



**PLANNING AND ZONING  
COMMISSION MEETING  
DECEMBER 3, 2024  
6:30 P.M.**

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL
  - a. APPROVAL OF THE REGULAR MEETING MINUTES OF OCTOBER 1, 2024  
**Presenter:**
3. PUBLIC PARTICIPATION: There is no limit to the number of speakers, although public comments will be held to an overall time limit of 30 minutes. (Speakers have a time limit of three (3) minutes per person, may only speak once, and may not cede time to another commenter.)
4. PUBLIC HEARINGS
  - a. **Independent Log Co.**, 1050 Lebanon Rd., has been removed from the agenda pending further information from the applicant.  
**Presenter:** .
  - b. **Resolution No. 7, Series 2024**  
Resolution No. 7, Series 2024 is a Public Hearing on an Application from Paul James, for a conditional use permit and site plan for a triplex (two apartments added to the basement of the recently constructed home) located on a 12.82 acre property at 1090 S. Oak St., Cortez, CO (the "Property"), zoned Residential Manufactured Home (MH).  
  
**Presenter:** Nancy Dosdall, Contract City Planner
  - c. **Resolution No. 8, Series 2024**  
Resolution No. 8, Series 2024 is a Public Hearing on an Application from Cole Clark, for a site plan review to add a drive up window to the existing liquor store located at 530 N. Broadway, in the Commercial (C) Zone.  
  
**Presenter:** Nancy Dosdall, Contract City Planner
5. UNFINISHED BUSINESS
6. NEW BUSINESS
7. OTHER ITEMS OF BUSINESS
  - a. **Permits Issued October & November, 2024**  
For Planning Commission review.

**Presenter:** Cheryl Lindquist, Permit Technician

8. ADJOURNMENT



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

December 03, 2024

Agenda Item: a.

MEMO TO: Planning and Zoning Commission

FROM:

SUBJECT: APPROVAL OF THE REGULAR MEETING MINUTES OF OCTOBER 1, 2024

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**BACKGROUND**

**RECOMMENDATION**

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**Attachments**

10/01/2024 Mnotes

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, OCTOBER 1, 2024

1. The meeting was called to order in the Cortez City Council Chambers at 6:30 p.m., and opened with the Pledge of Allegiance. Roll Call was taken and the following Commissioners were present: Chairperson Robert Rime, Vice Chairperson Katrina Weiss, Commissioner Bob Bright, Commissioner Nina Thao, and Commissioner Emily Waldron. Staff present included: Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dossdall, City Attorney Patrick Coleman, Public Works Secretary Karie Beougher, IT Technician Aaron Holleman, Public Works Director Brian Peckins, Public Works Project Manager Keith Moore, Paralegal-City Attorney/Community and Economic Development Lydia Regalado, Officer Brady Veach, and Deputy City Clerk Cheryl Lindquist. There were thirty-two (32) people present in the audience.

Commissioner Weiss moved that the agenda of October 1, 2024 be approved. Commissioner Waldron seconded the motion and the vote was as follows:

Bright	Thao	Waldron	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

2. Approval of the Regular Meeting Minutes of July 2, 2024.

Commissioner Bright moved that the minutes for July 2, 2024 be approved. Commissioner Thao seconded the motion and the vote was as follows:

Bright	Thao	Waldron	Weiss	Rime
Yes	Yes	Present*	Yes	Yes

\*Commissioner Waldron was absent for the July 2, 2024 meeting.

3. PUBLIC PARTICIPATION:

- Charles Jeter spoke of questions on procedure process concerning LUC 5.07(j) involving legal non-conforming use.
- City Attorney Coleman reminded the Commissioners this is a Quasi-judicial hearing pertaining only to the information received tonight and not anything from previous meetings.

4. PUBLIC HEARINGS:

- a. Contract City Planner Dossdall presented Resolution No. 6, Series 2024. An application



for a conditional use permit and site plan review on an approximately 10-acre parcel, zoned Commercial, located at 1050 Lebanon Road for log home manufacturing, storage of wildland firefighting equipment, and firewood processing, submitted by Anthony Moore and Mary Lancaster dba Independent Log Company. Director of Community and Economic Development Marchbanks discussed the history of code enforcement on this property. She stated there were calls of hazardous materials and illegal dumping on the property, but no violations were found. There has been a courtesy notice as well as a code violation for weeds, unlicensed vehicles, and open storage that most has been addressed at the property. City Attorney Coleman explained the code enforcement process of courtesy notice, violation notice, and if not satisfied, a summons will be served which did not happen in this case.

Planner Dosdall reviewed the site plan by discussing the proposed buffer locations, drainage, and use locations. She pointed out a utility easement along the southern property line for the sanitation company that must remain free and clear of obstructions. Planner Dosdall explained that wood manufacturing requires a conditional use permit in the commercial zone. Firewood storage is not listed in the City's Land Use Code, but is being labeled as an accessory use to the main use for this project. The terms of "Open Storage" and "Storage" are not defined in the code, so Planner Dosdall is finding it difficult to determine where the firewood storage falls in this case. Planner Dosdall presented the criteria for the conditional use:

- (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 (f)(2) of this section of the Land Use Code. 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 the City's Land Use Code and other applicable regulations.

Areas of concern, per Planner Dosdall, are the residential properties that share a property line with the applicants and the area bordering Carpenter Natural Trail. Planner Dosdall discussed the requirements for the access driveway. She asked the Commissioners to consider the open storage concerns, landscaping and buffering.

The applicants were then invited to make their presentation. Shelly Dackonish, Attorney with DuffordWaldeck, representing Anthony Moore and Mary Lancaster, introduced herself. She thanked the Commissioners for giving them the opportunity to present this very important proposal. She then stated her clients ask for the recusal of Commissioner Emily Waldron due to past statements she has made. Attorney Coleman explained there are no rulings for Planning Commission established for recusal. Commissioner Waldron made a statement explaining that when the hearing for the re-zone was heard last year she was not on the Commission and made comments as a private citizen based on previous Commissions she had been on in another jurisdiction. She stated that she is not a property owner near the applicants and is simply a citizen volunteering her time and she is openly evaluating this project unbiased and will not recuse herself. Attorney Dackonish thanked her and then presented a power point program on behalf of Independent Log. Anthony Moore and Mary Lancaster spoke on how the question of open storage has put his project on hold for four years. Anthony Moore explained how they use the logs and how much is used as firewood. They manufacture the firewood to prevent fire hazards as opposed to throwing into a pile as garbage. Every part of the log is used and sold. He stated adding a fence would hamper the flow of wildlife and cause more trouble and harm for the wildlife. He asked the Commission to consider the open storage issue. All is sold as their business, including the sawdust. Nothing is ever left at the end of the season. He stated that they do not work on the property very much since they are out firefighting most of the year. Historically, there are not more than a maximum of three log homes produced in a year. Anthony Moore proceeded to talk about how the firefighting is top priority. He is top of the order in this area to be called out for fires. He added that he is not ever going to sell the property, whether approved or not approved. He said he plans on leaving the property to his children.

The Public Hearing was opened with twelve people from the public speaking both for and against the project. Some feel it is an excellent business, and stated they have heard good things about Anthony and Mary, but some feel that it is not the right location for the proposed use. Attorney Dackonish rebutted some remarks on how the business is compatible with the code and compatible with the area. She answered public questions and concerns by stating how you can't see the property from the Carpenter Natural Trail except at the entrance to the trail. Truck traffic will be minimal. Drainage flows away from subject property because it sits higher than the trail. Hours of operation are 7:00 a.m. – 7:00 p.m., except if there is a fire emergency. She further stated this application is not the same as the re-zoning application, and should not be compared to that case. Anthony Moore and Mary Lancaster spoke on how the 30 feet to the north is all they are proposing as a buffer area.

They are not going to plant trees due to the water situation in Cortez. Drainage is not a problem on the subject property. Planner Dosdall brought to the applicant's attention that they did propose a 30-foot wide buffer on the northeastern side of the property with a drainage swall along the eastern and northern property boundaries for drainage on the site plan. The applicants denied the buffer was in their plan and stated it should be removed. Attorney Coleman explained that they could present an amended/revised site plan for the City Council meeting. He reminded Commissioners that there are six criteria to be met for the decision to approve or deny the recommendation. Mary Lancaster announced they, as the applicants, want to amend the site plan and take out the 75-foot buffer plus remove the text that says "30-foot wide buffer". Attorney Coleman stated the applicants are saying they want to amend the site plan for the City Council meeting. The Public Hearing was closed. A five-minute recess was called at 9:10 p.m.. The meeting resumed at 9:15 p.m., with Commissioner Bright questioning condition "h", from LUC Sec. 5.07(j), regarding open storage. Is firewood a material or commodity in light of testimony received? It was debated if the firewood is a commodity or a by-product and if it is being stored at all. The applicants feel the firewood will only be on the property temporarily until sold, so it will not be stored. They also stated that the Land Use Code allows log home manufacturing, with a Conditional Use Permit and the wood is a factor in the manufacturing so why is the Commission questioning one of the components of the approved code. She remarked every part of a log is still a log. After discussion about the conditions of the Conditional Use Permit it was agreed upon by the Commission to remove the following conditions:

- f. The application shall be revised to meet all mitigations as suggested by the Parks and Recreation Department.
- g. The driveway entrance and employee parking areas shall be surfaced in accordance with LUC 5.02(j)(4) and 5.02(f)(2)
- h. Fencing or other screening measure for the outdoor storage shall be proposed.

Staff is recommending to the Cortez City Council for approval of the requested conditional use permit for the property located at 1050 Lebanon Road with the below revised conditions.

Commissioner Waldron made a motion that the Planning and Zoning Commission approve P&Z Resolution No. 6, Series 2024, including the amendments made to the site plan during tonight's meeting by the applicants to remove the 75-foot buffer plus remove the text that states "30-foot wide buffer on the east side of the property" recommending that City Council approve the requested Conditional Use Permit and Site Plan Review for property located at 1050 Lebanon Rd, Cortez, as submitted by Anthony Moore and Mary Lancaster, with the following revised 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.
- b. The applicant shall meet all requirements of the Cortez Sanitation District Regarding protection of the manholes and existing sewer line being careful to coordinate if paving is required.

- c. The address shall be clearly marked for emergency response.
- d. The applicant shall comply with the submitted project narrative at all times.
- e. The application shall be revised to meet all requirements of the City Engineer.

Commissioner Weiss seconded the motion and the vote follows:

Bright	Thao	Waldron	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

Motion carried and will be heard by City Council on November 12, 2024 at 7:30 p.m.

