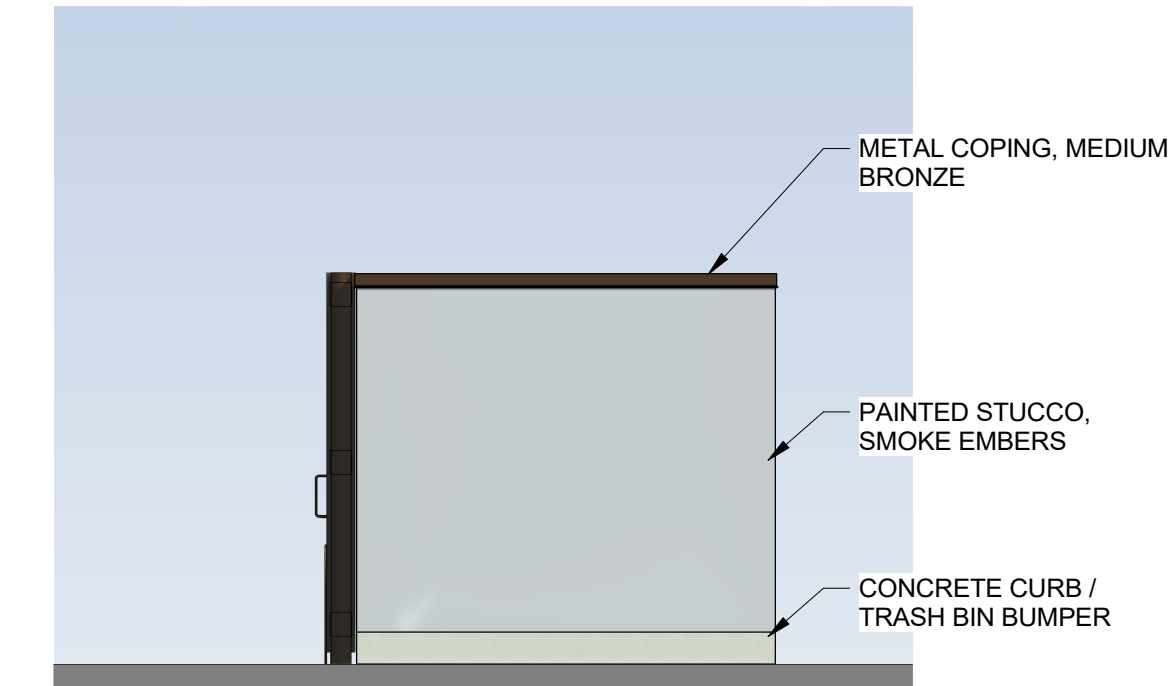
**3 TRASH FRONT ELEVATION**  
1/4" = 1'-0"



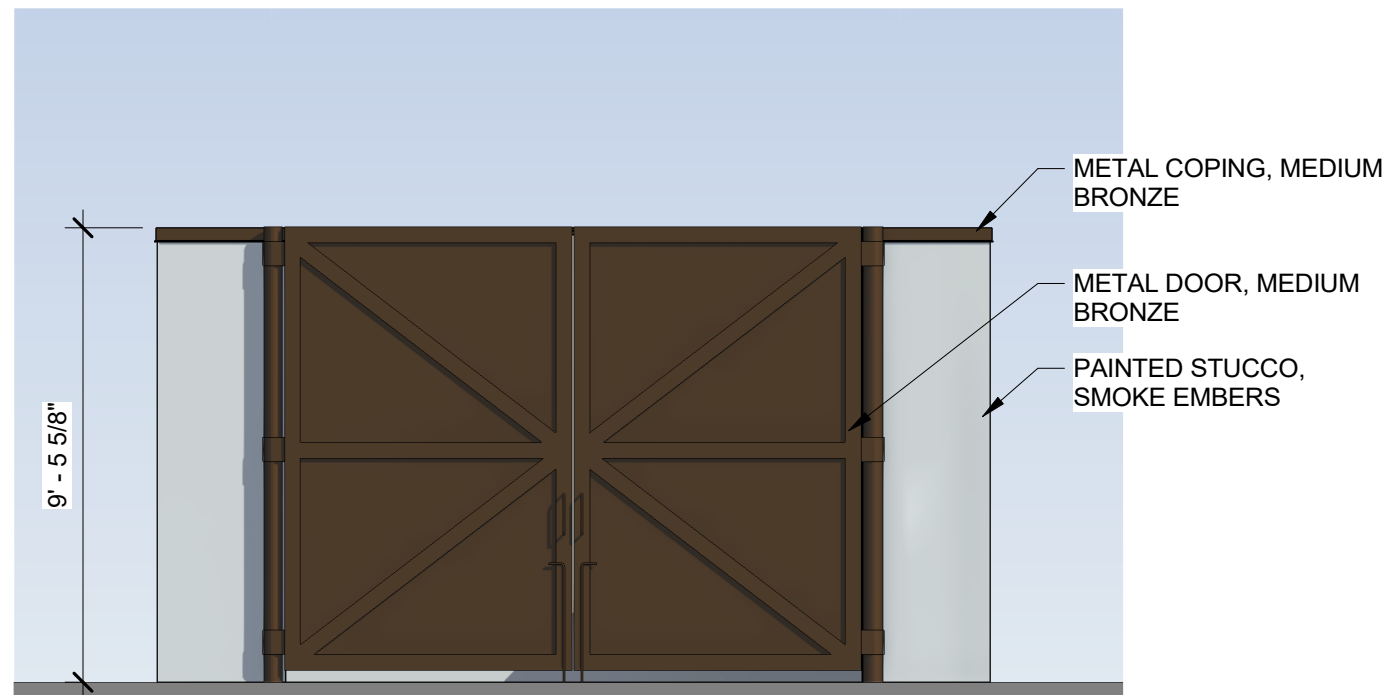
**4 TRASH LEFT ELEVATION**  
1/4" = 1'-0"



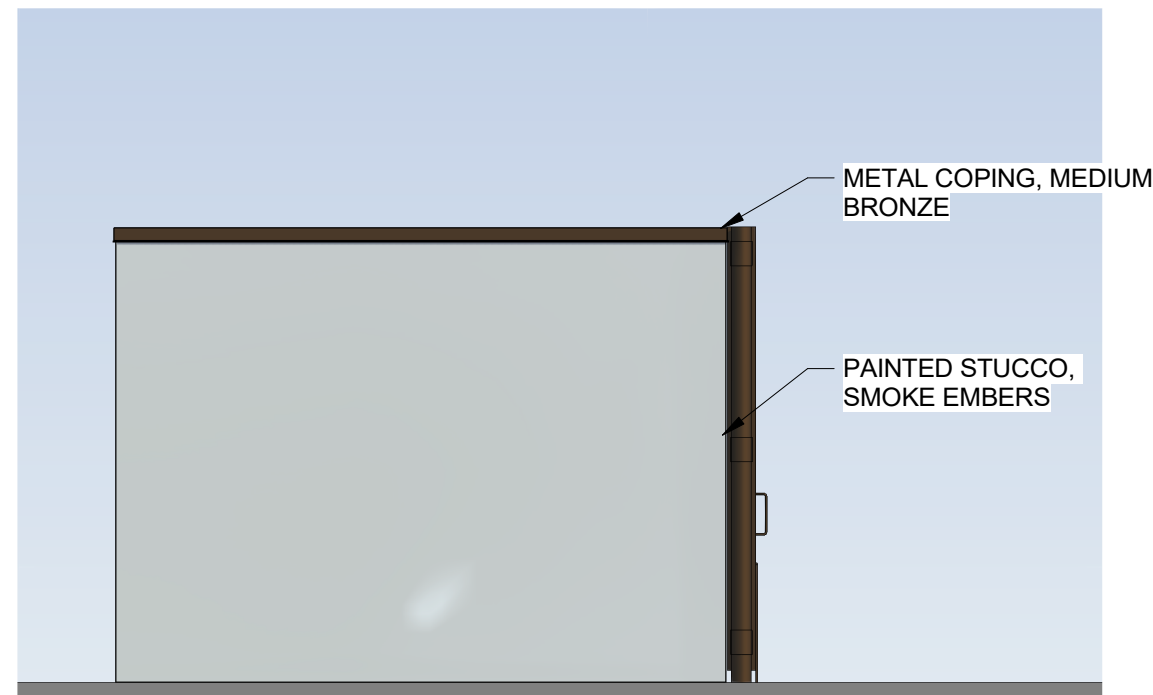
**5 TRASH REAR ELEVATION**  
1/4" = 1'-0"



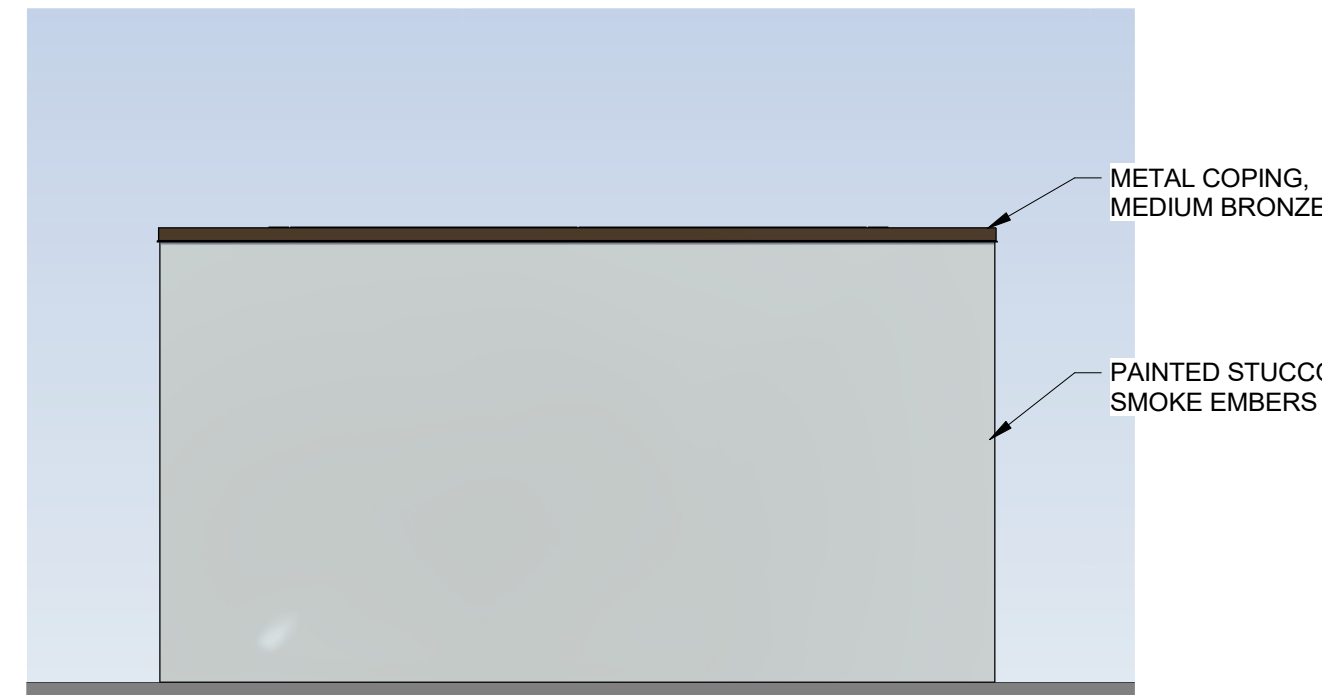
**6 TRASH RIGHT ELEVATION**  
1/4" = 1'-0"



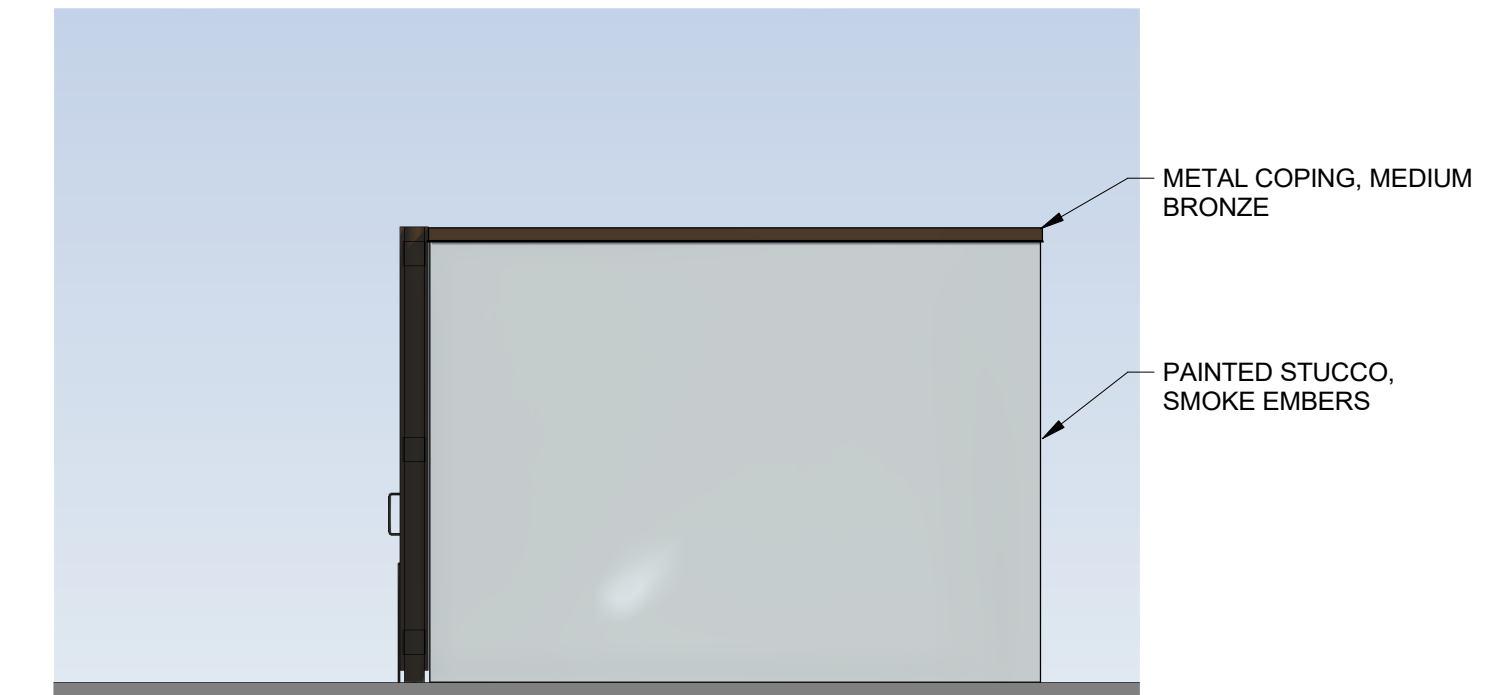
**7 VACUUM ENCLOSURE FRONT ELEVATION**  
1/4" = 1'-0"



**8 VACUUM ENCLOSURE LEFT ELEVATION**  
1/4" = 1'-0"



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1/4" = 1'-0"



**10 VACUUM ENCLOSURE RIGHT ELEVATION**  
1/4" = 1'-0"

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SCHEMATIC  
DESIGN

PROJECT 22075.000	DATE 11-02-2022
DRAWN PP	CHECKED WS

REVISED

SHEET TITLE

ENCLOSURES

SHEET

A3F

ORIGINAL SHEET SIZE  
24" x 36"



GENERAL NOTES:

1. 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 LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATE SHOWN HEREON.
2. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY RUBINO SURVEYING TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD, RIGHT OF WAY OR TITLE OF RECORD. RUBINO SURVEYING RELIED UPON FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. 5941-F-CO-CP-CR, EFFECTIVE SEPTEMBER 21, 2021. THE PROPERTY SHOWN AND DESCRIBED HEREON IS ALL OF THE PROPERTY DESCRIBED IN SAID TITLE COMMITMENT.
3. THE BEARINGS ARE BASED ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF SECTION 25 ASSUMED TO BEAR N89°29'08"E BETWEEN MONUMENTS FOUND AND DESCRIBED HEREON.
4. THE DISTANCE MEASUREMENTS SHOWN HEREON ARE THE U.S. SURVEY FOOT.
5. PER FEMA'S FLOOD INSURANCE RATE MAP 08083C0802C DATED SEPTEMBER 26, 2008, A PORTION OF THE EASTERLY SIDE OF THE SUBJECT PROPERTY IS LOCATED IN A FLOOD HAZARD AREA - ZONE AE WITH FLOOD ELEVATIONS ESTABLISHED. THE REMAINDER OF THE SUBJECT PROPERTY IS IN ZONE X (UNSHADED).
6. NGS BENCHMARK DESIGNATION 0 397 / PID HM0425 A STAINLESS STEEL ROD IN A LOGO BOX ON THE NORTH SIDE OF MAIN STREET 141 FEET EAST OF MILDRED ROAD, 2 FEET OF THE EAST EDGE OF THE CONCRETE PAD FOR A BELL. NAVD88 ELEVATION 6179.68.

AMENDED PLAT OF BLOCK 2, VEACH SUBDIVISION  
A PORTION OF THE SW 1/4 OF SECTION 25, TOWNSHIP 36 NORTH,  
RANGE 16 WEST OF THE N.M. P.M. COUNTY OF  
MONTEZUMA, STATE OF COLORADO

SHEET 1 OF 2

LEGEND  
(A) FND PIN/CAP PLS 19812  
(B) FND PIN/CAP PLS 15816  
(C) FND NO 4 REBAR  
(D) SET PIN/CAP PLS 14142

PLAT NOTES:

1. ALL INTERNAL LOT LINES OF LOTS 1 THROUGH 28, INCLUSIVE, BLOCK 2, VEACH SUBDIVISION ARE HEREBY VACATED BY THIS PLAT.
2. THE 16' PUBLIC ALLEY IN BLOCK 2, VEACH SUBDIVISION HAS BEEN VACATED BY ORDINANCE NO. \_\_\_\_\_

CERTIFICATE OF DEDICATION AND OWNERSHIP:

KNOW ALL MEN BY THESE PRESENTS THAT QUICK N CLEAN CO-03, LLC, BEING THE OWNER OF A PORTION OF PROPERTY IN THE CITY OF CORTEZ, MONTEZUMA COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 THROUGH 28, INCLUSIVE, BLOCK 2, VEACH SUBDIVISION, THE PLAT OF WHICH IS RECORDED IN BOOK 8 AT PAGE 6,

EXCEPTING THAT PORTION OF SAID BLOCK 2 TO THE STATE DEPARTMENT OF HIGHWAYS, DIVISION OF HIGHWAYS, STATE OF COLORADO DESCRIBED IN BOOK 576 AT PAGE 471, COUNTY OF MONTEZUMA, STATE OF COLORADO.

CONTAINING 95,191 SQ. FT./2.185 ACRES MORE OR LESS. SUBJECT TO ALL EASEMENTS OF RECORD, PRESCRIPTIVE OR DEDICATED HEREIN.

HAVE BY THESE PRESENTS LAID OUT, RE-SUBDIVIDED AND PLATTED THE SAME INTO A LOT AND BLOCK AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF AMENDED PLAT OF BLOCK 2, VEACH SUBDIVISION

AND DO HEREBY DEDICATE TO THE PUBLIC UTILITIES THOSE PORTIONS LABELED AS DRAINAGE OR UTILITY EASEMENTS ON THIS PLAT, FOR THE PURPOSE OF INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES, INCLUDING BUT NOT LIMITED TO ELECTRIC LINES, TELEPHONE LINES, WATER LINES, SEWER LINES, GAS LINES, COMMUNICATION CABLES, AND DRAINAGE STRUCTURES AND OTHER UTILITIES AS MAY BE NECESSARY. ALSO, A PERPETUAL EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES IS RESERVED AND DEDICATED TO THE PUBLIC UTILITIES OVER AND THROUGH THE PRIVATE ROADS AND STREETS WITHIN THIS SUBDIVISION, AND ACCORDING TO THE EASEMENTS AS SHOWN ON THIS PLAT; THE RIGHT OF INGRESS AND EGRESS FOR THE MAINTENANCE, OPERATION, REPAIR, AND REPLACEMENT OF SUCH UTILITIES, INCLUDING THE RIGHT TO TRIM INTERFERING TREES AND SHRUBS. LANDOWNER SHALL MAINTAIN EASEMENT AREA CLEAR OF BUILDINGS AND STRUCTURES. SAID EASEMENTS AND RIGHTS SHALL BE UTILIZED IN A REASONABLE AND PRUDENT MANNER.

IN WITNESS WHEREOF:

THE AFOREMENTIONED QUICK N CLEAN CO-03, LLC, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

BY: \_\_\_\_\_ NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

ATTEST:

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS.

THE ABOVE AND AFOREMENTIONED WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ BY \_\_\_\_\_ AS \_\_\_\_\_ OF QUICK N CLEAN CO-03, LLC.

MY COMMISSION EXPIRES \_\_\_\_\_

WITNESS MY HAND AND OFFICIAL SEAL \_\_\_\_\_ NOTARY PUBLIC

CITY COUNCIL ACCEPTANCE STATEMENT:

THIS PLAT AND THE STATEMENT HEREON ARE ACCEPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORTEZ THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

MATOR \_\_\_\_\_

CITY CLERK \_\_\_\_\_

EASEMENTS ACCEPTED AND APPROVED BY:

CITY OF CORTEZ, PUBLIC WORKS \_\_\_\_\_ BY: \_\_\_\_\_

CENTURY LINK COMMISSION \_\_\_\_\_ BY: \_\_\_\_\_

EMPIRE ELECTIC ASSOCIATION, INC. \_\_\_\_\_ BY: \_\_\_\_\_

CLERK AND RECORDER:

STATE OF COLORADO )  
COUNTY OF MONTEZUMA ) SS.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AND WAS RECORDED AT RECEPTION NUMBER \_\_\_\_\_ OF THE RECORDS OF MONTEZUMA COUNTY

MONTEZUMA COUNTY CLERK AND RECORDER \_\_\_\_\_

prepared by:  
RUBINO SURVEYING  
3312 AIRPORT ROAD  
BOULDER, COLORADO 80301  
(303) 464-9515

**From:** Reider - CDOT, Randee <randee.reider@state.co.us>  
**Sent:** Tuesday, January 31, 2023 8:22 AM  
**To:** Nick Barber <nick@3k1.us>  
**Cc:** Roussin - CDOT, Daniel <daniel.roussin@state.co.us>  
**Subject:** Re: 1511 Main Street - Access Control Permit

Hi Nick,

Please see attached for comments related to the TIS.

Also, as stated in an earlier email, CDOT will also need to know who the owner of the road is, as I assume it is platted to the City of Cortez. If that is the case, the City of Cortez needs to provide documentation to delegate to the land owner to apply for the Access Permit. An email from the City of Cortez will suffice for delegation purposes.

Please let me know if you have any questions.

Thank you,  
Randee Reider  
Region 5 Permits Program Manager

P 970.385.3626 | F 970.385.8361  
3803 N. Main Ave., Suite 100, Durango, CO 81301  
[randee.reider@state.co.us](mailto:randee.reider@state.co.us) | [codot.gov](https://codot.gov) | [cotrip.org](https://cotrip.org)

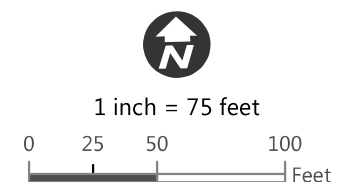
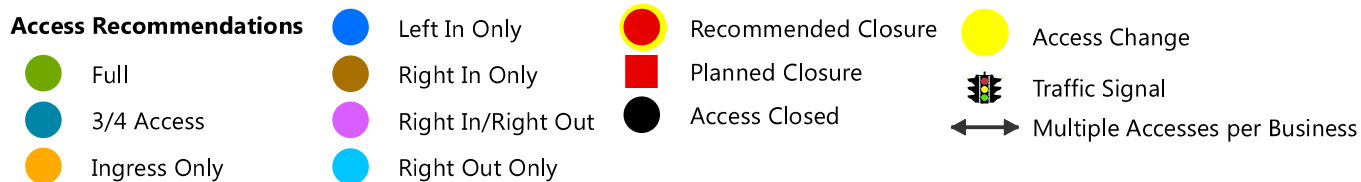
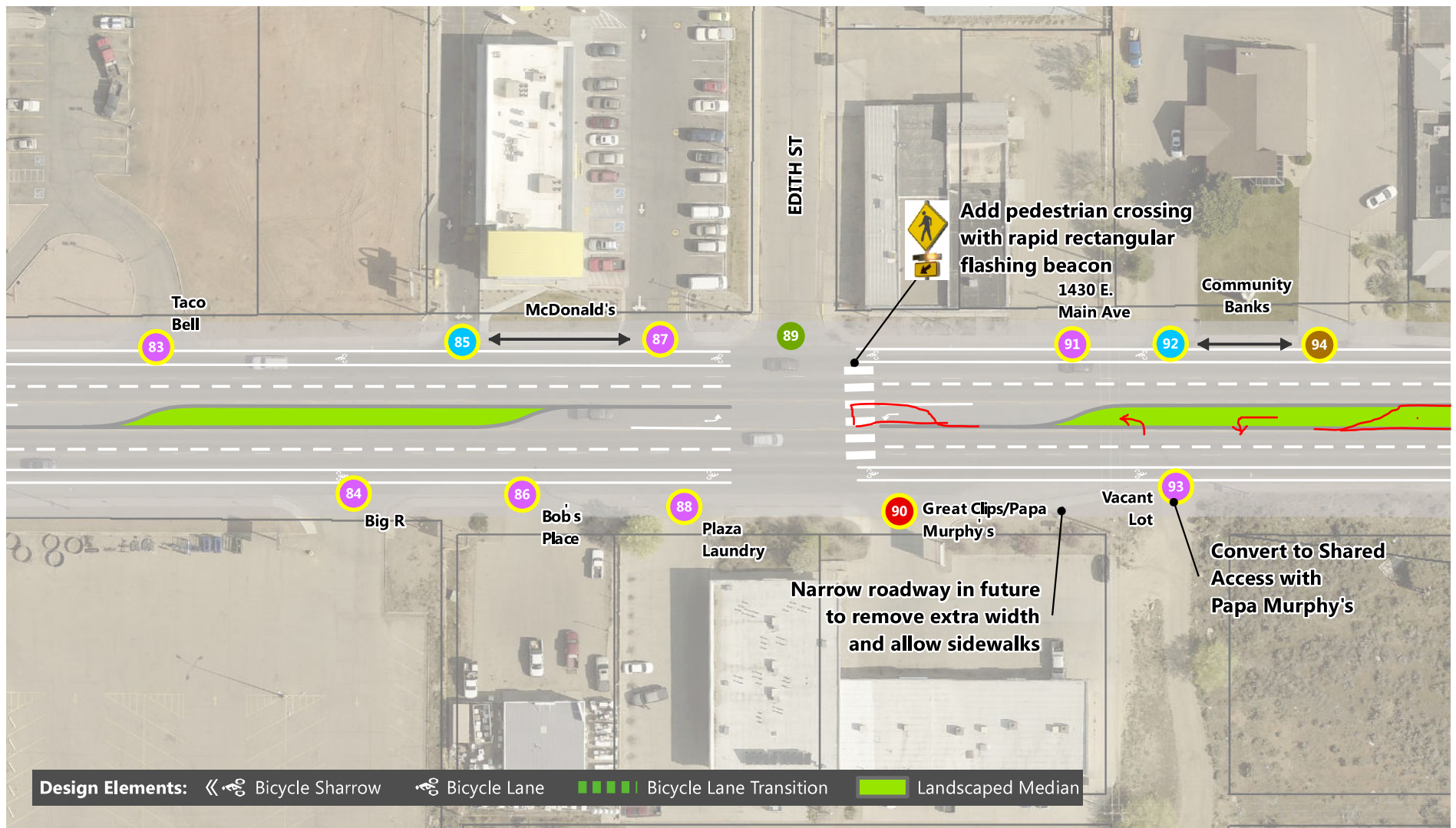


Figure: 9J  
US 160 Access Recommendations and Design Concepts



**INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE CITY OF CORTEZ (THE CITY) and  
THE STATE OF COLORADO DEPARTMENT OF TRANSPORTATION  
(THE DEPARTMENT)  
FOR THE CORTEZ ACCESS CONTROL PLAN**

**THIS INTERGOVERNMENTAL AGREEMENT** is entered into effective as of this 15<sup>th</sup> day of September 2016, by and between the City and the Department, all of said parties being referred to collectively herein as "Agencies."

**RECITALS**

- A. The Agencies are authorized by the provisions of Article XIV, Section 18(2)(a), Colorado Constitution, and Sections 29-1-201 et. Seq., C.R.S., to enter into contracts with each other for the performance of functions which they are authorized by law to perform on their own; and
- B. Each Agency is authorized by Section 43-2-147(I)(a) C.R.S. to regulate access to public highways within its respective jurisdiction; And
- C. The coordinated regulation of vehicular access to public highways is necessary to maintain the efficient and smooth flow of traffic, to reduce the potential for traffic accidents, to protect the functional level and optimize the traffic capacity, to provide an efficient spacing of traffic signals and access points; and
- D. The Agencies desire to provide for the coordinated regulation of vehicular, pedestrian, and bicycle access and safety for the US Hwy 160 corridor through Cortez as follows:  
  
Between MP 38.05 and MP 40.51 (hereafter referred to as the "Segments") which is within the jurisdiction of the Agencies; and
- E. The Agencies are authorized pursuant to Section 2.12 of the 1998 State Highway Access Code, 2 C.C.R. 601-1 (the "Access Code") to enter into a written agreement adopting and implementing a comprehensive and mutually acceptable highway access control plan for the Segments for the purposes above recited; and
- F. The Agencies specifically find and determine that this access control plan is a necessary exercise of the Agencies' legislative, governmental, or police powers to promote and protect the public health, safety, and general welfare of the citizens of the City, County, State; and
- G. The development of this Access Control Plan adheres to the requirements of the Access Code, Section 2.12.

**NOW THEREFORE**, for and in consideration of the mutual promises, agreements, and commitments herein contained, the Agencies agree as follows:

- 1. The Access Control Plan, dated \_\_\_\_\_, 2016, for the Segments (herein referred to as the "ACP") is attached hereto as Exhibits A, B, and C, and incorporated herein by this reference.

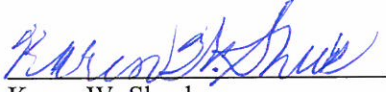
2. The Agencies shall regulate access to the ACP in compliance with the Access Control Plan. Section 42-2-147 C.R.S. (the "Access Law"), and the applicable sections of the Access Code. Vehicular access within the ACP may be permitted only when such access is in compliance with this Agreement, the ACP, Access Control Plan, and Access Law and the applicable sections of the Access Code. Per section 2.12(a) of Access Code, design waivers necessary for access design and construction within State Highway Right-of-Way may be approved by the Regional Transportation Director, or his/her approved designee.
3. Accesses that were in existence in compliance with the Access Law prior to the effective date of this Agreement may continue in existence until such time as a change in the private access is required by the Access Control Plan, the Access Law, in the course of highway reconstruction, or as determined appropriate in the course of development, subdivision actions, or change of use by the City. When closure, modification, or relocation of access is necessary or required, the Agencies having jurisdiction shall utilize the appropriate legal process to effect such action.
4. Actions taken by the Agencies with regard to transportation planning, transportation facilities, and traffic operations within the ACP shall be in conformity with this Agreement. The Agencies agree to develop and adopt the necessary ordinances, official documents, plans and maps to fulfill their respective responsibilities under this Agreement.
5. Parcels of real property created after the effective date of this Agreement which adjoin the Segments shall be provided with access to the Segments as documented in the ACP, as the use, location, and design thereof, conform to the provisions of this Agreement, the City and County Codes, except in unforeseen circumstances, or based upon approved amendments to the ACP.
6. This Agreement is based upon and intended to be consistent with the Access Law and Access Code.
7. This Agreement does not create any current specific financial obligation for any of the Agencies. Any further financial obligation of any Agency shall be subject to the execution of an appropriate encumbrance document, where required. Agencies involved in or affected by any particular or site-specific undertaking provided for herein will cooperate with each other to agree upon a fair and equitable allocation of the costs associated therewith, but, notwithstanding any provision of this Agreement. No Agency shall be required to expend its public funds for such undertaking without the express prior approval of its governing body or director. All financial obligations of the Agencies hereunder shall be approval of its governing body or director. All financial obligations of the Agencies hereunder shall be contingent upon sufficient funds therefore being appropriated, budgeted, and otherwise made available.
8. Should any section(s) or provision(s) of this Agreement be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Agreement, the intention being that the various provisions hereof are severable.
9. This Agreement supersedes and controls all prior written and oral agreements and representations of the Agencies concerning regulating vehicular access to the Segments. No additional or different oral representation, promise, or agreement shall be binding on any Agency.

10. This Agreement may be amended or terminated only in writing executed by the Agencies with express authorization from their respective governing bodies or legally designated officials. To the extent the Access Control Plan is modified by a change, closure, relocation, consolidation, or addition of an access, the Agencies may amend the attached Access Control Plan so long as the amendment is executed in writing and amended in accord with Access Law and the Access Code. The Access Control Plan Amendment Process is attached hereto and is incorporated in Exhibit C.
11. By Signing this Agreement, the Agencies acknowledge and represent to on another that all procedures necessary to validly contract and execute this Agreement have been performed, and that the persons signing for each Agency have been duly authorized to sign.
12. No portion of this Agreement shall be deemed to constitute a waiver of any immunities the parties or their officers or employees may possess, nor shall any portion of this Agreement be deemed to have created a duty of care which did not previously exist with respect to any person not a party to this Agreement.
13. It is expressly understood and agreed that the enforcement of the terms and conditions of this Agreement, and all rights of action relating to such enforcement, shall be strictly reserved to the undersigned parties and nothing in this Agreement shall give or allow any claim or right of action whatsoever by any other person not included in this Agreement. It is an express intention of the undersigned parties that any entity other than the undersigned parties receiving services or benefits under this Agreement shall be incidental beneficiary only.


