



**PLANNING AND ZONING  
COMMISSION MEETING  
JANUARY 7, 2025  
6:30 P.M.**

1. CALL TO ORDER - PLEDGE OF ALLEGIANCE - ROLL CALL - APPROVAL OF AGENDA
2. APPROVAL OF THE PLANNING COMMISSION MEETING MINUTES. ALSO, APPOINTMENT OF CHAIR AND VICE-CHAIR FOR 2025.
  - a. **Minutes from the November 5, 2024 and December 3, 2024 Planning & Zoning Regular Meetings**

Minutes from the November 5, 2024 and December 3, 2024 Planning & Zoning Regular Meetings to be reviewed and voted on for approval.

**Presenter:** Cheryl Lindquist, Permit Technician
  - b. **Appointment of the Chair and the Vice-Chair of the Planning and Zoning Commission for 2025.**
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. **Resolution No. 1, Series 2025**

Resolution No. 1, Series 2025, an application for site plan review and special exception (parking) for a fourplex at 422 E 3rd St.

**Presenter:** Nancy Dossdall, Contract City Planner
5. UNFINISHED BUSINESS
6. NEW BUSINESS
  - a. **Transportation Master Planning Presentation**

Micklane Farmer with Jones and DeMille Engineering will introduce and summarize their project efforts and will answer any questions the Commission may have.

**Presenter:** Micklane Farmer, Jones and DeMille Engineering
7. OTHER ITEMS OF BUSINESS
8. ADJOURNMENT



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

January 07, 2025

Agenda Item: 2. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: **Minutes from the November 5, 2024 and December 3, 2024 Planning & Zoning Regular Meetings**

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**BACKGROUND**

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**DISCUSSION**

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**RECOMMENDATION**

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**Attachments**

November 5, 2024 meeting

December 3, 2024 minutes

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, NOVEMBER 5, 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 Dosedall, City Attorney Patrick Coleman, Public Works Secretary Karie Beougher, IT Technician Aaron Holleman, and Deputy City Clerk Cheryl Lindquist. There were no people present in the audience.

Commissioner Waldron moved that the agenda of November 5, 2024 be approved. Commissioner Bright 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 October 1, 2024.

Commissioner Waldron moved that the minutes for October 1, 2024 be approved. Commissioner Bright seconded the motion and the vote was as follows:

Bright	Thao	Waldron	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

3. PUBLIC PARTICIPATION: None

4. PUBLIC HEARINGS: None

5. UNFINISHED BUSINESS: None

6. NEW BUSINESS:

- a. Planner Dosedall presented a review of the 2024 Cash-in-Lieu Fee. Land Use Code, Section 4.05, Public Land Dedication for a new subdivision, requires 5% of the gross land to be developed must be dedicated for public parks and purposes. If not parks are not appropriate for the area, there is an option to pay a cash fee known as the Cash-in-Lieu fee.

Code states to find the cash fee you will utilize an average value over the previous five (5) years on raw lands adjacent to city limits within the three (3) mile area of interest boundary. The average per acre came to \$26,218.00, then at 5% it sets the fee at \$1,310.00 per acre. The fee will be used to purchase new property for public parks or can be used for maintenance of city parks. If not spent in ten (10) years it could go back to the developer. Attorney Coleman added that the figures for land sales was provided by the County Assessors office and GIS. The previous fee was \$675.00 an acre with acre value at \$13,500.00, demonstrating that the growth from 2017 has almost doubled.

The city fees are set every year although it is not stated how often the Cash-in-Lieu fee should be set. Chairman Rime stated that if they were updated every year the increase should not be so large. There was no further discussion.

Commissioner Weiss made a motion to recommend that Planning and Zoning Commission make a recommendation for City Council to set the per acre value for cash-in-lieu at \$26,218.00 per acre for the 2025 year. This per acre value equates to a cash-in-lieu fee of \$1,310.00 per acre for granting property for public land dedication.