After the vote to approve, the applicants made a request to remove the buffer area from the site plan and stated that the site plan we were using was not the correct site plan. Applicants were instructed to get the correct site plan to planning for review before they can go to City Council.

- 5. UNFINISHED BUSINESS: none
- 6. NEW BUSINESS: none
- 7. OTHER ITEMS OF BUSINESS:
  - a. Building permits for July, August, September 2024.

The motion to adjourn was made by Commissioner Weiss and seconded by Commissioner Waldron and the vote was as follows:

Bright	Thao	Waldron	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

The meeting adjourned at 10:00 p.m.

PLANNING & ZONING COMMISSION

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Robert Rime, Chairperson

ATTEST:

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Cheryl Lindquist, Deputy City Clerk



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

December 03, 2024

Agenda Item: 4. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: **Independent Log Co.**, 1050 Lebanon Rd., has been removed from the agenda pending further information from the applicant.

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#### BACKGROUND

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#### RECOMMENDATION

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CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

December 03, 2024

Agenda Item: 4. b.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: **Resolution No. 7, Series 2024**

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#### BACKGROUND

The Property is located on the southern boundary of town with unincorporated county land to the south. R-1 zoned parcels, some developed and some vacant, are to the west and MH zoned parcels are located to the north and east. Most surrounding properties are developed with single family homes.

#### DISCUSSION

See attached Staff Report.

#### RECOMMENDATION

Staff recommends approval of the application for the site development plan through P&Z Resolution No. 7, Series 2024, with 1 condition.

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, a possible motion the Commission could make is as follows:

I make a motion to recommend that the Cortez City Council approve P&Z Resolution No. 7, Series 2024, a resolution approving a conditional use permit and site development plan for three units on property located at 1090 S. Oak St., Cortez, Colorado, in the (MH) 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.

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#### Attachments

Staff Report

Resolution No. 7, Series 2024

Application and Documentation



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

Meeting Date: December 3, 2024  
Project No. LU24-008

## 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 and site plan for a triplex (two apartments added to the basement of the recently constructed home) located on a 12.82 acre property at 1090 S. Oak St., Cortez CO (the “Property”), zoned Residential Manufactured Home (MH).

**APPLICANT:** Paul James

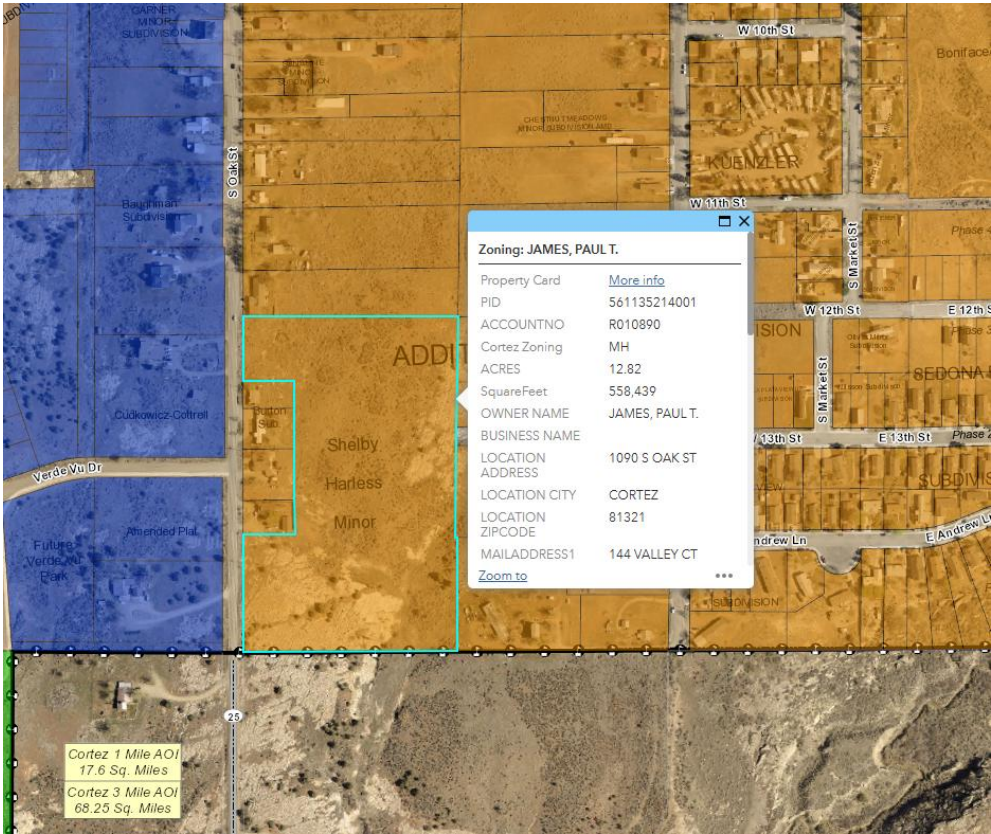
**OWNER:** Paul James

**ATTACHMENTS:** P&Z Resolution No. 7, Series 2024  
Plan Set

## BACKGROUND

Paul James, (the “Applicant”) is proposing a conditional use permit and site plan to construct two apartments in the basement of his recently constructed home located at 1090 S. Oak St. The property is 12.82 acres and zoned MH.

The Property is located on the southern boundary of town with unincorporated county land to the south. R-1 zoned parcels, some developed and some vacant are to the west and MH zoned parcels are located to the north and east. Most surrounding properties are developed with single family homes.





## DEVELOPMENT STANDARDS

Development Standard	MH Zone Requirement	Proposed
Min. lot area (sq. ft.)/unit	3,000	4 acres/unit
Min. front yard (ft.)	20'	300'
Min. side yard (ft)	7'	62'
Min. rear yard (ft)	7'	300' approx..
Max. lot coverage	50%	.05%
Min. floor area	700 sq ft	n/a
Max height (ft)	35'	20'
Parking	2 spaces/unit or 6 spaces total	6 spaces +
Landscaping	No requirement	

## 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) of the Land Use Code (“LUC”) 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.

The conditional use permit criteria are as follows:

- (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 greatly exceed all of the minimum development standards contained in the Land Use Code. The parcel is very large for the zone district. Although the surrounding area is developed with single family homes on larger than typical lots for the zone district, the size of this parcel allows for the triplex to be very well buffered from existing homes in the area. There does not appear to be a need for additional buffering or impact mitigation for this use.

From a site plan review, the only issue is that Oak St. is not currently developed with sidewalks. Given the location of this Property over 1,000 ft. from the nearest sidewalk and at the end of City limits, it does not seem reasonable to require sidewalks for this development

## **AGENCY REVIEW**

**GIS Coordinator (Doug Roth)**

**Cortez Sanitation District (Jim Webb)**

**City Engineer (Kevin Kissler)**

**Atmos Energy (Juan Prieto Arias)**

No comments. Thank you.

## **ALTERNATIVES**

1. The Commission can recommend that the Council approve the application for conditional use permit and site development plan for the proposed three units on property located at 1090 S. Oak St., Cortez, Colorado, in the residential manufactured housing (MH) zone; or
2. The Commission can recommend denial of the application for the conditional use permit and site development plan 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 application for the conditional use permit and site development plan, 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 application for the site development plan through P&Z Resolution No. 7, Series 2024, with 1 condition.

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, a possible motion the Commission could make is as follows:

**I make a motion to recommend that the Cortez City Council approve P&Z Resolution No. 7, Series 2024, a resolution approving a conditional use permit and site development plan for three units on property located at 1090 S. Oak St., Cortez, Colorado, in the (MH) 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.

**CITY OF CORTEZ  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 7, SERIES 2024**

**A Resolution Recommending Approval of a Conditional Use Permit for the addition of two  
apartments to a single family home resulting in a tri-plex located at 1090 S. Oak St.,  
Cortez, CO**

WHEREAS, owner/applicant Paul James, (the “Applicant”) has applied for review of a conditional use permit to add two dwelling units to the existing single family structure located at 1090 S. Oak St., Cortez, Colorado and more particularly described as (the “Property”):

*Lot 1, Shelby Harless Minor Subdivision, located in the S1/2NW1/4SW1/4NW1/4 of Section 35, Township 36 North, Range 16 West, N.M.P.M. as per the plat thereof filed for record May 9, 1997 in the official records of Montezuma County, State of Colorado*

WHEREAS, the Owner/applicant presented a request and necessary submittal items for review by the City Planning and Zoning Commission at a regular meeting held on December 3, 2024; and

WHEREAS, Land Use Code Section 6.10, Conditional Use Permits, indicates that a conditional use may be permitted subject to conditions imposed upon the approval of the use that are designed to reasonable mitigate any adverse impacts upon surrounding properties; and

WHEREAS, the Planning and Zoning Commission reviewed the request for a Conditional Use Permit and, based upon the evidence and testimony presented, is recommending approval of the request on the Property, as evidenced in the adoption of P&Z Resolution No. 7, Series 2024; and

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

THAT, P&Z Resolution No. 7, Series 2024, establishes the findings for approval of the request on the afore-mentioned property; and,

THAT, the Conditional Use Permit request for the Property is hereby recommended to the Cortez City Council for approval with the following findings and conditions:

Findings:

1. The proposed triplex is compatible with adjacent existing uses which are all residential in nature.

2. The proposed triplex is providing large setback/buffering areas from nearby single family residential areas.
3. Adequate services are available to serve the proposed development.

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.

MOVED, SECONDED, AND ADOPTED THIS 3rd DAY OF DECEMBER, 2024

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Robert Rime, Chairman

ATTEST:

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Cheryl Lindquist, Deputy City Clerk

## Conditional Use Permit Application Checklist

10 24 24

Date

APPLICANT: PAUL T. James  
ADDRESS: 1090 South Oak St.  
PHONE/FAX: 970 799 3628  
FOR: \_\_\_\_\_

### 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 (\$500) 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)

Conditional Use Permit

October 24, 2024

Re: 1090 S Oak St, Cortez, Co 81321

Applicant: Paul James

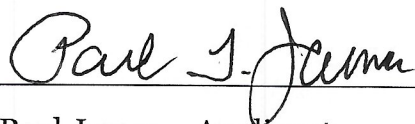
To Whom It May Concern,

I am writing to request a conditional use permit for a property located at 1090 S Oak St, Cortez, CO 81321, which is parcel number 561135214001. The property consists of ≈12.82 acres. The legal description of the property is:

Subdivision: SHELBY HARLESS MINOR Lot: 1 12.66AC P/13-71 R/462879  
R/466185 R/483390 & R/486496 R/488574-75

The conditional use permit is being requested to add two apartments to the basement of the existing building on the property. Submitted with this letter you will find a site plan detailing the layout, paved drive, parking, setbacks, and drainage, as well as other information.