IN WITNESS THEREOF, the Agencies have executed this Agreement effective as of the day and year written above.

City of Cortez, Colorado

ATTEST:

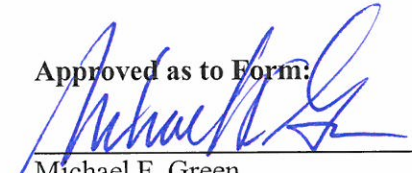
  
Karen W. Sheek  
Mayor, City of Cortez

4/27/16  
Date

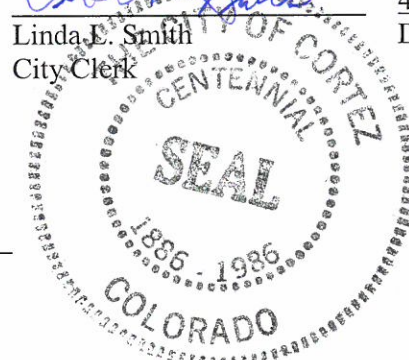
  
Linda E. Smith  
City Clerk

4/27/16  
Date

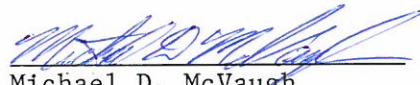
Approved as to Form:

  
Michael F. Green  
City Attorney

3 June 16  
Date



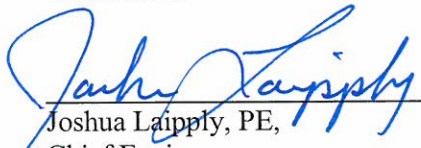
State of Colorado  
Department of Transportation

  
Michael D. McVaugh  
Region Transportation Director

9/19/16  
Date

CONCUR:

ATTEST:

  
Joshua Laipply, PE,  
Chief Engineer

9/15/2016  
Date

  
Chief Clerk

9-15-2015  
Date



## **Exhibits A & B**

### **ACCESS CONTROL PLAN**

#### **United States Highway 160 between MP 38.05 and MP 40.51**

#### **City of Cortez and the State of Colorado Department of Transportation**

##### **I. Purpose**

The purpose of this Access Control Plan (ACP) is to provide the Agencies with a comprehensive roadway access control plan for the pertinent segments of United States highway 160 through Cortez, Colorado.

##### **II. Authority**

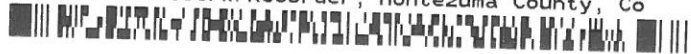
The development of this Access Control Plan was completed pursuant to the requirements of the Access Code, Section 2.12, and adopted by the attached Agreement.

##### **III. Responsibilities**

It is the responsibility of each of the Agencies to this Agreement to ensure that vehicular access to the Segments shall only be in conformance with this Agreement. The cost of access improvements, closures and modifications shall be determined pursuant to section 43-2-147(6)(b) C.R.S., the Agreement, and this Access Control Plan. All access construction shall be consistent with the design criteria and specifications of the Access Code.

##### **IV. Existing and Future Access**

- A. The attached table (Exhibit A) provides a listing of each existing and future access point in the Segments. The Attached Map (Exhibit B) shows the access points along the Segments of US 160 through Cortez. For each access point the following information is provided: location, description of the current access status, and the proposed configuration or condition for change (Access Plan). All access points are defined by the approximate Department mile point (in hundredths of a mile) along United States Highway 160. All access points are located at the approximate centerline of the access.
- B. All highway design and construction will be based on the assumption that the Segments have a sufficient cross section to accommodate all travel lanes and sufficient right-of-way to accommodate longitudinal installation of utilities.



## **Exhibit C**

### **ACCESS CONTROL PLAN AMENDMENT PROCESS United States Highway 160 between MP 38.05 and MP 40.51**

#### **City of Cortez and the State of Colorado Department of Transportation**

Any request for amendment must be submitted to the Department's Region 5 Access Manager by a signatory of the Agreement (either of the Agencies). The amendment must be located within the jurisdiction and have the written support of the submitting signatory. Amendments shall be required for any change to the Access Control Plan as shown in the Exhibit A and B, including, but not limited to, any new or changes to the location of:

1. Signalized intersections
2. Full movement intersections/access points
3.  $\frac{3}{4}$  intersections/access points
4. Right-in/right-out only intersections/access points

The amendment request shall include the following documents:

1. Descriptions of the proposed access and changes to the Access Control Plan.
2. Justification for the requested amendment.
3. For signalized intersections, a supporting Traffic Impact Study per the State Highway Access Code.
4. A list of any requested design waivers as applicable.
5. A proposed revised plan sheet clearly depicting the access modifications. The revised plan sheet will replace the corresponding sheet in Exhibit B.

Upon Submission of Information:

1. The Department shall review the submittal for completeness and for consistency with the access objectives, principles, and strategies described in the United States Highway 160 - City of Cortez Access Control Plan and the State Highway Access Code ("Access Code"). The Department shall also determine if any applicable design waivers can be granted. Any amendment request that results in a violation of the Access Code or for which a design waiver cannot be granted will not be considered.
2. If the amendment request is found to be complete, it will be forwarded, along with a brief report, to an Access Control Plan Advisory Committee, consisting of representatives from the City and the Department. Each Agency is responsible for appointing one Advisory Committee member. An Alternative Advisory Committee member may be appointed as an alternate.
3. After the forwarding, each Advisory Committee member will be responsible for coordinating their agency review and providing a decision on whether to accept or decline the amendment. The Advisory Committee members will have 30 days to submit their agency's vote to the Department Region 5 Access Manager in writing. A unanimous vote of the Agencies will be necessary to approve the amendment. An agency not responding within the 30-day period will be interpreted as a

“decline” decision. The Department will provide voting results, to include a tally sheet documenting each agency vote, to all Advisory Committee members within 15 days of receiving all votes, or following the 30-day review period.

4. Acceptable votes from the Agencies include: accept without modifications; accept with conditions or modifications; or disapprove.
5. If an agency accepts with conditions or modifications, the agency requesting the condition or the modification must provide supporting justification and any applicable requests for a design waiver. Any vote to accept with conditions or modifications that results in a violation of the Access Code or for which a design waiver cannot be granted will not be considered.
6. If found to be complete, The Department will forward the conditions or modifications to all members of the Access Control Plan Advisory Committee.
7. After the forwarding, each Advisory Committee member will be responsible for coordinating their agency review and providing a decision on whether to accept or decline the conditions and modifications. The Advisory Committee members will have 20 days to submit their agency’s subsequent vote to the Department in writing. A unanimous vote of the Agencies will be necessary to approve the conditions and modifications. An agency not responding within the 20-day period will be interpreted as a “decline” decision. The Department will provide voting results to all Advisory Committee members within 10 days of receiving all votes, or following the 20-day review period.

Exhibit A: Listing of existing and future access points

Page 1 of 6

Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
DOWNTOWN SEGMENT						
1	38.04	Lt		Maple Street	Full movement, public access, signalized intersection	No change
2	38.04	Rt		Maple Street	Full movement, public access, signalized intersection	No change
3	38.08	Rt	561126307001	Nero's Restaurant	Access closed	No change
4	38.09	Rt	561126307001	Sand Canyon Motel	Enter only, commercial access	Restrict to right in only
5	38.2	Lt	561126251004	Conoco station	Full movement, commercial access	Restrict to right in/right out only
6	38.11	Rt	561126307001	Sand Canyon Motel	Exit only, commercial access	Restrict to right/out only
7	38.12	Rt		Linden Street	Full movement, public access	No change
8	38.12	Lt		Linden Street	Full movement, public access	No change
9	38.15	Lt		North Pinon Drive	Enter only, public access	No change
10	38.13	Lt		Elm Street	Full movement, public access	No change
11	38.13	Rt		Elm Street	Full movement, public access	No change
12	38.29	Lt		Chestnut Street	Full movement, public access, signalized intersection	No change
13	38.29	Rt		Chestnut Street	Full movement, public access, signalized intersection	No change
14	38.36	Lt		Market Street	Full movement, public access, signalized intersection	No change
15	38.36	Rt		Market Street	Full movement, public access, signalized intersection	No change
16	38.43	Lt		Beech Street	Full movement, public access	No change
17	38.43	Rt		Beech Street	Enter only, public access	No change
18	38.5	Lt	561126245004	Gravel Parking Lot	Full movement, commercial access	Restrict to right in/right out only
19	38.48	Lt	561126245003	Rent A Wheel	Full movement, commercial access	Restrict to right in/right out only
20	38.46	Lt		Ash Street	Full movement, public access, signalized intersection	No change
21	38.46	Rt		Ash Street	Full movement, public access, signalized intersection	No change
22	38.7	Rt	561126404005	Wendy's	Full movement, commercial access	Restrict to right in/right out only



COLORADO  
Department of  
Transportation







Access Number	Mile Post	Right/ Left	Parcel	Current Use	Current Access Description	Proposed Access Change
23	38.53	Lt	561126126003	ALON Station	Full movement, commercial access	Restrict to right in/right out only; potentially change to egress only or consolidate upon redevelopment
24	38.54	Lt	561126126003	ALON Station	Full movement, commercial access	Restrict to right in/right out only; potentially change to ingress only or consolidate upon redevelopment
25	38.54	Lt		Washington Street	Full movement, public access	No change
26	38.54	Rt		Washington Street	Full movement, public access	No change
27	38.7	Rt	561126403003	Criston Mall	Full movement, commercial access	Restrict to right in/right out only; reduce access width to 30' upon redevelopment
28	38.57	Lt	561126125005	Ocean Pearl Restaurant	Access closed	No change
29	38.58	Lt	561126125008	La Casita Restaurant	Full movement, commercial access	Restrict to right in/right out only
30	38.69	Rt	561126403001	Community Banks	Enter only, commercial access	Restrict to right in only
31	38.68	Rt	561126403001	Community Banks	Exit only, commercial access	Restrict to right out only
32	38.59	Lt		Madison Street	Full movement, public access	No change
33	38.59	Rt		Madison Street	Full movement, public access	No change
34	38.67	Rt	561126402003	Aqua Carwash	Full movement, commercial access	No change
35	38.61	Lt	561126124007	Burger Boy	Full movement, commercial access	No change
36	38.66	Rt	561126402003	Aqua Carwash	Full movement, commercial access	Recommended closure
37	38.62	Lt	561126124012	Methodist Thrift Store	Full movement, commercial access	Recommended closure; share access with existing Burger Boy access
38	38.65	Rt	561126402002	Jimmer's Restaurant	Full movement, commercial access	No change
39	38.62	Lt	561126124012	Garcia & Company	Full movement, commercial access	No change
40	38.65	Rt	561126402011	Cork & Bottle	Full movement, commercial access	No change
41	38.64	Lt		Harrison Street	Full movement, public access, signalized intersection	No change
42	38.64	Rt		Harrison Street	Full movement, public access, signalized intersection	No change
CITY PARK SEGMENT						
43	39.03	Rt	561126401002	Super 8 Motel	Full movement, commercial access	Restrict to right in/right out only; open emergency access on Harrison Street
44	38.73	Lt	561126123001	City Market	Full movement, commercial access	Restrict to right in/right out only





Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
45	39.02	Rt	561126401004	Best Western Motel	Full movement, commercial access	Restrict to right in/right out only
46	39	Rt	561126401004	Best Western Motel	Full movement, commercial access	Restrict to 3/4 access
47	38.74	Lt	561126100031	Cortez Dialysis	Full movement, commercial access	Restrict to right in/right out only; close upon redevelopment and share access with Front Row Seat
48	38.93	Rt	561126401004	Best Western Motel	Full movement, commercial access	Restrict to right in/right out only
49	38.92	Rt	561126400008	CO Land & Title	Full movement, commercial access	Restrict to right in/right out only
50	38.75	Lt	561126100031	Front Row Seat	Full movement, commercial access	Restrict to 3/4 access; upon redevelopment share access with Cortez Dialysis and Liquid Assets
51	38.91	Rt	561126400008	Carpenter Plaza	Full movement, commercial access	Restrict to right in/right out only
52	38.77	Lt	561126100024	Liquid Assets	Full movement, commercial access	Restrict to right in/right out only; close upon redevelopment and share access with Front Row Seat
53	38.91	Rt	561126400006	Aneth Lodge	Full movement, commercial access	Restrict to 3/4 access
54	38.79	Lt	561126100025	Dolores State Bank	Full movement, commercial access	Restrict to right in/right out only
55	38.88	Rt	561126400005	Cortez Auto Repair	Full movement, commercial access	Restrict to right in/right out only
56	38.87	Rt	561126400004	Jack's Country Kitchen	Full movement, commercial access	No change
57	38.8	Lt		Park Street	Full movement, public access	No change
58	38.86	Rt	561126400004	Jack's Country Kitchen	Full movement, commercial access	Restrict to 3/4 access; upon redevelopment prevent left turns via pork chop
59	38.84	Rt	561126400003	Sundance RV Park	Full movement, commercial access	Restrict to 3/4 access
60	38.83	Rt	561126447001	Rent All Rentals	Full movement, commercial access	Restrict to right in/right out only
61	38.83	Rt	561126400001	Giant Station	Full movement, commercial access	Restrict to right in/right out only
62	38.81	Lt		Mildred Street	Full movement, public access, signalized intersection	No change
63	38.81	Rt		Mildred Street	Full movement, public access, signalized intersection	No change
64	39.16	Rt	561125308009	One Stop Taqueria	Planned Closure	No change
65	39.07	Lt	561125200010	C&G Health	Full movement, commercial access	Restrict to right in/right out only
66	39.16	Rt	561125308009	One Stop Taqueria	Full movement, commercial access	Restrict to right in/right out only
67	39.09	Lt	561125200008	Long Trailer Court	Full movement, commercial access	Restrict to right in/right out only







Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
68	39.09	Lt	561125200012	Durango Organics	Full movement, commercial access	Restrict to right in/right out only
69	39.17	Rt	561125308009	Vacant Lot	Full movement, residential access	Restrict to right in/right out only
70	39.17	Rt	561125300007	Holgate's Carwash	Full movement, commercial access	Restrict to right in/right out only
71	39.17	Rt	561125300007	Holgate's Tools	Full movement, commercial access	Restrict to right in/right out only
72	39.1	Lt	561125200013	1118 Main Ave	Full movement, residential access	Restrict to right in/right out only
73	39.11	Lt	561125225001	Travel Lodge	Full movement, commercial access	Restrict to 3/4 access
74	39.19	Rt	561125300006	Dairy Queen/Pizza Hut	Full movement, commercial access	Restrict to 3/4 access
75	39.12	Lt	561125225001	Willis Furniture	Full movement, commercial access	Restrict to right in/right out only
76	39.2	Rt	561125300013	Dairy Queen	Exit only, commercial access	Restrict to right out only
77	39.12	Lt	561125200019	Sunshine Motors	Full movement, commercial access	Restrict to right in/right out only
78	39.21	Rt	561125312004	Cortez Flooring and Others	Full movement, commercial access	Restrict to 3/4 access
79	39.13	Lt	561125200019	Sunshine Motors	Full movement, commercial access	Restrict to right in/right out only
80	39.14	Lt	561125200018	Auto Zone	Full movement, commercial access	Restrict to right in/right out only
81	39.15	Lt		Roger Smith Avenue	Full movement, public access	No change
82	39.24	Rt	561125300004	Big R	Full movement, commercial access	No change
83	39.57	Lt	561125215007	Taco Bell	Full movement, commercial access	Restrict to right in/right out only
84	39.27	Rt	561125300004	Big R	Full movement, commercial access	Restrict to right in/right out only
85	39.55	Lt	561125213004	McDonalds	Exit only, commercial access	Restrict to right out only
86	39.27	Rt	561125304003	Bob's Place	Full movement, commercial access	Restrict to right in/right out only
87	39.55	Lt	561125213004	McDonalds	Full movement, commercial access	Restrict to right in/right out only
88	39.32	Rt	561125313002	Plaza Laundry	Full movement, commercial access	Restrict to right in/right out only
89	39.53	Lt		Edith Street	Full movement, public access	No change
90	39.33	Rt	561125313001	Great Clips/Papa Murphy's	Full movement, commercial access	Recommended closure; share access with access # 93 (vacant lot)
91	39.49	Lt	561125212003	1430 E. Main Ave	Full movement, commercial access	Restrict to right in/right out only
92	39.48	Lt	561125200022	Community Banks	Exit only, commercial access	Restrict to right out only
93	39.33	Rt		Vacant Lot	Full movement, commercial access	Restrict to right in/right out only; convert to shared access with Papa Murphy's
94	39.45	Lt	561125200022	Community Banks	Enter only, commercial access	Restrict to right in only





Access Number	Mile Post	Right/Left	Parcel	Current Use	Current Access Description	Proposed Access Change
95	39.42	Lt	561125218001	1st S.W. Bank	Full movement, commercial access	Restrict to right in/right out only
96	39.39	Lt	561125222001	Safeway	Full movement, commercial access	Restrict to 3/4 access
132	39.39	Rt	561125303001	N/A	N/A	Configure as 3/4 access when development occurs
97	39.37	Lt	561125217015	Net Force PC	Full movement, commercial access	Restrict to right in/right out only
98	39.34	Rt	561125311001	Wal-Greens	Right in/right out, commercial access	No change
99	39.37	Lt	561125217006	Super Splash Carwash	Exit only, commercial access	Restrict to right out only
100	39.36	Lt	561125217006	Super Splash Carwash	Enter only, commercial access	Recommended closure
EASTERN GATEWAY SEGMENT						
101	39.35	Rt		Sligo Street	Full movement, public access, signalized intersection	No change
102	39.57	Rt		Veach Street	Full movement, public access	No change
103	39.62	Rt	561125403002	Cedarwood Animal Clinic	Planned Closure	No change
104	39.62	Lt		Henry Street	Full movement, public access	Restrict to right in/right out only
105	39.6	Rt	561125403002	Cedarwood Animal Clinic	Full movement, commercial access	Restrict to right in/right out only
106	39.63	Lt	561125100019	American Home Patient	Full movement, commercial access	Restrict to right in/right out only
107	39.69	Rt	561125412001	O'Reilly's	Full movement, commercial access	Restrict to right in/right out only
108	39.64	Lt	561125100019	Pro Nails	Full movement, commercial access	Restrict to right in/right out only
109	39.64	Lt		Texas Street	Full movement, public access	Restrict to right in/right out only
110	39.69	Rt	561125402001	Mountain Chiropractic	Full movement, commercial access	Restrict to right in/right out only
111	39.72	Rt		Cactus Street	Full movement, public access	Restrict to 3/4 access
112	39.73	Lt	561125100024	Econo Lodge	Full movement, commercial access	Restrict to right in/right out only; can provide 3/4 access if access is reconfigured to align with Cactus Street
113	39.77	Rt	561125401004	Shell Station	Full movement, commercial access	Restrict to right in/right out only
114	39.76	Lt	561125100024	Econo Lodge	Full movement, commercial access	Restrict to right in/right out only
115	39.8	Lt	561125100024	Econo Lodge	Full movement, commercial access	Left in only
116	39.8	Rt	561125401006	Denny's	Full movement, commercial access	Restrict to right in/right out only; potential for future 3/4 access
117	39.82	Lt	561125100016	Retro Inn	Exit only, commercial access	Restrict to right out only







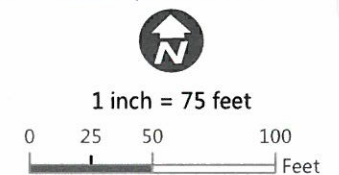
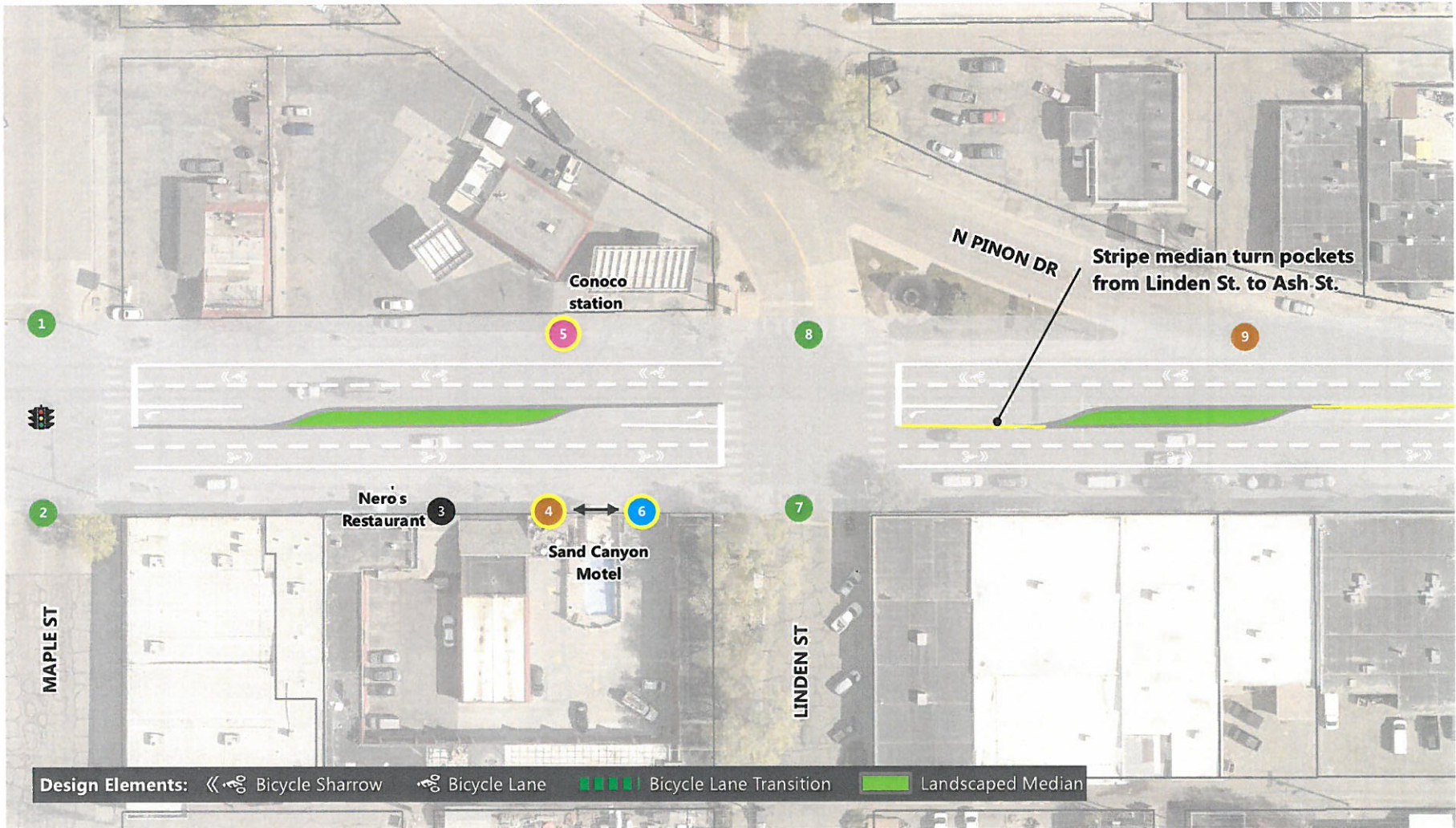
Access Number	Mile Post	Right/ Left	Parcel	Current Use	Current Access Description	Proposed Access Change
118	39.84	Lt	561125100016	Retro Inn	Full movement, commercial access	Restrict to right in/right out only
119	39.85	Rt	561125400004	Holiday Inn	Full movement, commercial access	Restrict to right in/right out only
120	39.89	Lt	561125118104	Cortez Plaza	Full movement, commercial access	No change
121	39.89	Rt		Hawkins Street	Full movement, public access	No change
122	40.1	Lt	561125118100	Cortez Plaza	Full movement, commercial access	No change
123	40.09	Rt		Trinity Avenue	Full movement, public access	No change
124	40.12	Lt	561125100013	Conoco station	Full movement, commercial access	Restrict to right in/right out only
125	40.17	Lt	561125100025	La Mesa RV Park	Full movement, commercial access	Restrict to right in/right out only
126	40.19	Lt		Dolores Street	Right in/right out, public access	No change
127	40.29	Lt		US Highway 145/State Street	Full movement, public access, signalized intersection	No change
128	40.29	Rt		US Highway 145/State Street	Full movement, public access, signalized intersection	No change
129	40.53	Lt	560930200012	Days Inn	Full movement, commercial access	Restrict to right in/right out only
130	40.41	Rt		Lakeside Drive	Full movement, public access	Restrict to 3/4 access
131	40.44	Lt		Patton Street	Full movement, public access	Restrict to right in/right out only

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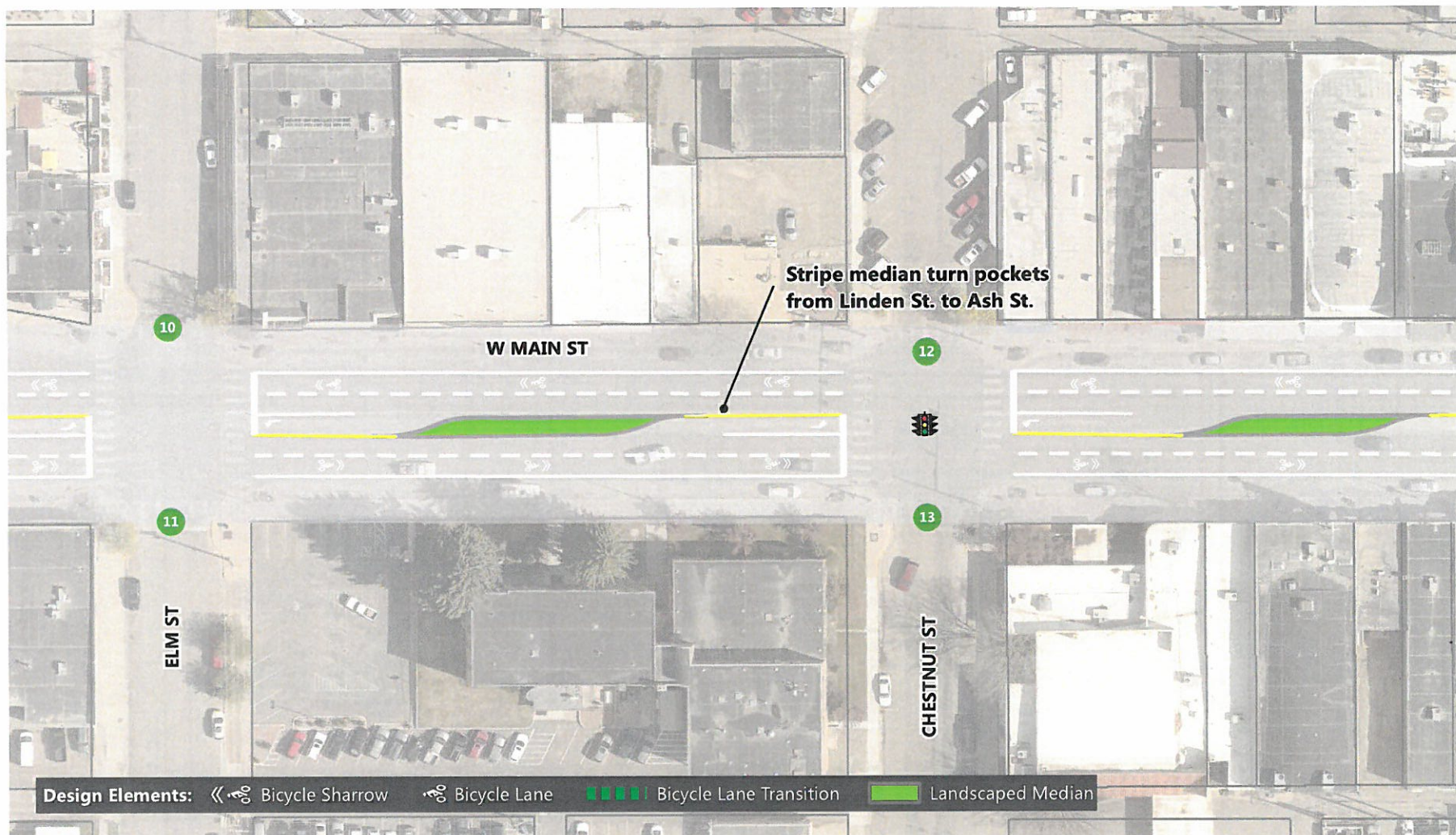


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Transportation









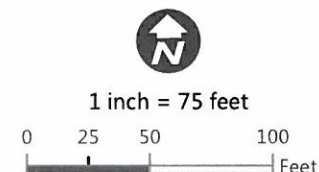
# Access Recommendations

- Full
- 3/4 Access
- Ingress Only

- Left In Only
- Right In Only
- Right In/Right Out
- Right Out Only

- New Access
- Recommended Closure
- Planned Closure
- Access Closed

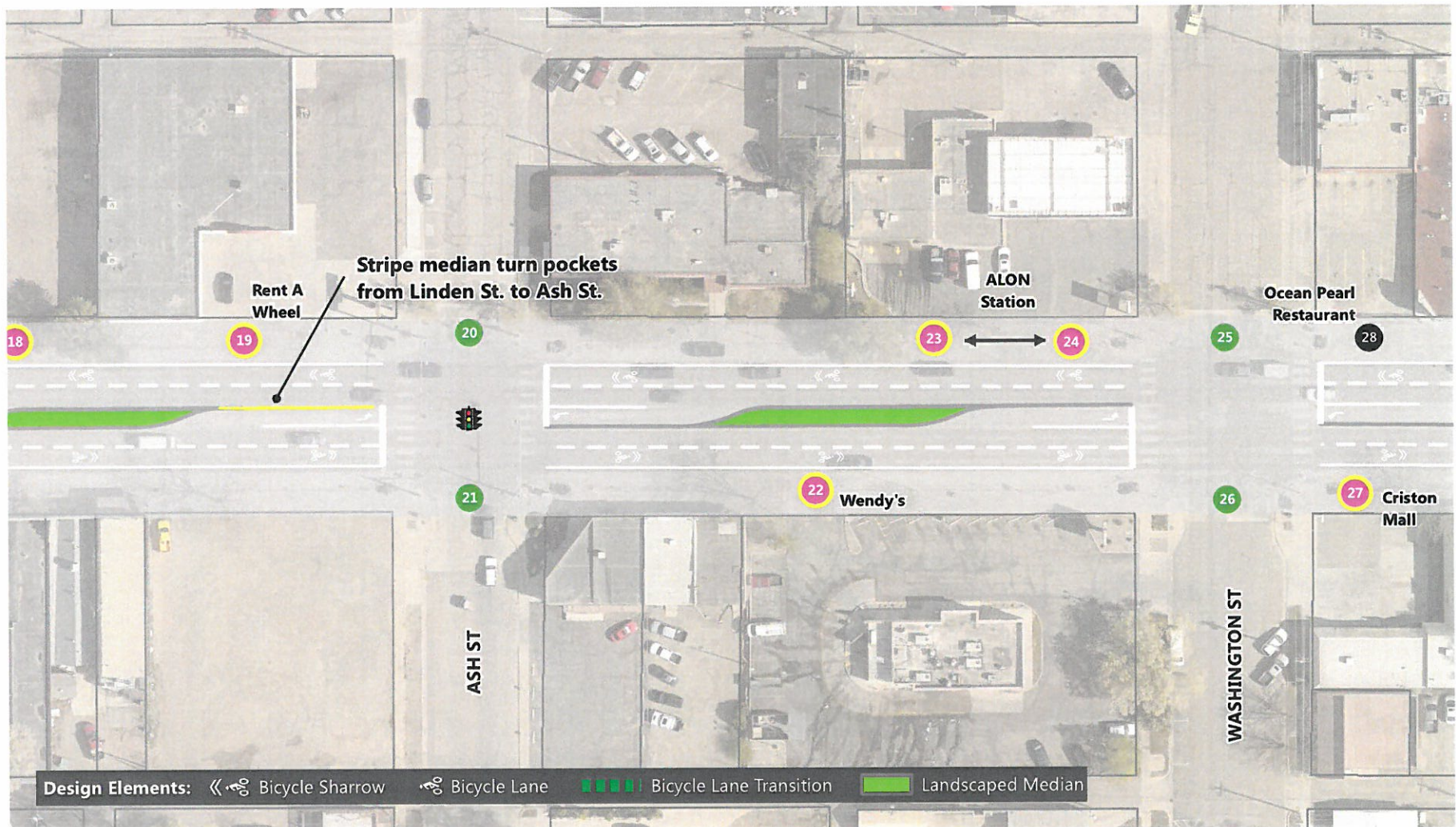
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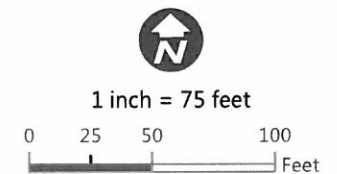