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

Bright	Thao	Waldron	Weiss	Rime
Yes	Yes	Yes	Yes	Yes

7. OTHER ITEMS OF BUSINESS:

- a. Planner Doslall presented a Montezuma County application for a High Impact Permit submitted by Leaf Properties. The project is located within the three (3) mile boundary, but not included in the Master Street Plan. The proposal is for two retail properties, one is 10,000 sq. ft. and the other 1,500 sq. ft. on a 3.7 acre parcel located at the intersection of Highway 145 and Road N. This is the same site as a previously very controversial request proposal. Chairman Rime thanked Montezuma County for keeping the City informed and Commissioner Bright concurred.
- b. Chairman Rime announced that Commissioner Weiss has resigned her position and this was her last meeting. We will need to elect a new Vice-Chairman at our next meeting.

8. ADJOURNMENT:

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 6:57 p.m.

PLANNING & ZONING COMMISSION

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Robert Rime, Chairperson

ATTEST:

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Cheryl Lindquist, Deputy City Clerk

PLANNING & ZONING COMMISSION

REGULAR MEETING

TUESDAY, DECEMBER 3, 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, Commissioner Bob Bright, and Commissioner Emily Waldron. Commissioner Nina Thao was excused. Staff present included: Community and Economic Development Director Rachael Marchbanks, Contract City Planner Nancy Dossdall, City Attorney Patrick Coleman, City of Cortez Engineer Kevin Kissler, Public Works Secretary Karie Beougher, IT Technician Aaron Holleman and Deputy City Clerk Cheryl Lindquist. There were nine (9) people present in the audience.

Commissioner Bright moved that the agenda of December 3, 2024 be approved. Commissioner Waldron seconded the motion and the vote was as follows:

Bright	Thao	Waldron	Rime
Yes	Absent	Yes	Yes

2. Approval of the Regular Meeting Minutes of October 1, 2024\*

Commissioner Waldron moved that the minutes for October 1, 2024 be approved. Commissioner Bright seconded the motion and the vote was as follows:

Bright	Thao	Waldron	Rime
Yes	Absent	Yes	Yes

\*The October minutes were inadvertently inserted in the package instead of the November 5<sup>th</sup> minutes.

3. PUBLIC PARTICIPATION: None

4. PUBLIC HEARINGS:

- a. The Public Hearing for 1050 Lebanon Rd. has been withdrawn from the agenda awaiting completed documentation.

- b. Contract City Planner Dossdall presented Resolution No. 7, Series 2024. An application for a conditional use permit for a tri-plex (two apartments to be added in the basement of a recently constructed home) located on a 12.82 acre parcel at 1090 S. Oak St., Cortez, Co, zoned Residential Manufactured Home (MH) owned by Mr. Paul James. This property is at the southern boundary of city limits. Multi-family use

requires a conditional use permit. Parking requires six parking places and this property meets that and more. This proposal meets all the setbacks and actually exceeds the setbacks.

Staff recommends approval of Planning and Zoning Resolution No. 7, Series 2024, a resolution recommending the approval of the application for the conditional use permit/site development plan, with one (1) condition:

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.

Ms. Naomi Reiss, the agent for Mr. James, spoke of how great it has been to work with the City of Cortez and answered a question about the driveway.

Chairman Rime opened the Public Hearing. Christy Kupic, a neighbor, asked if Mr. James is planning for further development, such as affordable housing or more apartments. She was also concerned if Mr. James was going to live at the property or rent it all out. She stated that Mr. James owns some expensive homes in Durango and is concerned if the apartments will be affordable living. Ms. Reiss answered that no plans have been formulated at this time for future development. She stated that Mr. James is currently living there and plans on living there in the future. Mr. James responded that he does not own any homes in Durango and any homes that may have his name associated would be because he is a contractor that has built homes in the area. The Public Hearing was closed.

Commissioner Waldron made 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 one (1) condition.