Thank you for your consideration

A handwritten signature in cursive script, reading "Paul James", written over a horizontal line.

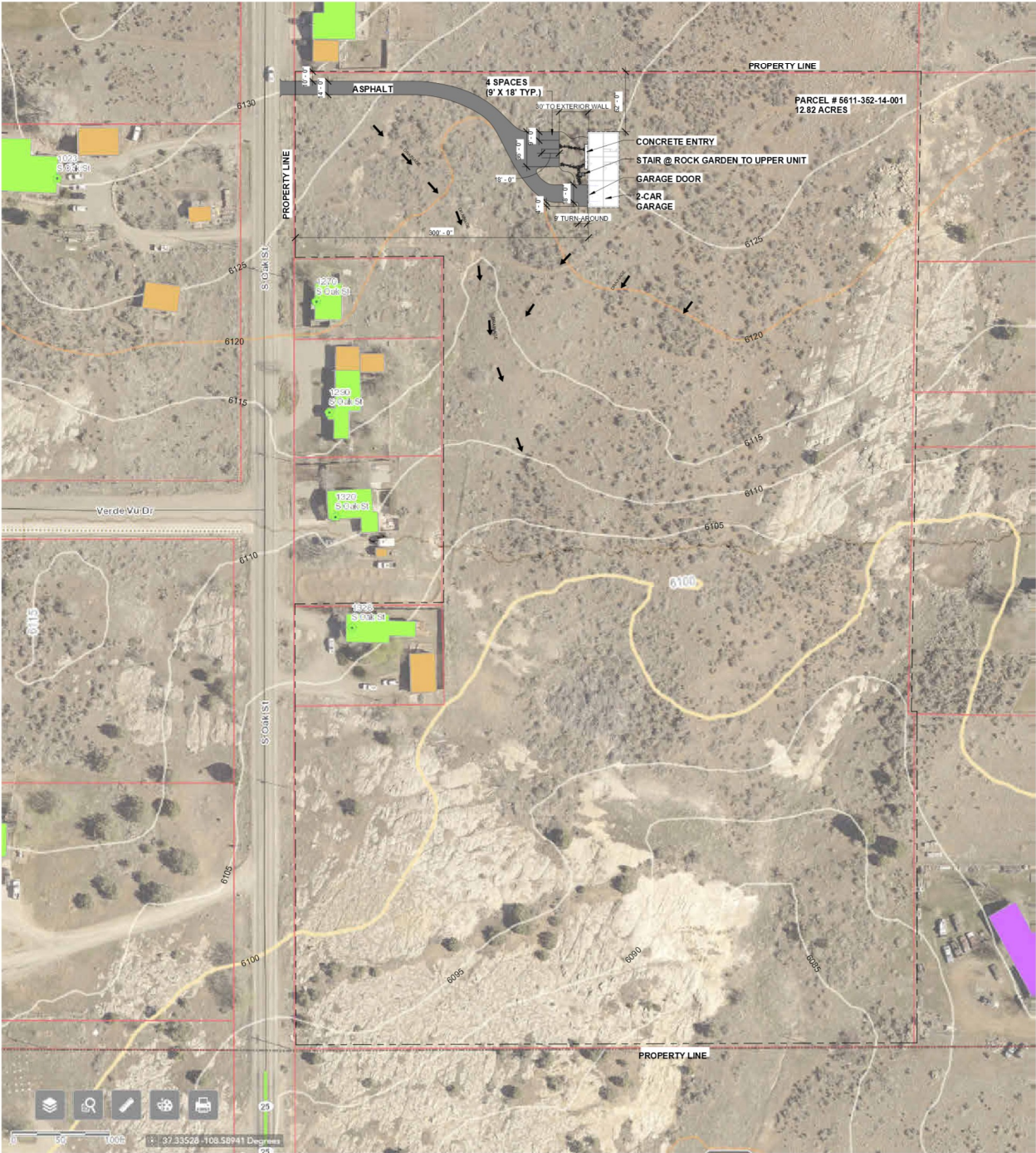
Paul James – Applicant



NOTES

DRAINAGE: ARROWS INDICATE HISTORIC AND PROPOSED DRAINAGE.

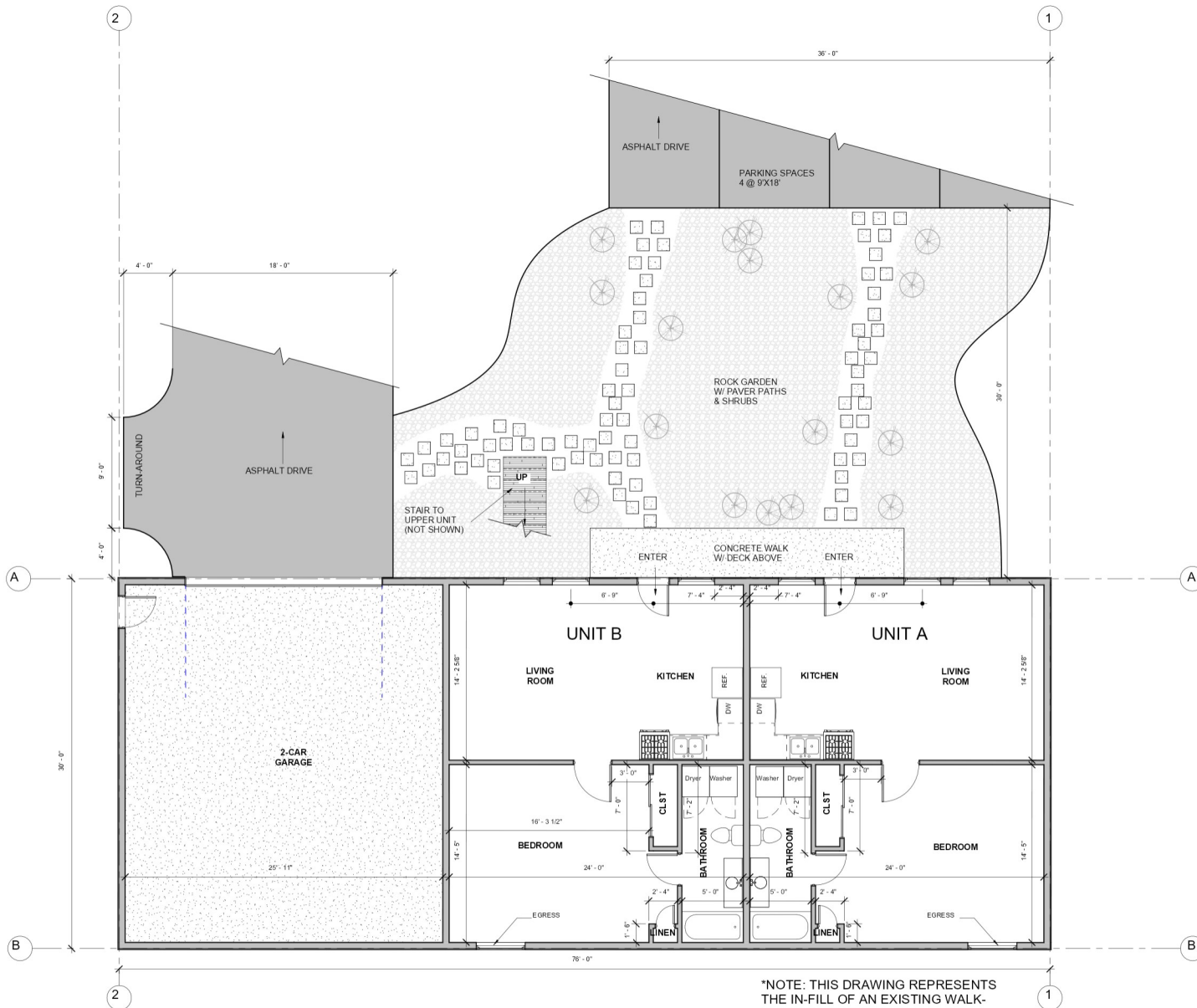
LANDSCAPE: REVEGETATE ANY DISTURBED AREA W/ NATIVE GRASS SEED MIX.



1 SITE PLAN  
1" = 50'-0"







\*NOTE: THIS DRAWING REPRESENTS THE IN-FILL OF AN EXISTING WALK-OUT BASEMENT.

Checked: DRB

Architectural elevation drawing of a building facade. The drawing includes the following annotations and features:

- Vertical Level Markers (Left Side):**
  - MAIN HOME - T.O.P. 119' - 1 5/8"
  - SECOND FLOOR - T.O. SUB-FLOOR 110' - 1 5/8"
  - FIRST FLOOR - T.O. PLATE 109' - 1"
  - FIRST FLOOR - T.O. SUB-FLOOR 100' - 0"
- Horizontal Markers (Top):** A and B
- Structural Features:**
  - Stairs on the left side.
  - Door on the ground floor.
  - Windows on the second floor.
  - BELLY BAND (horizontal band on the second floor).
  - BOTTOM TRIM (trim along the base of the wall).

$$1/4" = 1'-0"$$


1/4" = 1'-0'



**ALTA COMMITMENT FOR TITLE INSURANCE**  
issued by  
**STEWART TITLE GUARANTY 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, Stewart Title Guaranty Company, a(n) Texas 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 Amount of Insurance 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. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "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.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing

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- system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
  - j. "Title": The estate or interest in the Land identified in Item 3 of 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;
    - 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 is not 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 is not 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 is only liable 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 does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
    - e. The Company is not liable for the content of the Transaction Identification Data, if any.
    - f. The Company is not 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. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.
  6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM**
    - 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 under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
    - c. 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.


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- 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 IS 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 closing, settlement, escrow, or any other purpose.
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. **CLAIMS PROCEDURES**  
This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.
10. **CLASS ACTION**  
ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.
11. **ARBITRATION**  
The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election 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>.

**STEWART TITLE GUARANTY COMPANY**  
P.O. Box 2029, Houston, TX 77252-2029



By:   
Frederick H. Eppinger, President and CEO

By:   
David Hisey, Secretary

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**Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:**

Issuing Agent: Mon Do Title Co., Inc.