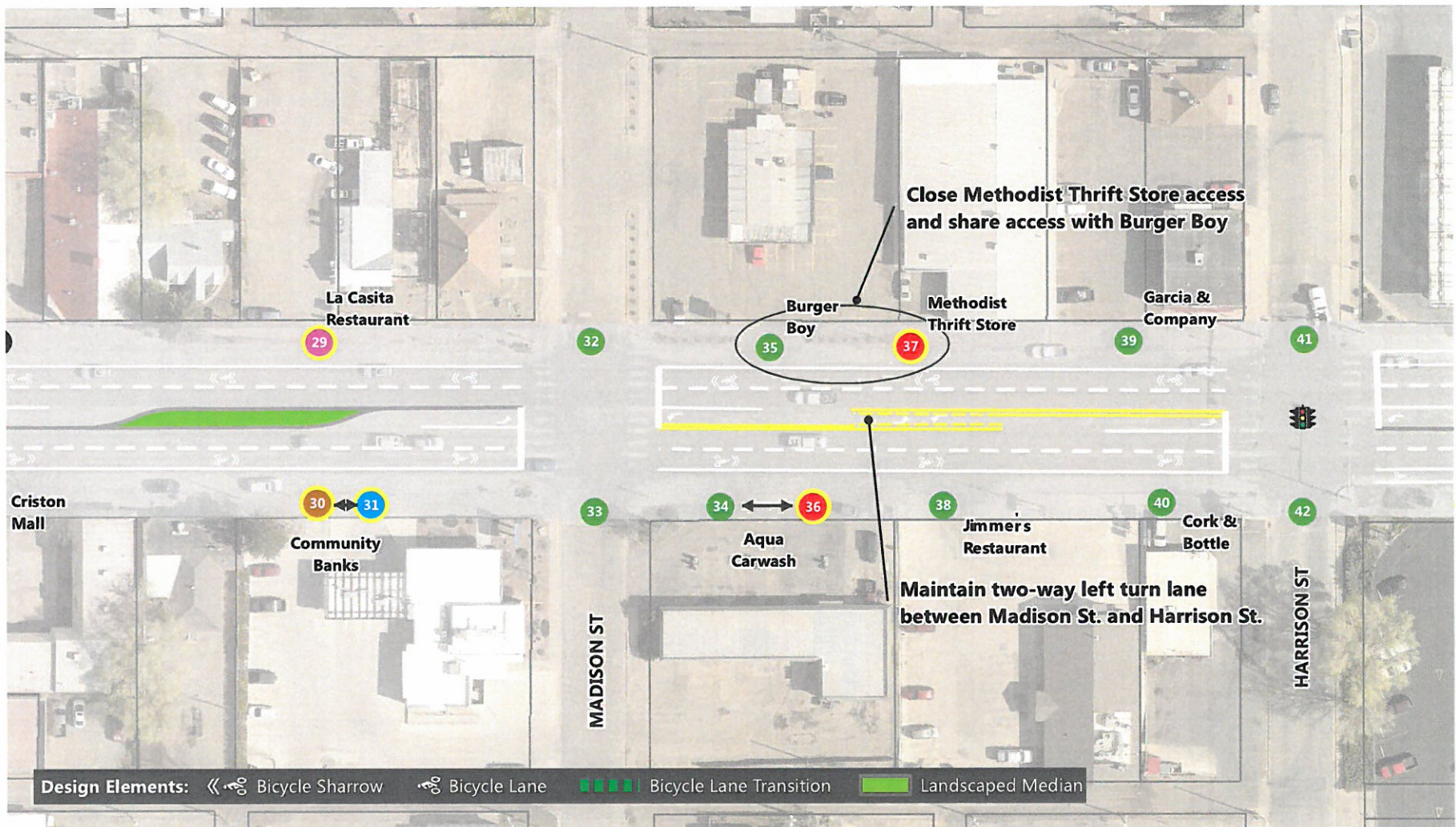




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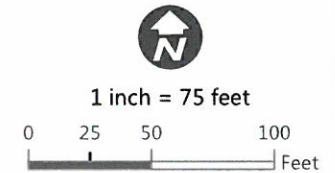




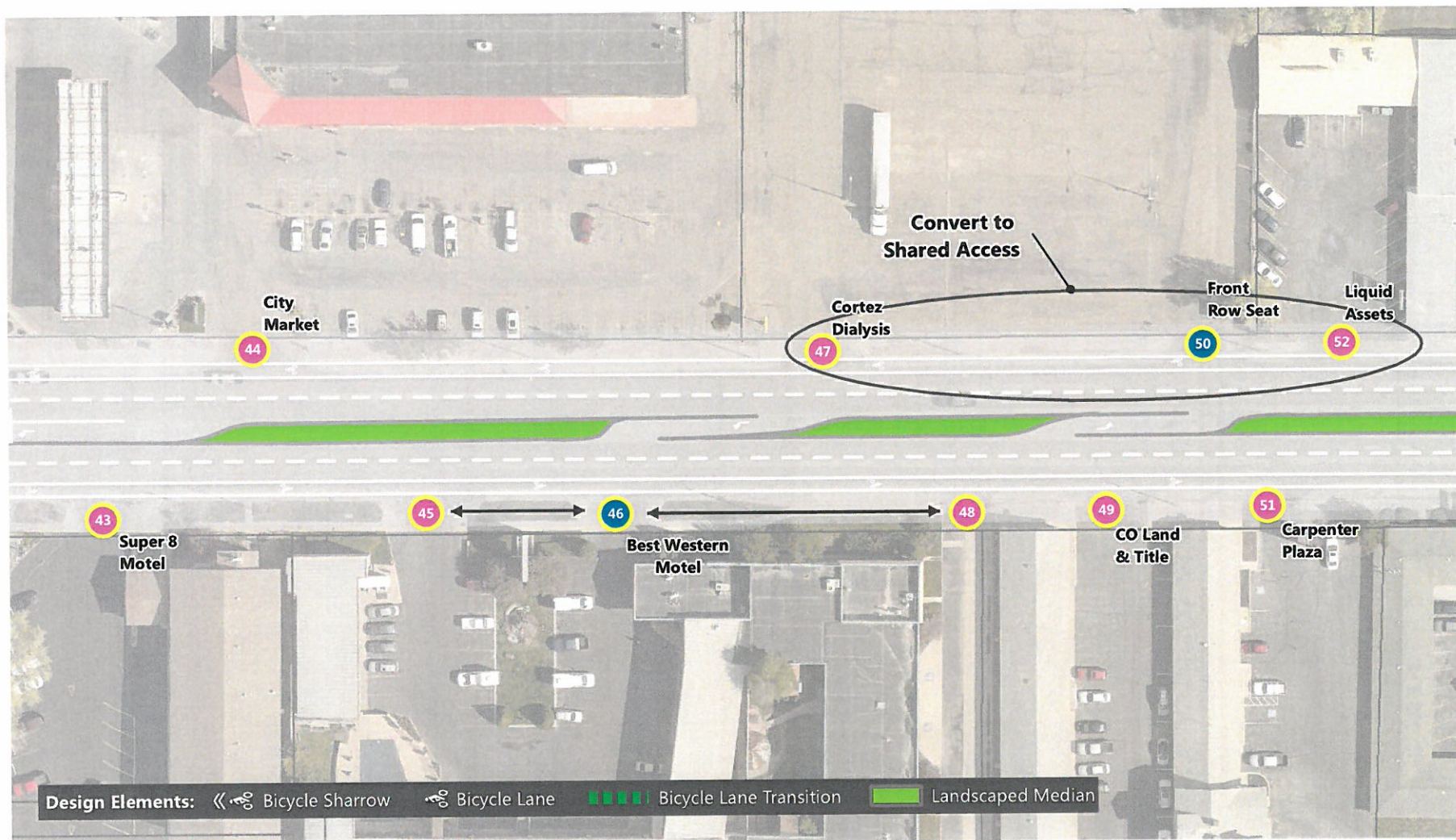


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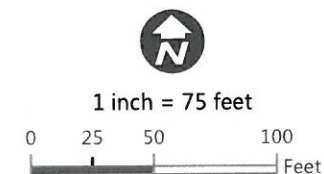
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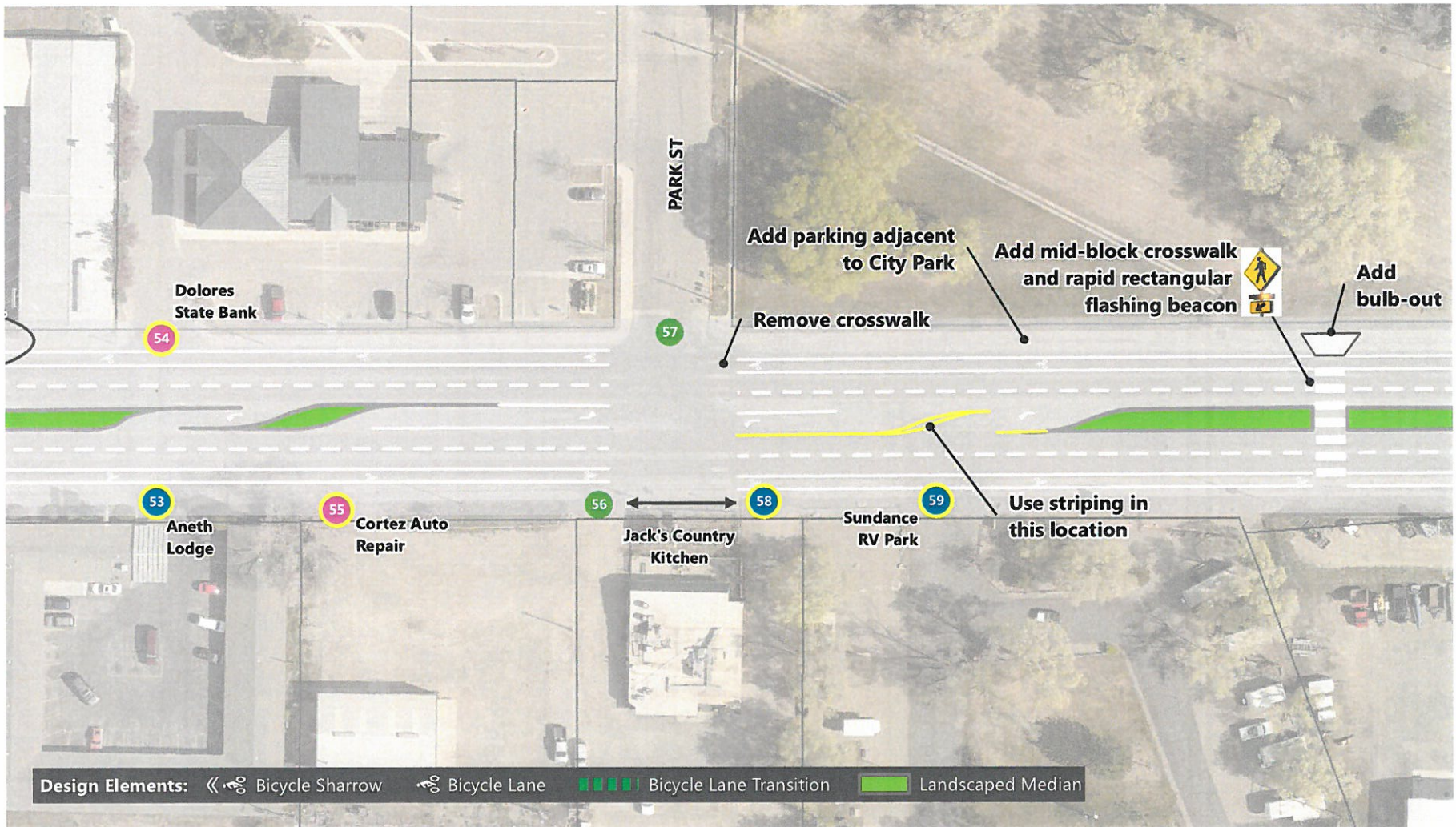
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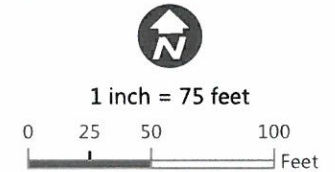
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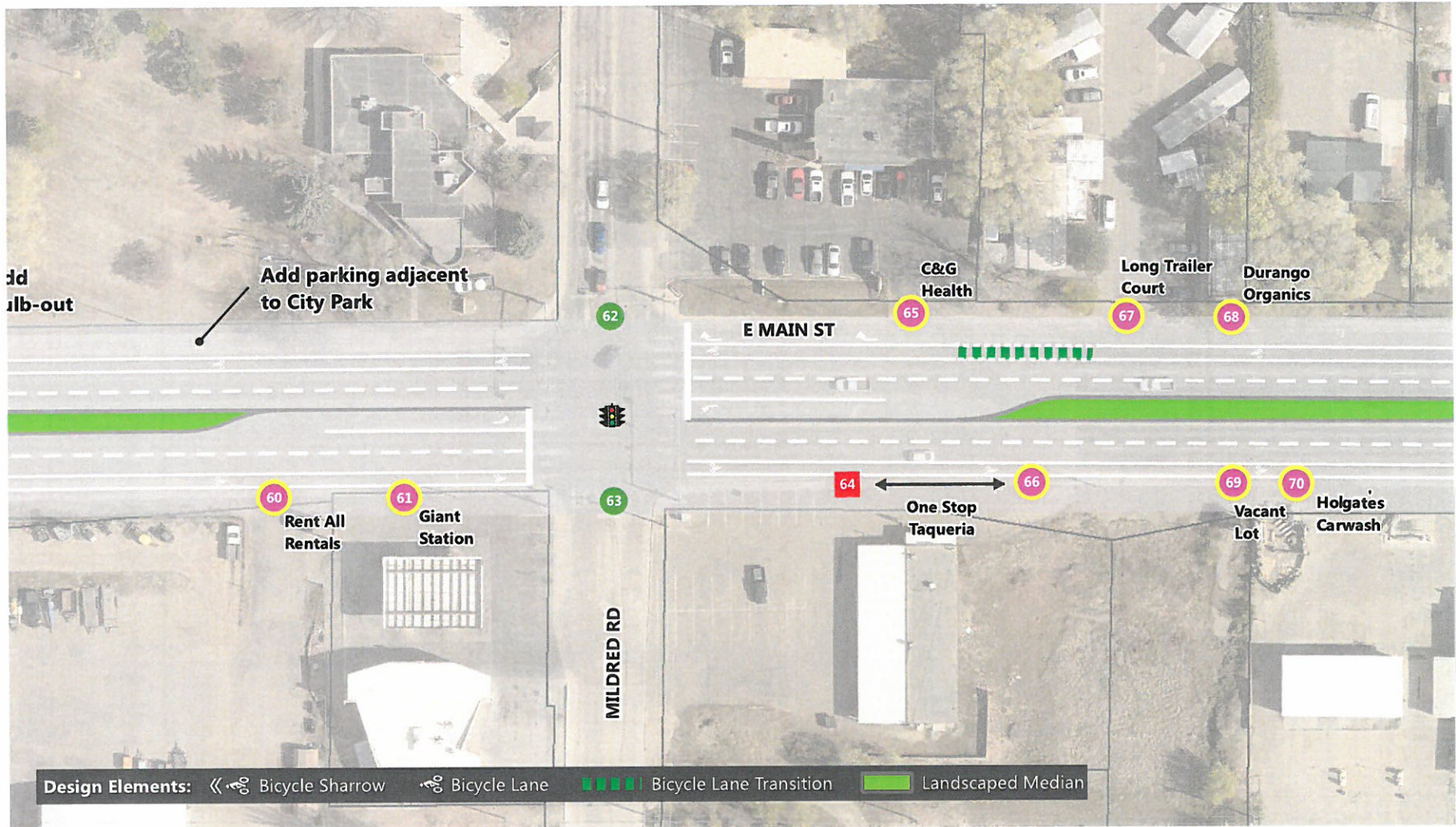
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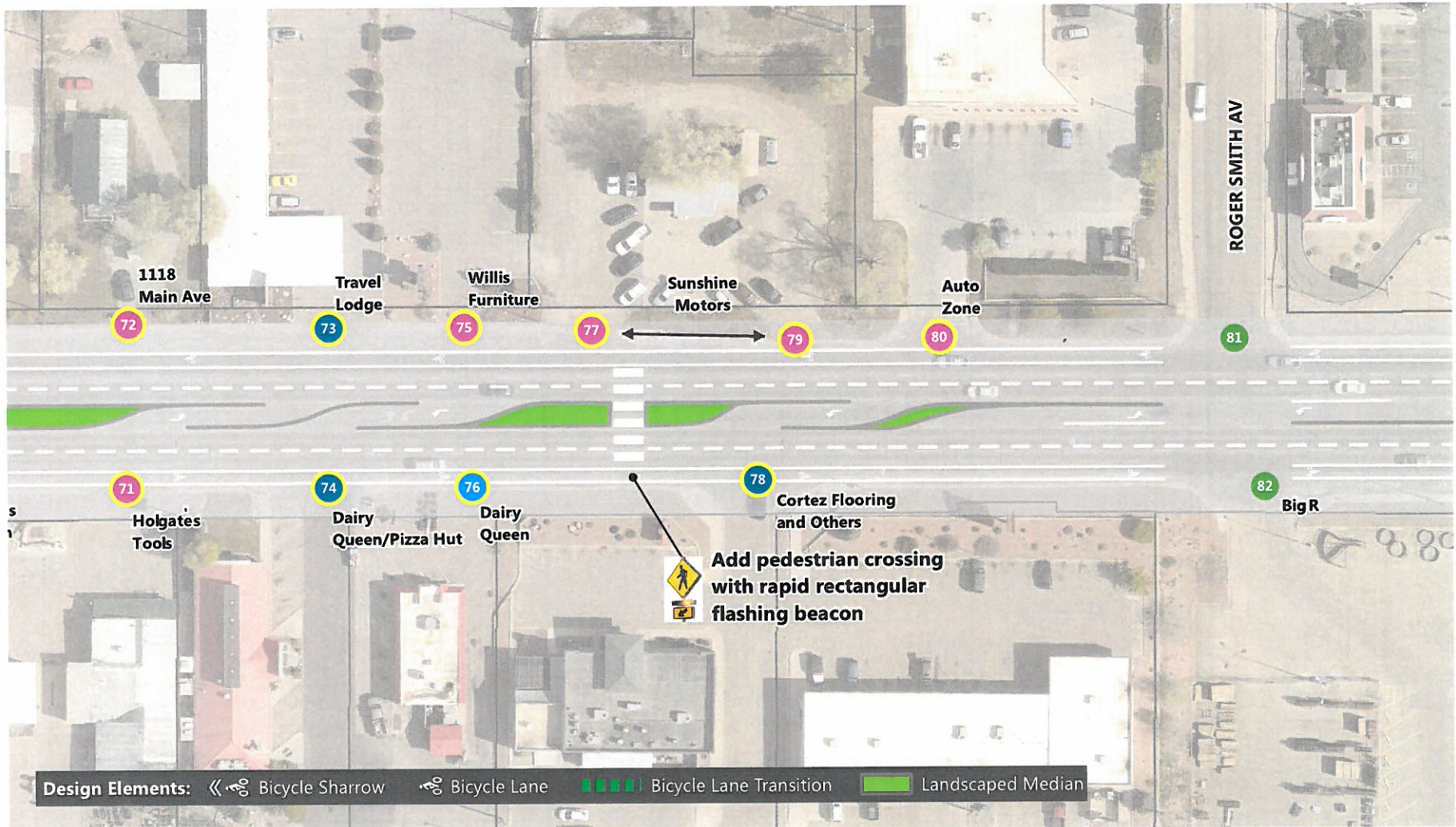
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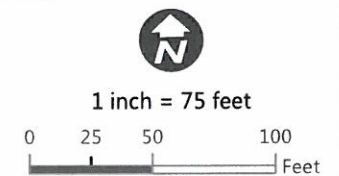




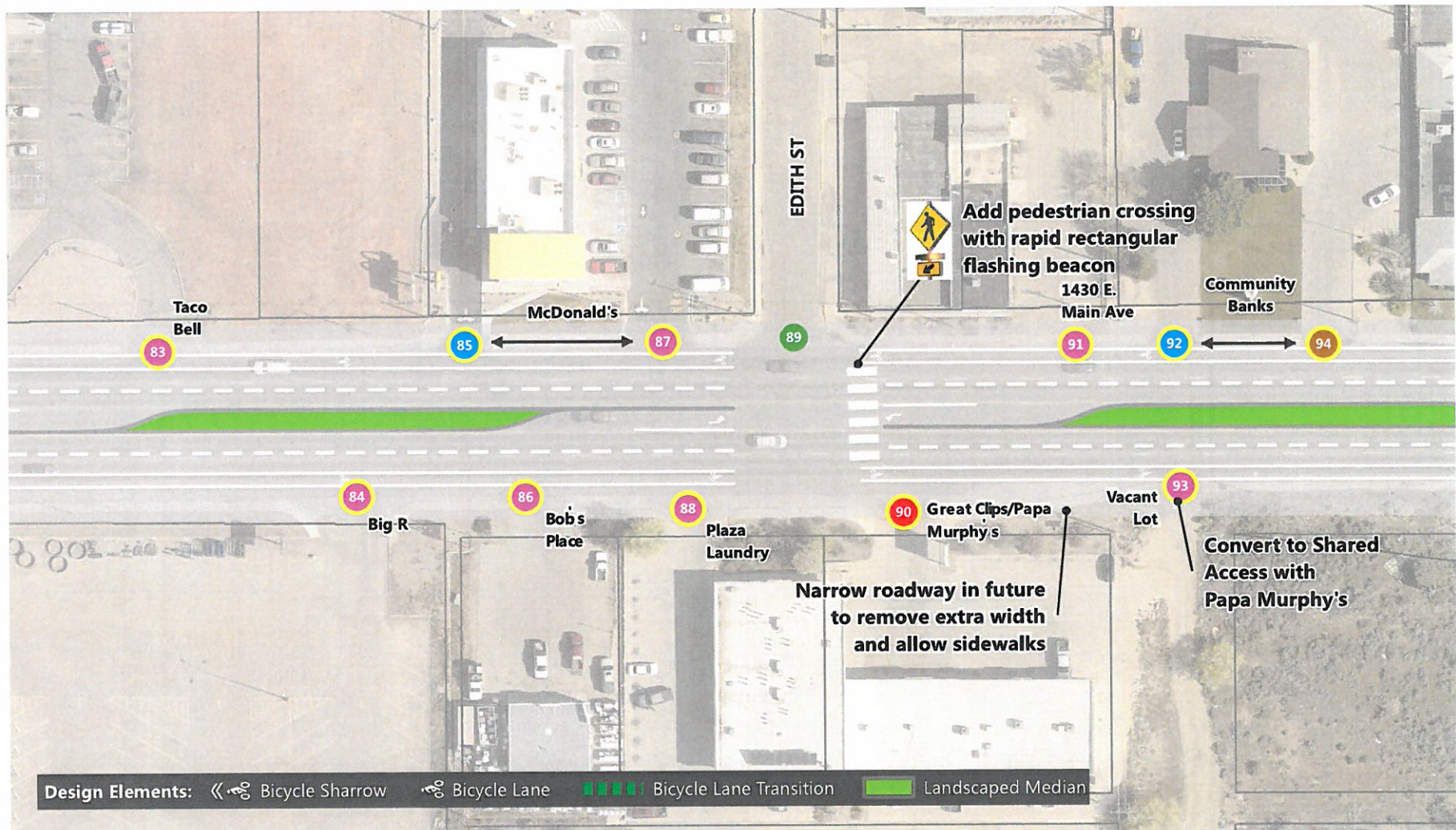




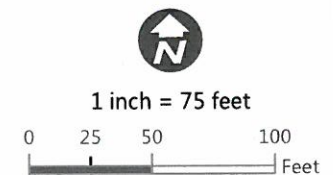
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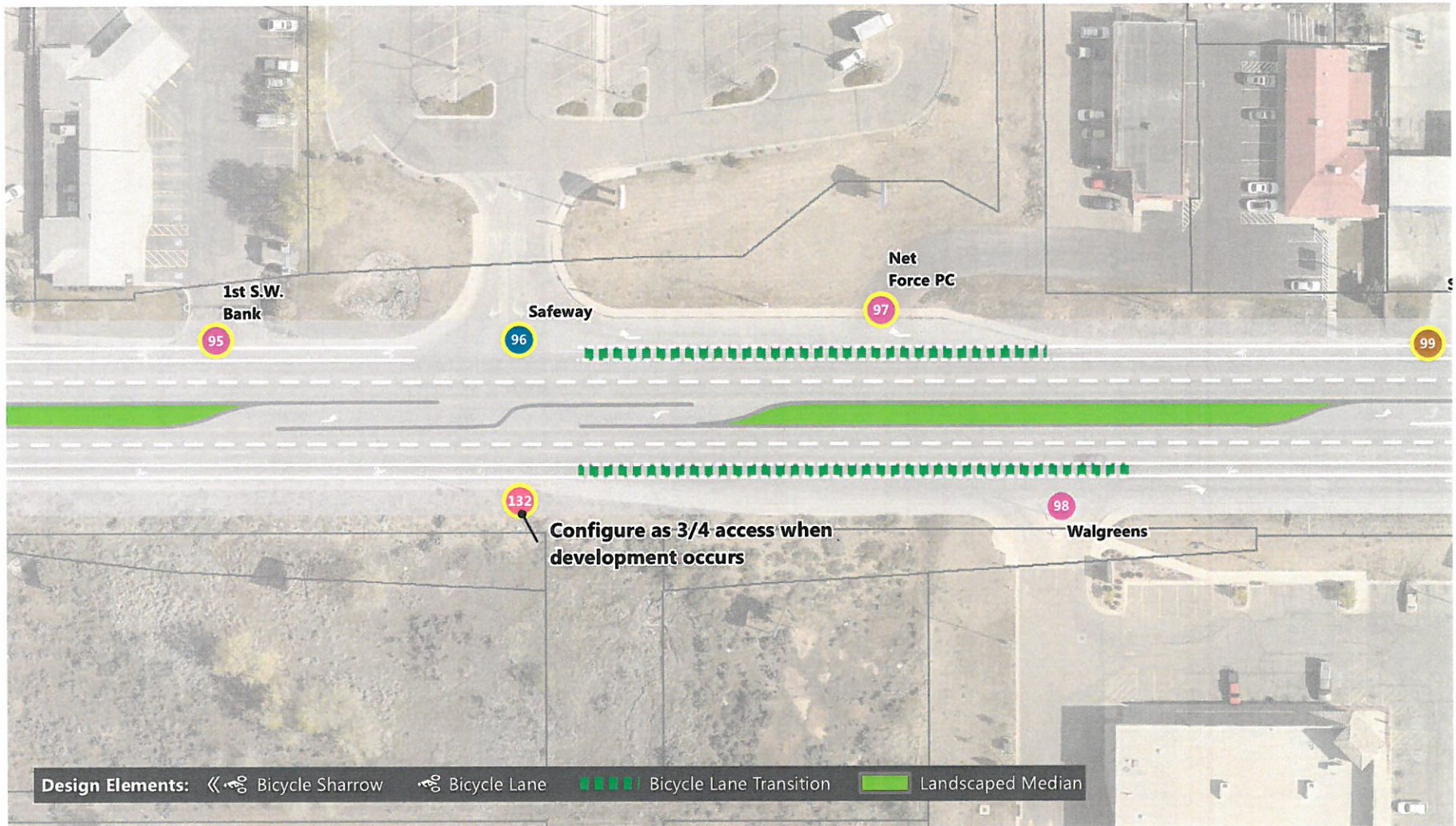




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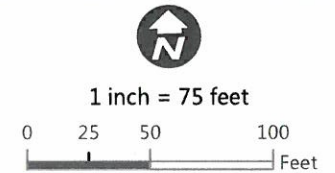




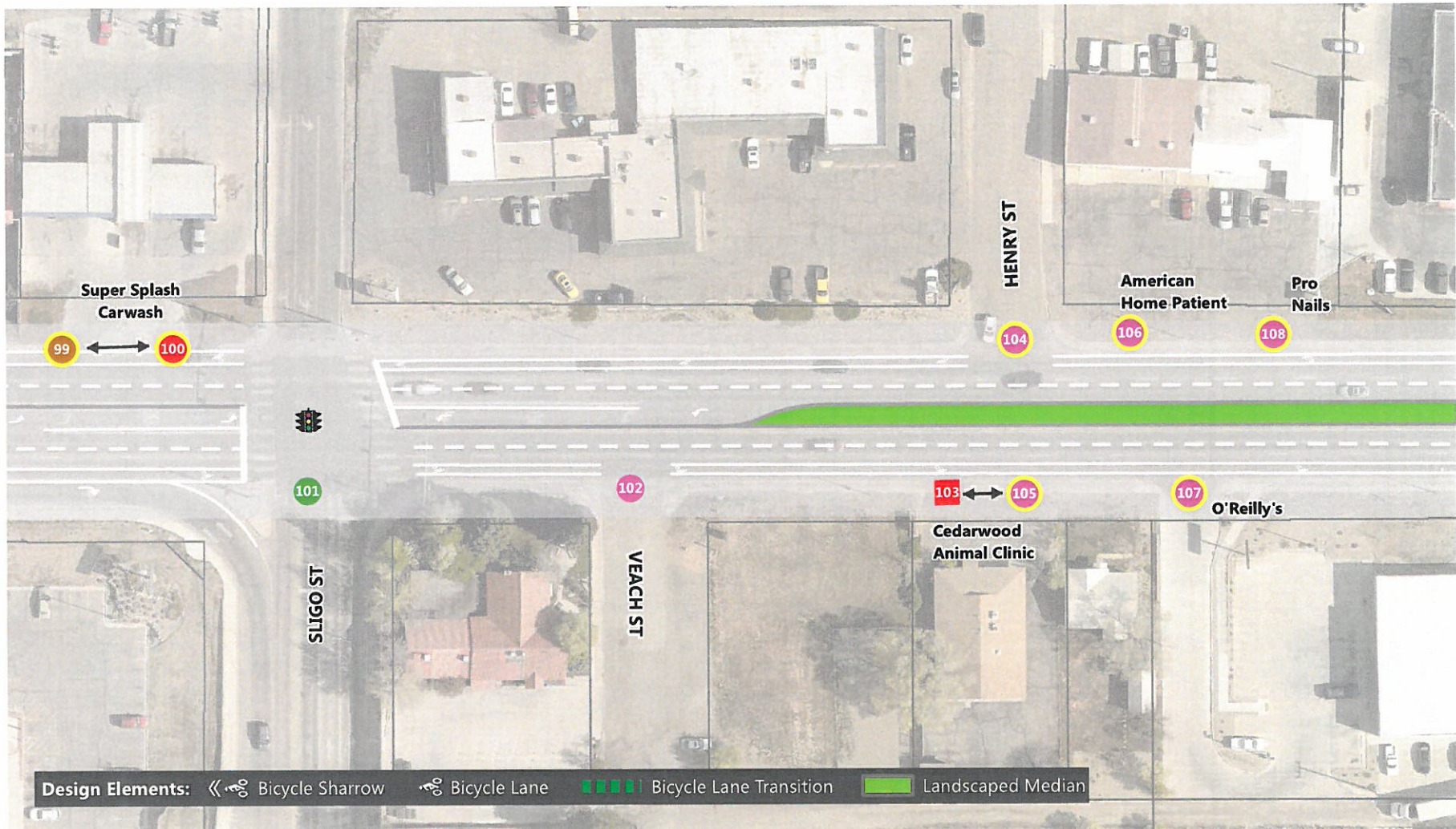


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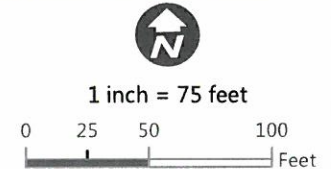