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

Bright	Thao	Waldron	Rime
Yes	Absent	Yes	Yes

- c. Contract City Planner Dosdall presented Resolution No. 8, Series 2024. Mr. Cole Clark, on behalf of Elevated Smoke LLC, is requesting a site plan approval to allow a new drive-up liquor sales window at 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 window was open for a short period of time before the applicant was made aware that a site plan review was required. The use of a liquor store is considered a permitted use in the Commercial zone. A site plan is required, due to how the proposed drive-up window could change traffic patterns in the area. Contract City Planner Dosdall commented on the requirements for a site plan review and explained the reasoning involves the change in traffic volume or pattern in

the area, plus noise, parking, and lighting. Another concern is the closeness to the neighboring property line. Mr. Clark is proposing to use the public alley as the access to the window which causes a “swooping action” to the consumers using the window. City Engineer Kevin Kissler, spoke of his concerns regarding public safety. This area is known for accidents involving vehicles, pedestrians, and bikes. City Engineer Kissler also stated 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. City Engineer Kissler added that he requested 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/to 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.

Contract City Planner Dosdall stated staff recommends that the Planning & Zoning Commission recommend that Cortez City Council approve Planning & Zoning 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.

Contract City Planner Dosdall did offer alternate recommendations for requirements if the Commission chooses to not deny the project. Commissioner Bright asked if the owner refuses to meet design standards suggested, could the project be denied by City Council? He showed concern regarding why a traffic study had not already been done. City Attorney Coleman responded by acknowledging the construction design standards and traffic issues also should include pedestrians and bikes.

Mr. Cole Clark, the applicant, spoke of his feelings of not needing a traffic study since the only traffic in the alley currently is Hospice traffic. He has never seen any accidents in the area. He also stated he is planning on moving the window several feet further north on the building allowing for more turning radius for the vehicles to maneuver. He also was considering a one-way alleyway to control the traffic flow. He stated that Hospice uses the alley for business access and he felt like he should be able to as well. Commissioner Waldron was concerned about why Mr. Clark will not get a traffic study on the current traffic flow in the area. Mr. Clark feels it would be a waste of money as he currently has no traffic flow in the alley. Mr. Clark stated he just wants to make this work

Chairman Rime opened the Public Hearing. Carol Baumgartner, the representative for Hospice of Montezuma Inc., the neighboring business. spoke of how she had tried to work with Mr. Clark but has not had any luck. She has asked him to move his



garbage bins off her property and has asked him many times not to allow his customers to use Hospice parking or drive through the Hospice parking lot. Ms. Baumgartner also stated that several of the neighboring residences use the alley for their parking. The Public Hearing was closed.

Commissioner Waldron made 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 Commercial (C) zone.

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

Bright	Thao	Waldron	Rime
Yes	Absent	Yes	Yes

5. UNFINISHED BUSINESS: none

6. NEW BUSINESS: none

7. OTHER ITEMS OF BUSINESS:

a. Building permits for October and November 2024.

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

Bright	Thao	Waldron	Rime
Yes	Absent	Yes	Yes

The meeting adjourned at 7:21 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

January 07, 2025

Agenda Item: 4. a.

MEMO TO: Planning and Zoning Commission

FROM: Cheryl Lindquist, Permit Technician/Deputy City Clerk

SUBJECT: **Resolution No. 1, Series 2025**

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#### BACKGROUND

Housing Solutions for the Southwest, Inc. (the "Applicant") is proposing a site plan and special exception for parking to construct four apartment units on a vacant property located at 422 E. 3rd St. A single-family home previously occupied the property but has been demolished. The Property is .24 acres and zoned NB. Five parking spaces are proposed instead of the required eight resulting in a three-space deficit. The units are proposed as affordable housing, although details are not yet worked out. Housing Solutions for the Southwest is a nonprofit organization devoted to providing affordable housing services in Archuleta, Dolores, La Plata, Montezuma and San Juan Counties.

The Property is currently vacant and zoned Neighborhood Business, which allows a mix of multi-family, small scale commercial and single family uses. To the south, across E. 3rd St., properties are zoned R-2 which allows both single-family and multi-family uses. The surrounding land uses to this Property include multi-family (Madison and 3rd Townhomes) to the west and single family uses on all other sides. There are two other multi-family developments in the block, Madison and 3rd Townhomes, which are developed at a density of 12 units/acre and the Pueblos De Cortez which are developed at a density of 18 units per acre. The Housing Solutions project is proposed at approximately 16 units per acre.