Issuing Office: 236 W. North St  
Cortez, CO 81321

Issuing Office's ALTA® Registry ID: 1135005

Loan ID Number:

Commitment Number: 2024-02-14

Issuing Office File Number: 2024-02-14

Property Address: 1090 South Oak Street, Cortez, CO 81321

Revision Number:

**SCHEDULE A**

1. Commitment Date: April 16, 2024 7:00 AM
2. Policy to be issued:
  - (a) 2021 ALTA Owner's Policy

Proposed Insured:	<b>Paul T. James</b>
Proposed Amount of Insurance:	<b>\$80,000.00</b>
Policy Premium:	<b>\$567.00</b>
The estate or interest to be insured:	<b>fee simple</b>
Endorsements:	
<input checked="" type="checkbox"/> CO Form 110.1	<b>\$65.00</b>
  - (b) 2021 ALTA Loan Policy

Proposed Insured:	<b>The Dolores State Bank</b> <b>101 South 6th Street, Dolores, CO 81323</b>
Proposed Amount of Insurance:	<b>\$358,000.00</b>
Policy Premium:	<b>\$790.00</b>
The estate or interest to be insured:	<b>fee simple</b>
3. The estate or interest in the Land at the Commitment Date is:  
fee simple
4. The Title is, at the Commitment Date, vested in:  
Patricia A. Curtis, Personal Representative of The Estate of Frankie L. Amrine
5. The land is described as follows:  
The land is described as set forth in Exhibit A attached hereto and made a part hereof.

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**MON DO TITLE CO., INC.**

236 W. North St, Cortez, CO 81321

Telephone: (970) 565-8491

Countersigned by:

*Misty M. Kvasnicka*

Misty M. Kvasnicka, License #113762

Mon Do Title Co., Inc., License #403909

**STEWART TITLE GUARANTY COMPANY**

P.O. Box 2029, Houston, TX 77252-2029



*F. H. Eppinger*  
By: \_\_\_\_\_  
Frederick H. Eppinger, President and CEO

*David Hisey*  
By: \_\_\_\_\_  
David Hisey, Secretary

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**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.
  - a. Duly authorized and executed Personal Representative's Deed from Patricia A. Curtis, Personal Representative of The Estate of Frankie L. Amrine, to Paul T. James, to be executed and recorded at closing.
  - b. Duly authorized and executed Deed of Trust from Paul T. James, to The Dolores State Bank, securing its loan in the amount of \$358,000.00.
5. A completed final affidavit.
6. Survey Affidavit of no new improvements or changes.
  - a. NOTE: Requirements No. 5 and 6 need not be recorded, however they need to be furnished to and approved by MON DO TITLE CO., INC.
  - b. NOTE: Upon receipt of Items No. 5 and 6 above, and additional premium Form 110.1 Owner's Extended Coverage Endorsement will be issued and Items 1-4 will be deleted from Schedule B of the Owner's Policy.

Taxes for the year 2023 are DUE in the amount of \$367.28 as per Tax Certificate Number 23701.

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NOTE: Pursuant to C.R.S §10-11-122, for each commitment for an Owner's Policy of Title Insurance pertaining to the sale of residential real property, notice is hereby given that:

- A) The subject property may be located in a special taxing district.
- B) A Certificate of Taxes Due listing each taxing jurisdiction will be obtained from the County Treasurer or the County Treasurer's authorized agent unless the proposed insured provides written instructions to the contrary.
- C) Information regarding special districts and the boundaries of such districts may be obtained from the Board of the County Commissioners, the County Clerk and Recorder, or the County Assessor.
- D) The Company will not issue its policy of title insurance contemplated by the commitment until it has been provided a Certificate of Taxes Due from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed insured has notified or instructed the company in writing to the contrary.

NOTE: Pursuant to C.R.S §10-11-123, for each Commitment for an Owner's Policy of Title Insurance containing a mineral severance instrument exception or exceptions in Schedule B, Section 2, notice is hereby given that:

- A) There is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- B) Such mineral estate may include the right to enter and use the property without the surface owner's permission.

Note: Pursuant to Colorado Division of Insurance Regulation 8-1-2, notice is hereby given that every title insurance company shall be responsible to the proposed insured(s) subject to the terms and conditions of the title insurance commitment, other than the effective date of title insurance commitment, for all matters which appear of record prior to the time of recording whenever the title insurance company, or its agent, conducts the closing and settlement service that is in conjunction with its issuance of an owner's policy of title insurance and is responsible for the recording and filing of legal documents resulting from the transaction which was closed.

Note: Pursuant to Colorado Division of Insurance Regulation 8-1-3, notice is hereby given of the availability of a Closing Protection Letter which may, upon request, be provided to certain parties to the transaction.

NOTE: C.R.S. §30-10-40 requires that all documents received for recording or filing in the Clerk & Recorder's office shall contain a top margin of at least one inch and a left, right, and bottom margin of at least one half inch. The Clerk & Recorder may refuse or file any document that does not conform, except that, the requirement for the top margin shall not apply to documents using forms on which space is provided for recording or filing information at the top margin of the document. Regulations of County Clerk and Recorder's offices require that all documents submitted for recording must contain a return address on the front page of every document being recorded.

NOTE: If the transaction includes sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. §39-22-604.5 (non-resident withholding) NOTE: C.R.S. §39-14-102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee.

NOTE: Notwithstanding to the contrary in this commitment, if the policy to be issued is other than an ALTA Owner's Policy (6/17/06), the policy may not contain an arbitration clause, or the terms of the arbitration clause may be different from those set forth in this Commitment. If the Policy does contain an arbitration clause, and the amount of insurance is less than the amount, if any, set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties.

NOTE: Please be aware that due to conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the company is not able to close or insure any transaction involving land that is associated with these activities. Nothing herein contained will be deemed to obligate the company to provide any of the coverages referred to herein unless the above conditions are fully satisfied.

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**SCHEDULE B, PART II – Exceptions**

**Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.**

The Policy will not insure against loss or damage resulting from the terms and conditions 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. Rights or claims of parties in possession not shown in the Public Records.
3. Easements, or claims of easements, not shown in the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. Any lien, or right to a lien, for services, labor or materials heretofore or hereafter furnished, imposed by law and not shown by the Public Records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b) or (c) are shown by the Public Records or listed in Schedule B.
7. Water rights, claims or title to water.
8. Assessments, taxes, fees or charges arising pursuant to the inclusion of the land in one or more special districts or municipalities, including but not limited to those listed on tax certificate.
9. Montezuma County Regulations for Subdivisions as recorded February 1, 1972 in Book 426 at page 379 including amendments; and the terms, conditions, regulations and restrictions set forth therein.
10. General Taxes for the year 2023 and subsequent years.
11. Easements, Plat Notes, Notices, Building Setbacks, General Dedications, Rights of Ways, Restrictions and Reservations as shown on the plat of Shelby Harless Minor Subdivision recorded on May 9, 1997 in Book 13, Page 71 in the official records of Montezuma County.
12. A right of way easement for a pipeline from Shelby Harless to the City of Cortez as described in instrument, recorded on February 13, 1965 in Book 344, Page 27 in the official records of Montezuma County; and the terms conditions, stipulations, obligations and reservations with respect thereto.

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13. Title to interest in oil, gas and other minerals as reserved by Shelby Harless in Deed to Isaac Hale and Mary Roberta Hale recorded on June 29, 1957 in Book 239, Page 354 in the official records of Montezuma County; and all leases, assignments, easements and the terms, conditions, provisions and obligations as contained therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
14. Title to interest in oil, gas and other minerals as reserved by Shelby Harless and Ava Harless in Deed to E.L. Elliott and Sue Elliott recorded on May 25, 1959 in Book 271, Page 312 in the official records of Montezuma County; and all leases, assignments, easements and the terms, conditions, provisions and obligations as contained therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

NOTE: The policy(s) of insurance may contain a clause permitting arbitration of claims at the request of either the Insured or the Company. Upon request, the Company will provide a copy of this clause and the accompanying arbitration rules prior to the closing of the transaction.

NOTE: Our Privacy Policy is stated as follows: We do not reveal nonpublic, personal customer information to any external non affiliated organization or person unless authorized to do so by said customer, or are required to do so by law or court order.

EXCEPTIONS NUMBERED NONE ARE HEREBY OMITTED

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**EXHIBIT "A"**

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

Lot 1, Shelby Harless Minor Subdivision, located in the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 35, Township 36 North, Range 16 West, N.M.P.M. as per the plat thereof filed for record May 9, 1997 in the official records of Montezuma County, State of Colorado.

LESS AND EXCEPT a tract of land in Lot 1, Shelby Harless Minor Subdivision, City of Cortez, in the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 35, Township 36 North, Range 16 West, N.M.P.M., being more particularly described as follows:  
Beginning at the NE Corner of Lot 1, Shelby Harless Minor Subdivision, City of Cortez, Montezuma County, Colorado;  
thence, South 00°14'21" West a distance of 9.06 feet along the east line of said Lot 1 to a fenceline;  
thence, South 89°11'23" West a distance of 641.17 feet along a fenceline to the west line of said Lot 1;  
thence, North 00°06'46" East a distance of 12.15 feet along the west line of said Lot 1 to the NW Corner of said Lot 1;  
thence, North 89°27'59" East a distance of 641.15 feet along the north line of said Lot 1 to the point of beginning.

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# **MON-DO TITLE CO**

## **PRIVACY POLICY NOTICE**

### **Purpose of Notice:**

MON-DO TITLE COMPANY respects the privacy of our customers' personal information, so we want you to know the ways in which we may collect and use non-public personal information ("personal information"). Our practices and policies are set out in this notice.

### **Types of Information We May Collect:**

In the course of our business, the types of personal information that we may collect about you include:

- Information we receive from you or your authorized representative on applications and forms, and in other communications to us;
- Information about your transactions with us, our affiliated companies, or others;
- Information from consumer or other reporting agencies.

### **Use and Disclosure of Information:**

We use your information to provide the product or service you or your authorized agent have requested of us.

We may disclose information to our affiliated companies and unrelated companies as necessary to service your transaction, to protect against fraudulent or criminal activities, when required to do so by law, and as otherwise permitted by law.

We do not share any personal information we collect from you with unrelated companies for their own use.

### **Protection of Your Personal Information:**

We restrict access to personal information about you to those employees who need to know that information in order to provide products and services to you or for other legitimate business purposes. We maintain physical, electronic and procedural safeguards to protect your personal information from unauthorized access or intrusion.

### **Changes:**

This notice may be revised in accordance with applicable privacy laws.