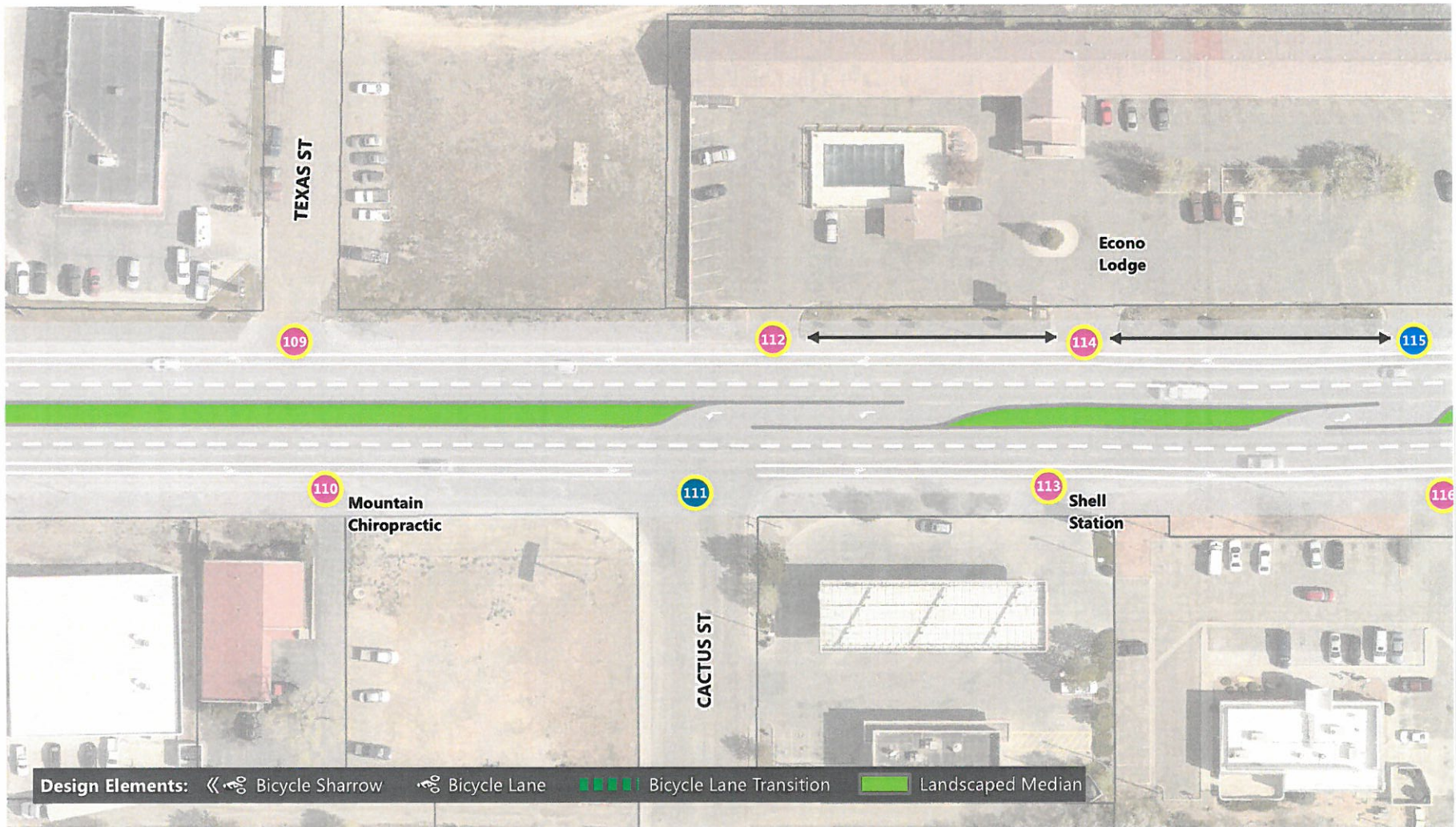


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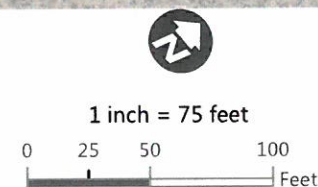
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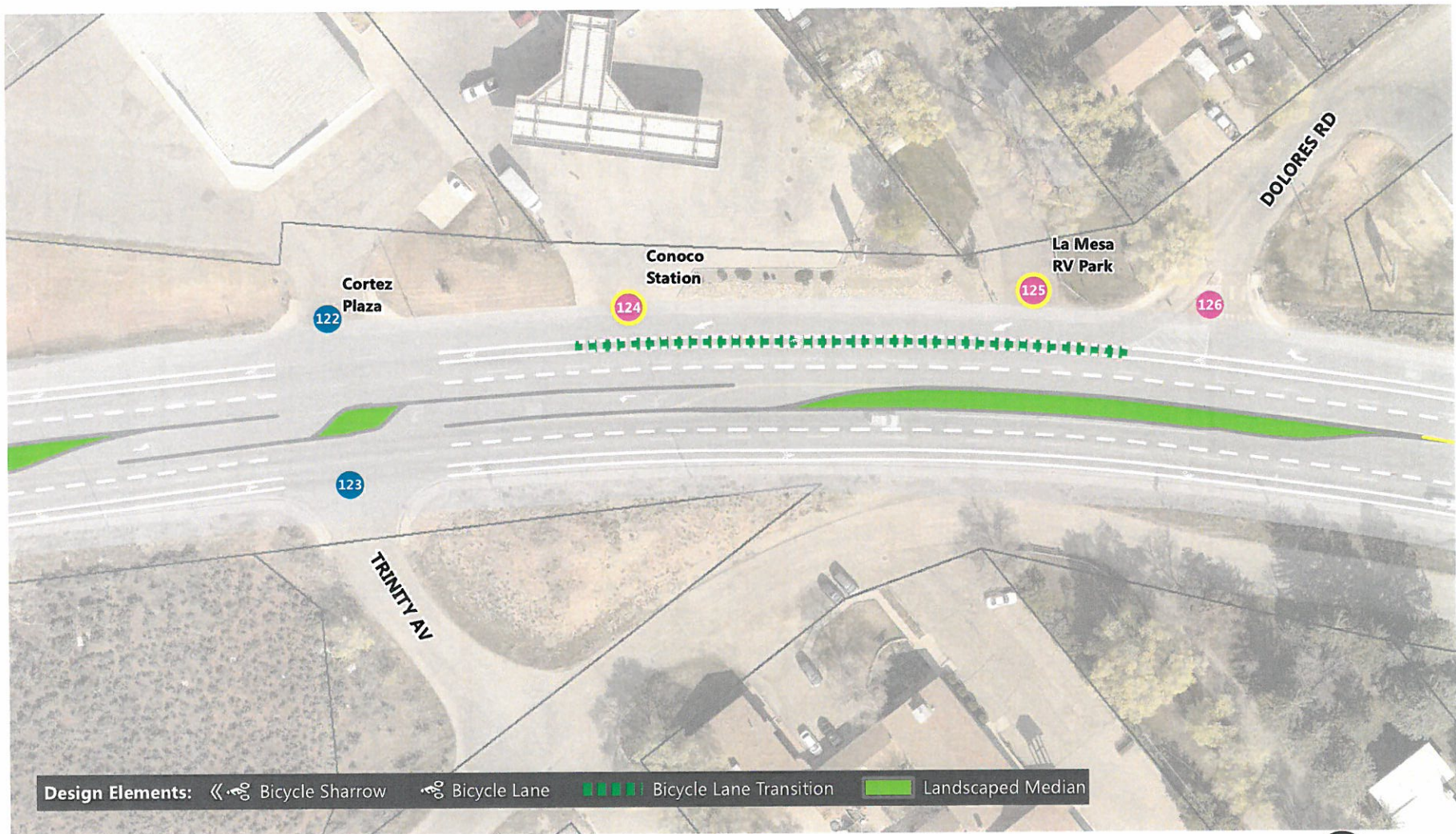
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**Access Recommendations**

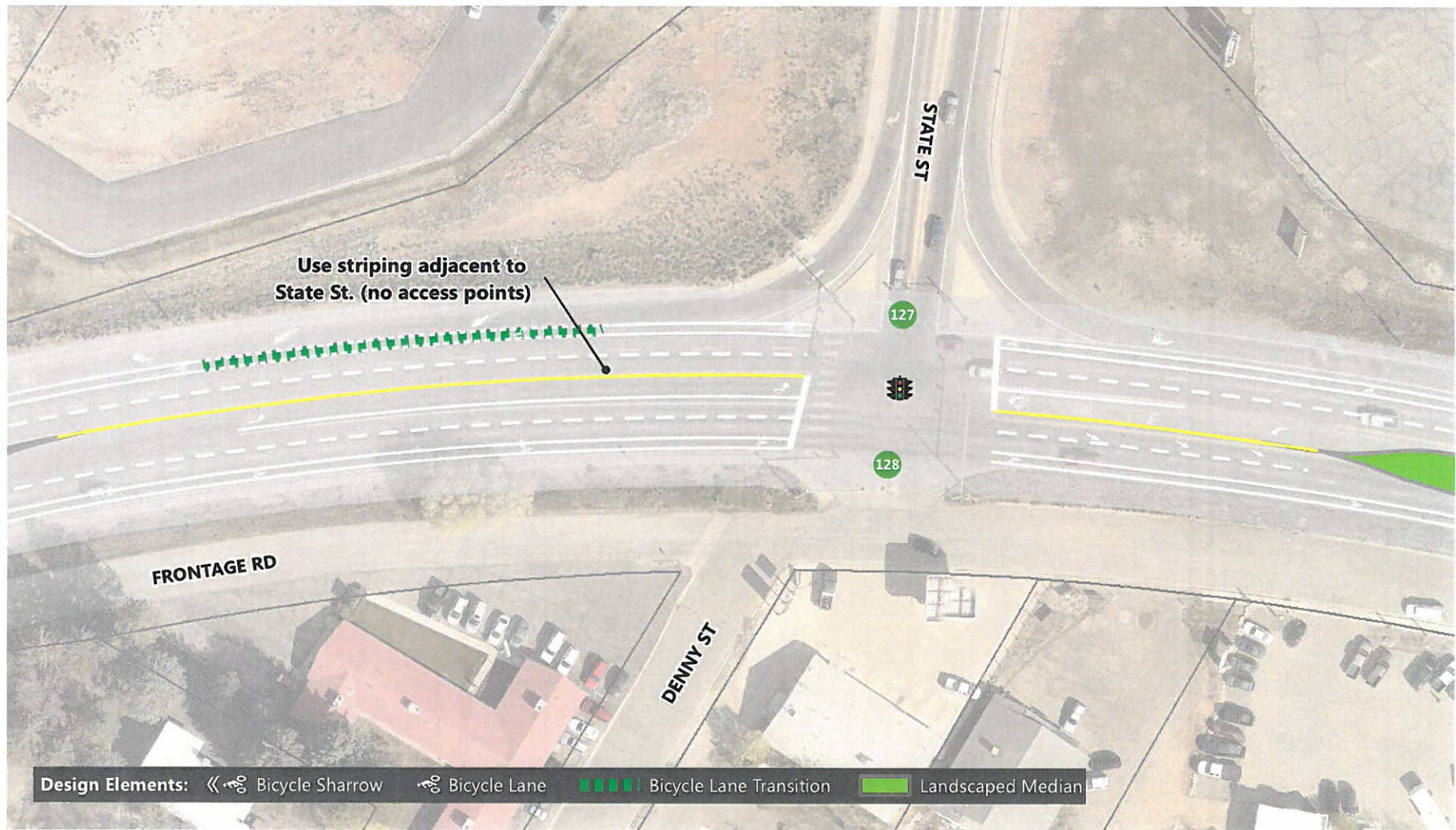
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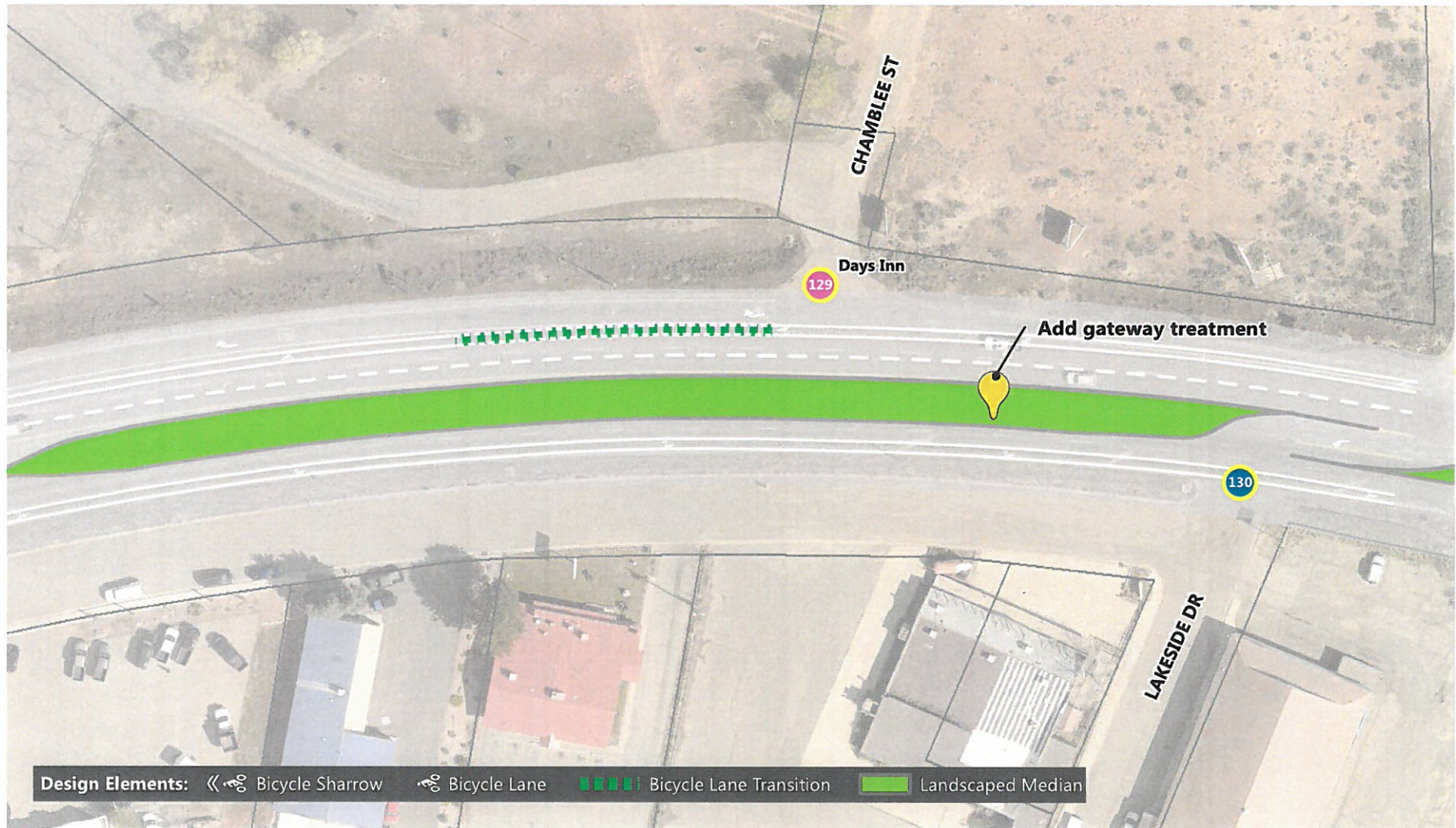
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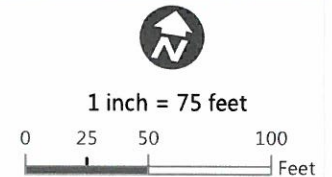
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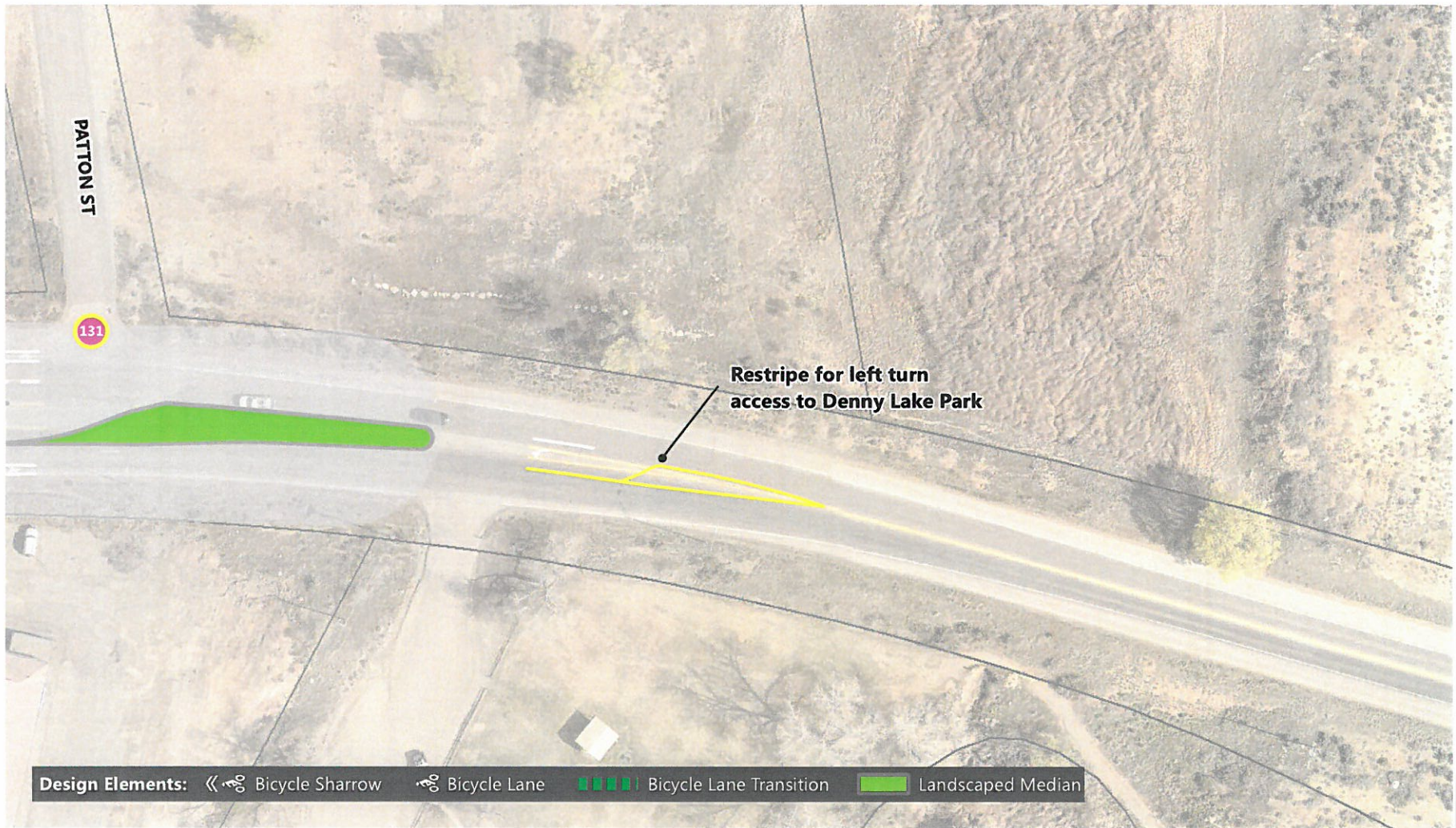
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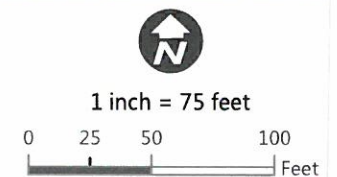




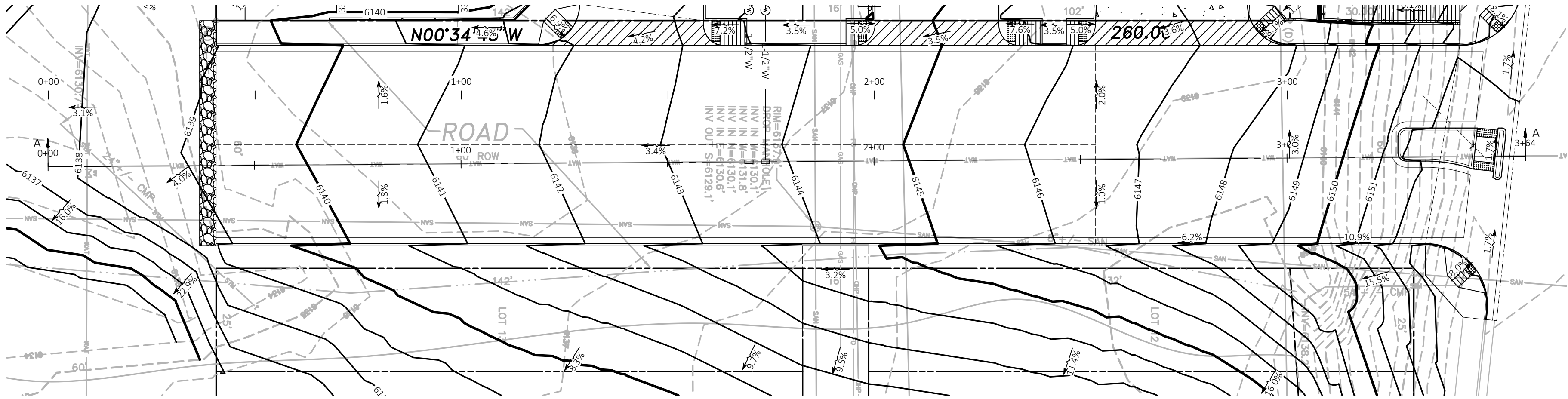


#### Access Recommendations

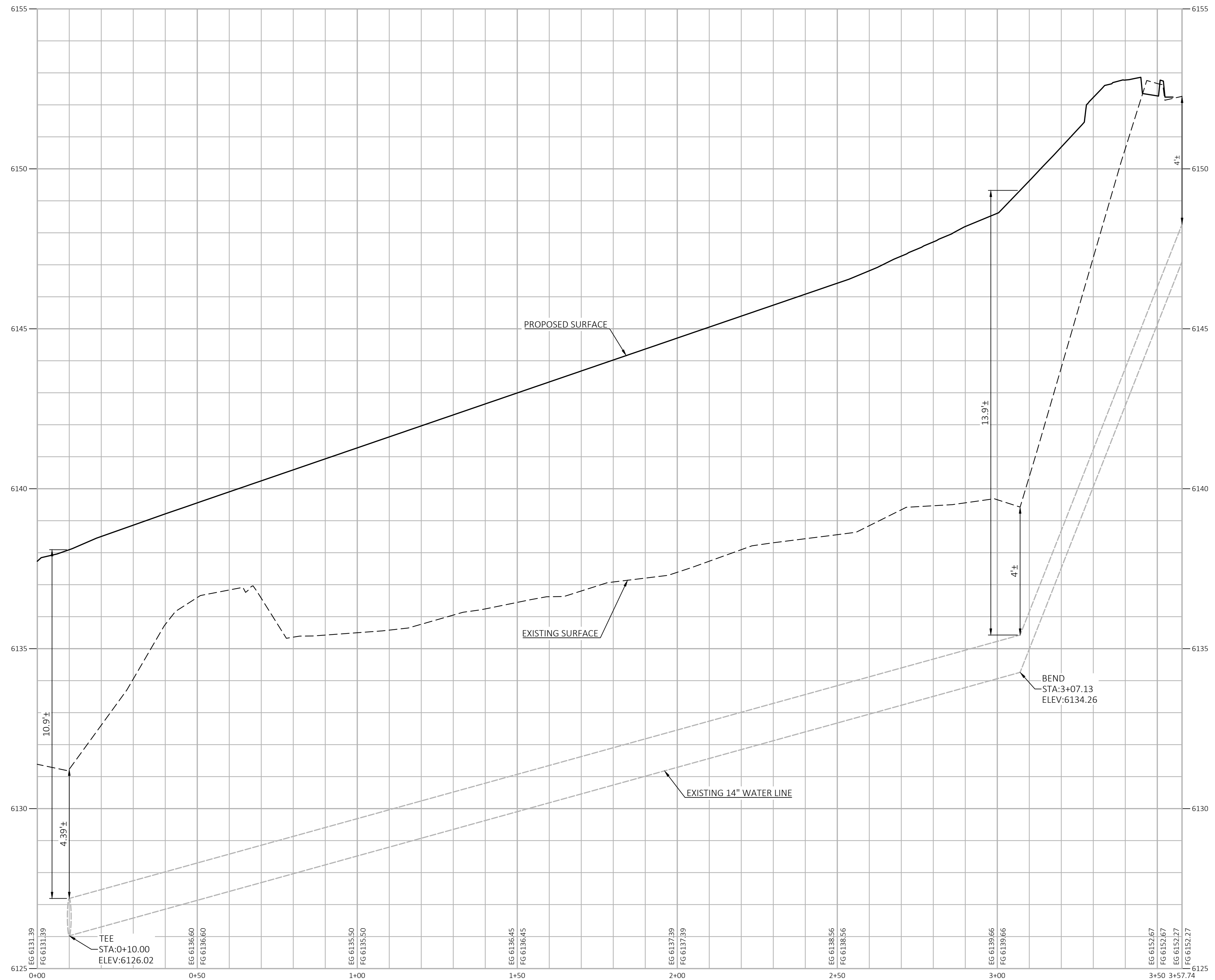
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WATER LINE - A PROFILE  
VERTICAL SCALE: 1"=2'  
HORIZONTAL SCALE: 1"=20'



DRAWING LOCATION: P:\2020\2272\0\DRAWINGS\DESIGN\WORKING\2272-EP.DWG, SAVED BY: KOLLIER

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710 W Pinedale AVE  
FRESNO, CA 93711  
PHONE: (559) 447-3119  
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CLIENT  
3K1 CONSULTING SERVICES, LLC.  
11811 N. TATUM BOULEVARD,  
PHOENIX, ARIZONA 85028  
PHONE: (602) 850-8101



PLANS PREPARED FOR  
QUICK N CLEAN  
7291 E. ADOBE DRIVE, SUITE 115  
SCOTTSDALE, AZ 85255  
PHONE: (480) 707-3531

REVISION		
NO.	DESCRIPTION	DATE

QUICK N CLEAN  
1511 EAST MAIN STREET  
CORTEZ, CO

FOR REVIEW ONLY  
NOT FOR CONSTRUCTION

PROFESSIONAL OF RECORD	TAB
PROJECT MANAGER	JCH
DESIGNER	JSC
CEI PROJECT NUMBER	32372
DATE	2/7/2023
REVISION	REV-2

EXISTING WATER LINE  
PROFILE

SHEET TITLE  
SHEET NUMBER

EX1



# **GEOTECHNICAL INVESTIGATION REPORT**

**Proposed Quick N Clean Carwash  
1511 Main Street  
Cortez, Colorado**

**Yeh Project No.: 222-475**

**November 10, 2022**

**Prepared for:**

**3K1 Consulting Services, LLC  
11811 N. Tatum Boulevard, Suite 1051  
Tucson, Arizona 85028**

**Attn: Mr. Nick Barber**

**Prepared by:**

**Yeh and Associates, Inc.  
570 Turner Dr. Suite D  
Durango, CO. 81303  
Phone: 970-475-9590**

# GEOTECHNICAL INVESTIGATION REPORT

Proposed Quick N Clean Carwash  
1511 Main Street  
Cortez, Colorado

Yeh Project No.: 222-475

November 10, 2022

Prepared by:



11/10/2022

Roger K. Southworth, P.E.  
Senior Project Engineer

Reviewed by:



Marty Skyrman, P.E.  
Senior Project Engineer

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## **1.0 PURPOSE AND SCOPE OF STUDY**

This report presents the results of our geotechnical investigation for the carwash that will be constructed in Cortez, Colorado. This investigation was performed in general accordance with our Proposal No. 222-475 dated October 13, 2022. Our scope of services included a field exploration, laboratory testing, geotechnical engineering analyses, and preparation of this report.

The purposes of this investigation were to evaluate the subsurface conditions on the site and to develop geotechnical recommendations to guide design and construction of the proposed carwash. Our scope of services included the following:

- Drilling soil borings to evaluate the subsurface conditions in the proposed building and pavement areas.
- Laboratory testing of the soils encountered during the field exploration to evaluate pertinent engineering properties of the soil.
- Foundation design recommendations, including allowable bearing pressure, approximate depth to bearing stratum, and estimated movement.
- Floor slab design considerations and floor slab subgrade preparation recommendations.
- Pavement subgrade preparation and recommended pavement sections.
- Estimated soil percolation rate for detention basin design
- Earthwork, including recommendations for fill placement and compaction, suitability of the site soil for reuse as engineered fill, and subgrade preparation.
- Discussion of geotechnical conditions that could impact construction, such as subgrade stabilization, hard rock excavation, and drainage.

## **2.0 PROPOSED CONSTRUCTION**

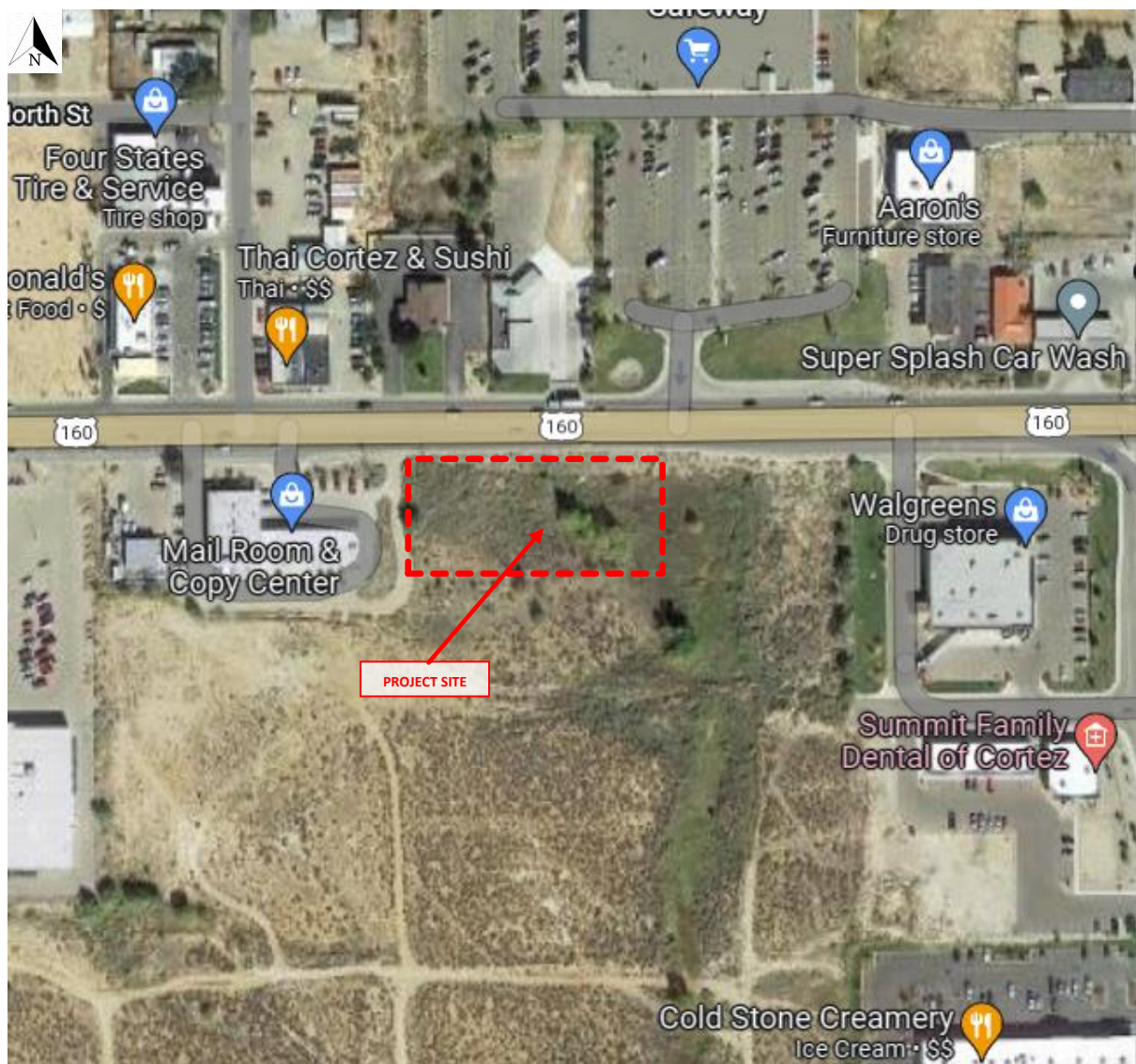
The project will consist of constructing a carwash in Cortez, Colorado. The location of the project site is depicted on the following Figure 1, *Project Location Map*. The facility will include a one-story building with a footprint of approximately 5,380 square feet, a parking lot and drives, a detention pond, and associated infrastructure. It was assumed that the building will have maximum column loads of less than 100 kips and maximum wall loads of less than 3 kips per linear foot.

The *Grading Plan* for the project prepared by CEI Engineering Associates, Inc dated October 4, 2022 indicates that a finish floor elevation of El. 6142.5 feet is planned for the building. The site grades in the proposed building area currently vary from about El. 6138 to 6142 feet. The finish

floor of the building will therefore vary from about ½ foot lower to 4 feet higher than the current site grades.

The project site slopes down from the west towards the east approximately 11 feet, with elevations ranging from about El. 6136 to 6147 feet. The final site grades in the western portion of the site will be within about 1 foot of the current site grades. The final site grades in the eastern portion of the site will be about 3 to 10 feet higher than the current site grades. We should be contacted if this information is incorrect so that we can determine if a revision of the recommendations contained herein is necessary.

**Figure 1 – Project Location Map**





### 3.0 SITE CONDITIONS

The project site was vacant and vegetated with native grasses, brush, and small trees at the time of the field investigation. The site slopes down from the west towards the east approximately 11 feet. The site is on the order of 3 to 18 feet lower than East Main Street, which is located immediately north of the site. The site is bounded by vacant land to the south and east of the site, and by a strip shopping center to the west of the site. A site photograph is provided in the following Figure 2.

**Figure 2 –Site Photograph**



**Project site looking north from near the southeast property corner**



## **4.0 SUBSURFACE INVESTIGATION**

### **4.1 Field Exploration**

Eight borings were drilled for this project to depths ranging from approximately 5 to 10 feet. Four of the borings were terminated due to auger refusal in sandstone. The other four borings were terminated at a depth of 5 feet, prior to encountering the sandstone. The approximate boring locations are indicated on the *Boring Location Plan* attached in Appendix A.

Samples of the subsurface materials were obtained from the borings at select depths by driving a split-spoon sampler. Bulk samples of the soil were recovered from auger cuttings as the borings were advanced. The samples were transported to our laboratory where they were examined by the project geotechnical engineer and a program of laboratory testing was prepared.

Penetration resistance measurements were made by driving the samplers into the subsurface materials with a 140-pound hammer falling 30 inches. The number of blows required to drive the sampler 12 inches, after an initial penetration of 6 inches for the standard sampler, constitutes the N-value as shown on the boring logs. The N-values can be correlated to the relative density of granular soil and the consistency of cohesive soil.

Water levels were recorded in each boring at completion of the drilling operations. The borings were backfilled with the auger spoil after the water level readings were obtained. The water level readings are presented on the boring logs.

The drilling operations were monitored by a Yeh and Associates geotechnical engineer. The engineer prepared field logs documenting the soil conditions encountered, groundwater levels, standard penetration test blow counts (N-values), sampling intervals, and types of samples obtained. The field logs were used by the project geotechnical engineer as an aid in preparing the final boring logs. Copies of the boring logs are presented in Appendix B. Our scope of services did not include survey of the boring locations.

### **4.2 Laboratory Testing**

The recovered soil samples were classified by the project geotechnical engineer in accordance with the Unified Soil Classification System (USCS). Laboratory tests were then performed on select samples to evaluate the pertinent engineering properties of the soil. The laboratory testing was conducted in general accordance with the American Society for Testing and Materials (ASTM) test procedures. The following laboratory tests were performed for this evaluation:

- Water Content
- Dry Unit Weight
- Liquid and Plastic Limits
- Swell/Compression Potential
- Percent Passing No. 200 Sieve

The laboratory test results are presented on the boring logs.

## **5.0 SUBSURFACE CONDITIONS**

Lean clay with variable sand content was encountered in the borings to depths of about 6 to 9½ feet, underlain by sandstone that extended to the boring termination depths. Sandstone was not encountered in Borings B-2 through B-5, which were terminated at a depth of 5 feet, prior to encountering the sandstone. The consistency of the lean clay varied from medium stiff to hard.