#### DISCUSSION

The project as submitted appears to meet all development standards except for parking. The Planning Commission has the authority to grant special exceptions, if the applicable criteria can be met. The main reasons to request the exception are that in the experience of the Applicant, the 2 spaces/unit requirement is excessive. Although there is room on site for the full parking requirement, the Applicant wishes to preserve a more pleasant living environment for the residents with less pavement. There are a number of non-code related reasons that a reduced parking requirement makes sense for this project including that the site is less than ¼ mile from City Market and the Central Business District, allowing residents easy access by bike or walking to most household needs. The project will be deed restricted to affordable housing and owned and operated by an experienced affordable housing provider that can easily prevent the use of parking spaces for items such as recreational vehicles and restrict leases to tenants with only one vehicle if on street parking becomes a problem. Regarding the code criteria, the 3rd Street right-of-way is unusually wide in this block at 80', 3rd Street narrows to 60' of right-of-way in the next block to the east.

#### RECOMMENDATION

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 approve P&Z Resolution No. 1, Series 2025, a resolution approving a special exception and

site development plan for four residential units on property located at 422 E 3rd St., Cortez, Colorado, in the NB zone, with the following conditions:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Specifically, all public improvements shall comply with the minimum requirements of the 2009 City of Cortez Construction Design Standards and Specifications.
2. The appropriate construction drawings and reports for the project, revised as required by the City Engineer shall be signed and stamped by a Colorado licensed architect or engineer, must be approved by the Building Official and City Engineer, and a building permit obtained prior to any construction on the Property.
3. Prior to issuance of a Certificate of Occupancy the Applicant's engineer shall certify that all improvements were constructed in conformance with the approved plans.

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**Attachments**

Staff Report  
Resolution  
Site Plan



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

Meeting Date: January 7, 2025  
Project No. PL- LU25-01

**MEMO**

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

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

**SUBJECT:** Public Hearing on an Application for site plan and special exception (parking) for a fourplex located on a .24 acre property at 422 E 3<sup>rd</sup> St., Cortez CO (the “Property”), zoned Neighborhood Business (NB).

**APPLICANT:** Housing Solutions for the Southwest  
**OWNER:** Housing Solutions for the Southwest PC  
**ATTACHMENTS:** P&Z Resolution No. 1, Series 2025  
Plan Set

**BACKGROUND**

Housing Solutions for the Southwest, Inc. (the “Applicant”) is proposing a site plan and special exception for parking to construct four apartment units on vacant property located at 422 E. 3rd St. A single-family home previously occupied the property but has been demolished. The Property is .24 acres and zoned NB. Five parking spaces are proposed instead of the required eight resulting in a three-space deficit. The units are proposed as affordable housing, although details are not yet worked out. Housing Solutions for the Southwest is a nonprofit organization devoted to providing affordable housing services in Archuleta, Dolores, La Plata, Montezuma and San Juan Counties.



The Property is currently vacant and zoned Neighborhood Business, which allows a mix of multi-family, small scale commercial and single family uses. To the south, across E. 3<sup>rd</sup> St. properties are zoned R-2 which allows both single family and multi-family uses. The surrounding land uses to this Property include multi-family (Madison and 3<sup>rd</sup> Townhomes) to the west and single family uses on all other sides. There are two other multi-family developments in the block, Madison and 3<sup>rd</sup> Townhomes which are developed at a density of 12 units/acre and the Pueblos De Cortez which are developed at a density of 18 units per acre. The Housing Solutions project is proposed at approximately 16 units per acre.

**DEVELOPMENT STANDARDS**

<b>Development Standard</b>	<b>NB Zone Requirement</b>	<b>Proposed</b>
Min. lot area (sq. ft.)/unit	2,000 (if affordable)	2,613 sq. ft./unit
Min. front yard (ft.)	20'	20'
Min. side yard (ft)	7'	7'
Min. rear yard (ft)	7'	7'
Max. lot coverage	50%	38%
Min. floor area	800 sq ft	899 sq. ft.
Max height (ft)	35'	18'
Parking	2 spaces/unit or 8 spaces total	5 spaces total or 1.25 spaces/unit
Landscaping/open space	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 project as proposed is designed to maximize use of the site by providing the minimum setbacks allowed by code. The project will be required to meet the code definition of affordable or workforce housing meaning that it must be affordable to households with an income that is eighty (80) percent or lower than area median income of households of the same size. The Applicant will be required to assure that the housing is and will be affordable for at least 20 years. Without the bonus for affordable housing, the Property would be limited to three units maximum. Although the Applicant has not yet provided details on how the housing will be restricted, affordable housing is its sole mission.