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

December 03, 2024

Agenda Item: 4. c.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: **Resolution No. 8, Series 2024**

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#### BACKGROUND

Cole Clark, on behalf of Elevated Smoke LLC, (the "Applicant") is requesting a site plan approval to allow a new drive-up liquor sales window on the existing liquor store located at 530 N. Broadway (Elevated Liquors). The window is already existing, the request is for permission to use it for drive up customers.

#### DISCUSSION

See attached Staff Report.

#### RECOMMENDATION

Staff recommends denial of the application for the site development plan through P&Z Resolution No. 8, Series 2024.

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, a possible motion the Commission could make is as follows:

**I make a motion to recommend that the Cortez City Council approve P&Z Resolution No. 8, Series 2024, a resolution denying a revised site development plan for a drive up window on property located at 530 N. Broadway, Cortez, Colorado, in the (C) zone.**

If the Planning and Zoning Commission chooses to recommend approval of the request, a possible motion the Commission could make is as follows: Staff recommends the following conditions of approval:

**I make a motion to recommend that the Cortez City Council approve P&Z Resolution No. 8, Series 2024, a resolution approving a revised site development plan for a drive up window on property located at 530 N. Broadway, Cortez, Colorado, in the (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. Prior to review by the City Council, a traffic impact study shall be performed per section 2.1.6-A and 2.1.6-B3 of the Cortez Construction Design Standards. This study shall include an estimate of average annual daily traffic anticipated in the alleyway, appropriate channelizing or barricading devices to prevent access from the adjacent properties, turning movement counts at Coronado Ave. and MacArthur Ave., and anticipated pedestrian traffic counts in the immediate area. The City Engineer will review the study and propose mitigation measures based on the study. All mitigation measures approved by the City Council shall be completed prior to opening of the drive-up window.
3. All parking for the store must be contained on site or on street. The applicant shall construct a fence, meeting all land use code requirements on the southern property line with appropriate signage to assist in preventing trespass on the neighboring property.





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**Attachments**

Staff Report

Resolution No. 8, Series 2024 (d)

Resolution No. 8, Series 2024 (a)

Application and Documentation

Letter



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

Meeting Date: December 3, 2024  
Project No. LU24-0010

## MEMO

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

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

**SUBJECT:** Public Hearing on an Application for a site plan to add a drive up window to the existing liquor store located at 530 N. Broadway, in the Commercial (C) Zone.

**APPLICANT:** Cole Clark

**OWNER:** Elevated Smoke LLC

**ATTACHMENTS:** P&Z Resolution No. 8, Series 2024  
Application Package

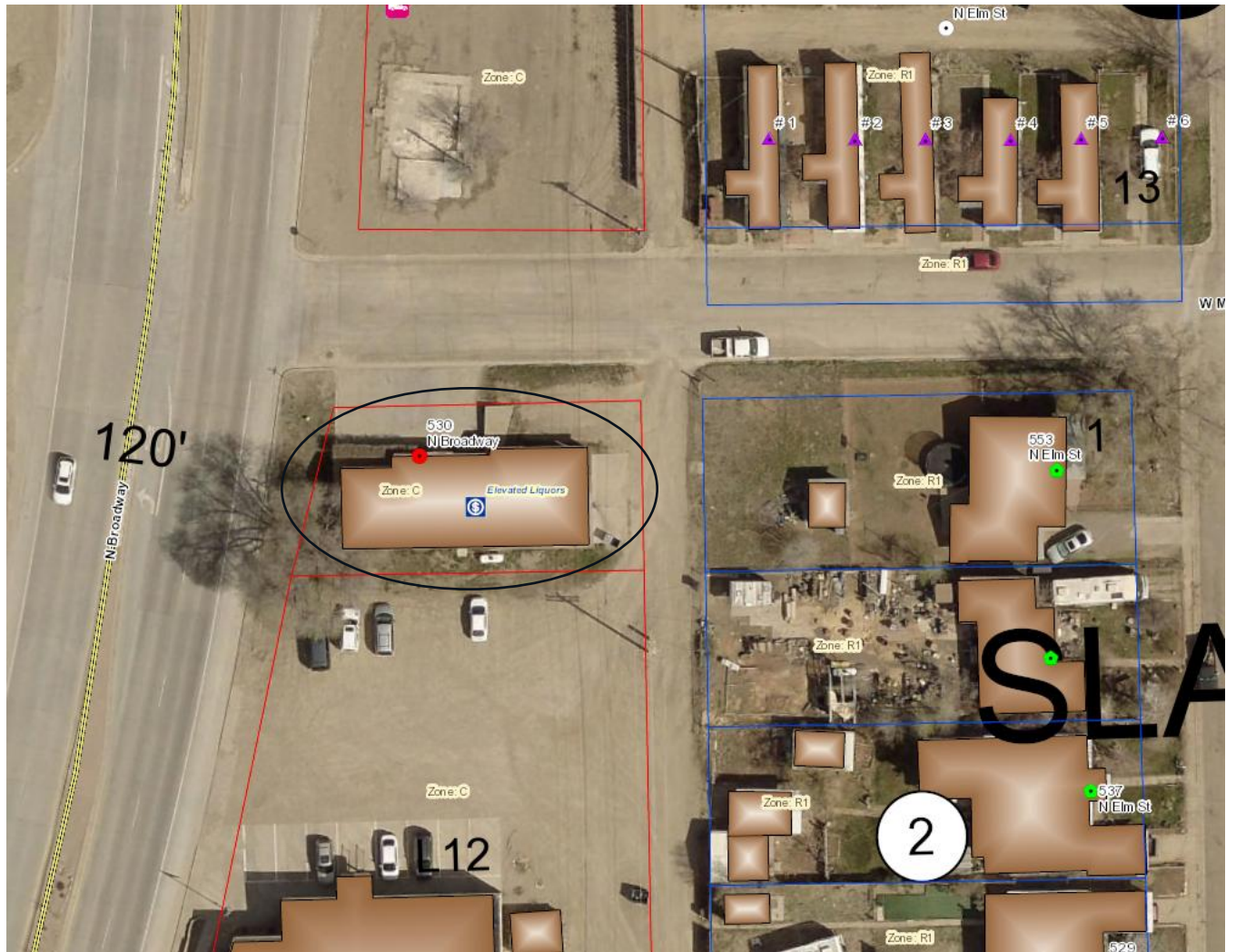
## BACKGROUND

Cole Clark, on behalf of Elevated Smoke LLC, (the “Applicant”) is requesting a site plan approval to allow a new drive-up liquor sales window on the existing liquor store located at 530 N. Broadway (Elevated Liquors). The window is already existing, the request is for permission to use it for drive up customers. The use of a liquor store is considered a permitted use in the C zone. A site plan is required due to how the proposed drive-up window could change traffic patterns in the area. Please note that the window was open for a short period of time before the applicant was made aware that a site plan review was required.

*6.14.C(2) A site plan review may be required for a change in use or expansion of an existing site when any of the following occurs:*

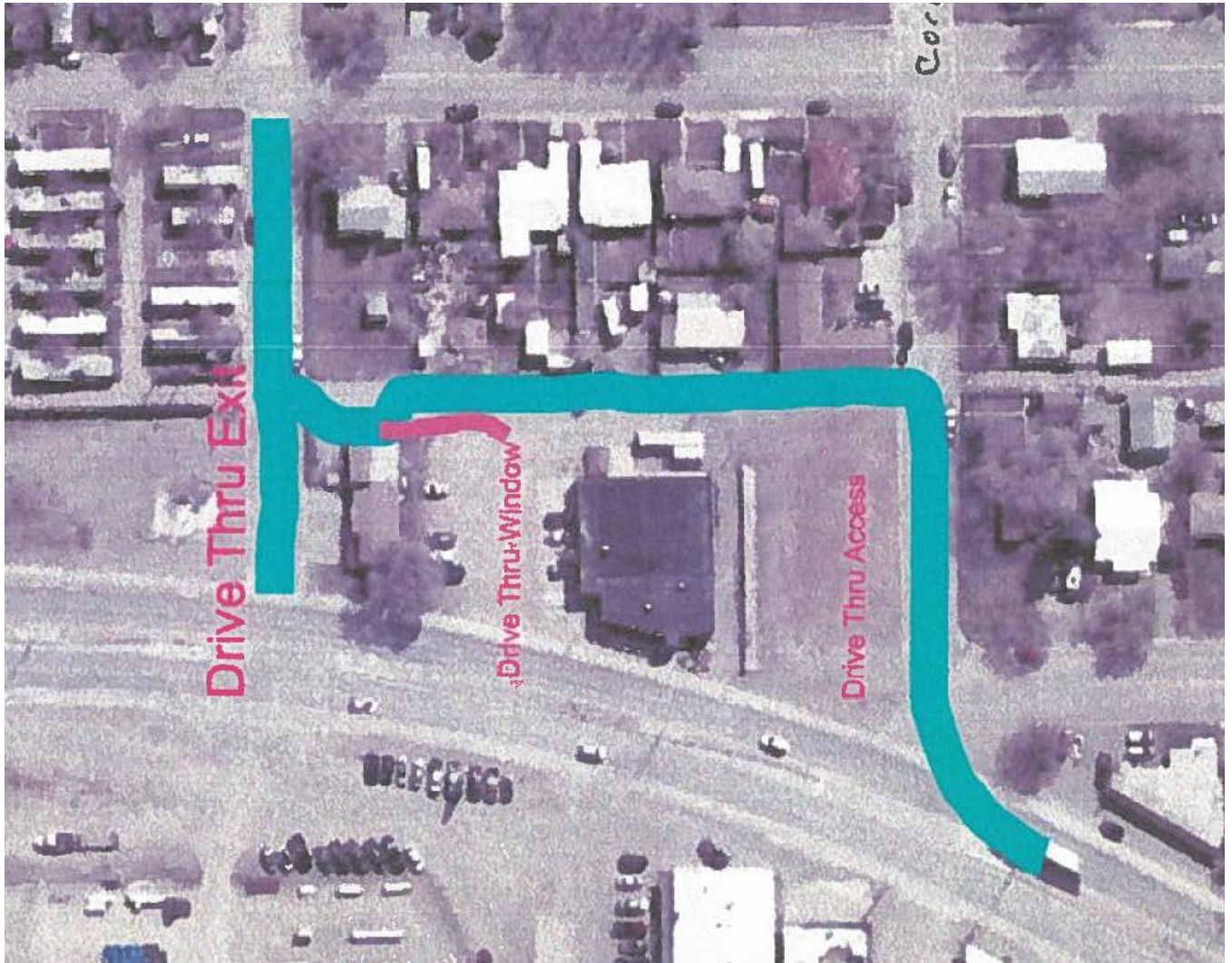
- a. The proposal involves new construction.*
- b. The proposal involves the expansion of a building or intensification of use that would result in a change in traffic volume or patterns in the area, noise, parking, lighting, etc.*
- c. The proposal involves deviations or variances from the applicable development standards.*

The Property is located at 530 N. Broadway, on the southeast corner of the intersection of N. Broadway and W. MacArthur Ave. The proposed drive-up window is located on the east side of the existing building and would be accessed off the alley that runs north and south from W. Coronado Ave to W. MacArthur Ave. Properties to the north, west and south are also zoned C. The property directly north is vacant with Choice Supply located to the west across Broadway and Hospice of Montezuma County located directly south. Properties to the east (across the alley) are zoned and developed residentially (R-1).