Groundwater was not encountered in the borings during drilling. Variations in the groundwater level may occur seasonally. The magnitude of the variation will be largely dependent upon the amount of spring snowmelt, duration and intensity of precipitation, irrigation practices, site grading changes, and the surface and subsurface drainage characteristics of the surrounding area. Perched water tables may be present but were not encountered in the borings.

## **6.0 RECOMMENDATIONS**

### **6.1 Design Considerations**

The borings indicate that the project site is underlain by highly expansive clay, which will experience volume change with variations in its water content. Structures and related improvements situated within the clay will experience large movements if the moisture content of the clay increases. The foundations and floor slabs should therefore be underlain by non-expansive fill and moisture conditioned soil in order to reduce the amount of movement due to clay shrink/swell. Recommendations for treatment of the foundation/floorslab subgrade in order to reduce the potential for excessive movement are presented herein.

### **6.2 Foundations**

The proposed carwash can be supported by spread footings. However, the site soil is expansive and is not recommended for direct foundation support. The footings should be underlain by a layer of engineered fill having a minimum thickness of 24 inches in order to reduce the potential for movement due to soil shrink/swell. Foundation subgrade preparation is discussed in greater detail in the **Earthwork** section of this report.

Foundations bearing on the newly placed engineered fill can be designed for a maximum net allowable bearing pressure of 2,500 pounds per square foot (psf). The allowable bearing pressure applies to dead load plus design live load conditions. The design bearing pressure can be increased by one-third or as allowed by local code, when considering transient loads, such as wind or seismic.

Resistance to lateral loads will be provided by the passive earth pressure acting against the footings and the frictional resistance acting along the base of the footings. An ultimate passive earth pressure resistance of 300 pounds per square foot per foot (psf/ft) is recommended for design. A coefficient of sliding resistance of 0.35 is recommended for design. The lateral load resistance should incorporate a factor of safety of at least 1.5.

The foundations should be founded a minimum of 32 inches below the final site grade for frost considerations. Interior footings in heated areas should have a minimum embedment depth of 12 inches. Strip footings should have a minimum width of 16 inches and isolated column pad foundations should have a minimum dimension of 24 inches.

We estimate that the total post-construction movement of foundations supported as recommended herein will be on the order of 1 inch or less. We estimate that the differential movement between comparably sized and loaded foundations could equal the total foundation movement. Additional foundation movement can occur if water from any source infiltrates the foundation subgrade. Therefore, proper drainage should be provided in the final design and during construction.

Foundation excavations should be observed by the project geotechnical engineer, or a representative of the engineer, to document that the foundation bearing stratum is similar to the conditions encountered in the borings. If the subsurface conditions encountered differ from those presented herein, supplemental recommendations may be required.

### **6.3 Floor Slab**

A slab-on-grade floor can be used for the proposed carwash. However, the site soil is expansive and is not recommended for direct floor slab support. The floor slab should therefore be underlain by a minimum of 18 inches of non-expansive fill to reduce the potential for floor slab movement due to shrink/swell of the expansive clays. The floor slab subgrade should be prepared in accordance with the recommendations presented in the **Earthwork Recommendations** section of this report.



Additional floor slab design and construction recommendations are as follows:

- Positive separations and/or isolation joints should be provided between slabs and all foundations, columns, or utility lines to allow independent movement.
- Control joints should be provided in slabs to control the location and extent of cracking.
- Interior trench backfill placed beneath slabs should be compacted in accordance with recommended specifications outlined herein.
- If moisture-sensitive floor coverings are used on interior slabs, barriers to reduce the potential for vapor rise through the slab are recommended.
- Floor slabs should not be constructed on frozen subgrade.
- Other design and construction considerations, as outlined in Section 302.1 R of the "ACI Design Manual", are recommended.

#### **6.4 Seismic Considerations**

The building should be designed to resist lateral forces generated by earthquake shaking in accordance with the current building codes and applicable design practice. The site is classified as Site Class C “Very Dense Soil and Soft Rock” per Table 20.3-1 *Site Classification* in ASCE-7 (ASCE 2016). The site class was based on the conditions encountered in our shallow exploratory soil borings and our knowledge of the soil conditions in the site vicinity. The soil characteristics extending beyond the depth of our borings were assumed for the purposes of providing this site classification. Values for use in seismic design are presented in the following table.

The design parameters were determined using a website application ([www.seismicmaps.org](http://www.seismicmaps.org)) developed by the Structural Engineers Association of California (SEAOC) and California’s Office of Statewide Health Planning and Development (OSHPD). The program uses the United States Geological Survey (USGS) web services to retrieve seismic design data and present it in a report format. A copy of the computer output from this program is attached in Appendix C.

**Table 1 – Seismic Design Parameters**

Seismic Parameter	Value
Latitude, degrees	37.348462
Longitude, degrees	-108.566535
Site Class	C
$S_s$ , Seismic Factor for Site Class D at 0.2 seconds	0.172
$S_1$ , Seismic Factor for Site Class D at 1 second	0.055
$F_a$ , Site Amplification Factor at 0.2 seconds	1.3
$F_v$ Site Amplification Factor at 1 second	1.5
$S_{MS}$ , Site Specific Response Parameter at 0.2 seconds	0.223
$S_{M1}$ , Site Specific Response Parameter at 1 second period	0.082
$S_{DS} = 2/3 S_{MS}$ , Design Spectral Acceleration Parameter at Short Periods	0.149
$S_{D1} = 2/3 S_{M1}$ , Design Spectral Acceleration Parameter at 1 second period	0.055

## 6.5 Drainage Considerations

Properly functioning foundations and floor slabs require appropriately constructed and maintained site drainage conditions. Therefore, it is extremely important that positive drainage be provided during construction and maintained throughout the life of the structure. It is also important that proper planning and control of landscape and irrigation be performed.

The building should be provided with downspouts extensions to direct water away from the structure. The downspouts should discharge into drainage swales or into the storm sewer system.

Infiltration of water into utility or foundation excavations must be prevented during construction. Backfill against footings, exterior walls, and in utility and sprinkler line trenches should be well compacted and free of all construction debris to reduce the potential for moisture infiltration. If utility line trenches are backfilled with the on-site clay, care should be taken not to overcompact the backfill. However, if the trenches are backfilled with granular soil then a clay plug should be placed in the trench adjacent to the building to reduce the potential for water following the trench back under the structure.

In areas where sidewalks, patios, or driveways do not immediately adjoin the structure, the ground surface adjacent to the structure should slope down at a grade of about five percent for a distance of at least 10 feet from the perimeter walls. Planters or other surface features that could retain water adjacent to the structure should be avoided. If planters and/or landscaping are adjacent to or near the structure, we recommend the following:

- Grades should slope away from the structure.
- Planters should slope away from the structure and should not pond water. Drains should be installed in enclosed planters to facilitate flow out of the planters.
- Watering should be kept to a minimum. Irrigation systems should be situated on the far side of any planting and away from the building to reduce the potential for infiltration beneath the structure from possible leaks.
- A minimum horizontal distance of 36 inches should be maintained between the building foundations and shallow-rooted plants. In a like manner, for deeper-rooted plants a minimum of 72 inches should be maintained between the building foundations and the plants. These deeper-rooted plants should also have a low water requirement.
- Trees should be planted no closer than a distance equal to one-half their mature height or fifteen feet, whichever is greater, from the building.

These recommendations will help reduce the potential for soil movement and the resulting distress but will not eliminate this potential.

## **6.6 Pavement**

The project will include the construction of parking lots and drives. Based upon the conditions encountered in the borings it is anticipated that the pavement subgrade will consist of lean clay. Design traffic volumes were not provided for our analysis. It was assumed that the development would be subject to automobile and light truck traffic, with occasional moderately loaded delivery traffic. A pavement design life of 20 years was assumed for the analysis.

A revision of the recommended pavement sections may be necessary if the design traffic loading conditions are different than assumed. An evaluation of the type and volume of traffic that each portion of the parking lot will experience should be conducted to determine if the pavement sections presented herein are appropriate.



**Table 2: Recommended Pavement Sections**

Traffic Area	Asphalt Pavement	Aggregate Base Couse
Parking Stalls	3 inches	6 inches
Access Drives	4 inches	8 inches

The "design life" of a pavement is defined as the expected life at the end of which reconstruction of the pavement will need to occur. Normal maintenance, including crack sealing, slurry sealing, and/or chip sealing, should be performed during the life of the pavement.

A rigid pavement section is recommended in loading and unloading areas, at dumpster locations, and access drives due to the high static loads imposed by the vehicles in these areas. A minimum six-inch thick Portland cement concrete pavement bearing on compacted subgrade is recommended. The pavement should be reinforced with No. 4 rebar placed at 24 inches on center in each direction.

Bituminous pavement should be constructed of dense-graded, central plant-mix, asphalt concrete. Base course, Portland cement, and asphalt concrete should conform to the City of Cortez standard specifications. Material and compaction requirements should conform to recommendations presented in the **Earthwork Recommendations** section of this report.

The site soils are expansive and differential heave may occur. The pavement service life may be reduced due to water infiltration into the subgrade soils and heave induced cracks in the pavement. This will result in a softening and loss of strength of the subgrade soils. A regular maintenance program to seal pavement cracks will help prolong the life of the pavement.

Pavement design methods are intended to provide an adequate thickness of structural materials over a particular subgrade such that wheel loads are reduced to a level the subgrade can support. The support characteristics of the subgrade for pavement design do not account for shrink and swell movements of an expansive soil subgrade, such as the soils encountered on this project. Consequently, the pavement may be adequate from a structural standpoint, yet still experience cracking and deformation due to shrink/swell movement of the subgrade. It is therefore important to minimize moisture changes in the subgrade to reduce shrink/swell movements. The pavement surface, subbase surface, and adjacent areas should be well drained. Excessive watering of landscaped areas adjacent to pavements should be avoided. Proper maintenance should be performed on cracks in the pavement surface to prevent water from penetrating into

the base, subbase, or subgrade material. Even with these precautions, some movement and related cracking may still occur, requiring periodic maintenance.

## **6.6 Detention Basin Design**

A detention basin will be constructed in the southeast corner of the site. The basin is planned to have a base elevation of El. 6135 and will extend approximately 1 to 2 feet below the current site grades.

Boring B-7 was drilled in the area of the proposed detention basin. The boring encountered lean clay to a depth of approximately 6 feet underlain by sandstone bedrock. According to information provided in the report entitled *Regulation No. 43 – On-Site Wastewater Treatment System Regulation* by the Colorado Water Quality Control Commission, the lean clay has an estimated percolation rate of 90 minutes per inch.

## **7.0 EARTHWORK RECOMMENDATIONS**

Site preparation and earthwork operations should be performed in accordance with applicable codes, safety regulations, and other local, state, or federal guidelines. Earthwork on the project should be observed and evaluated by Yeh and Associates (Yeh). The evaluation of earthwork should include observation and testing of engineered fills, subgrade preparation, foundation bearing soils, and other geotechnical conditions exposed during the construction of the project.

### **7.1 Site Grubbing and Stripping**

Topsoil, vegetation, tree root balls, and any other deleterious materials should be removed from the proposed building and pavement areas. All exposed surfaces should be free of mounds and depressions, which could prevent uniform compaction.

### **7.2 Building Pad Subgrade Preparation**

Following site clearing operations, the building pad should be cut, as required, to a minimum depth of 18 inches below the proposed bottom of floor slab. The foundation areas should be overexcavated to a minimum depth of 24 inches below the design foundation bearing grade. The foundation overexcavations do not have to extend beyond the outside edges of the foundations unless required for construction purposes.

The base of foundation/floor slab overexcavations should then be scarified to a minimum depth of 8 inches, moisture conditioned to a water content between 0 and 4 percentage points above the optimum water content, and recompacted to between 93 and 97 percent of the standard

Proctor maximum dry density (ASTM D 698). The site can then be raised to the design finish grade with imported non-expansive fill that meets the requirements presented in Section 7.5.

The perimeter foundation excavations on the exterior side of the building should be backfilled with on-site clay to reduce the potential for surface water ponding in the non-expansive fill underlying the foundations. This clay backfill should extend from the base of the foundation to the planned finish grade. The ground surface should be sloped away from the building to promote drainage away from the structure.

### **7.3 Pavement Subgrade Preparation**

Following site clearing operations, pavement areas should be cut, as required, to the design finish grade. The subgrade should then be scarified to a minimum depth of 8 inches, moisture conditioned as required, and recompact in accordance with the recommendations presented in Section 7.6. The site can then be raised to the design finish grade with engineered fill.

The pavement subgrade should be proof rolled under the observation of the project geotechnical engineer, or a representative of the engineer, to verify stability immediately prior to placing the aggregate base course. Proof rolling should be accomplished with a fully loaded water truck or similar heavy rubber-tired equipment weighing a minimum of 10 tons and should include multiple equipment passes in two directions. Any soft, loose, or otherwise unsuitable material detected during proof rolling operations should be removed and replaced with engineered fill or otherwise stabilized.

### **7.4 Subgrade Preparation Considerations**

The lean clay deposits exhibit relatively low strength characteristics and may be unstable, especially during wet weather. In areas where unsuitable material is encountered, placement of a geogrid, coarse aggregate, or other forms of subgrade stabilization could be necessary to develop a suitable subgrade for pavement support. The actual method of subgrade stabilization, if required, should be determined by the project geotechnical engineer at the time of construction.

### **7.5 Fill Material**

The existing site soil can be used as fill in the proposed pavement areas provided any deleterious material is removed prior to reuse. It should be noted that these deposits are moisture sensitive and that it may be necessary to adjust the moisture content of the soil to achieve the required compaction.



The existing site soil is expansive and is not recommended for use as fill in the planned building areas. Imported fill should consist of granular fill with no more than 35 percent passing the No. 200 sieve, maximum liquid limit of 40 and maximum PI of 15. Samples of any imported material proposed for use on the project should be submitted to our office for approval and testing at least three days prior to stockpiling at the site.

## 7.6 Compaction Recommendations

Fill should be placed in horizontal lift thicknesses that are suitable for the compaction equipment being used but in no case should exceed 8 inches by loose measure. Fill should be moisture conditioned and compacted in accordance with the criteria shown in Table 3.

**Table 3 - Compaction Requirements**

Fill Location	Material Type	Percent Compaction	Moisture Content
Scarified and Recompacted Building Pad and Pavement Subgrades	On-Site Soils	93 to 97 (ASTM D698)	0 to +4% of optimum
Engineered Fill for Building Pad Areas	Imported Granular Fill	95 minimum (ASTM D698)	± 3 % of optimum
Engineered Fill for Pavement Areas	On-Site Soils or Imported Fill	95 minimum (ASTM D 698)	± 3 % of optimum
Aggregate Base Course (ABC) for Pavement Areas	CDOT Class 6 ABC	95 minimum (ASTM D1557)	± 3 % of optimum

Engineered fill should be placed and compacted in horizontal lifts, using equipment and procedures that will produce a uniform fill with the recommended moisture contents and densities throughout the lift.

Fill should be keyed into any slopes that are steeper than 4 horizontal to 1 vertical (4H:1V). The benches should be well keyed and a minimum of 8 feet wide.

We recommend that a representative of Yeh and Associates monitor construction operations to verify that the soil exposed during construction is consistent with those encountered during our subsurface exploration, and that foundations, floor slabs, and pavement are constructed in accordance with the recommendations presented herein.

## **8.0 LIMITATIONS**

The recommendations in this report are based on our field observations, laboratory testing, and our present understanding of the proposed construction. It is possible that subsurface conditions can vary beyond the limits explored. If the conditions found during construction differ from those described in this report, please notify us immediately so that we can review our report considering those conditions and provide supplemental recommendations as necessary. We should also review this report if the scope of the proposed construction, including the proposed loads or structure locations, changes from that described in this report.

The scope of services for this project did not include, specifically or by implication, any environmental or biological (e.g. mold, fungi, and bacteria) assessment of the site or identification or prevention of pollutants, or conditions or biological conditions. If the owner is concerned about the potential for such contamination, conditions or pollution, other studies should be undertaken and a professional in that field should be consulted.

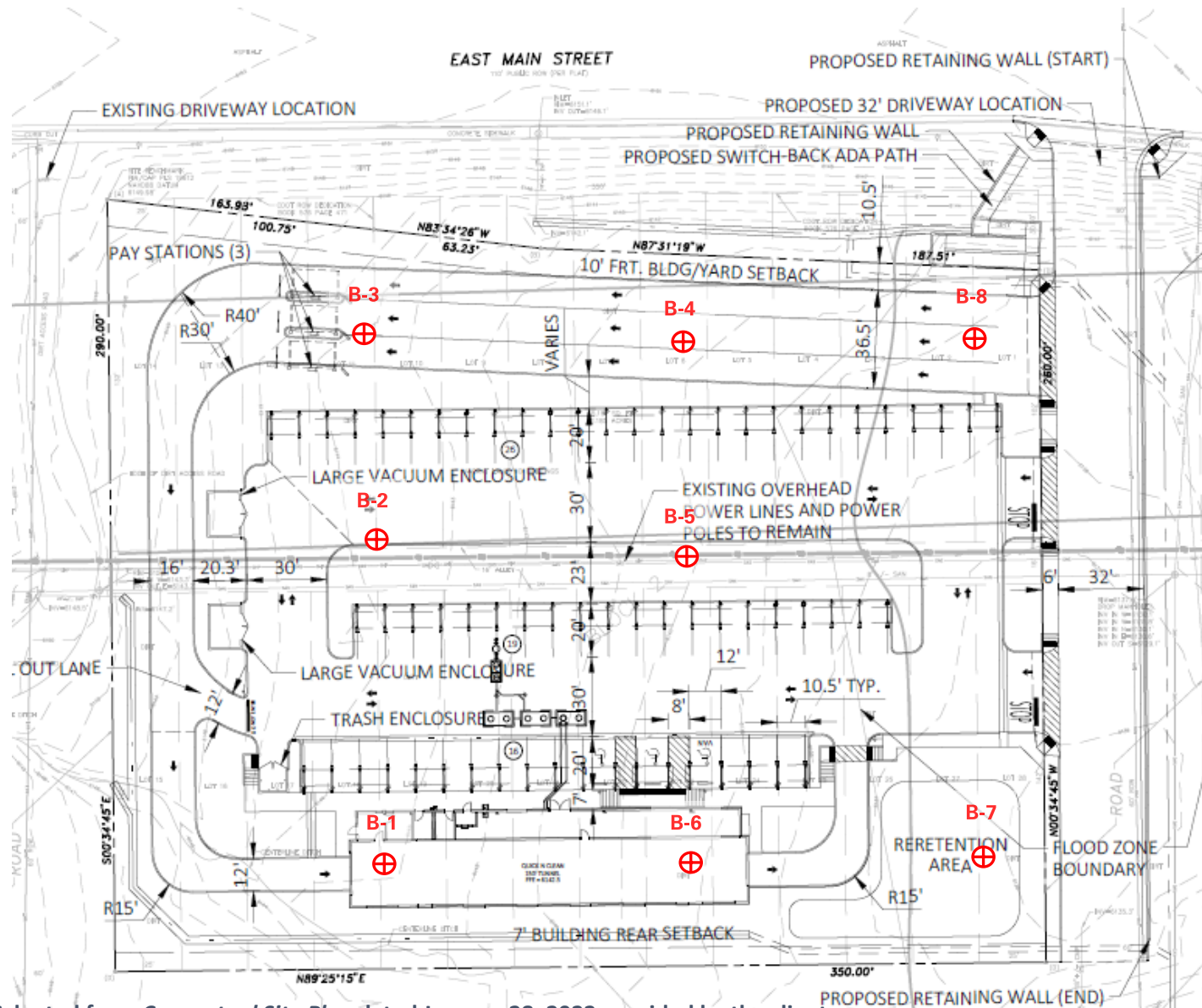
Yeh and Associates has prepared this report for the exclusive use of 3K1 Consulting Services. This report was prepared in substantial accordance with the generally accepted standards of practice for geotechnical engineering as they exist in the site area at the time of our investigation. No warranty is expressed or implied. The recommendations in this report are based on the assumption that Yeh and Associates will conduct an adequate program of construction testing and observation to evaluate compliance with our recommendations.

# **APPENDIX A**

## **BORING LOCATION PLAN**







Adapted from Conceptual Site Plan dated January 28, 2022 provided by the client

Not to Scale



## BORING LOCATION DIAGRAM

## PROPOSED QUICK N CLEAN CARWASH

Job No.: 222-475

FIGURE A-1

## **APPENDIX B**

# **BORING LOGS AND LEGEND**





## Legend for Symbols Used on Borehole Logs

### Sample Types



Bulk Sample of  
auger/odex cuttings



Standard  
Penetration Test  
(ASTM D1586)

### Drilling Methods



SOLID-STEM  
AUGER

### Lithology Symbols (see Boring Logs for complete descriptions)



Lean Clay (CL)



Sandstone

### Lab Test Standards

Moisture Content	ASTM D2216
Dry Density	ASTM D7263
Sand/Fines Content	ASTM D421, ASTM C136, ASTM D1140
Atterberg Limits	ASTM D4318
AASHTO Class.	AASHTO M145, ASTM D3282
USCS Class.	ASTM D2487
(Fines = % Passing #200 Sieve Sand = % Passing #4 Sieve, but not passing #200 Sieve)	

### Other Lab Test Abbreviations

pH	Soil pH (AASHTO T289-91)
S	Water-Soluble Sulfate Content (AASHTO T290-91, ASTM D4327)
Chl	Water-Soluble Chloride Content (AASHTO T291-91, ASTM D4327)
S/C	Swell/Collapse (ASTM D4546)
UCCS	Unconfined Compressive Strength (Soil - ASTM D2166, Rock - ASTM D7012)
R-Value	Resistance R-Value (ASTM D2844)
DS (C)	Direct Shear cohesion (ASTM D3080)
DS (phi)	Direct Shear friction angle (ASTM D3080)
Re	Electrical Resistivity (AASHTO T288-91)
PtL	Point Load Strength Index (ASTM D5731)

### Notes

1. Visual classifications are in general accordance with ASTM D2488, "Standard Practice for Description and Identification of Soils (Visual-Manual Procedures)".
2. "Penetration Resistance" on the Boring Logs refers to the uncorrected N value for SPT samples only, as per ASTM D1586. For samples obtained with a Modified California (MC) sampler, drive depth is 12 inches, and "Penetration Resistance" refers to the sum of all blows. Where blow counts were > 50 for the 3rd increment (SPT) or 2nd increment (MC), "Penetration Resistance" combines the last and 2nd-to-last blows and lengths; for other increments with > 50 blows, the blows for the last increment are reported.
3. The Modified California sampler used to obtain samples is a 2.5-inch OD, 2.0-inch ID (1.95-inch ID with liners), split-barrel sampler with internal liners, as per ASTM D3550. Sampler is driven with a 140-pound hammer, dropped 30 inches per blow.
4. "ER" for the hammer is the Reported Calibrated Energy Transfer Ratio for that specific hammer, as provided by the drilling company.





Boring Began: 10/25/2022

Total Depth: 8.5 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

Groundwater Levels:

Symbol	Dry	-	-
Depth	-	-	-
Date	-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 8.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, very stiff to hard, moist.							
				12-16-11	27			7.0	102.6	72.4	26	14		2.8 ft - 1.9% swell under 200 psf load
	5			11-15-15	30			4.6		52.5				
				13-25-50	75									
							8.0 - 8.5 ft. SANDSTONE; light brown, very hard.							
Bottom of Hole at 8.5 ft.														8.5 ft - Auger refusal at 8.5 feet



**Boring Began: 10/25/2022**

**Total Depth: 5.0 ft**

Weather Notes: 50 degrees,

**Boring Completed: 10/25/2022**

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

**Groundwater Levels:**

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 5.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.	6.9		77.9				

5

Bottom of Hole at 5.0 ft.



Boring Began: 10/25/2022

Total Depth: 5.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

Groundwater Levels:

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 5.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.							

5

Bottom of Hole at 5.0 ft.





Project  
Name:

Proposed Quick N Clean Carwash

Project Number: 222-475

Boring No.: B-4

Boring Began: 10/25/2022

Total Depth: 5.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

Groundwater Levels:

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 5.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.	9.6		68.4	32	19		

Bottom of Hole at 5.0 ft.



**Project Name:**

**Proposed Quick N Clean Carwash**

**Project Number:** 222-475

**Boring No.:** B-5

**Boring Began:** 10/25/2022

**Total Depth:** 5.0 ft

Weather Notes: 50 degrees,

**Boring Completed:** 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

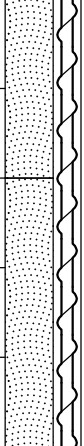


Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

**Groundwater Levels:**

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 5.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.							

5

Bottom of Hole at 5.0 ft.



Boring Began: 10/25/2022

Total Depth: 10.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyрман

Groundwater Levels:

Symbol	Dry	-	-
Depth	-	-	-
Date	-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 9.5 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, stiff, moist.	8.1		75.1				
				8-8-7	15			9.2	112.9	79.1	27	15		2.8 ft - 4.9% swell under 200 psf load
	5						changing to hard.							
				12-17-20	37			15.2	110.6					5.8 ft - 0.8% swell under 500 psf load
							changing to very stiff.							
				7-5-12	17			17.6		83				
	10						9.5 - 10.0 ft. SANDSTONE; light brown, very hard.							

Bottom of Hole at 10.0 ft.

10.0 ft - Auger refusal at 10 feet





Boring Began: 10/25/2022

Total Depth: 8.5 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyman

Groundwater Levels:

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 6.0 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, medium stiff, moist.	10.4		68.5				
				2-2-2	4			22.2		74				
	5			10-31-50	81			13.1		59.9				
				50	50		6.0 - 8.5 ft. SANDSTONE; light brown, very hard.							

Bottom of Hole at 8.5 ft.

8.5 ft - Auger  
refusal at 8.5 feet



Boring Began: 10/25/2022

Total Depth: 10.0 ft

Weather Notes: 50 degrees,

Boring Completed: 10/25/2022

Ground Elevation:

sunny

Drilling Method(s): Solid-Stem Auger

Coordinates:

Inclination from Horiz.: Vertical

Location: Cortez, Colorado

Night Work: ☐

Driller: Geomat

Drill Rig: CME 55 Truck

Logged By: R. Southworth

Hammer: Automatic (hydraulic), ER: %

Final By: M. Skyman

Groundwater Levels:

Symbol	Depth	Date	Dry	-	-
			-	-	-

Elevation (feet)	Depth (feet)	Sample Type/Depth	Drilling Method	Soil Samples		Lithology	Material Description	Moisture Content (%)	Dry Density (pcf)	Fines Content (%)	Atterberg Limits		AASHTO & USCS Classifi- cations	Field Notes and Other Lab Tests
				Blows per 6 in	Penetration Resistance						Liquid Limit	Plasticity Index		
							0.0 - 9.5 ft. LEAN CLAY with sand to SANDY LEAN CLAY (CL), light brown, medium stiff, moist.							
				2-2-2	4		changing to stiff.	18.9		65.8				
	5			2-4-5	9		changing to very stiff.	15.2		89.1				
				5-10-14	24									
	10						9.5 - 10.0 ft. SANDSTONE; light brown, very hard.							

Bottom of Hole at 10.0 ft.

10.0 ft - Auger  
refusal at 10 feet

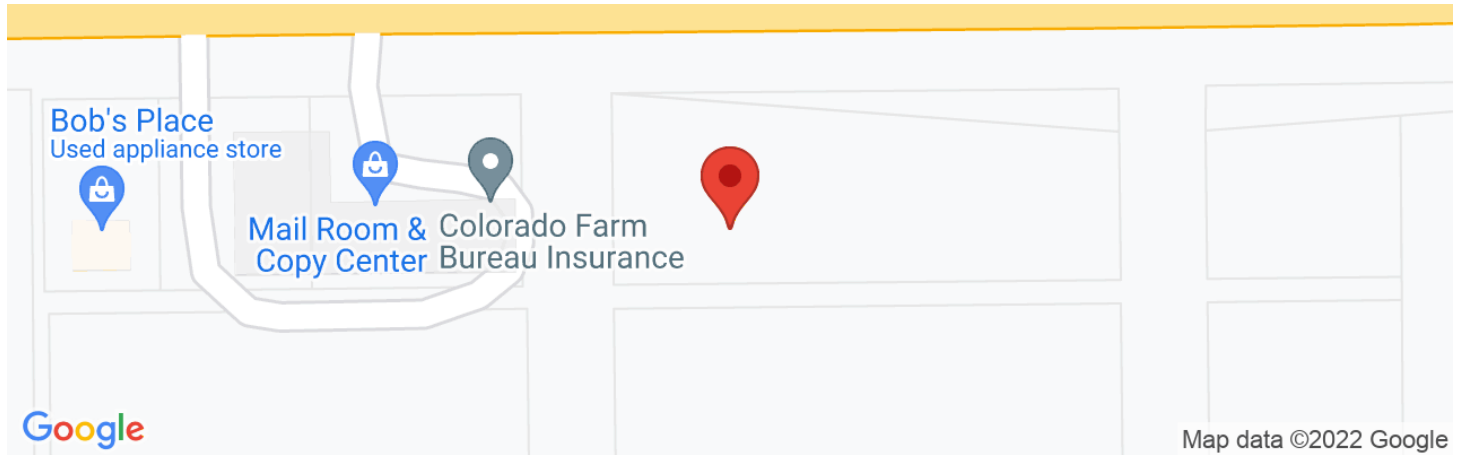
# **APPENDIX C**

## **SEISMIC DESIGN DATA**





Latitude, Longitude: 37.34846245, -108.56653587



Date	11/9/2022, 3:51:47 PM
Design Code Reference Document	ASCE7-16
Risk Category	II
Site Class	C - Very Dense Soil and Soft Rock

Type	Value	Description
$S_S$	0.172	$MCE_R$ ground motion. (for 0.2 second period)
$S_1$	0.055	$MCE_R$ ground motion. (for 1.0s period)
$S_{MS}$	0.223	Site-modified spectral acceleration value
$S_{M1}$	0.082	Site-modified spectral acceleration value
$S_{DS}$	0.149	Numeric seismic design value at 0.2 second SA
$S_{D1}$	0.055	Numeric seismic design value at 1.0 second SA

Type	Value	Description
SDC	A	Seismic design category
$F_a$	1.3	Site amplification factor at 0.2 second
$F_v$	1.5	Site amplification factor at 1.0 second
PGA	0.087	$MCE_G$ peak ground acceleration
$F_{PGA}$	1.3	Site amplification factor at PGA
$PGA_M$	0.114	Site modified peak ground acceleration
$T_L$	4	Long-period transition period in seconds
$S_{sRT}$	0.172	Probabilistic risk-targeted ground motion. (0.2 second)
$S_{sUH}$	0.181	Factored uniform-hazard (2% probability of exceedance in 50 years) spectral acceleration
$S_{sD}$	1.5	Factored deterministic acceleration value. (0.2 second)
$S_{1RT}$	0.055	Probabilistic risk-targeted ground motion. (1.0 second)
$S_{1UH}$	0.059	Factored uniform-hazard (2% probability of exceedance in 50 years) spectral acceleration.
$S_{1D}$	0.6	Factored deterministic acceleration value. (1.0 second)
$PGAd$	0.5	Factored deterministic acceleration value. (Peak Ground Acceleration)
$PGA_{UH}$	0.087	Uniform-hazard (2% probability of exceedance in 50 years) Peak Ground Acceleration
$C_{RS}$	0.948	Mapped value of the risk coefficient at short periods
$C_{R1}$	0.927	Mapped value of the risk coefficient at a period of 1 s
$C_V$	0.7	Vertical coefficient



## DISCLAIMER

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*Civil Engineering, Landscape Architecture,  
Survey, Planning & Program Management*

710 W. Pinedale Avenue  
Fresno, CA 93711  
Office: 559.447.3119  
Toll-free: 1.800.473.1887  
[ceieng.com](http://ceieng.com)

February 09, 2023

Planning Department - Review Team  
City of Cortez  
110 W. Progress Circle  
Cortez, CO 81321

Re: Initial City Comments for Proposed Quick N Clean Car Wash at 1511 East Main Street

Dear Review Team,

Please find below our responses to the initial comments for this project as presented in the city coordination meeting on Jan 11, 2023. In addition, CEI has prepared some rough updated site and grading plans to assist in further progress with the proposed development. There are additional items which CEI would also like some clarification or further direction on before finalizing revised plan sets.

*CEI Responses in blue*

- **Alley** - Due to the number of utilities in the alley, access needs to be maintained. Although the city has no existing water line at this location, it may be necessary to install a loop connection in the future. Also, future trash removal access may be needed. Therefore, if this development gets approved, the city will want to have the option of returning this easement back to its original, intended use. The intended level of fill over this location needs to be addressed - utilities cannot be buried deeper than the capability of equipment and personnel access below grade utility depths for repairs/replacement.

*CEI Response: Please note that per city meeting on Jan 11, alley access at proposed Quick N Clean Car Wash shall be maintained. CEI has now proposed a larger collector street for the site which will have (2) lanes on each side. A single sidewalk is currently proposed along the western side. A mountable curb has been proposed to aid in existing alley access on the eastern side of the road.*

*For the fill over existing utilities, current proposed grades currently would result in max fill heights or 14-15' over sanitary and water lines (based on existing water line at minimum cover requirements and survey data for sanitary line). Unfortunately, to be able to develop the city collector street off of CDOT HWY, there will need to be additional fill for the running slope of the street to stay within reasonable levels. CEI is open to reducing the amount of fill, but would greatly appreciate some feedback from the city on what type of max fill heights for additional fill would be deemed acceptable to be able to access with city equipment and what would be the max slopes the city would allow for the collector street to help reduce the fill height? City standards mention a max street slope of 7% where practicable. Current grading has some slopes in excess of 10%. In addition, if the street slopes were to increase, pedestrian sidewalk access would be very difficult due to extreme running slopes.*

*CEI is also providing a quick profile of the existing water line with existing and proposed grades shown. The water line has not been shown to be brought up as there was some concern as well about raising the water line and adding more vertical bends in certain locations. Does the city have some guidance or direction on this as well?*

- **Street** - The existing 60'-0" street ROW is the standard for a collector street. Therefore, it needs to have a minimum pavement width, slope, curvature, etc. associated with that designation. Again, the amount of fill intended for construction of this street would require the existing water line to be raised to an accessible depth. This would require coordination with CDOT, for the section within their ROW, and all modifications are the responsibility of the project owner. Also, this location is in a FEMA designated floodplain, so development here would have to meet FEMA requirements.

