

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, MARCH 5, 2024

1. The meeting was called to order in the City Council Chambers at 6:30 p.m., and opened with the Pledge of Allegiance. Commissioners present were Chairperson Robert Rime, Vice Chairperson Katrina Weiss, Jim Skvorc, Emily Waldron and Bob Bright.

Staff present included: Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dosedall, City Attorney Patrick Coleman, Public Works Secretary Karie Beougher, IT Support Aaron Holleman, and Deputy City Clerk Cheryl Lindquist.

2. Approval of the Regular Meeting Minutes of January 16, 2024.

Commissioner Skvorc moved that the minutes for January 16, 2024 be approved. Vice Chairperson Weiss seconded the motion and the vote was as follows:

Bright	Skvorc	Waldron	Weiss	Rime
Yes	Yes	Present	Yes	Yes

Commissioner Waldron was absent from the January 16, 2024 meeting.

3. PUBLIC PARTICIPATION: none

4. PUBLIC HEARINGS:

- a. Resolution No. 2, Series 2024, Conditional Use Permit for Bell Beef Mobile Vending Unit: Contract City Planner Nancy Dosedall presented the request from Kasey Bell of Bell Beef for a Conditional Use Permit to park his mobile vending unit on property located at 145 E. Main St., owned by 145 E. Main St. Trust. It will be a temporary set-up from 2:00 PM to 6:00 PM, Tuesday thru Thursday, year around. This is the first request for a mobile vendor in the Central Business District under the revised code allowing vending units with a Conditional Use Permit.

Chairman Rime opened the public hearing. Dennis Giesler, owner of 145 E. Main St. spoke about how hard a group of citizens worked for the change in the Land Use Code to allow the mobile vending units in the CBD and how pleased they are the City is now moving forward with mobile vending. He did say it seems like a long process and hopes it gets easier in the future. There was no one else to speak so the hearing was closed.

There was discussion by the commissioners about this being the first application since the code revision and how the process will become easier as more applications are submitted.

The time line of three years before renewal was acceptable, but there were concerns about the one-year review. Staff pointed out that if any issues were reported at any time during the year they would be immediately investigated and it is not up to the applicant to reach out to the City, the City will be responsible for the review if necessary.

Vice Chairperson Weiss added that if the City would enforce regulations and fees for business licenses it could reduce the time frame. She then moved that the Planning and Zoning Commission approve Resolution No. 2, Series 2024 recommending City Council to approve the Conditional Use Permit with three conditions:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents.
2. The applicant shall comply with all stipulations of the submittal documents.
3. The Conditional Use Permit is valid for a total of three years from the date of approval with a staff review after one year to ensure there have been no issues or concerns with the use.

Commissioner Waldron seconded the motion with the vote as follows:

Bright	Skvorc	Waldron	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

- b. Resolution No. 3, Series 2024, Rezone for a property at TBD (Driscoll), Subdivision: CORNETTS SUB AMD Lot: 1-5 Block: 6 & E 15FT LOT 6 Subdivision: CORNETTS SUB AMD Lot: 7-10 Block: 6 B369 P66 B454 P805 from R2, Residential Multi-family to MH, Residential Manufactured Home District: The applicant, Casey Spitzer representing The Spitzer Group, LLC, with written permission from the owner, is requesting a rezone to MH, Residential Manufactured Housing Zone. The two districts have similar use standards and the same density standards. The major difference is that the MH District allows for manufactured homes, manufactured home parks and manufactured home subdivisions while requiring a Conditional Use Permit for multi-family uses. The applicant states he will be using the property to locate one new manufactured home on the property closest to Alma to avoid the flood plain.

Chairman Rime opened the public hearing and three neighbors spoke against the rezone. There were no more speakers so the public hearing was closed.

The Commission discussed the difference between flood plain and wetlands. City Attorney Coleman reminded the Commissioners that they were here to make a recommendation to City Council only.

Commissioner Skvorc made a motion to recommend that Council approve the requested rezone from R2 to MH for the property located at TBD (Driscoll), as submitted by Casey

Spitzer, with written permission from the owner, through P&Z Resolution No. 3, Series 2024 with four findings:

- a. The property is adjacent to and accessed through neighborhoods developed and zoned MH.
- b. The community will benefit from use of the property by the development of a currently vacant parcel within City limits.
- c. Adequate facilities are available to be extended 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.

Commissioner Bright seconded the motion with the vote as follows:

Bright	Skvorc	Waldron	Weiss	Rime
Yes	Yes	No	Yes	Yes

5. UNFINISHED BUSINESS: none

6. NEW BUSINESS: none

7. OTHER ITEMS OF BUSINESS:

January and February Permits Issues

8. ADJOURNMENT:

Commissioner Waldron moved that the meeting be adjourned.

Vice-Chairperson Weiss seconded the motion and the vote was as follows:

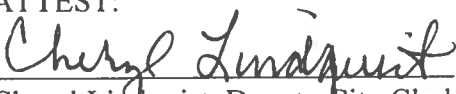
Bright	Skvorc	Waldron	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

PLANNING & ZONING COMMISSION



Robert Rime, Chairperson

ATTEST:



Cheryl Lindquist, Deputy City Clerk