### DEVELOPMENT STANDARDS

The liquor store was recently converted from a previous use. The parking is nonconforming for the use with approximately 4 spaces located in the front of the building off of MacArthur Ave. See below for the applicants proposed traffic flow to allow access to the drive-up window with use of the alley for customer traffic flow.



*Applicants depiction of traffic flow for drive-up window*





*Approach to drive-up window from alley heading north*



*Close up of drive-up window with Hospice parking signs*

## **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) of the Land Use Code (“LUC”) 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.

The alley proposed for traffic flow has an easement that appears to be 20’ in width which is standard for the City. It does appear that there may be encroachments on the alley including structures although without a survey it is difficult to tell. The applicant has measured the physical width of the alley as 13’6”. The alley is gravel surfaced. There is a concrete parking pad located on the applicant’s property adjacent to the window. The proposed drive-up window is located approximately 11 feet from the southern property line, shared with Hospice of Montezuma County. A standard parking space in the City is 9’ x 18’.

It does not appear to be physically possible for a standard vehicle to pull in and park at the proposed drive-up window without encroaching on the property to the south. City Road & Bridge and Engineering staff have expressed concern with the additional impact of commercial traffic on the gravel alleyway and safety concerns with vehicles maneuvering to try and access the window. Hospice of Montezuma County has expressed concerns that when the window briefly open, customers cut through their parking lot, blocked parking spaces and made access to their parking lot generally difficult.

## **AGENCY REVIEW**

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

It is the professional opinion of the City Engineer that the proposed use of the alleyway located between Coronado Ave. and MacArthur Ave. adjacent to the properties of 512 N Broadway and the Applicant’s property of 530 N Broadway would impair the proper function of adjacent parking. Loading, and access and would further endanger the public safety as stated in section 5.02 of the Cortez Land Use Code. Specifically, the applicant has not presented a clear access pattern which accommodates typical turning radius for vehicles in a manner that does not require vehicles to cross over the adjacent property to the South and does not require southbound vehicles to cross over northbound traffic to gain access to the drive through window. Furthermore, there is no accommodation of turning movement from the alley onto MacArthur Ave. which may pose additional conflict points onto that intersection.

As a pre-condition for any further consideration of a drive through window, the applicant is hereby informed that the City engineer requests in writing a traffic impact study be performed per section 2.1.6-A and 2.1.6-B3 of the Cortez Construction Design Standards. This study shall include an estimate of average annual daily traffic anticipated in the alleyway, appropriate channelizing or barricading devices to prevent access from the adjacent properties, turning movement counts at Coronado Ave. and MacArthur Ave., and anticipated pedestrian traffic counts in the immediate area. Depending on the anticipated volumes, applicant may be requested to provide further improvements to the alleyway or connecting streets and/ or sidewalks in order to safely accommodate the anticipated traffic loads and safely integrate vehicular and pedestrian traffic with existing City infrastructure. These findings shall be incorporated into a site plan, showing specific vehicle ingress and egress patterns with delineated vehicle trajectories, turning radii, turn lanes if appropriate,

crosswalks if appropriate, or any other improvements necessary as identified in the traffic impact study and in accordance with the City's commitment to 'Vision Zero'.

**Atmos Energy (Juan Prieto Arias)**

No comments. Thank you.

**ALTERNATIVES**

1. The Commission can recommend that the Council approve application for conditional use permit and site development plan for the proposed three units on property located at 1090 S. Oak St., Cortez, Colorado, in the residential manufactured housing (MH) zone; or
2. The Commission can recommend denial of the application for the conditional use permit and site development plan 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 application for the conditional use permit and site development plan, and state any conditions it feels would be necessary to ensure compliance with the Land Use Code.

**RECOMMENDATION**

Staff recommends Alternative "2" above, denial of the application for the site development plan through P&Z Resolution No. 8, Series 2024.

If the Planning and Zoning Commission so chooses to follow the recommendation of Staff, a possible motion the Commission could make is as follows:

**I make a motion to recommend that the Cortez City Council approve P&Z Resolution No. 8, Series 2024, a resolution denying a revised site development plan for a drive up window on property located at 530 N. Broadway, Cortez, Colorado, in the (C) zone.**

If the Planning and Zoning Commission chooses to recommend approval of the request, a possible motion the Commission could make is as follows:

staff recommends the following conditions of approval:

**I make a motion to recommend that the Cortez City Council approve P&Z Resolution No. 8, Series 2024, a resolution approving a revised site development plan for a drive up window on property located at 530 N. Broadway, Cortez, Colorado, in the (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. Prior to review by the City Council, a traffic impact study shall be performed per section 2.1.6-A and 2.1.6-B3 of the Cortez Construction Design Standards. This study shall include an estimate of average annual daily traffic anticipated in the alleyway, appropriate channelizing or barricading devices to prevent access from the adjacent properties, turning movement counts at Coronado Ave. and MacArthur Ave., and anticipated pedestrian traffic counts in the immediate area. The City Engineer will review the study and propose mitigation measures based on the study. All mitigation measures approved by the City Council shall be completed prior to opening of the drive-up window.
3. All parking for the store must be contained on site or on street. The applicant shall construct a fence, meeting all land use code requirements on the southern property line with appropriate signage to assist in preventing trespass on the neighboring property.

**CITY OF CORTEZ  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 8, SERIES 2024**

**A Resolution Recommending Denial of a Site Plan for the addition of a drive-up window located at the existing liquor store (Elevated Liquors) at 530 N. Broadway. in the C Zone**

WHEREAS, applicant Cole Clark (the “Applicant”) on behalf of Elevated Smoke LLC, (the “Owner”), has applied for review of a Site Plan to add a drive-up window to the existing structure located at 530 N. Broadway, Cortez, Colorado and more particularly described as (the “Property”):

*SLAVENS Lot: 12 Block: 2 N 50FT OF LOT 12; B559 P183 B589 P880*

WHEREAS, the Owner/applicant presented a request and necessary submittal items for review by the City Planning and Zoning Commission at a regular meeting held on December 3, 2024; and

WHEREAS, Land Use Code Section 6.14.C(2), Site Plan Review, indicates that site plan review may be required for an expansion of an existing use when the proposal involves an intensification of use that would result in a change in traffic volume or patterns in the area; and

WHEREAS, the Planning and Zoning Commission reviewed the request for a Site Plan and, based upon the evidence and testimony presented, is recommending denial of the request on the Property, as evidenced in the adoption of P&Z Resolution No. 8, Series 2024; and

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

THAT, P&Z Resolution No. 8, Series 2024, establishes the finding for denial of the request on the afore-mentioned property; and,

THAT, the Site Plan request for the Property is hereby recommended to the Cortez City Council for denial with the following findings:

1. The proposed drive-up window will result in a change in traffic patterns in the block adjacent to N. Broadway between W. MacArthur and W. Coronado Ave, adversely impacting the alley and adjacent residences and businesses with additional traffic, noise and dust.
2. The proposed drive-up window does not have adequate space for parking and maneuvering without trespass on adjacent parcels or blockage of the public alley.

MOVED, SECONDED, AND ADOPTED THIS 3rd DAY OF DECEMBER, 2024

---

Robert Rime, Chairman

ATTEST:

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Cheryl Lindquist, Deputy City Clerk

**CITY OF CORTEZ  
PLANNING AND ZONING COMMISSION  
RESOLUTION NO. 8, SERIES 2024**

**A Resolution Recommending Approval of a Site Plan for the addition of a drive-up window located at the existing liquor store (Elevated Liquors) at 530 N. Broadway. in the C Zone**

WHEREAS, applicant Cole Clark (the “Applicant”) on behalf of Elevated Smoke LLC, (the “Owner”), has applied for review of a Site Plan to add a drive-up window to the existing structure located at 530 N. Broadway, Cortez, Colorado and more particularly described as (the “Property”):

*SLAVENS Lot: 12 Block: 2 N 50FT OF LOT 12; B559 P183 B589 P880*

WHEREAS, the Owner/applicant presented a request and necessary submittal items for review by the City Planning and Zoning Commission at a regular meeting held on December 3, 2024; and

WHEREAS, Land Use Code Section 6.14.C(2), Site Plan Review, indicates that site plan review may be required for an expansion of an existing use when the proposal involves an intensification of use that would result in a change in traffic volume or patterns in the area; and

WHEREAS, the Planning and Zoning Commission reviewed the request for a Site Plan and, based upon the evidence and testimony presented, is recommending approval of the request on the Property, as evidenced in the adoption of P&Z Resolution No.8, Series 2024; and

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

THAT, P&Z Resolution No. 8, Series 2024, establishes the conditions for approval of the request on the afore-mentioned property; and,

THAT, the Site Plan request for the Property is hereby recommended to the Cortez City Council for approval 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. Prior to review by the City Council, a traffic impact study shall be performed per

section 2.1.6-A and 2.1.6-B3 of the Cortez Construction Design Standards. This study shall include an estimate of average annual daily traffic anticipated in the alleyway, appropriate channelizing or barricading devices to prevent access from the adjacent properties, turning movement counts at Coronado Ave. and MacArthur Ave., and anticipated pedestrian traffic counts in the immediate area. The City Engineer will review the study and propose mitigation measures based on the study. All mitigation measures approved by the City Council shall be completed prior to opening of the drive-up window.

3. All parking for the store must be contained on site or on street. The applicant shall construct a fence, meeting all land use code requirements on the southern property line with appropriate signage to assist in preventing trespass on the neighboring property.