*CEI Response: The collector street has been added to latest site and grading plans. Please note that only the western side of the street currently shows a pedestrian sidewalk. Would the city like a sidewalk along the eastern side as well? Also a porkchop island has been added at access of CDOT HWY to help accommodate a right in/left in and right out traffic pattern per city and CDOT meeting. Striping of street is not shown yet, but will be added after further coordination. Please note that there would again be challenges with max street slopes and additional fill over existing utilities.*

*For the water line, it can be raised, but CEI would kindly appreciate some clarification on what direction it should proceed in as far as raising the water line or keeping it as is to avoid additional vertical bends.*

*For FEMA floodplain, CEI is currently working to obtain FEMA hydraulic models to perform a flood study to meet FEMA requirements.*

- **Drainage** - Stormwater diversion would need to follow city standards, and it is not desired for this drainage to be discharged onto the location that is in the existing city street ROW (planned 1<sup>st</sup> St). Therefore, it should be planned to discharge at a location that is beyond the edge of the existing city street ROW. Due to CDOT and FEMA regulations, there would need to be inquiries about their drainage requirements (their jurisdictions may apply to this element from beginning to end).

*CEI Response: Updated plans show stormwater discharge beyond existing city street ROW. CEI will work to complete flood study to help satisfy any FEMA requirements. Who is the current contact for the floodplain administrator for the area? Previous coordination had been with Chad Hill and Eric Krch with SGM regarding the flood study. They mentioned a flood study would be required for the project.*

*For CDOT drainage requirements, there was mention of concern about proposed sidewalk and drainage development within CDOT ROW dedication area. Current plans still have this proposed development shown, however CEI is looking at options to remove. But there is an 18" CMP pipe from CDOT highway where the drainage needs to be captured appropriately as well as any drainage from the CDOT ROW dedication area and then routed through or around site to final discharge location.*

- **Permit requirements** - following city standards, development here would require applications for permits such as ROW, Grading, and Floodplain Development for review and approval by the city engineer.

*CEI Response: Understood. To be coordinated by client.*

Please let us know your feedback at your earliest convenience and if any additional questions or concerns arise. Thank you!

Regards,



Eric Lawrence, P.E.  
Assistant Project Engineer





## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### NOTICE

**IMPORTANT - READ CAREFULLY:** THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

### COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, First American Title Insurance Company, a(n) Nebraska corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within 180 Days after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

### COMMITMENT CONDITIONS

#### 1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
  - (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
  - (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
  - (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
  - (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
  3. The Company's liability and obligation is limited by and this Commitment is not valid without:
    - (a) the Notice;
    - (b) the Commitment to Issue Policy;
    - (c) the Commitment Conditions;
    - (d) Schedule A;
    - (e) Schedule B, Part I—Requirements; and
    - (f) Schedule B, Part II—Exceptions; and
    - (g) a counter-signature by the Company or its issuing agent that may be in electronic form].

#### 4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

#### 5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
  - (i) comply with the Schedule B, Part I - Requirements;
  - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
  - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

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**6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

**7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

**8. PRO-FORMA POLICY**

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

**9. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

***Transaction Identification Data for reference only:***

Issuing Agent: Kensington Vanguard National Land Services, LLC  
Issuing Office: 39 W 37th Street, 3rd Fl, New York, NY 10018  
Issuing Office's ALTA® Registry ID:  
Loan ID No.:  
Commitment No.: 594124-F-CO-CP-CR

### SCHEDULE A

1. Commitment Date: September 21, 2021 at 08:00 AM
2. Policy to be issued:
  - a. ALTA Owners Policy (06/17/06)  
Proposed Insured: Upper Image Services, LLC, an Arizona limited liability company  
Proposed Policy Amount: \$450,000.00
  - b. ALTA Loan Policy (06/17/06)  
Proposed Insured: Lender to be named  
Proposed Policy Amount: TBD
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. The Title is, at the Commitment Date, vested in:

Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust

Gilbert Schwartz, as Trustee, who acquired title by Warranty Deed made by Harold I. Lovell, Jr., Trustee and Danny W. Case, Trustee, dated June 29, 1983 and recorded July 22, 1983, in [Book 553, Page 528](#), in the Office of the Clerk of Montezuma County.
5. The Land is described as follows:

SEE SCHEDULE C ATTACHED HERETO

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## SCHEDULE A

(Continued)

Kensington Vanguard National Land Services,  
LLC

By:



\_\_\_\_\_  
Authorized Signatory

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## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

Warranty Deed from Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust to Upper Image Services, LLC, an Arizona limited liability company.

Deed of Trust from Upper Image Services, LLC, an Arizona limited liability company to Trustee(s) for Lender to be named, securing the principal amount of \$0.00.

5. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
6. Pay the agreed amount for the estate or interest to be insured.
7. Pay the premiums, fees, and charges for the Policy to the Company.
8. Payment of all taxes and assessments now due and payable as shown on a certificate of taxes due from the County Treasurer or the County Treasurer's Authorized Agent.
9. Evidence that all assessments for common expenses, if any, have been paid.
10. Final Affidavit and Agreement executed by Owners and/or Purchasers must be provided to the Company.

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## SCHEDULE B

(Continued)

11. This Company must be provided with an existing survey less than ten years old and an Affidavit certifying that the survey accurately represents the configuration of the Property and the location of the improvements thereon and uses thereof as of the date of the Survey, and since the date of the Survey there have been no other improvements on the Property or uses thereof given by the Borrower and there have been no encroachments upon Property or uses of the Property taken by other parties to the best of Borrower's knowledge and belief.
12. Provide the Company with a survey prepared by a registered land surveyor to confirm proper legal description prior to closing. The Company reserves the right to make additional requirements and/or exceptions, and to amend the legal description of the land described in Schedule A, upon review of the description furnished by said surveyor.
13. Proof of payment of any and all Homeowners Association liens and/or assessments against the land described in Schedule A (including, but not limited to, any special assessments or payments due to others such as master associations).
14. Receipt by the Company of a certified rent roll, identifying all leases and tenancies on the subject property.

NOTE: This commitment is subject to further requirements and/or exceptions upon review of the rent roll.

15. Receipt by the Company of the following documentation for Upper Image Services, LLC, an Arizona limited liability company, a Arizona limited liability company:  
  
Operating Agreement, and all amendments thereto, if any.  
  
Certificate of Good Standing issued by the Colorado Secretary of State.
16. Recordation of a Statement of Authority pursuant to C.R.S. 38-30-172, for Upper Image Services, LLC, an Arizona limited liability company, establishing the name of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity.
17. Recordation of a Statement of Authority pursuant to C.R.S. 38-30-172, for Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust, establishing the name of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity.
18. Recordation of an Affidavit(s) for Grantee Acting in a Representative Capacity pursuant to C.R.S. 38-30-108, for Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust.
19. Updates to the title commitment are required to disclose defects, liens, encumbrances, adverse claims or other matters, if any are created, first appearing in the public records or attaching subsequent to the effective date of the commitment and prior to the effective date of the Policy.

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## SCHEDULE B

(Continued)

20. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
21. This Company requires a copy of the Agreement, Indenture, or Declaration of Trust of Gilbert B. Schwartz Trust, together with copies of any amendments, modifications, or revocations. In the event that there have been no amendments, modifications, or revocations, this Company will require satisfactory evidence to that effect. Upon receipt additional exceptions may be raised.
22. Company finds no open mortgages of record in the County Office. Company is to be advised of any unrecorded mortgages or any other liens against the premises under examination.
23. The Company reserves the right to raise exceptions and requirements or determine that it will not issue a title policy based upon the details of the transaction, the review of the closing documents, and changes in recording and title searching capabilities resulting from the COVID-19 virus.

NOTE: The following is for informational purposes only and is given without assurance or guarantee: 2020 taxes show Due. The gross amount is \$2,030.73 for Tax Identification No. 561125303001.

24. The Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242, must comply with the following:
  - (a) Include the signature and certification of Robert J. Rubino, PLS No. 14142
  - (b) Confirm whether the instrument referenced in Exception No. 11 in Schedule B, Part II affects the subject property

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## SCHEDULE B

(Continued)

### SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easements, not shown by the Public Records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct land survey and inspection of the Land would disclose, and which are not shown by the Public Records.
5. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
8. Any water rights, claims of title to water, in, on or under the Land.
9. Taxes and assessments for the year 2021 and subsequent years, a lien not yet due or payable.
10. Covenants, Conditions, Restrictions, Easements, Setback Lines and any Amendments thereto as disclosed on the plat of Veach Subdivision in [Book 8 at Page 6](#), recorded on May 28, 1958 . We delete any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restriction violate 42 U.S.C. 3604(c).

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## SCHEDULE B

(Continued)

11. Electric Line Right of Way Easement Easement granted to Empire Electric Association, Inc. disclosed by Document No. [597797](#) recorded December 16, 2014.
12. Intergovernmental Agreement Easement granted to City of Cortez and the State of Colorado Department of Transportation disclosed by Document No. [609187](#) recorded December 12, 2017.
13. Any existing leases or tenancies.
14. Matters as shown on Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242:
  - (a) Effects of a portion of the subject property being located in a flood hazard area
  - (b) Underground fiber optic lines being located on the subject property
  - (c) Overhead utility lines being located on the subject property
  - (d) Rights, if any, due to centerline ditch

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## COMMITMENT FOR TITLE INSURANCE

Issued By

*First American Title Insurance Company*

### SCHEDULE C SCHEDULE C

The Land is described as follows:

The land referred to herein below is situated in the County of Montezuma, State of Colorado, and described as follows:

Lots 1 through 28, inclusive, Block 2, Veach Subdivision, the plat of which is recorded in [Book 8 at Page 6](#), excepting that portion of said Block 2 to the State Department of Highways, Division of Highways, State of Colorado described in Book 576, Page 471, County of Montezuma, State of Colorado.

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## OWNER'S POLICY OF TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### SCHEDULE A

Name and Address of Title Insurance Company:

First American Title Insurance Company

1 First American Way, Santa Ana, CA 92707

File No.: 594124-F-CO-CP-CR

Policy No.: PRO FORMA

Address Reference: 1511 East Main Street, Cortez, CO 81321

Amount of Insurance: \$450,000.00

Premium: \$0.00

Date of Policy: at

1. Name of Insured:

Upper Image Services, LLC, an Arizona limited liability company

2. The estate or interest in the Land that is insured by this policy is:

Fee Simple

3. Title is vested in:

Upper Image Services, LLC, an Arizona limited liability company

4. The Land referred to in this policy is described as follows:

SEE SCHEDULE C ATTACHED HERETO

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

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AMERICAN  
LAND TITLE  
ASSOCIATION





## SCHEDULE B

File No.: 594124-F-CO-CP-CR

Policy No.: PRO FORMA

### EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

1. Intentionally deleted.
2. Intentionally deleted.
3. Intentionally deleted.
4. Intentionally deleted.
5. Intentionally deleted.
6. Intentionally deleted.
7. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
8. Any water rights, claims of title to water, in, on or under the Land.
9. Taxes and assessments for the year 2021 and subsequent years, a lien not yet due or payable.
10. Covenants, Conditions, Restrictions, Easements, Setback Lines and any Amendments thereto as disclosed on the plat of Veach Subdivision in Book 8 at Page 6, recorded on May 28, 1958. We delete any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restriction violate 42 U.S.C. 3604(c).
11. Electric Line Right of Way Easement granted to Empire Electric Association, Inc. disclosed by Document No. 597797, recorded December 16, 2014.
12. Intergovernmental Agreement Easement granted to City of Cortez and the State of Colorado Department of Transportation disclosed by Document No. 609187, recorded December 12, 2017.
13. Intentionally deleted.
14. Matters as shown on Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242:
  - (a) Effects of a portion of the subject property being located in a flood hazard area
  - (b) Underground fiber optic lines being located on the subject property
  - (c) Overhead utility lines being located on the subject property

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## **SCHEDULE B**

(Continued)

(d) Rights, if any, due to centerline ditch

PROFORMA

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## SCHEDULE C

File No.: 594124-F-CO-CP-CR

Policy No.: PRO FORMA

The land referred to in this Policy is described as follows:

The land referred to herein below is situated in the County of Montezuma, State of Colorado, and described as follows:

Lots 1 through 28, inclusive, Block 2, Veach Subdivision, the plat of which is recorded in Book 8 at Page 6, excepting that portion of said Block 2 to the State Department of Highways, Division of Highways, State of Colorado described in Book 576, Page 471, County of Montezuma, State of Colorado.

PROFORMA

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## ENDORSEMENT

Attached to Policy No.: PRO FORMA

Issued By

***First American Title Insurance Company***

The Company insures against loss or damage sustained by the Insured if, at Date of Policy (i) the Land does not abut and have both actual vehicular and pedestrian access to and from East Main Street (the "Street"), (ii) the Street is not physically open and publicly maintained, or (iii) the Insured has no right to use existing curb cuts or entries along that portion of the Street abutting the Land.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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**ENDORSEMENT**  
**Attached to Policy No.: PRO FORMA**

**Issued By**  
***First American Title Insurance Company***

The Company insures against loss or damage sustained by the Insured by reason of the lack of a right of access to the following utilities or services: **[CHECK ALL THAT APPLY]**

- |  |   |  |
|--|---|--|
| <input checked="" type="checkbox"/> Water service            | <input checked="" type="checkbox"/> Natural gas service | <input type="checkbox"/> Telephone service               |
| <input checked="" type="checkbox"/> Electrical power service | <input checked="" type="checkbox"/> Sanitary sewer      | <input checked="" type="checkbox"/> Storm water drainage |
| <input type="checkbox"/> _____                               |   |  |

either over, under or upon rights-of-way or easements for the benefit of the Land because of:

- (1) a gap or gore between the boundaries of the Land and the rights-of-way or easements;
- (2) a gap between the boundaries of the rights-of-way or easements; or
- (3) a termination by a grantor, or its successor, of the rights-of-way or easements.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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## ENDORSEMENT

Attached to Policy No.: PRO FORMA

Issued By

*First American Title Insurance Company*

The Company insures against loss or damage sustained by the Insured by reason of the failure of the Land as described in Schedule A to be the same as that identified on the survey made by Robert J. Rubino, PLS No. 14142 dated November 8, 2021, and designated Job No. 21242.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

PROFORMA

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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**ENDORSEMENT**  
**Attached to Policy No.: PRO FORMA**

**Issued By**  
***First American Title Insurance Company***

1. The insurance provided by this endorsement is subject to the exclusion in Section 4 of this endorsement; and the Exclusions from Coverage, the Exceptions from Coverage contained in Schedule B, and the Conditions in the policy.
2. For purposes of this endorsement only, "Improvement" means a building, structure located on the surface of the Land, and any paved road, walkway, parking area, driveway, or curb, affixed to the Land at Date of Policy and that by law constitutes real property, but excluding any crops, landscaping, lawn, shrubbery, or trees.
3. The Company insures against loss or damage sustained by the Insured by reason of the enforced removal or alteration of any Improvement, resulting from the future exercise of any right existing at Date of Policy to use the surface of the Land for the extraction or development of minerals or any other subsurface substances excepted from the description of the Land or excepted in Schedule B.
4. This endorsement does not insure against loss or damage (and the Company will not pay costs, attorneys' fees, or expenses) resulting from:
  - a. contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence; or
  - b. negligence by a person or an Entity exercising a right to extract or develop minerals or other subsurface substances; or
  - c. the exercise of the rights described in None.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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**ENDORSEMENT**  
**Attached to Policy No.: PRO FORMA**

**Issued By**  
***First American Title Insurance Company***

1. The insurance provided by this endorsement is subject to the exclusion in Section 4 of this endorsement; and the Exclusions from Coverage, the Exceptions from Coverage contained in Schedule B, and the Conditions in the policy.
2. For purposes of this endorsement only, "Improvement" means a building, structure located on the surface of the Land, and any paved road, walkway, parking area, driveway, or curb, affixed to the Land at Date of Policy and that by law constitutes real property, but excluding any crops, landscaping, lawn, shrubbery, or trees.
3. The Company insures against loss or damage sustained by the Insured by reason of the enforced removal or alteration of any Improvement, resulting from the future exercise of any right existing at Date of Policy to use the surface of the Land for the extraction or development of water excepted from the description of the Land or excepted in Schedule B.
4. This endorsement does not insure against loss or damage (and the Company will not pay costs, attorneys' fees, or expenses) resulting from:
  - a. contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence;
  - b. negligence by a person or an Entity exercising a right to extract or develop water; or
  - c. the exercise of the rights described in None.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

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Kensington Vanguard National Land Services,  
LLC

By:

*Mem Sam E*

\_\_\_\_\_  
Authorized Signatory

PROFORMA

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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**ENDORSEMENT**  
**Attached to Policy No.: PRO FORMA**

**Issued By**  
***First American Title Insurance Company***

Item No. 14 of Conditions is hereby deleted.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

PROFORMA

This is a Pro Forma Endorsement. It does not reflect the present state of the Title and is not a commitment to (i) insure the Title or (ii) issue any of the attached endorsements. Any such commitment must be an express written undertaking on appropriate forms of the Company.

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## ENDORSEMENT

Attached to Policy No.: PRO FORMA

Issued By

*First American Title Insurance Company*

The Company hereby insures the Insured against loss which the Insured shall sustain by reason of damage to existing and future improvements, including lawns, shrubbery or trees resulting from the exercise of any right to use the surface of the land for enforcement of any of the reservations contained in the Patent to said land excepted from the description or shown in Exception No. 7 of Schedule B.

This endorsement is issued as part of the policy. Except as it expressly states, it does not (i) modify any of the terms and provisions of the policy, (ii) modify any prior endorsements, (iii) extend the Date of Policy, or (iv) increase the Amount of Insurance. To the extent a provision of the policy or a previous endorsement is inconsistent with an express provision of this endorsement, this endorsement controls. Otherwise, this endorsement is subject to all of the terms and provisions of the policy and of any prior endorsements.

Kensington Vanguard National Land Services,  
LLC

By:

\_\_\_\_\_  
Authorized Signatory

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## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### SCHEDULE B, PART I Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

Warranty Deed from Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust to Upper Image Services, LLC, an Arizona limited liability company.

Deed of Trust from Upper Image Services, LLC, an Arizona limited liability company to Trustee(s) for Lender to be named, securing the principal amount of \$0.00.

5. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
6. Pay the agreed amount for the estate or interest to be insured.
7. Pay the premiums, fees, and charges for the Policy to the Company.
8. Payment of all taxes and assessments now due and payable as shown on a certificate of taxes due from the County Treasurer or the County Treasurer's Authorized Agent.
9. Evidence that all assessments for common expenses, if any, have been paid.
10. Final Affidavit and Agreement executed by Owners and/or Purchasers must be provided to the Company.

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## SCHEDULE B

(Continued)

11. This Company must be provided with an existing survey less than ten years old and an Affidavit certifying that the survey accurately represents the configuration of the Property and the location of the improvements thereon and uses thereof as of the date of the Survey, and since the date of the Survey there have been no other improvements on the Property or uses thereof given by the Borrower and there have been no encroachments upon Property or uses of the Property taken by other parties to the best of Borrower's knowledge and belief.
12. Provide the Company with a survey prepared by a registered land surveyor to confirm proper legal description prior to closing. The Company reserves the right to make additional requirements and/or exceptions, and to amend the legal description of the land described in Schedule A, upon review of the description furnished by said surveyor.
13. Proof of payment of any and all Homeowners Association liens and/or assessments against the land described in Schedule A (including, but not limited to, any special assessments or payments due to others such as master associations).
14. Receipt by the Company of a certified rent roll, identifying all leases and tenancies on the subject property.

NOTE: This commitment is subject to further requirements and/or exceptions upon review of the rent roll.

15. Receipt by the Company of the following documentation for Upper Image Services, LLC, an Arizona limited liability company, a Arizona limited liability company:  
  
Operating Agreement, and all amendments thereto, if any.  
  
Certificate of Good Standing issued by the Colorado Secretary of State.
16. Recordation of a Statement of Authority pursuant to C.R.S. 38-30-172, for Upper Image Services, LLC, an Arizona limited liability company, establishing the name of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity.
17. Recordation of a Statement of Authority pursuant to C.R.S. 38-30-172, for Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust, establishing the name of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity.
18. Recordation of an Affidavit(s) for Grantee Acting in a Representative Capacity pursuant to C.R.S. 38-30-108, for Ivan Schwartz, Trustee of the Gilbert B. Schwartz Trust.
19. Updates to the title commitment are required to disclose defects, liens, encumbrances, adverse claims or other matters, if any are created, first appearing in the public records or attaching subsequent to the effective date of the commitment and prior to the effective date of the Policy.

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## SCHEDULE B

(Continued)

20. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
21. This Company requires a copy of the Agreement, Indenture, or Declaration of Trust of Gilbert B. Schwartz Trust, together with copies of any amendments, modifications, or revocations. In the event that there have been no amendments, modifications, or revocations, this Company will require satisfactory evidence to that effect. Upon receipt additional exceptions may be raised.
22. Company finds no open mortgages of record in the County Office. Company is to be advised of any unrecorded mortgages or any other liens against the premises under examination.
23. The Company reserves the right to raise exceptions and requirements or determine that it will not issue a title policy based upon the details of the transaction, the review of the closing documents, and changes in recording and title searching capabilities resulting from the COVID-19 virus.

NOTE: The following is for informational purposes only and is given without assurance or guarantee: 2020 taxes show Due. The gross amount is \$2,030.73 for Tax Identification No. 561125303001.

24. The Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242, must comply with the following:
  - (a) Include the signature and certification of Robert J. Rubino, PLS No. 14142
  - (b) Confirm whether the instrument referenced in Exception No. 11 in Schedule B, Part II affects the subject property

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## SCHEDULE B

(Continued)

### SCHEDULE B, PART II Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easements, not shown by the Public Records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct land survey and inspection of the Land would disclose, and which are not shown by the Public Records.
5. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof.
8. Any water rights, claims of title to water, in, on or under the Land.
9. Taxes and assessments for the year 2021 and subsequent years, a lien not yet due or payable.
10. Covenants, Conditions, Restrictions, Easements, Setback Lines and any Amendments thereto as disclosed on the plat of Veach Subdivision in [Book 8 at Page 6](#), recorded on May 28, 1958 . We delete any covenant, condition, or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin to the extent such covenants, conditions or restriction violate 42 U.S.C. 3604(c).

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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## SCHEDULE B

(Continued)

11. Electric Line Right of Way Easement Easement granted to Empire Electric Association, Inc. disclosed by Document No. [597797](#) recorded December 16, 2014.
12. Intergovernmental Agreement Easement granted to City of Cortez and the State of Colorado Department of Transportation disclosed by Document No. [609187](#) recorded December 12, 2017.
13. Any existing leases or tenancies.
14. Matters as shown on Survey prepared by Robert J. Rubino, PLS No. 14142, dated November 8, 2021, last revised on November 17, 2021, designated Job No. 21242:
  - (a) Effects of a portion of the subject property being located in a flood hazard area
  - (b) Underground fiber optic lines being located on the subject property
  - (c) Overhead utility lines being located on the subject property
  - (d) Rights, if any, due to centerline ditch

*This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

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## COMMITMENT FOR TITLE INSURANCE

Issued By

***First American Title Insurance Company***

### **SCHEDULE C SCHEDULE C**

The Land is described as follows:

The land referred to herein below is situated in the County of Montezuma, State of Colorado, and described as follows:

Lots 1 through 28, inclusive, Block 2, Veach Subdivision, the plat of which is recorded in [Book 8 at Page 6](#), excepting that portion of said Block 2 to the State Department of Highways, Division of Highways, State of Colorado described in Book 576, Page 471, County of Montezuma, State of Colorado.

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CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

July 18, 2023

Agenda Item: 4. b.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: Continuation on Independent Log located at 1050 Lebanon Rd, Resolution No. 7, Series 2023

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#### BACKGROUND

The 10-acre parcel located at 1050 Lebanon Road is currently zoned Commercial Highway (C) and they are requesting a re-zone to Industrial (I). The property was previously the site of a drive-in theater and has been vacant for a number of years. The Owners also own the parcel located at 1107 Lebanon directly west of the subject property, and are already using the property for equipment and material storage for their business, Independent Log Company.

#### ISSUES

See attached

#### RECOMMENDATION

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, an appropriate motion would be as follows:

I make a motion that the Planning and Zoning Commission approve P&Z Resolution No. 7, a resolution that recommends that City Council approve the requested rezone from C, Commercial to I, Industrial for property located at 1050 Lebanon Rd, Cortez, Colorado, as more completely described in the Resolution, with the following findings:

- a. The property is physically buffered from adjacent residential uses by topography, adjacent to existing Industrial uses. Other impacts can be mitigated with appropriate use conditions.
- b. The community will benefit from use of the property by the additional economic benefits of additional jobs, opportunities and taxes generated and the expansion of a much needed natural resource use.
- c. Adequate facilities are available to serve development for the type and scope suggested by the proposed zone.
- d. The proposal in conformance with the policies, intents and requirements of the Cortez comprehensive plan.

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#### Attachments

Staff Report

Resolution No. 7, Series 2023

site plan

Letters

Narrative

Application, documents

survey



*City of Cortez  
Community &  
Economic  
Development Dept.  
123 Roger Smith Avenue.  
Cortez, CO 81321*

Meeting Date: July 18, 2023  
Project No. ZA23-0001

## MEMO

**TO:** Members of the Cortez Planning and Zoning Commission

**FROM:** Nancy Dosdall, Contract City Planner

**SUBJECT:** Public Hearing on an Application for a rezoning of a 10-acre parcel located at 1050 Lebanon Rd, from C, Commercial Highway to I, Industrial, and request for a Conditional Use Permit for the property.

**OWNERS/APPLICANTS:** Anthony Moore & Mary Lancaster, dba Independent Log Company

**ATTACHMENTS:** P&Z Resolution No. 7, Series 2023  
Application Packet



*Vicinity Map*

## BACKGROUND/CODE DISCUSSION

This project was continued from the P&Z meeting of June 6, 2023. The Owners/Applicants have revised their proposal to better address neighborhood concerns since that time. Please see the attached site plan, which provides for better buffering and setback from the Carpenter Reserve and a slightly more detailed site plan.

The 10-acre parcel located at 1050 Lebanon Road is currently zoned C, Commercial Highway. The property was previously the site of a drive-in theatre and has been vacant for a number of years. The Owners/Applicants, who also own the parcel located at 1107 Lebanon Road directly west of this subject property, are already using the property for equipment and material storage for the business. They have been cited for code violations for operating without permits. This request, if approved, would bring the property into conformance with the LUC, although there are challenges with interpreting the

code for this property, which will be explained in the discussion section of this report.

Independent Log Company operates as a Fire Mitigation and Response Company with several components (see narrative). They operate and maintain equipment which is used for wildfire response including trucks, trailers, water trucks, earth moving equipment, and chain saws. For the most part, this equipment is off site at wildfire events during the wildfire season and returns for storage during the winter months. The season and amount of events can vary wildly, but has recently been longer and fires are more frequent than in past years. In addition to wildfire response, the company conducts wildfire mitigation services which primarily include tree cutting and thinning services. The cut trees are then brought to their properties, prepared and used in several ways, depending on the quality and size of the product, including log home construction, wood furniture construction, fence materials and firewood. These uses would most likely be considered "manufacturing" in that there are no retail sales of products from the site.

Contractor storage or equipment yards and Manufacturing, wood products are similar uses that are listed as Conditional Uses in the Commercial "C" zone and permitted uses in the Industrial "I" zone, leading one to believe that perhaps rezoning is not required, simply a Conditional Use Permit. Applicable definitions are below. The proposed uses related to wood products do appear to fit in the definition of "manufacturing, wood products" and manufacturing, heavy, which the code lists as a Conditional use in the Commercial Highway zone and a permitted use in the Industrial zone. However Sec 5.07(j) states that "No open storage of materials or commodities shall be permitted in any district except as an accessory use to a main use located in a building in an I or PUD industrial district. No open storage operation shall be located in front of a main building." Staff wrestled with interpreting the Code for this use, since both equipment storage and log home construction appear to be Conditional Uses in the "C" zone. However, when 5.07(j) is included, it appears that the uses should be located in an I zone, since open storage is a key component of the operation.

**Manufacturing, General.** "General manufacturing" means an establishment engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, excluding uses classified as "manufacturing, hazardous or objectionable."

**Manufacturing, Hazardous or Objectionable.** "Hazardous or objectionable manufacturing" means a use engaged in storage of, or manufacturing processes utilizing, flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions. Typical uses include chemical manufacturing and warehousing, dry ice manufacturing, fat rendering plants, fertilizer manufacturing, fireworks and explosives manufacturing and warehousing, petroleum refineries, pulp processing and paper products manufacturing, radioactive materials manufacture or use, steel works, slaughterhouses and tanneries.

**Manufacturing, Light.** "Light manufacturing" means an establishment or use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental storage, sales and distribution of such products, but excluding activities classified in another land use category. Typical uses include apparel and garment factories, appliance and computer products assembly, bakeries engaged in large-scale production and wholesale distribution, boat building and repair, electrical and electronic equipment, furniture and fixtures, jewelry manufacturing, leather products, meat cutting and wholesale storage, monument and grave marker manufacturing, motion picture production lots, musical instrument manufacturing, pharmaceutical and toiletries manufacturing, printing and publishing, rubber and plastics products, sports equipment manufacturing, and toy manufacturing.

**Manufacturing, Wood Products.** "Wood products manufacturing" means an establishment engaged in the basic processing and manufacturing of materials or products predominately from raw wood materials. These uses may be further subdivided into "light manufacturing" which includes small-scale production of cabinets, lath, grade stakes, furniture, wood art, moulding; and "heavy manufacturing" which includes such uses as prefabricated wall components, lumber mills, and log home manufacturing.

Land Use Code:

Use Type	RE	R-1	R-2	MH	O	CBD	C	NB	I
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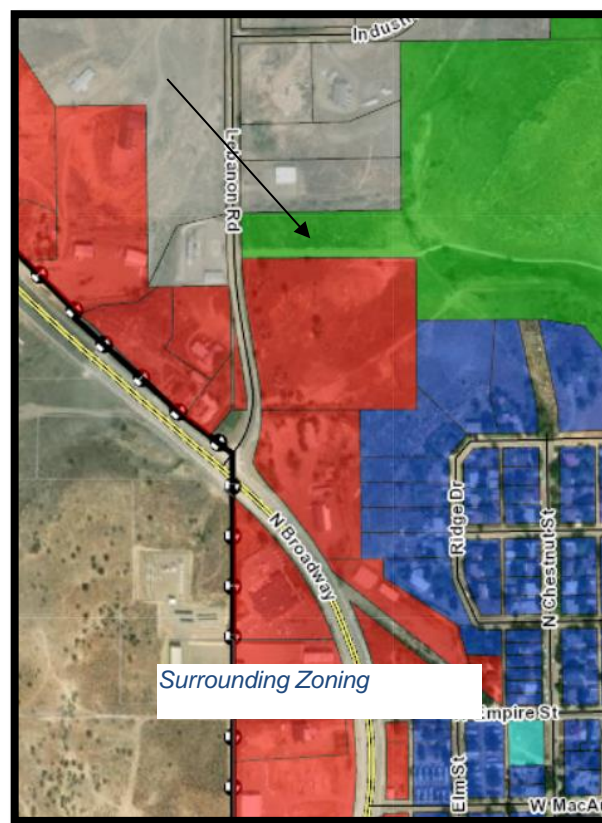
Manufacturing, general									P
Manufacturing, hazardous/objectional									C
Manufacturing, light						C	C		P
Manufacturing, wood products							C		P

**5.07 (j) Open Storage.** No open storage of materials or commodities shall be permitted in any district except as an accessory use to a main use located in a building in an I or PUD industrial district. No open storage operation shall be located in front of a main building. No wrecking, junk, or salvage yard shall be permitted as a storage use in any district.

The current request is for a rezoning of the property from Commercial “C” to Industrial “I”, which is the most permissive zone in regards to outdoor storage and uses in general, and for a Conditional Use Permit to allow the proposed outdoor storage uses. No buildings are proposed on the site at this time. This is the cleanest approach to conform the multiple uses that the Owners/Applicants are proposing with the various Code provisions. There are two other options to approach these uses; 1) Keep the existing zoning in place, grant or deny a Conditional Use Permit for the use or 2) Rezone to Industrial and review the use as a Site Plan only, since Manufacturing, wood products would be considered a Permitted Use. The application of Sec. 5.07(j) could produce different results and requires some subjective interpretation of the Code.

#### Location/Surrounding Land Uses

The site is bounded on the north by City owned open space, on the west by both Industrial and Commercial zoned land, on the south is both Commercial and R-1, Residential, and on the east is both R-1 Residential and City open space. Access to the property is directly off Lebanon Rd. The adjacent residential properties are somewhat naturally buffered from direct



impacts of the use by topography. The adjacent commercial uses are either vacant, or owned and operated by the Owners/Applicants.

