

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, SEPTEMBER 5, 2023

1. The meeting was called to order in the City Council Chambers at 6:30 p.m., with the Pledge of Allegiance. Commissioners present were Chairman Robert Rime and Commissioner Jim Skvorc. An Introduction was made and Oath of Office was taken by Emily Waldron, the new Planning & Zoning Commissioner appointed by City Council. Commissioner Weiss had an excused absence. Chairman Rime announced that Commissioner Lance McDaniel had resigned at the end of August.

Staff present included: Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dosedall, City Attorney Patrick Coleman, IT Support Kyle Kuhn, and Public Works Secretary/Receptionist Karie Bradshaw.

There were no people present in the audience.

2. Approval of the Regular Meeting Minutes of July 18, 2023.

Commissioner Skvorc moved that the minutes be approved. Chairman Rime seconded the motion and the vote was as follows:

Waldron	Skvorc	Weiss	Rime
Present	Yes	Absent	Yes

3. PUBLIC PARTICIPATION: none
4. PUBLIC HEARINGS:
  - a. Resolution No. 15, Series 2023

Contract City Planner Dosedall presented Resolution No. 15, Series 2023, an application submitted by 2474 Patterson Road, LLC, for a Site Development Plan for an office building. The property is currently addressed as TBD N. Sligo St, aka Lots 17 and 18 of Block 5, Henry Subdivision and Lot 19A of Henry Sub, Lots 9-10,19-20, Block 5 amended, although the final addresses will not be assigned until a building permit is submitted; also the lots must be consolidated before a building permit will be issued. The property is located in the Commercial Zoning District. The project as submitted appears to meet all development standards with three exceptions. Planner Dosedall stated the proposed site plan fails to meet the required 10% landscaped area requirements. The submitted site plan shows a total of 10.6% landscaped area, but that

included the City right-of-way and granite mulch with weed barrier. She stated that an additional 777 sq. ft of landscaped area (trees, shrubs and groundcover) is required. The property appears to have the room as they have an excess of four parking spaces that could be used as well as adjacent space to the building. Another possible issue is the drainage as the site rises steeply from Sligo and a significant paved area is proposed. The applicants will need to address drainage to the satisfaction of the City per City Engineer Kissler. Removing pavement and adding landscaping may assist with the drainage concerns. And finally, the site plan did not address sidewalks. Per the Land Use Code, all new developments must construct sidewalks to ensure safe pedestrian access. The proposed location is between residential and commercial areas and near parks and schools making pedestrian safety a significant concern. The City requires a 5-foot ADA compliant sidewalk. The Commissioners, City Attorney, and Planner discussed different options for the applicants to consider.

The Public Hearing was opened, there was no one wanting to speak, so the hearing was closed.

Commissioner Skvorc made the motion to recommend that the Cortez City Council approve P&Z Resolution No. 15, Series 2023, a resolution approving the site development plan for a new office building on property located at TBD N. Sligo, Cortez, Colorado, aka Lots 17 and 18 of Block 5, Henry Subdivision and Lot 19A of Henry Sub, Lots 9-10,19-20, BL 5 Amended, in the Commercial Highway (C) zone, 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, revised as required by the City Engineer shall be 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. A drainage report meeting CDPHE requirements shall be submitted and approved by the City Engineer prior to issuance of a building permit for the property.
4. The landscaping plan shall be revised to meet minimum code standards. 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 (CO), 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.
5. The plat amendment consolidating the lots shall be approved and recorded prior to issuance of a building permit for the property.

Commissioner Skvorc added a clause to amend the fourth condition, with the statement, “the Planning and Zoning Commission considers granite mulch does meet the landscaping requirements in the Land Use Code as presented by Planner Dosedall”.

Commissioner Waldron seconded the motion and the vote follows:

Waldron	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes

5. UNFINISHED BUSINESS: none

6. NEW BUSINESS: none

7. OTHER ITEMS OF BUSINESS:

- a. Planner Dosedall presented a County Development proposal for a Subdivision Amendment Application for a Commercial Planned Unit Development to Lot #31 of the Blue Door Subdivision submitted by Kenneth Hinton; agent: Richard O’Brien, on property located at 7351 Road 24.3, Cortez, CO, located south of Road G.3, east of Hwy 160-491, situated in Section 3, Township 35N, Range 16W, N.M.P.M. Planner Dosedall stated the applicant proposes to divide Lot #31 of the Blue Door Subdivision into two 1.5-acre parcels in order for the agent, Richard O’Brien to purchase the business that he has worked, for nearly 40 years. Each proposed parcel will continue the current activity. The property is located within the 1-Mile Area of Influence but outside of the Master Street Plan.

The Montezuma County Planning and Zoning Commission will hold a public hearing for this permit on September 14, 2023.

The Commissioners had no comments or concerns.

- b. Planner Dosedall presented a County Development proposal for a 4 Lot Moderate Subdivision and Rezoning Application submitted by Triple S Farms, LLC; agent: Ernie Maness, on property located at 26960 Road N, Cortez, CO, consisting of 13 acres, more or less, located south of Road N, west of Hwy 145, situated in Section 12, T.36N, R.16W, N.M.P.M. The Applicant proposes to create a 4 Lot Moderate Subdivision consisting of 3+ acre parcels. The property is located within the 3-Mile Road Master Plan area along County Road N. County Road N is designated as a Collector.

The Montezuma County Planning and Zoning Commission will hold a public hearing for this permit on April 14, 2022.

The Commissioners had no comments or concerns.

8. ADJOURNMENT:

Commissioner Waldron made a motion to adjourn. Commissioner Skvorc seconded and the vote follows:

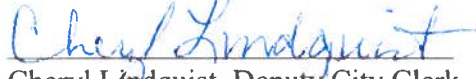
Waldron	Skvorc	Weiss	Rime
Yes	Yes	Absent	Yes

PLANNING & ZONING COMMISSION



Robert Rime, Chairman

ATTEST:

  
Cheryl Lindquist, Deputy City Clerk