**MOVED, SECONDED, AND ADOPTED THIS 3rd DAY OF DECEMBER, 2024**

---

Robert Rime, Chairman

ATTEST:

---

Cheryl Lindquist, Deputy City Clerk

**SITE PLANS**  
**(Land Use Code Section 6.14)**

Contractor's Name: \_\_\_\_\_ Phone/Fax: 970-529-6145  
Owner's Name: Cole Clark Phone/Fax: \_\_\_\_\_  
Address: 530 N. Broadway Cortez CO Zone District: \_\_\_\_\_  
Legal Description (Lot & Block): \_\_\_\_\_  
Existing Use: Commercial Proposed Use: Commercial  
Lot Dimensions: 54' x 113.2' x 54.1' x 98' Proposed GFA(Gross Floor Area): \_\_\_\_\_

**Application Requirements**

- ☒ 3 copies of site plan drawn to scale, titled "Preliminary Site Plan"
- ☒ Scale and north point indicated
- ☒ Name of street on drawing \_\_\_\_\_
- ☒ Fees 300 = P
- ☒ Site plan shall contain, but not limited to:
  - ☐ Drives, streets, and rights-of-way
  - ☐ Easements
  - ☐ Location and dimensions of structures and signs
  - ☐ Typical elevations of such buildings
  - ☐ Access ways, including points of ingress, egress
  - ☐ Parking, loading, and refuse areas
  - ☐ Common open space
  - ☐ Landscaping and open spaces
  - ☐ Topography
  - ☐ Specific areas proposed for specific types of land use
  - ☐ Lots or plots
  - ☐ Area proposed for dedication
  - ☐ Parks and parkways
  - ☐ School sites
  - ☐ Wetlands
  - ☐ Narrative describing the proposed development, Lot, Block and subdivision description, and name(s), address and phone number of the property owner(s) must be attached to the plat
  - ☐ A copy of the warranty deed and title commitment current within thirty days of submittal.
  - ☐ Five copies of the drainage plan.
  - ☐ Five copies of the landscape plan.
  - ☐ Five copies of building elevations of all sides to include rooftop mechanical structures and showing screening of rooftop mechanical devices.
  - ☐ Surface and subsurface soils report.
  - ☐ Additional copies may be requested for the referral process
  - ☐ Certification of notification of mineral estate owners as described in Section 6.04 (b)(19).

**Review Procedures/Approval Requirements**

- \_\_\_\_\_ Site plan submittal, narrative, fees, and application form
- \_\_\_\_\_ PN in paper 15 days prior to **P&Z** meeting on \_\_\_\_\_
- Action of **P&Z**: \_\_\_\_\_
- \_\_\_\_\_ PN in paper 15 days prior to **Council** meeting on \_\_\_\_\_
- Action of **Council**: \_\_\_\_\_
- \_\_\_\_\_ Certificate of Occupancy, provided that:
  - ☐ Landscaping requirements met
  - ☐ Drainage plan approved by City Engineer
  - ☐ Parking lot and drainage facilities are in
  - ☐ Fire flow/prevention approved by Cortez Fire District
  - ☐ Other requirements are met by agencies and Building Official

### Elevated Liquors Drive Thru

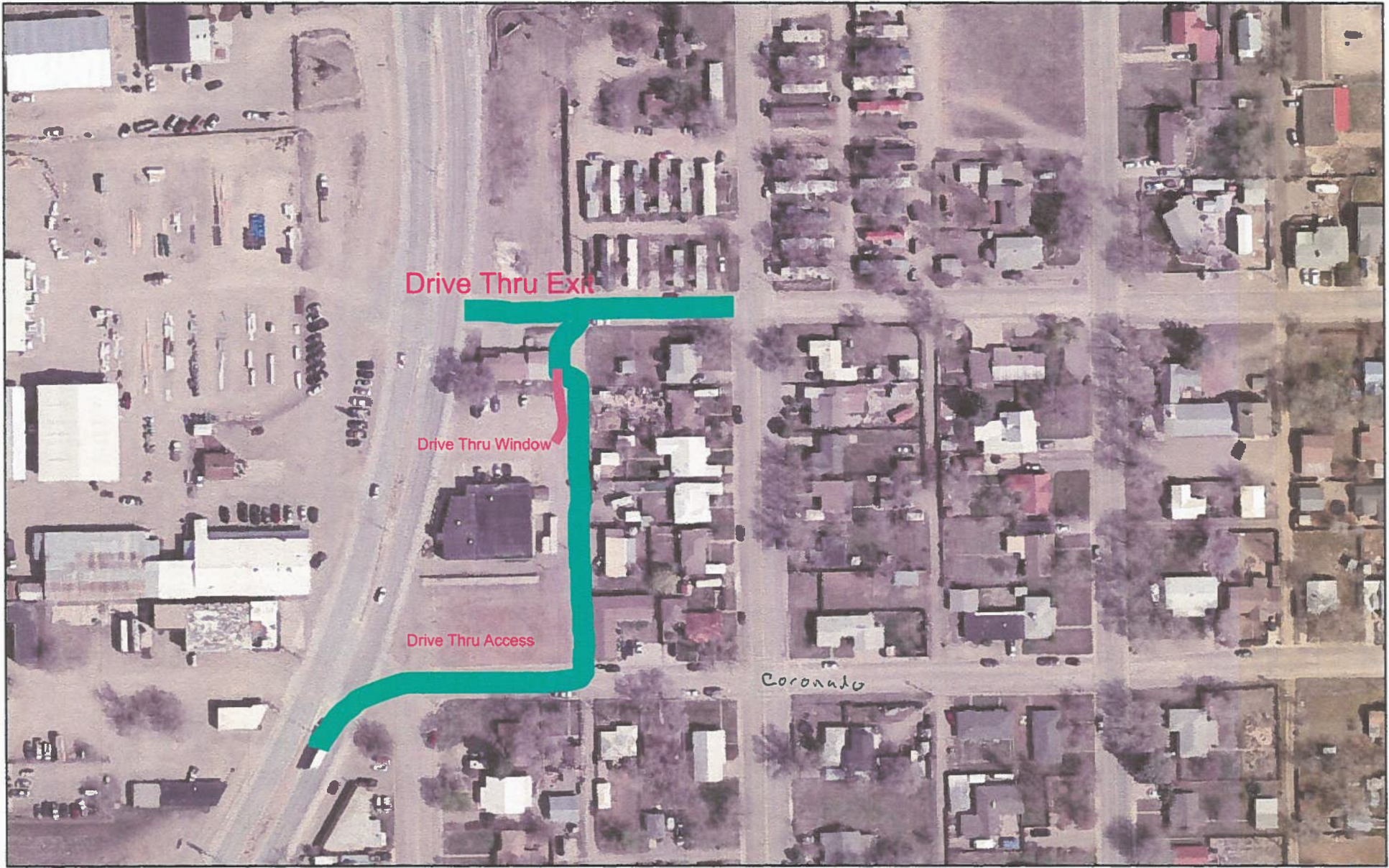
Elevated Liquors is requesting access to the public access alley between West Coronado Ave and W Macarthur Ave (closest alley to North Broadway) for our Drive Thru to help us drive more sales, and make business more convenient for our customers. There is ample room for such access and would help drive more sales to our business. More sales in the City of Cortez drives more sales tax income for the Cities disposal. More sales also allows us to employ more people to work the drive thru for our business strengthening our local economy.

The access point for the drive thru would be turning off of Broadway to W. Coronado. Then turning immediately left at the alley access. Driving north up the alley until you stop at the indicated drive thru. Exiting the drive either left or right down W. Macarther.



# Preliminary Site Plan

## Montezuma County Property Detail Map

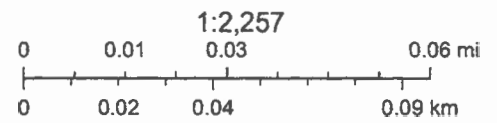


11/5/2024, 11:49:35 AM

Lines

Override 2

Override 1



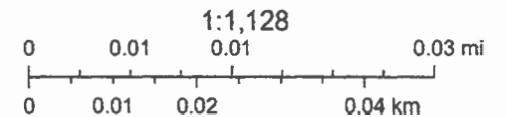


# Preliminary Site Plan

## Montezuma County Property Detail Map



11/5/2024, 11:42:27 AM







Date: November 22, 2024

To: City of Cortez – City Council and Planning and Zoning

From: Carol Baumgartner, Executive Director, Hospice of Montezuma

Re: Elevated Liquors – request for drive through

We understand that a neighboring business, Elevated Liquors, is applying to re-open their drive through on the east side of their building. We have repeatedly requested that this be denied for the following reasons.

Primarily - there is no vehicle access to their drive through window installed into the east end of the Elevated Liquors building without going through the private property belonging to Hospice of Montezuma. We have not granted access through our property in any way, for any reason, to Elevated Liquors or their customers.

We have had our property lines surveyed and posted. We have posted our property as private and for the use of Hospice of Montezuma only. This is constantly disregarded by Elevated Liquors and their customers.

When Elevated Liquors opened their drive through for a few days, although they did not have approval to do so, there was a line of cars through our parking lot preventing our employees from parking on our property for our own work. We do not have extra parking available and have purchased the property to the south of our building just to accommodate our own parking needs.

Even though their drive through is closed, they left their signs up on their building to access through the alley running on the east side of both of our buildings. The customers from Elevated Liquors continue to park in our north parking lot even though it is posted for Hospice of Montezuma parking only. Last week I could not even get in my vehicle when I left at 7:30 p.m. because one of the Elevated Liquors customers was parked so closely to my vehicle I could not get in the drivers side until they left. This is a safety issue for myself and my employees who often work throughout the evening and overnight to serve our patients.

Elevated Liquors put 2 large dumpsters on the northeast corner of our parking lot, and although they told the City that they would pour slabs to move the dumpsters onto their own property they have not done so.

Not only are the customers of Elevated Liquors continually trespassing on our private property, but they are taking parking needed for our own employees and customers as well as causing a safety issue for the elderly patients that use our parking for our services.

970-565-4400 | 970-565-9543 (fax)

[HOSPICEofMONTEZUMA.ORG](https://www.HOSPICEofMONTEZUMA.ORG)

P.O. Drawer 740 | 512 N. Broadway, Cortez, CO 81321

Since the property was purchased by Elevated Liquors, we have continually had them parking in our parking lot throughout their construction. Their employees, their contractors, and now their customers continue to trespass on our private parking area. They have put their landscaping on our side of the property line and have left the end of their sidewalk entrance open towards our parking lot to accommodate their customers entering their business from our parking lot.

We strongly object to the drive through being allowed as it creates a constant trespass on our private property and endangers both our employees and our clients.