## ISSUES

Sec. 6.02 of the Land Use Code establishes the following criteria for a zoning amendment:

1. Items for Consideration in Zoning Amendments. The planning commission shall in its action on the rezoning request, consider the following:
  - a. Was the existing zone for the property adopted in error?
  - b. Has there been a change of character in the area (e.g. installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.)?
  - c. Is there a need for the proposed rezoning within the area or community?
  - d. Are the proposed uses compatible with the surrounding area or uses; will there be adverse impacts; and/or can any adverse impacts be mitigated?
  - e. Will there be benefits derived by the community or area by granting the proposed rezoning?
  - f. Are adequate facilities available to serve development for the type and scope suggested by the proposed zone? If utilities are not available, could they be reasonably extended?
  - g. Is the proposal in conformance with the policies, intents and requirements of the Cortez comprehensive plan?
  - h. Does the proposed change constitute "spot zoning?"

And the following criteria for a Conditional Use Permit:

(f) Conditions of Approval. Both the planning commission and the city council shall use the following criteria in reviewing conditional use permit requests. It is specifically understood that certain criteria listed below may not apply to a particular application. The applicant shall adequately demonstrate that the applicable criteria have been met:

- (1) The proposed conditional use is compatible with adjacent existing uses and other allowed uses in the zoning district. Such compatibility shall be expressed in terms of appearance, architectural scale and features, site design and scope, landscaping, as well as the control of adverse impacts including noise, vibration, smoke, fumes, gas dust, odor, lighting, glare, traffic circulation, parking, or other undesirable or hazardous conditions.
- (2) The proposed conditional use has incorporated design features sufficient to protect adjacent uses including but not limited to: service areas, pedestrian and vehicular circulation, safety provisions, access ways to and from the site, buffering, fencing and site building placement.
- (3) All proposed accessory uses must demonstrate that they are necessary and desirable. All proposed accessory uses shall comply with the requirements of subsections(f)(1) and (2) of this section. Undesirable impacts created by these uses shall be controlled or eliminated.
- (4) Adequate public services (such as: streets, off-street parking, pedestrian facilities, water, sewer, gas, electricity, police and fire protection) must be available without the reduction of services to other existing uses.
- (5) Provisions for proper maintenance of the building, parking and loading areas, drives, lighting, signs, landscaping, etc. shall be provided.
- (6) The proposed conditional use shall conform to adopted plans, hours of operation, policies and requirements for parking and loading, signs, highway access, and all other applicable regulations of this code and other applicable regulations.

## DISCUSSION

This property is located in a very mixed area that includes industrial and heavy commercial land uses, a City open space/natural area, and single-family homes. Staff wrestled with interpreting the Code for this use, since both equipment storage and log home construction appear to be Conditional Uses in the "C" zone. However, when Sec. 5.07(j) is included, it appears that the uses should be located in an I zone.

The request is to rezone the property from Commercial "C" to Industrial "I", which is the most permissive zone in regards to the outdoor storage and specific uses that the Owners/Applicants are proposing for the property. Conditional Use Permits have also been requested, which may or may not be required depending on whether or not the rezone is granted and how Sec. 5.07(j) is applied.

**Criteria Discussion:****Rezone:**

- a. It does not appear that this property was zoned in error, the area is a mix of industrial and heavy commercial uses. The property is directly adjacent to Industrial, Commercial, Open and Residential zones.
- b. The most recent new uses in the area are the Herbal Alternative, a marijuana dispensary and grow operation and Target Rental. The Herbal Alternative is located on C zoned property while Target Rental is located on I zoned property. Many of the uses in the area incorporate outdoor storage of a variety of materials and equipment.
- c. The rezoning is being requested to allow for a heavy manufacturing use in an area of the City where these types of uses are somewhat common. There are many vacant C zoned properties in the City, while only a few vacant I zoned properties exist. This lack of zoned and available land for Industrial type uses could be considered a need for the rezoning.
- d. The area is a mix of land uses, including single family homes and City owned/operated open space on the northern and eastern boundaries. Further north, west and south are heavy commercial uses, most of which include an outdoor storage component. It does not appear that any of the nearby uses comply with 5.07(j). The City Parks and Recreation Department, several users of the open space/trailhead and nearby residents have expressed concern with the use, although no written letters of opposition have been received at the time of preparation of this report. The initial concerns were related to unpermitted uses, and concern of potentially hazardous materials. The concerns with hazardous materials were unfounded. By including a requirement/request for a Conditional Use Permit, it appears that many of the concerns of nearby property owners and open space users could be addressed.
- e. The use is a necessary use in this area where wildfire is a constant and concerning threat. The business provides both fire-fighting and fire mitigation services, and also makes use of all of the by-products, adding value to what can be a difficult waste product to dispose of.
- f. Adequate facilities for the business are available, including water, sewer, access and all other utilities, although at this phase, no services are necessary for the use.
- g. The Cortez Comprehensive plan includes numerous goals that support the requested rezone. Goals and policies include the following:
  - a. Sustain a well-balanced and diverse local economy (Goal 11.1)
  - b. Encourage industries that employ City residents for the reclamation of resource extraction. (Policy 11.1.47)
  - c. Encourage manufacturing businesses and other skilled labor businesses to enhance employment opportunities at "living wage" income levels. (Policy 11.3.8)
- h. The property is adjacent to other industrial zoned property so it should not be considered "spot zoning."

**Conditional Use Permit:**

With this use, a conditional use permit can help to make a difficult use for the City compatible with surrounding land uses. The Owners/Applicants' narrative does a good job of establishing that the proposed uses will not be objectionable due to noise, lighting, smoke, fumes, hours of operation or hazardous materials, as long as all statements in the narrative are adhered to at all times. The site plan is entirely lacking in terms of buffering, fencing and landscaping, which, if added, would go a long way to improving the appearance of the site. The Parks and Recreation Department has requested buffering for adjacent property and natural features, which the applicants have agreed to in an email.

**AGENCY REVIEW****GIS Coordinator (Doug Roth)**

- The application packet does not specify what zoning is being requested so I can't comment on that.
- All situs addresses for both properties are good. Due to hazardous nature of the operation make sure addresses are clearly marked for emergency response.
- A new (additional) address will be assigned to the proposed manufacturing building on PID 561122400044 once a building permit is pulled
- No other concerns

**Cortez Sanitation District (Jim Webb)**

The Sanitation District has some concerns about a couple of exposed manhole covers in this property. Could you please

let the owners know that we have a 20' prescribed easement across this property 10' Each side of the pipe. We have to have access to these manholes and pipeline for normal maintenance. The covers being exposed like they are can not withstand big equipment hitting them and the buried manholes would not be able to handle a whole lot of abuse either. We would prefer that the easement stay clear of any permanent structures and any stored logs giving us access to the exposed manholes Any time of the day or night. This Sewer main is a major Trunk line for the entire North side of town.



**Cortez City Engineer (Kevin Kissler)**

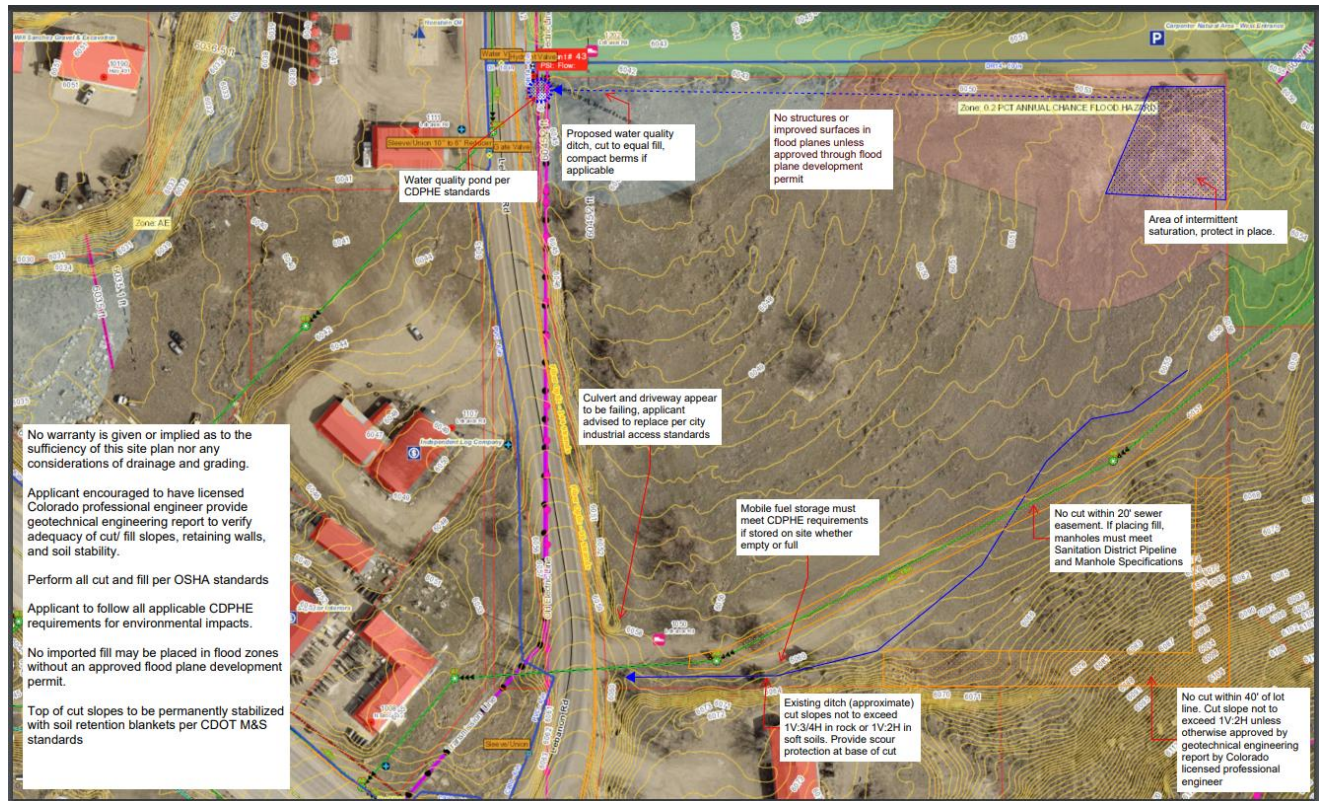
Public works staff performed a site visit on 5/19 and a follow up visit on 5/23 of the properties in question. Attached are updated site plans showing field observations and comments for 1050 Lebanon and 10206 Highway 491, within are specific engineering concerns and suggestions. The applicant is encouraged to have a Colorado licensed professional engineer certify the adequacy of their installations and earthwork, the attached site plans are not providing or implying warranty or adequacy as to the performance of the installations and earthwork and only reflect a mutual understanding of the work the applicant intends to perform during grading operations.

With that said, it appears that the applicant has removed roughly 40,000 cubic yards of material from the hill on their property at 10206 Highway 491 and has used that material to create a filled pad. While in my opinion this is beyond the scope of a typical grading permit, I am not seeing much support from within the land use code or construction design standards to differentiate this project from a grading permit, nor to my knowledge was this scope of work outlined in their original grading permit from last year. It appears a legal basis to keep their operations suspended is not clearly defined, therefore we will allow work to continue and monitor operations on the site.

I have not heard from CDOT, however the applicant intends to add a second access on their property. They assured me that they have already had communications with CDOT, the access is shown on their plat, and that access from highway 491 at that location is already approved within CDOT's access control plan for highway 491. I had concerns regarding sight distance for oncoming traffic if using that access, however it was noted that roll back curb had already been installed by CDOT at that location.

If they are to eventually propose a structure on any of the filled areas, the city would want to require a soils analysis for any permanent foundations as the placed fill may or may not be unstable. A formal soils and/ or engineering analysis may be a prudent demand the city could make as a condition of re-zoning if supported and permissible by the land use code. It is my recommendation that the city update as soon as possible the LUC and/ or CDS such that any placed fill greater than 4' in depth should require a geotechnical engineering analysis and design certified by a Colorado licensed professional engineer. This update should also include verbiage that outlines a stop work procedure for clearly defined violations and a formal review and/ or remediation process to bring the work back into compliance.





### Cortez Parks and Recreation (Creighton Wright)

As City's primary representative for parks, open space, forestry, and recreation, I desire to be a good neighbor and respectfully ask that Mr. Moore's business ventures don't negatively impact the recreation pursuits of Cortez residents and visitors. While I wholly support the business development opportunities, especially the very cool log homes that Mr. Moore proposes to build, I respectfully request mitigation to support the serene Carpenter Natural Area directly adjacent to the property. The preserve's primary parking lot is directly adjacent to the north of the proposed equipment storage area.

The Carpenter Natural Area is a unique ecological and geologic gem within the City that allows residents and visitors to enjoy the natural scenery and outstanding views without leaving the City. Residents and visitors routinely (some daily) use the space for trail walking, birding, light hiking, mountain biking, and generally, the opportunity to get outside and enjoy nature literally out their back doors. I request mitigation by the adjacent property owner to screen, protect and preserve the natural aesthetic value and uniquely serene environment found at the Carpenter Open Space Preserve.

#### Requested mitigation:

1. Secure and preserve the water quality of inflow into ponds and streams. Prevent harmful chemicals and toxins from washing into downstream waterways.
2. Restrict access to preserve drives and parking areas from the equipment, supplies, and deliveries to Mr. Moore's business.
3. Prevent any waste, construction debris, or other by-products from blowing or coming onto the preserve or associated areas.
4. Provide buffer and naturally-oriented visual screening along Mr. Moore's northern and eastern property boundary. The proposed naturally-oriented visual screen should be large (20' tall) evergreen trees planted approximately 20' on-center and staggered. The proposed buffer is 50'.

## ALTERNATIVES

1. The Commission can recommend that the Council approve the rezone request from Commercial "C" to Industrial "I" for a 10-acre parcel located at 1050 Lebanon Rd as submitted.
2. The Commission can recommend denial of the request for a rezoning and state its reasons;
3. The Commission can ask for more information and table the application or continue the application to a date certain; or

### RECOMMENDATION #1 - Rezone

Staff recommends Alternative "1" above, approval of the rezoning request through P&Z Resolution No. 7, Series 2023.

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, a possible motion for the Commission to make is as follows: **I move that to the Planning and Zoning Commission approve Resolution No. 7, Series 2023, a resolution recommending that the City Council approve the requested rezone from Commercial "C" to Industrial "I" for property located at 1050 Lebanon Rd, Cortez, located in Section 23, Township 36, Range 16, tr in W/2 SW/4 SW ¼, with the following findings:**

- a. The property is physically buffered from adjacent residential uses by topography, adjacent to existing Industrial uses. Other impacts can be mitigated with appropriate use conditions.
- b. The community will benefit from use of the property by the additional economic benefits of additional jobs, opportunities and taxes generated and the expansion of a much-needed natural resource use.
- c. Adequate facilities are available to serve development for the type and scope suggested by the proposed zone.
- c. The proposal in conformance with the policies, intents and requirements of the Cortez comprehensive plan.

### RECOMMENDATION #2 – Conditional Use

Staff recommends Alternative "1" above, approval of the Conditional Use Permit request through P&Z Resolution No. 10, Series 2023.

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, a possible motion for the Commission to make is as follows: **I move that the Planning and Zoning Commission approve Resolution No. 10, Series 2023, a resolution recommending that the City Council approve the requested Conditional Use Permit for property located at 1050 Lebanon Rd, Cortez, located in Section 23, Township 36, Range 16, tr in W/2 SW/4 SW ¼, with the following conditions:**

- a. 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 and all requirements of CDOT for required highway improvements.
- b. The Owners/Applicants shall meet all requirements of the Cortez Sanitation District regarding protection of the manholes and existing sewer line.
- c. The address shall be clearly marked for emergency response.
- d. The Owners/Applicants shall comply with the submitted project narrative at all times.
- e. The following requirements of the Parks and Recreation Department shall be met:
  - (1) Secure and preserve the water quality of inflow into ponds and streams. Prevent harmful chemicals and toxins from washing into downstream waterways.
  - (2) Restrict access to preserve drives and parking areas from the equipment, supplies, and deliveries to Mr. Moore's business.

- (3) Prevent any waste, construction debris, or other by-products from blowing or coming onto the preserve or associated areas.
- (4) Provide buffer and naturally-oriented visual screening along Mr. Moore's northern and eastern property boundary. The proposed naturally-oriented visual screen should be large (20' tall) evergreen trees planted approximately 20' on-center and staggered. The proposed buffer is 50'.

**CITY OF CORTEZ  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 7, SERIES 2023**

**A Resolution Recommending Approval of a Rezoning of a ten-acre parcel located at 1050 Lebanon Rd, Cortez, Colorado, in the SW¼ of Section 23, Township 36 North, Range 16 West, N.M.P.M., County of Montezuma, State of Colorado, from C, Commercial Highway District to I, Industrial District**

WHEREAS, Owners/applicants Anthony Moore and Mary Lancaster have applied for review of a rezoning from C, Commercial Highway to I, Industrial of a ten-acre parcel located at 1050 Lebanon Rd, Cortez, Colorado and more particularly described as (the “Property”):

A tract of land in the SW¼ of Section 23, Township 36 North, Range 16 West, N.M.P.M., County of Montezuma, State of Colorado

WHEREAS, the Owners/applicants presented a request and necessary submittal items for review by the City Planning and Zoning Commission at its regular meeting held on June 6, 2023; and

WHEREAS, Land Use Code Section 6.02, Zoning Map and Land Use Code Amendments, indicates that the owner or developer of a property may request an amendment to the zoning classification of property; and

WHEREAS, the Planning and Zoning Commission reviewed the request for an amendment to the zoning classification from C, Highway Commercial to I, Industrial, and is recommending approval of the request on the Property, as evidenced in the adoption of this P&Z Resolution No. 7, Series 2023; and

WHEREAS, based on the evidence and testimony presented at said meeting, the Planning and Zoning Commission is recommending approval of the requested zoning classification amendment; and

WHEREAS, it appears that all requirements of Chapter 6.00 of the City’s Land Use Code for a zoning classification amendment have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CORTEZ PLANNING AND ZONING COMMISSION:

THAT, this P&Z Resolution No. 7, Series 2023, establishes the finding for approval for the zoning reclassification of the Property; and

THAT, the zoning reclassification and full application for the Property is hereby recommended to the Cortez City Council for approval, subject to the following findings:



- a. The Property is physically buffered from adjacent residential uses by topography, adjacent to existing Industrial uses. Other impacts can be mitigated with appropriate use conditions.
- b. The community will benefit from use of the Property by the additional economic benefits of additional jobs, opportunities and taxes generated and the expansion of a much needed natural resource use.
- c. Adequate facilities are available to serve development for the type and scope suggested by the proposed zone.
- d. The proposal is in conformance with the policies, intents and requirements of the Cortez Comprehensive Plan.
- e. Pursuant to Section 4.01 of the Cortez Land Use Code, a subdivision plat approved by the City Council shall be required prior to the issuance of a building permit on the Property.

MOVED, SECONDED, AND ADOPTED THIS 18<sup>th</sup> DAY OF JULY, 2023

PLANNING AND ZONING COMMISSION

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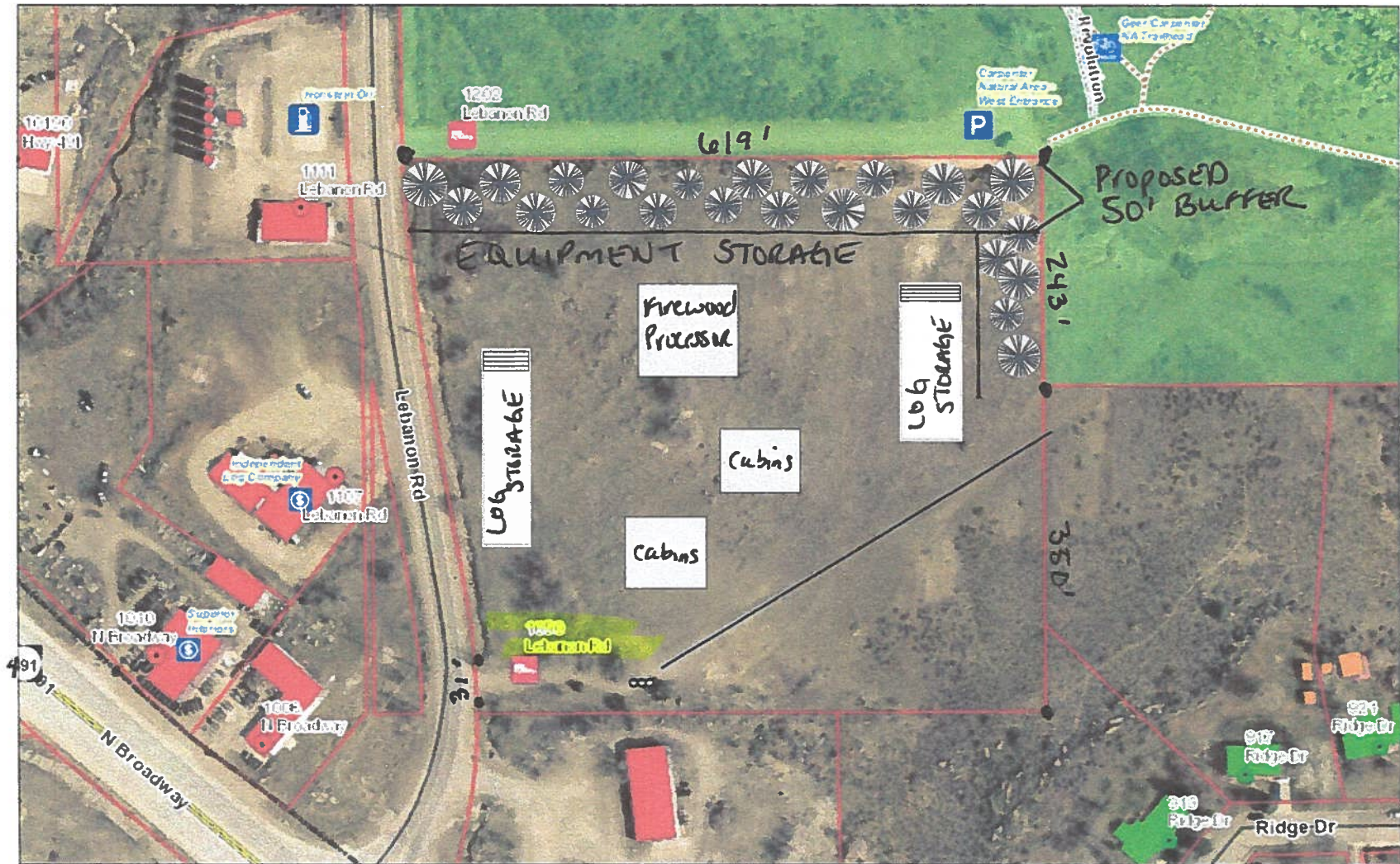
Robert Rime, Chairman

ATTEST:

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Cheryl Lindquist, Deputy City Clerk

# Montezuma County Property 1050 LEBANON ROAD



Sanitation district pipeline

ACTUAL DISTANCE





Forest  
Service

Region 2  
Rio Grande NF

Supervisors Office  
1055 9<sup>th</sup> Street  
Del Norte, CO 81132

File Code: 2300  
Route To: 5100

Date: 6/05/2023

Subject: Letter of Recommendation, Independent Log Company, Anthony Moore

To: *City of Cortez Council Members*

My name is Charles Michael Simmons but most know me as Skip. I have been employed by the U.S. Forest service for 22 years as a Wildland Firefighter, Hotshot Crew Captain, Engine Captain, Helicopter Manager, Fire Operations Specialist, Division Supervisor, Incident Commander. I have been stationed in Northern California, Southern Oregon, Northern Oregon and Colorado while responding to fires in every western state and most of the rest of the nation as well. I met Anthony Moore, "Tony" on the Pine Gulch fire near Grand Junction, CO in August of 2020. I was the Heavy Equipment Boss and Division Supervisor for Tony and his piece of equipment. I immediately was made aware of the level of expertise and professionalism I was working with by the Colorado Type II Incident Management Team that was currently in charge of the fire. For the next 21 days Tony and myself put dozer line in at night with Hotshot crews and a plethora of other equipment and resources only fulling reenforcing what I had already been told. Tony had his sons with him in his Mechanic support truck that services the Dozer and they also helped anyone else that needed mechanic work on the fire line. A BLM engine was put out of commission due to a faulty water pump head and Tonys sons, with the mechanic truck got it swapped out so we were able to continue suppressing the fire. They did not have to do that nor did they get extra pay for it, they did it because it needed to be done and they had they equipment readily available to help. They were soon put on contract with the fire. Tony was also able to get his "Big Red Water tender" on the fire when we needed it due to its close proximity to the fire. This was invaluable due to the long distance to water sources for the engine. During the 21 days of night shift we successfully protected 100s of homes thanks to the ability to bring water with us as we moved across the landscape burning out around homes at night while having ample water. Tony was recognized by the Type I Incident Commander with a plaque for his excellence and commitment to service during the Pine Gulch Fire.

Tony and his company have every piece of equipment needed to suppress the most intense wildfires. Tony has more experience with fire AND Logging than most companies I have worked with throughout the nation. Usually Logging companies stick to the logging as much as possible as it is more profitable and easier on the equipment. Tony has made a name for himself everywhere I go in Colorado as a firefighter and a logger not just a logger that helps on fires. The ability to have the resources Tony can bring to the fire as close as possible is a very fortunate situation to be in for any community. Tony's equipment is in excellent working condition and because of the support vehicles and people he employees, the equipment is always ready to provide a much-needed public service when called to a fire. I am always hopeful Tony or any of his equipment is on the fires I end up on because I know I will be getting the best available equipment and operators with a high level of expertise to not only suppress the fire but do it safely and efficiently.



CHARLES  
SIMMONS  
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by CHARLES  
SIMMONS  
Date: 2023.06.05  
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/s/

Charles "Skip" Simmons  
Forest Fire Operations Risk Management Specialist  
Rio Grande NF, Del Norte, CO  
Division Supervisor, Rocky Mountain Type I  
Complex Incident Management Team



Dear Planning and Zoning Commission Member,

As a resident of Montezuma County I have been walking in Carpenter Natural Area since 2009. It has been my go-to place to get quick exercise and a mental reprieve from the demands of everyday life. In addition, I have greeted and visited with so many other community members doing the same thing. Finally, I have greatly enjoyed the natural elements of this place: the sight and sound of running water, the great diversity of native wildflowers, the dragonflies, birds, snakes, and other wildlife. Not to mention the color green.

When I heard that the area adjacent to Carpenter on the west side was being considered for rezoning, from commercial to industrial, I was quite concerned.

Carpenter Natural Area is a unique resource in the Four Corners Region. To my knowledge it is the only area of its size with such a tremendous variety of life in close proximity to a town. Durango, Monticello, Shiprock, Farmington, to name a few, do not have comparable places. Over 170 species of plants and multiple species of wildlife grace Carpenter's slopes, mesa top, pond and wetlands. That's a lot!

Wetlands are some of the most ecologically sensitive environments. For example, amphibians, such as the frogs whose songs delight many that visit Carpenter, have very permeable skins and absorb toxins from the environment easily. Frog numbers have drastically declined worldwide, in many places due to increasing human-caused environmental toxins.

Furthermore, wetlands buffer communities from floods (but don't necessarily eliminate danger).

Finally, the color green has been shown to lower heart rate in people. It indicates water, possible food and shelter, and presumably therefore makes us feel more at ease--it is part of an equation of good mental and physical health.

Any potential impact--noise, exhaust fumes, smoke from wildland firefighting practice fire control sessions, chemical/fuel spills with fumes-- near the boundaries of this special place--ought to be seriously considered. Unlike liquids, noise and airborne contaminants can travel uphill which is the direction from the parcel to Carpenter. Other existing industrial sites are a bit further away, and are less likely to have an impact on the Carpenter ecosystem, along with the people who use it.

As a community that values its places to recreate and refresh, as enshrined in the city code and statements from officials, as well as places to support ecological health and diversity (that supports us in other ways, with clean watersheds, clean air, etc), we should be vigilant about attempts to diminish our opportunities for these needs as well as the integrity of our natural areas.

I oppose the rezoning of the parcel at 1050 Lebanon Road to industrial.

Thank you,

April Baisan

We are strongly against the proposed rezoning of the 10-acre parcel from Commercial to Industrial use by the Independent Log Company (ILC) on the property at 1050 Lebanon Road in Cortez. While we recognize the need for local business development, this is absolutely the wrong site for a lumber mill. The proposed mill is incompatible with the current use of the area for many reasons. A primary concern is the lack of a buffer between the Carpenter Area and the proposed industrial site. A sensitive floodplain environment extends from the adjacent Carpenter Nature Area through the ILC property. ILC's earth-moving activities and heavy equipment storage have already altered/impeded the flow of the watercourse, potentially leaked toxins into the groundwater, disturbed wildlife, and degraded the experience of people utilizing the nature area.

In addition, the ongoing and proposed construction activities adversely affect residents who live directly southeast of the ILC property. Impacts include grading the canyon hillside and excessive noise from mechanical activities that are already of an "industrial" nature. The proposed mill would only increase these negative impacts, particularly noise and pollution levels. At the June 6<sup>th</sup> Planning and Zoning meeting it appeared that the Planning Department was already on board with ILC's proposal despite a history of non-compliance at the site (no consultation with the Army Corps of Engineers concerning the wetlands, no City-issued construction permits, no engineering survey, and an inadequate site map) and vocal community opposition. One citizen noted that while photographs of the property relative to the surrounding land were provided by the Planning Department, none depicted the view of the construction site from the residential properties that abut the parcel.

Also, traffic congestion and hazards along Lebanon Road and the intersection with Highway 491, a dangerous intersection and the

location of two traffic fatalities within the last year, will only increase over time.

ILC proceeded without construction permits, operated with impunity, and has been a bad neighbor who does not follow the rules. If this property is rezoned to Industrial use, it sets a troubling precedent for additional rezoning along the residential interface of our community. What is the purpose of planning codes if a non-compliant entity can break the rules and then change them to benefit that landowner at the expense of the public good? Therefore, to maintain the public trust in established zoning protocols, we urge the Cortez Planning and Zoning commission and City Council to vote against the proposed rezoning.

Sincerely,

Paul Stirniman and Deb Silverman  
Cortez

## Rezoning by Carpenter Natural Area

Carpenter81321 <Carpenter81321@protonmail.com>

Wed 7/5/2023 5:20 PM

To: news@the-journal.com <news@the-journal.com>; news@ksjd.org <news@ksjd.org>; freepress@fone.net <freepress@fone.net>

Cc: Rachel Medina <rmedina@cortezco.gov>; Arlina Yazzie <ayazzie@cortezco.gov>; Lydia DeHaven <ldehaven@cortezco.gov>; David Rainey <drainey@cortezco.gov>; Robert Dobry <rdobry@cortezco.gov>; Mathew Keefauver <mkeefauver@cortezco.gov>; Dennis Spruell <dspruell@cortezco.gov>; Cheryl Lindquist <clindquist@cortezco.gov>; lanceinsandiego@gmail.com <lanceinsandiego@gmail.com>; skvorcjm@gmail.com <skvorcjm@gmail.com>

July 5, 2023

To the Editor:

We bought our Ridge Drive home 28 years ago. We never expected to have to deal with the possibility that we would share a fence line with an industrial operation, that of Independent Log Company. The 10-acre parcel was once the location of the old drive-in theater.

We have enjoyed living next to the Carpenter Natural Area which also borders residential property. Years ago, after the Natural Area was established, I approached the manager of the Cortez Parks and Recreation Department and suggested that the city should buy the property in order to expand the Carpenter open space and add a picnic area for the west end entrance near the trails. I know that parcel well because I can see it from my kitchen window and back yard. It would have been a wonderful addition to the natural area. At that time, I was informed that there was no money for the city to purchase the land.

Now there are other issues of direct concern to our home and neighborhood. The possible rezoning from commercial to industrial is the major issue. But, even without this rezoning, Independent Log has acted as if it is already zoned industrial and has imposed upon the neighborhood a lot of noise from heavy equipment, several days of smoke from burning a huge slash pile of brush and trees bulldozed from the 10-acre property and digging into the hillside up to our north boundary fence line. It is my understanding that all of this was done without a permit.

The City Code Zoning District Regulations, Chapter 3, 3.02 states that Residential Districts are created: In order to secure for the persons who, reside there a comfortable, healthy, safe, and pleasant environment in which to live, sheltered from **incompatible and disruptive activities...**

Further, the code describes the purpose for establishing Industrial Districts: In order to encourage a diverse employment base, provide for the production of goods and services and **minimize conflict with other land uses...**

The City Code Rezoning Policy Declaration states: **For the purpose of establishing and maintaining sound, stable, and desirable development within the city, the rezoning of land is to be discouraged.**

I do not believe that the application to rezone the property at 1050 Lebanon Road meets these tests, nor should special permits be granted to do industrial business in a commercial zone. I urge the City Council to reject the application to rezone the property to industrial and reject the Planning and Zoning approval of a Special Use Permit for industrial activities in a commercial zone. The owner of the property knew that the land was zoned commercial when he bought it. Now he wants the city to change the zoning to suit one business. I am also concerned that the Planning and Zoning Commission has approved, for the City Council's consideration, a permit for someone after they have violated city code.

Carol Taylor



## Independent Log

Cheryl Lindquist <cheryllindquist@me.com>

Wed 6/28/2023 11:12 AM

To: Cheryl Lindquist <clindquist@cortezco.gov>

projects of public lands assisted by more than 40,000 volunteers, who have contributed over \$10 million in time and expertise.

Wildlands Restoration Volunteers includes people from both cities and rural areas who agree with what Wendell Berry wrote: "The care of the Earth is our most ancient and most worthy, and after all, our most pleasing responsibility. To

restoring lands and water while at the same re-creating ourselves.