Respectfully,



Carol A. Baumgartner  
Executive Director

Hospice of Montezuma



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

December 03, 2024

Agenda Item: 7. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: **Permits Issued October & November, 2024**

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**BACKGROUND**

For Planning Commission review.

**RECOMMENDATION**

None.

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**Attachments**

October

November

Permit Type	Sub Type	Permit#	Address	Issue Date
Building	Accessory Structure	B24-000145	609 South Oak	10/08/2024
<b>Building Total</b>	<b>Accessory Structure Total</b>			<b>1</b>
Building	Commercial Remodel	B24-000142	25 South Elm Street	10/07/2024
<b>Building Total</b>	<b>Commercial Remodel Total</b>			<b>1</b>
Building	Foundation Only	B24-000144	104 East CARPENTER Street	10/08/2024
<b>Building Total</b>	<b>Foundation Only Total</b>			<b>1</b>
Building	Other	B24-000155	811 North Sligo Street	10/23/2024
Building	Other	B24-000156	1602 TUCKER Court	10/24/2024
Building	Other	B24-000157	335 East EMPIRE	10/25/2024
Building	Other	B24-000158	2349 PAR Drive	10/25/2024
Building	Other	B24-000159	140 North Market	10/28/2024
Building	Other	B24-000148	519 South Beech Street	10/09/2024
Building	Other	B24-000150	1010 South Chestnut Street	10/14/2024
Building	Other	B24-000152	604 Detroit Avenue	10/15/2024
Building	Other	B24-000154	602 South CHESTNUT Street	10/17/2024
Building	Other	B24-000146	506 North SLIGO Street Units A & B	10/08/2024
Building	Other	B24-000140	409 East 4TH Street	09/30/2024
Building	Other	B24-000141	25 North MARKET Street	10/01/2024
<b>Building Total</b>	<b>Other Total</b>			<b>12</b>
<b>Building Total</b>				<b>15</b>
Burn Permit	Debris	BRN24-000087	26 West 3rd Street	10/28/2024
Burn Permit	Debris	BRN24-000088	722 East 3rd Street	10/28/2024
Burn Permit	Debris	BRN24-000080	1200 North DOLORES Road	10/08/2024
Burn Permit	Debris	BRN24-000081	1110 North Dolores Road	10/08/2024
<b>Burn Permit Total</b>	<b>Debris Total</b>			<b>4</b>
Burn Permit	Disposal	BRN24-000089	601 North Park Street	10/31/2024
Burn Permit	Disposal	BRN24-000082	531 North Dolores Road	10/11/2024
Burn Permit	Disposal	BRN24-000083	531 North Dolores Road	10/11/2024
Burn Permit	Disposal	BRN24-000084	103 North Harrison Street	10/21/2024
Burn Permit	Disposal	BRN24-000085	401 North DOLORES Road	10/22/2024
Burn Permit	Disposal	BRN24-000086	1811 SHADY Lane	10/22/2024
Burn Permit	Disposal	BRN24-000078	531 North Dolores Road	09/27/2024
Burn Permit	Disposal	BRN24-000079	2304 LA PLATA	09/27/2024
<b>Burn Permit Total</b>	<b>Disposal Total</b>			<b>8</b>
Burn Permit	Recreational Fire	BRN24-000090	18 West Andrew Lane	10/31/2024
<b>Burn Permit Total</b>	<b>Recreational Fire Total</b>			<b>1</b>
<b>Burn Permit Total</b>				<b>13</b>
Mechanical	Residential	M24-000009	617 East 3rd Street	10/28/2024
<b>Mechanical Total</b>	<b>Residential Total</b>			<b>1</b>
<b>Mechanical Total</b>				<b>1</b>
Plumbing	Commercial	P24-000037	800 North PARK Street	10/29/2024
Plumbing	Commercial	P24-000034	500 North WASHINGTON Street	09/27/2024
<b>Plumbing Total</b>	<b>Commercial Total</b>			<b>2</b>
Plumbing	Residential	P24-000038	345 North Linden	10/30/2024
Plumbing	Residential	P24-000033	641 South Broadway Avenue	09/26/2024
Plumbing	Residential	P24-000035	1901 East MacArthur Street	10/02/2024
Plumbing	Residential	P24-000036	237 East MONTEZUMA Avenue	10/10/2024
<b>Plumbing Total</b>	<b>Residential Total</b>			<b>4</b>
<b>Plumbing Total</b>				<b>6</b>
Right of Way	Public Right-of-Way	ROW24-000097	North Dolores Rd./Hwy 145	10/31/2024
Right of Way	Public Right-of-Way	ROW24-000096	South Broadway, East Y, North Broadway	10/29/2024
Right of Way	Public Right-of-Way	ROW24-000095	140 West MAIN Street	10/28/2024
Right of Way	Public Right-of-Way	ROW24-000093	Various Locations	10/22/2024
Right of Way	Public Right-of-Way	ROW24-000092	635 ALAMEDA Drive	10/21/2024
Right of Way	Public Right-of-Way	ROW24-000091	209 West 5TH Street	10/14/2024
Right of Way	Public Right-of-Way	ROW24-000084	1513 MacArthur Avenue	10/03/2024
Right of Way	Public Right-of-Way	ROW24-000085	Various	10/03/2024
Right of Way	Public Right-of-Way	ROW24-000086	223 North ELM Street	10/04/2024
Right of Way	Public Right-of-Way	ROW24-000087	35 North ASH Street	10/04/2024
Right of Way	Public Right-of-Way	ROW24-000088	107 North CHESTNUT Street	10/08/2024
Right of Way	Public Right-of-Way	ROW24-000089	Various Locations	10/08/2024
Right of Way	Public Right-of-Way	ROW24-000082	421 East 3rd Street	10/01/2024
Right of Way	Public Right-of-Way	ROW24-000083	Jordan Place	10/01/2024
Right of Way	Public Right-of-Way	ROW24-000080	Various	09/30/2024
Right of Way	Public Right-of-Way	ROW24-000081	Various	09/30/2024
<b>Right of Way Total</b>	<b>Public Right-of-Way Total</b>			<b>16</b>
<b>Right of Way Total</b>				<b>16</b>
<b>All Permits Total</b>				<b>51</b>

Permit Type	Sub Type	Permit#	Address	Issue Date
Building	Accessory Structure	B24-000165	405 West 7th Street	11/12/2024
Building	Accessory Structure	B24-000147	1319 East Main Street	11/15/2024
Building	Accessory Structure	B24-000170	525 South Market Street	11/19/2024
<b>Building Total</b>	<b>Accessory Structure Total</b>			<b>3</b>
Building	Commercial Remodel	B24-000151	459 West NORTH Street	11/13/2024
<b>Building Total</b>	<b>Commercial Remodel Total</b>			<b>1</b>
Building	Manufactured Home	B24-000163	405 West 7th Street	11/07/2024
<b>Building Total</b>	<b>Manufactured Home Total</b>			<b>1</b>
Building	New Residential	B24-000161	2245 Par Drive	11/12/2024
Building	New Residential	B24-000017	511 Juniper Place	11/04/2024
Building	New Residential	B24-000164	634 Colfax Avenue	11/22/2024
<b>Building Total</b>	<b>New Residential Total</b>			<b>3</b>
Building	Other	B24-000171	546 South Chestnut Street	11/20/2024
Building	Other	B24-000173	405 West 7th Street	11/21/2024
Building	Other	B24-000166	904 Alma Avenue	11/18/2024
Building	Other	B24-000167	608 North Park Street	11/14/2024
Building	Other	B24-000160	1405 Mesa Verde Street	11/01/2024
Building	Other	B24-000162	2428 Fairway Drive	11/06/2024
<b>Building Total</b>	<b>Other Total</b>			<b>6</b>
<b>Building Total</b>				<b>14</b>
Burn Permit	Debris	BRN24-000091	TBD Lakeside Drive	11/13/2024
Burn Permit	Debris	BRN24-000095	104 East CARPENTER Street	11/25/2024
<b>Burn Permit Total</b>	<b>Debris Total</b>			<b>2</b>
Burn Permit	Disposal	BRN24-000093	738 Canyon Drive	11/25/2024
Burn Permit	Disposal	BRN24-000094	905 South OAK Street	11/25/2024
Burn Permit	Disposal	BRN24-000092	1811 SHADY Lane	11/18/2024
<b>Burn Permit Total</b>	<b>Disposal Total</b>			<b>3</b>
<b>Burn Permit Total</b>				<b>5</b>
Mechanical	Commercial	M24-000008	107 North CHESTNUT Street	11/12/2024
Mechanical	Commercial	M24-000010	140 West MAIN Street	11/12/2024
<b>Mechanical Total</b>	<b>Commercial Total</b>			<b>2</b>
<b>Mechanical Total</b>				<b>2</b>
Plumbing	Commercial	P24-000039	22874 ROAD F	11/01/2024
<b>Plumbing Total</b>	<b>Commercial Total</b>			<b>1</b>
Plumbing	Residential	P24-000040	645 North HENRY Street	11/25/2024
<b>Plumbing Total</b>	<b>Residential Total</b>			<b>1</b>
<b>Plumbing Total</b>				<b>2</b>
Right of Way	Public Right-of-Way	ROW24-000101	Various	11/25/2024
Right of Way	Public Right-of-Way	ROW24-000099	902 North Market Street	11/18/2024
Right of Way	Public Right-of-Way	ROW24-000011	511 Juniper Place	11/04/2024
Right of Way	Public Right-of-Way	ROW24-000098	2245 Par Drive	11/12/2024
<b>Right of Way Total</b>	<b>Public Right-of-Way Total</b>			<b>4</b>
<b>Right of Way Total</b>				<b>4</b>
Sign	Freestanding	S24-000017	Broadway and Main Billboards	11/13/2024
<b>Sign Total</b>	<b>Freestanding Total</b>			<b>1</b>
Sign	Wall-mounted	S24-000015	20 South MARKET Street	11/01/2024
Sign	Wall-mounted	S24-000016	48 West Main Street	11/01/2024
<b>Sign Total</b>	<b>Wall-mounted Total</b>			<b>2</b>
<b>Sign Total</b>				<b>3</b>
Water Tap	3/4 inch	WT24-000021	634 Colfax Avenue	11/22/2024
Water Tap	3/4 inch	WT24-000003	511 Juniper Place	11/04/2024
Water Tap	3/4 inch	WT24-000020	2245 Par Drive	11/12/2024
<b>Water Tap Total</b>	<b>3/4 inch Total</b>			<b>3</b>
<b>Water Tap Total</b>				<b>3</b>
<b>All Permits Total</b>				<b>33</b>