*Rick Knight is a contributor to Writers on the Range, [writersontherange.org](http://writersontherange.org), an independent nonprofit dedicated to spurring lively conversation about the West. He is professor emeritus of wildlife conservation at Colorado State University.*

### LETTER TO THE EDITOR

#### 'Say no to improper zoning changes'

Having been out of town for the last couple of months, I was horrified to see the logging operation at the entrance to Lebanon Road in Cortez.

I am informed that this operation was initiated illegally, without permit, on commercial zoned property. I am also informed that the city is working with Independent Log Co. to change the zoning to industrial.

This is my neighborhood that they are encroaching upon. This is the entrance to our park at Carpenter (barely recognizable now with the trucks, heavy machinery, piles of logs, 55-gallon drums, etc.) that is being devastated.

What, as a city as a community, could

we possibly be thinking? Wildlife habitats are being threatened to the east and the north, and with increased truck traffic at an already dangerous intersection, lives are being threatened to the west. At what expense do we sacrifice our peaceful lives to the reckless advance of an industrial developer?

Of course, we want jobs. This company is surely welcome in a properly zoned and appropriate area.

Please, say no to improper and ill-advised zoning changes that infringe upon our neighborhoods and our public parks.

John Bzovic  
Cortez

To the Editor,

The poor track record of Independent Log Company to comply with any permitting or in its workings with the city or the community or the environment, makes me wonder why the planning commission believes their business practices will improve by granting the rezoning from commercial to industrial!

It appears that the interest of the Planning and Zoning Commission and particularly of the planning staff may be based on the financial bottom line of increased revenues to the city.

As a former councilman once stated, "How many times do you want to dress up your pig?"

There is a great deal of waste near the old M&M truck stop. Perhaps that is a better fit than next to people's homes and a natural area. A natural area, by the way, that many of us fought for and would like to see enhanced rather than degraded by a heavy industrial zone at the entrance. Why is the location so attractive to them??

Fred Blackburn  
Cortez

cc: Cortez City Council, Planning and Zoning Commission



**Log Home Manufacturing yards  
1050 Lebanon Road and 10206 Highway 491 Cortez  
Colorado 81321**

We are a family owned and operated business, natives to Cortez Colorado.

We have been generation loggers for over 50 years.

Anthony Moore is a Master Log Crafter, professional logger and Wildland Firefighter.

We will be using this land to store are Wildland firefighting equipment that we use to assist the USDA forest service with our 54 contracts.

We are hopeful for a proposed Wildland Firefighting training facility to help qualify individuals wishing to pursue Wildland Firefighting careers. Anthony Moore is a Task Force Leader and has put out numerous fires in our State and has been awarded medals on the Pine Gulch fire Grand

Junction Colorado 2020 and East Troublesome Fire Granby Colorado 2020, both devastating Colorado fires.

Independent Log Company will be building Swedish Style Cope Log Homes and Timber Frame log homes, at this location. (See Photo 1 and Photo 2)

Photo 1 Swedish Cope Log Home by Independent Log Company

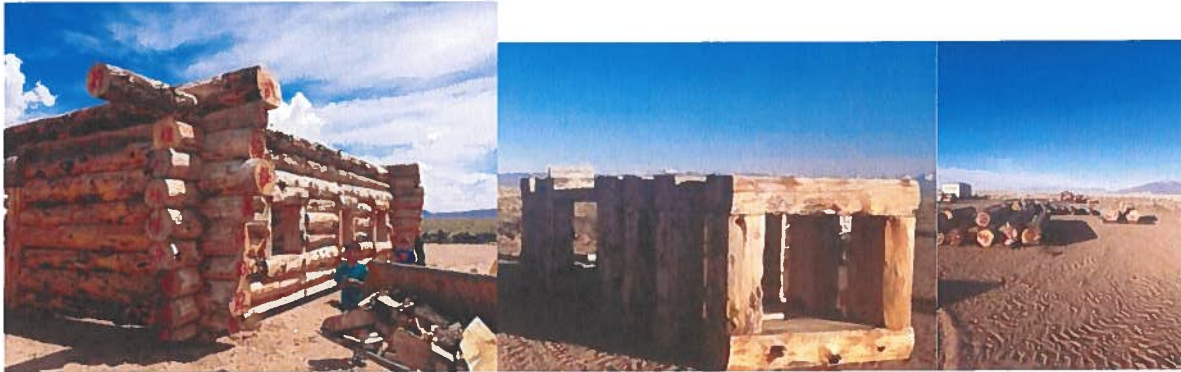


Photo 2 Timber framed home by Independent Log Company

We use top quality logs and most of the work will be done in the yard and then taken down and put on properties.

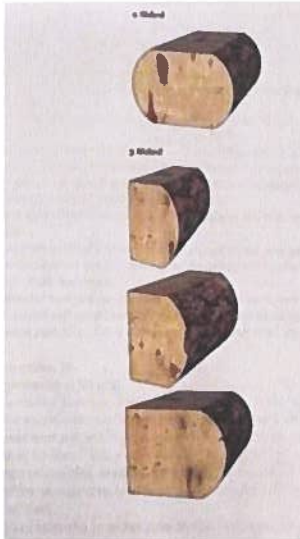


## Swedish Cope Style Log Homes (Think “Lincoln logs”)



ILC will be storing logs at this location and a Wood Mizer Mill that will assist in making the 2 sided and 3 sided logs and rough-cut lumber used for our Timber Frame homes. (See Table 1)

Table 1 - 2 sided and 3 sided logs



ILC will also have a Cord King firewood processor at this location for processing the byproduct wood into firewood and this will be available locally.

Cord King Firewood Processor-

Wood Mizer LT40



ILC will take the slab wood that comes off the logs and put that into slab bundles that will be available locally.

Bundles of slab wood



All our sawdust from milling is blown in an enclosed trailer and when this is full, we have numerous individuals that we deliver this too for animal bedding, and landscape projects. No sawdust will be accumulated at our locations.

The amount of noise that will be created for this operation is very minimal mostly due to, this is a wide-open area and sound will go off into many directions and be absorbed into ground you therefore you only end up hearing a small part of it.

Item	Decibels
whisper	15
Lawnmower	75
Car Horn	110
Wood Mizer Mill * on site	75
Cord King Processor *on site	90

We are a family-owned business, and this is our lively hood due to seasons sometimes we work longer hours and sometimes regular hours. You may see us leaving early in the mornings to

beat the thaw and mud and you may see us working late to accommodate break downs or getting dispatched for fires. This area is ideal for this type of operation as Maverick is open 24 hours for fueling and supplies, Meadow gold trucks run at 3:00 in the morning and late at night. We own most of the surrounding land near us and what we do not own business owner's hours are very typical of ours.

ILC will be adding pole barn type lean-to for the wood Mizer and processor to help even more with any noise and for shelter from the elements.



All our wood comes from the local San Juan forests USDA timber sales, and we are a huge part in the removal of this dead and dying wood and keeping the forest healthy.

ILC has temporarily and seasonal job opportunities and future full-time positions are expected.

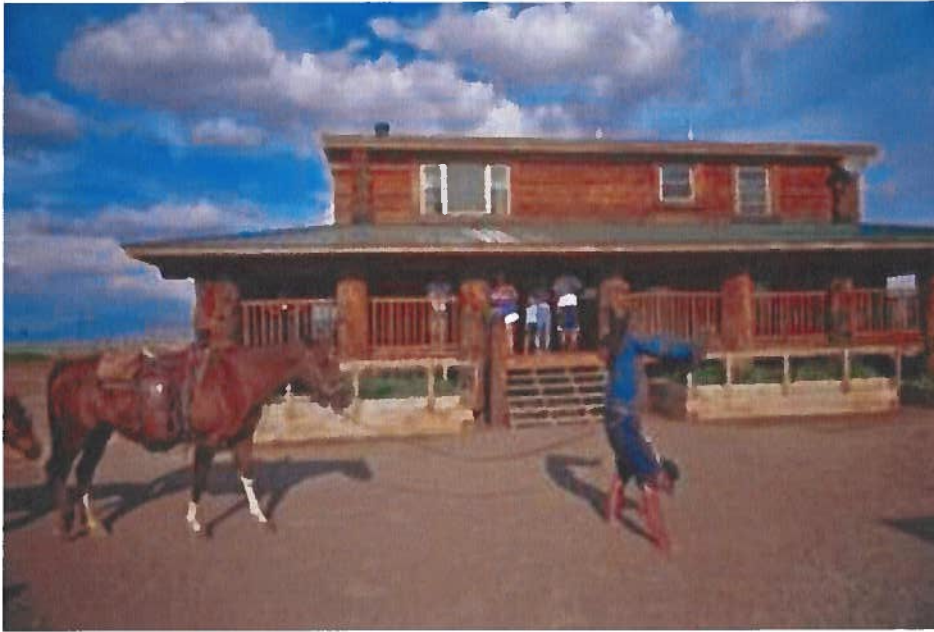
ILC takes pride in keeping things organized and will adhere to any local land use codes and regulations. We keep all our equipment clean and in tip top shape, as it makes our living.

ILC will have limited volumes of boards available and will offer specialty milling such as oversized timber and beams you can't typically get at your local hardware. ILC will also have railings and log home furniture.

Both properties will be used for equipment storage for example water trucks, logging trailers, enclosed trailers, and other equipment we use for firefighting, logging, and log home manufacturing. During the fire season if dispatched or while logging most of this equipment will be gone. Firewood, slabs and rough-cut lumber will be processed and sold locally onsite and delivered. Log home furniture and railing will also be on both locations.

We are looking forward to being a huge asset to Cortez Colorado for future home development and being in your backdoor for Wildland Firefighting.





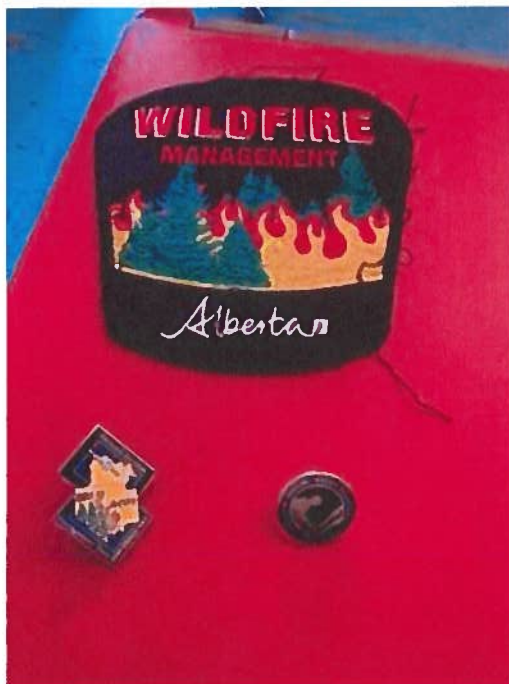
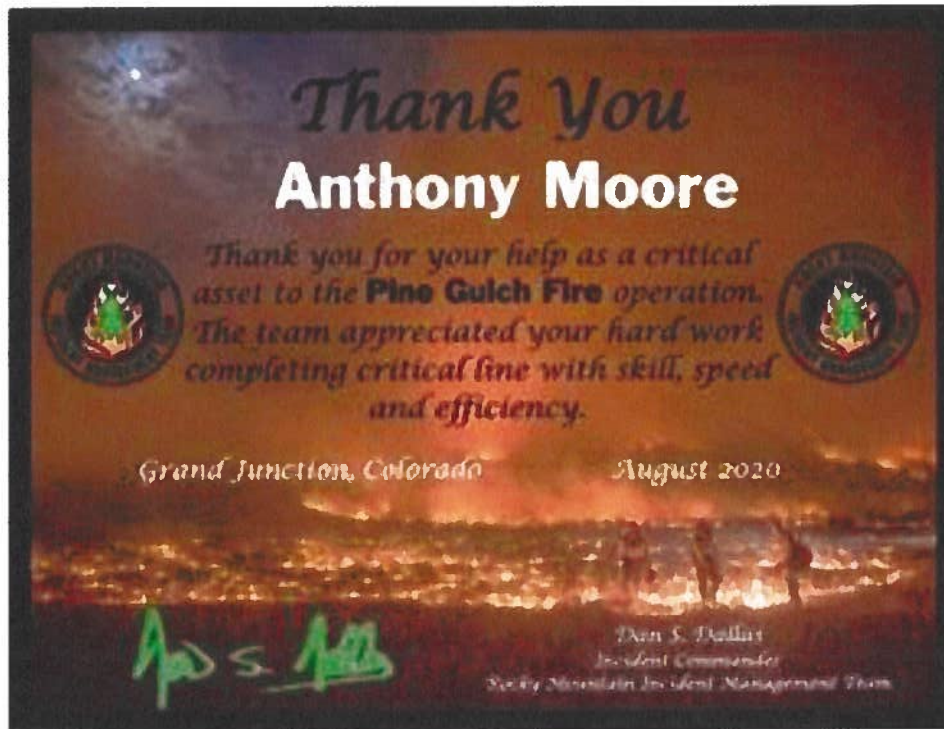
5000 Square foot house by Independent Log Company



Timber frame package



Awards Given for building Fire line with Dozer that stopped Pine Gulch Fire 2020.



**APPLICATION FOR ZONING AMENDMENT**  
**(Land Use Code Section 6.02)**

Name: Anthony Moore Mary Lancaster Phone: 719-588-3450  
Address: 1050 Lebanon Road Cortez Colorado 81321

- ☒ Statement of requested change and legal description of property  
☒ Title certificate with list of owners and all liens, easements, etc. on property  
☒ Statement from Treasurer showing status of current taxes due on property  
☒ Survey of property which shows existing zoning, existing uses, and zoning within 300' of land to be rezoned  
\_\_\_\_\_ List of surrounding property owners (and addresses) within 300' Cheryl  
\_\_\_\_\_ Statement showing effect that new zoning would have on adjacent uses - ?  
☒ Explanation for rezoning request  
☒ Filing fee \$ 500

**RECORD OF PROCEDURES**

Review by Department Heads:	Date	Initials
Police Department	_____	_____
Public Works/Planning Department	_____	_____
Parks & Recreation Department	_____	_____
Fire Department	_____	_____

P&Z Public Hearing: \_\_\_\_\_ Advertised in Paper: \_\_\_\_\_

Action taken by P&Z: \_\_\_\_\_

Council Public Hearing: \_\_\_\_\_ Advertised in Paper: \_\_\_\_\_

Action taken by Council: \_\_\_\_\_





**City of Cortez Address Change:  
MOORE, ANTHONY and LANCASTER, MARY  
1107 and 1050 Lebanon Rd, Cortez, CO 81321**

PID 561122400034 and 561123300003

Subdivision: Tracts in Section: 22 and 23 Township: 36 Range: 16

*(Previous address on record were:*

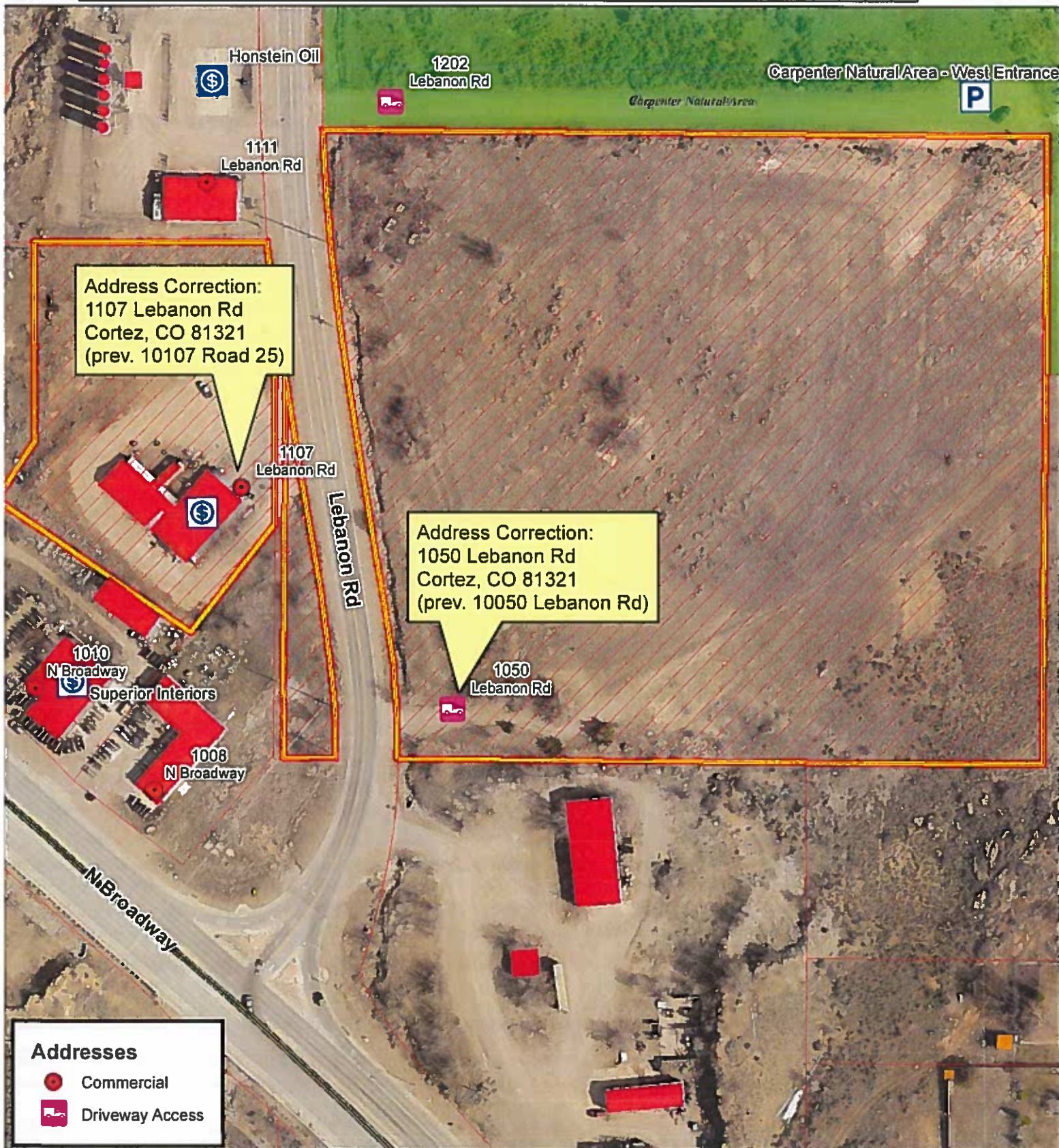
*10107 Road 25, 10107 Lebanon Rd and 10050 Lebanon Rd)*



3/31/2022

1 inch = 125 feet

0 25 50 75 100 200 300 400 500 600 700 800 Feet

















































































































































































































































































































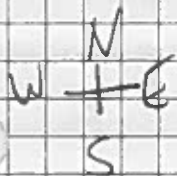












Carpenter natural area

P

689.1 feet

EQUIPMENT STORAGE

Lebanon Road  
600.1 feet

LOG DECK

YARD

LOG DECK

603.1 feet

DRIVEWAY

614.3 feet

Lancaster/Moore  
1050 Lebanon Road  
CORR2 COLORADO 81321

N. Broadway

Account: R007650

1 of 2 Results [Next->](#)

Location	Owner Information	Assessment History
Situs Address 1050 LEBANON RD	Owner Name MOORE, ANTHONY &	Actual (2023) \$202,440
Tax Area 11001 - DISTRICT 11001	Owner Address PO BOX 1034	Assessed \$58,710
Parcel Number 5611-233-00-003	ALAMOSA, CO 81101	Tax Area: 11001 Mill Levy: 55.380980
Legal Summary Section: 23 Township: 36		Type Actual Assessed Acres SQFT Units
Range: 16 TR IN W/2SW/4SW1/4; 9.64AC		Land \$202,440 \$58,710 9.640 435600.000 1.000
B226 P164 B406 P35		
Account Number R007650		
Account Type VACANT LAND		
Doc Description		

Transfers	Sale Date	Sale Price	Doc Description
	<a href="#">11/25/1996</a>		<a href="#">Quitclaim Deed NoSale</a>
	<a href="#">03/25/2010</a>	<a href="#">\$0</a>	<a href="#">Land Survey Deposit Map</a>
	<a href="#">01/25/2016</a>	<a href="#">\$3,105</a>	<a href="#">Warranty Deed</a>
	<a href="#">04/20/2017</a>		<a href="#">Survey</a>
	<a href="#">10/28/2021</a>		<a href="#">SOA</a>
	<a href="#">10/28/2021</a>	<a href="#">\$190,000</a>	<a href="#">Special Warranty Deed JT</a>

Tax History	Images
Tax Year Taxes	• <a href="#">GIS</a>
*2023 \$3,251.40	
2022 \$3,251.72	
* Estimated	



Account: R007650

1 of 2 Results [Next->](#)



4/14/2023

Dear To Whom It May Concern:

City of Cortez: Planning and Zoning

Nancy,

Here is my official request to Rezone 1050 Lebanon Road Cortez Colorado 81321.

Parcel Number : 561123300003

Legal: Section: 23 Township: 36 Range: 16 TR IN W/2SW/4SW1/4

Acreage: 9.64


Currently zoned Commercial "C"

Requesting to Rezone Industrial "I"

Any question or concern please contact at 1-719-588-3450 or by email to  
[justmemoryrtle7@yahoo.com](mailto:justmemoryrtle7@yahoo.com)

Thank you

  
Anthony Moore

  
Mary Lancaster




# Tax Account

## Summary

Account Id R007650  
Parcel Number 561123300003  
Owners MOORE, ANTHONY &  
LANCASTER, MARY  
Address PO BOX 1034  
ALAMOSA, CO 81101  
Situs Address 1050 LEBANON RD CORTEZ  
Legal Section: 23 Township: 36 Range: 16 TR IN W/2SW/4SW1/4; 9.64AC B226 P164 B406 P35

## Inquiry

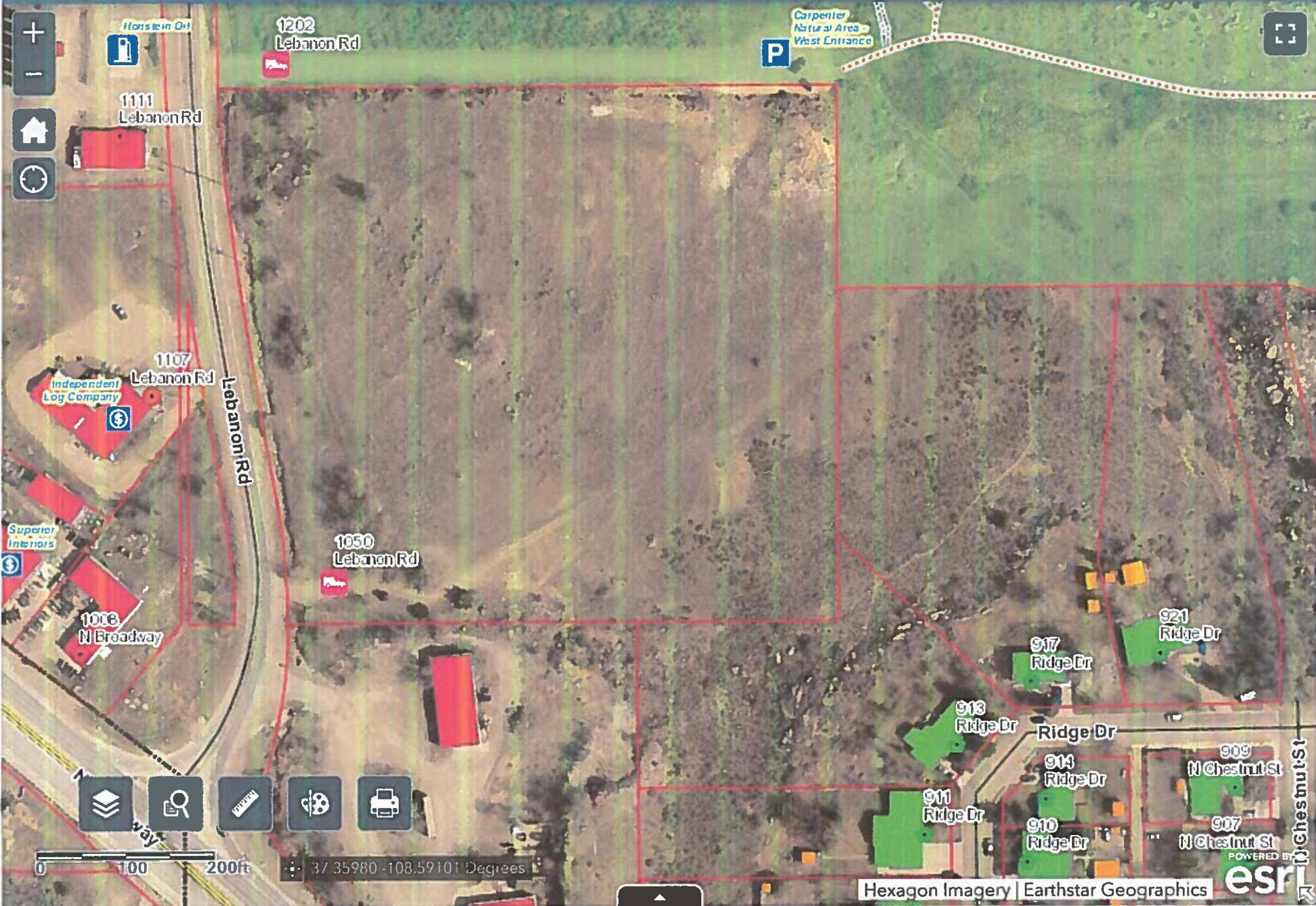
As Of 04/14/2023   
Payment Type ☐ First  
☒ Full  
Taxes Due \$3,251.72  
Total Due \$3,251.72

## Value

Area Id	Mill Levy	
11001 - DISTRICT 11001	55.3859800	
	Actual	Assessed
VACANT COM LOTS - 0200	202,440	58,710
Taxes	\$3,251.72	

The amounts of taxes due on this page are based on last year's property value assesments.  
For current year values visit the [Montezuma County Assessor's site.](#)

due 5-1-2023





CATHARINE N. CARPENTER AND 1st NATIONAL BANK OF DENVER  
B. 478 , P. 535

MONTVIEW ADDITION

VICTOR HODGES AND  
RICHARD TIBBITS  
B. 480, P. 492  
NW<sup>4</sup> NW<sup>4</sup> SW<sup>4</sup>

ALLEN THEATRES, INC.  
B. 371 , P. 371

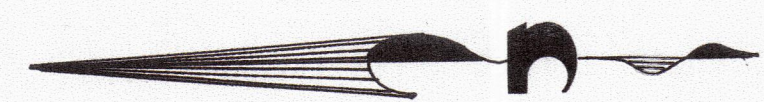
**NORTHCOTT, INC.**  
B. 185, P. 154  
B. 422, P. 17

W. 500' OF S. 557' OF  
NW<sup>4</sup> SW<sup>4</sup> SW<sup>4</sup>

SECTION 23

SECTION 22

T36N, R16W, NMPM, MONTEZUMA COUNTY, COLORADO



SCALE : 1" = 100'

BASIS OF BEARING IS BEARINGS OF RECORD.

KNOW ALL MEN BY THESE PRESENTS:  
That I, Fredric P. Thomas  
do hereby certify that I prepared this plat from an  
actual and accurate survey of the land and that the  
same is true and correct to the best of our know-  
ledge and belief.

Fredric P. Thomas  
Reg. L. S. and P. E.  
Colo. Reg. No. 673



**THOMAS** Engineering Inc.  
CORTEZ, COLORADO

BETTY WILLIAMS

23-36-16  
OLD DRIVE IN

Date 9 - 20 - 77  
Revised \_\_\_\_\_

Drawn By \_\_\_\_\_  
File No. \_\_\_\_\_





CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

July 18, 2023

Agenda Item: 6. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: June 2023 Permits issued

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**BACKGROUND**

**RECOMMENDATION**

---

**Attachments**

June 2023 Permits Issued



Permit Type	Sub Type	Permit#	Address	Issue Date
Building	Accessory Structure	B23-000063	18 West 13th Street	06/05/2023
Building	Accessory Structure	B23-000064	2520 TRINITY Avenue	06/05/2023
Building	Accessory Structure	B23-000075	1307 BALSAM Street	06/20/2023
<b>Building Total</b>	<b>Accessory Structure Total</b>			<b>3</b>
Building	Commercial Remodel	B23-000057	2224 East Main Street	06/13/2023
<b>Building Total</b>	<b>Commercial Remodel Total</b>			<b>1</b>
Building	Foundation Only	B23-000059	821 North HENRY Street	06/07/2023
<b>Building Total</b>	<b>Foundation Only Total</b>			<b>1</b>
Building	New Commercial	B23-000019	7006 US Hwy 160/491	06/05/2023
Building	New Commercial	B22-000170	560 East EMPIRE Street	06/14/2023
<b>Building Total</b>	<b>New Commercial Total</b>			<b>2</b>
Building	New Residential	B23-000066	1658 KALEIGH Circle South	06/14/2023
<b>Building Total</b>	<b>New Residential Total</b>			<b>1</b>
Building	Other	B23-000076	1827 Center Street	06/26/2023
Building	Other	B23-000079	1719 Rolling Road	06/29/2023
Building	Other	B23-000080	23 West Main Street	06/29/2023
Building	Other	B23-000073	830 East 3RD Street	06/14/2023
Building	Other	B23-000072	307 North ASH Street	06/13/2023
Building	Other	B23-000068	452 North ELM Street	06/09/2023
Building	Other	B23-000060	514 North CHESTNUT Street	06/12/2023
Building	Other	B23-000070	415 COLORADO	06/12/2023
Building	Other	B23-000071	1020 South chestnut Street	06/12/2023
Building	Other	B23-000061	111 ELM	06/05/2023
Building	Other	B23-000062	345 North Linden	06/05/2023
Building	Other	B23-000058	1845 Blueberry Hill Loop	05/30/2023
Building	Other	B23-000067	1206 North MILDRED Road	06/08/2023
Building	Other	B21-000054	410 North Market Street	06/06/2023
Building	Other	B23-000065	1100 BLUFFS Boulevard	06/06/2023
<b>Building Total</b>	<b>Other Total</b>			<b>15</b>
Building	Residential Remodel	B23-000069	112 East NORTH Street	06/16/2023
<b>Building Total</b>	<b>Residential Remodel Total</b>			<b>1</b>
<b>Building Total</b>				<b>24</b>
Burn Permit	Debris	BRN23-000020	2222 East EMPIRE Street	06/06/2023
Burn Permit	Debris	BRN23-000021	1301 North Dolores Road	06/13/2023

Burn Permit	Debris	BRN23-000019	546 South Chestnut Street	06/05/2023
Burn Permit	Debris	BRN23-000017	102 West MacArthur Avenue	05/31/2023
Burn Permit	Debris	BRN23-000018	403 North Henry	05/31/2023
<b>Burn Permit Total</b>	<b>Debris Total</b>			<b>5</b>
<b>Burn Permit Total</b>				<b>5</b>
Demolition	Demolition	D23-000002	203 East 7TH Street	06/06/2023
<b>Demolition Total</b>	<b>Demolition Total</b>			<b>1</b>
<b>Demolition Total</b>				<b>1</b>
Plumbing	Commercial	P23-000022	2009 INDUSTRIAL	06/01/2023
Plumbing	Commercial	P23-000019	508 East MAIN Street	05/31/2023
Plumbing	Commercial	P23-000020	320 North HARRISON Street	05/31/2023
<b>Plumbing Total</b>	<b>Commercial Total</b>			<b>3</b>
Plumbing	Residential	P23-000024	609 2ND	06/21/2023
Plumbing	Residential	P23-000025	721 East 3rd Street	06/23/2023
Plumbing	Residential	P23-000021	804 CHERRY Street	05/31/2023
Plumbing	Residential	P23-000016	29 South MADISON Street	05/30/2023
Plumbing	Residential	P23-000023	335 North LINDEN	06/14/2023
<b>Plumbing Total</b>	<b>Residential Total</b>			<b>5</b>
<b>Plumbing Total</b>				<b>8</b>
Right of Way	Public Right-of-Way	ROW23-000031	721 East 3rd Street	06/26/2023
Right of Way	Public Right-of-Way	ROW23-000030	320 North HARRISON Street	06/16/2023
Right of Way	Public Right-of-Way	ROW23-000032	Cedar Street - 7th St. to Apple St.	06/20/2023
Right of Way	Public Right-of-Way	ROW23-000029	Various	06/12/2023
Right of Way	Public Right-of-Way	ROW23-000027	701 Memorial Drive	05/30/2023
Right of Way	Public Right-of-Way	ROW23-000024	105 North Madison Street	06/06/2023
Right of Way	Public Right-of-Way	ROW23-000023	Montezuma Avenue	06/08/2023
Right of Way	Public Right-of-Way	ROW23-000026	Various	06/08/2023
Right of Way	Public Right-of-Way	ROW23-000028	423, 427, 435, 507 Juniper Place	06/08/2023
<b>Right of Way Total</b>	<b>Public Right-of-Way Total</b>			<b>9</b>
<b>Right of Way Total</b>				<b>9</b>
Sign	Freestanding	S23-000007	24 CHESTNUT	06/23/2023
<b>Sign Total</b>	<b>Freestanding Total</b>			<b>1</b>
Sign	Wall-mounted	S23-000006	36 North Maple Street	06/05/2023
<b>Sign Total</b>	<b>Wall-mounted Total</b>			<b>1</b>
<b>Sign Total</b>				<b>2</b>

Water Tap	2 inch	WT23-000009	560 East EMPIRE Street	06/14/2023
<b>Water Tap Total</b>	<b>2 inch Total</b>			<b>1</b>
Water Tap	3/4 inch	WT23-000019	1658 KALEIGH Circle South	06/14/2023
<b>Water Tap Total</b>	<b>3/4 inch Total</b>			<b>1</b>
<b>Water Tap Total</b>				<b>2</b>
<b>All Permits Total</b>				<b>51</b>