Instead of using the frontage of the Property along 3<sup>rd</sup> Street for parking, the Applicant wishes to supply limited parking off the existing alley and off of Harrison St, leaving the 3<sup>rd</sup>. St. frontage for landscaped front yards and the entire 3<sup>rd</sup> Street frontage available for on-street parking. Although 5 spaces are proposed, only 4 are truly on-site, one of the spaces off the alley is located partially in the right-of-way for 3<sup>rd</sup> St. This request would require the Planning Commission to grant a special exception pursuant to LUC 6.18 – Special Exceptions:

(b)The planning commission shall have the power to hear and decide special exceptions to the height of fences, the number of required off-street parking spaces and the sizes and locations of signs where

all of the following conditions in so far as applicable are met:

- (1) That there are unique physical circumstances or conditions such as irregularity, narrowness or shallowness of lot, or exceptional topographical or other conditions peculiar to the affected property;
- (2) That the unusual circumstances or conditions do not exist throughout the neighborhood or district in which the property is located;
- (3) That because of such physical circumstances or conditions, the property cannot reasonably be developed in conformity with the provisions of this code;
- (4) That such unnecessary hardship has not been created by the applicant;
- (5) That the exception, if granted, is a minimum exception that will afford relief and is the least modification possible of the provisions of this code which are in question; and
- (6) That the exception, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property.

## **DISCUSSION**

The project as submitted appears to meet all development standards except for parking. The Planning Commission has the authority to grant special exceptions, if the applicable criteria above can be met. The criteria are difficult to meet, in that the main reasons to request the exception are that in the experience of the Applicant, the 2 spaces/unit requirement is excessive. Although there is room on site for the full parking requirement, the Applicant wishes to preserve a more pleasant living environment for the residents with less pavement. There are a number of non-code related reasons that a reduced parking requirement makes sense for this project including that the site is less than ¼ mile from City Market and the Central Business District, allowing residents easy access by bike or walking to most household needs. The project will be deed restricted to affordable housing and owned and operated by an experienced affordable housing provider that can easily prevent the use of parking spaces for items such as recreational vehicles and restrict leases to tenants with only one vehicle if on street parking becomes a problem. Regarding the code criteria, the 3<sup>rd</sup> Street right-of-way is unusually wide in this block at 80', 3<sup>rd</sup> Street narrows to 60' of right-of-way in the next block to the east.

**AGENCY REVIEW – Staff note – the site plan was revised by the applicant to address agency comments.**

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

Please note that the application has the correct address of 422 E 3rd St (not 433 E 3rd as stated in the email)

The address of 422 E 3rd St will work after reviewing the site plan. The building inspector can issue Units A,B,C,D upon receiving a building permit.

The site plan appears to show parking, curbing and drainage structures within the 16' alley. Alleys are very narrow and need to be kept open for future infrastructure needs, trash and utility trucks. Make sure the City engineer approves any development in this public ROW prior to adopting the site plan.

**Cortez Sanitation District (Jim Webb)**

After careful review of the proposed site plans at 422 E 3rd St. It appears the engineer assumes there is a sewer main to the west of the property when in fact this is not the case. We have a sewer main in S Harrison to the east and a sewer main in E 3rd St. to the South but not to the West. Please let them know this needs attention.

**City Engineer (Kevin Kissler)**

I recall meeting with this developer and they mentioned accessing their parking from the alley, which given the traffic volumes in this area I do not have a problem with. However I second Doug's comment in that the actual parking space and curb/ gutter should not extend into the ROW.

Typically, a minimum 15' turning circle would be required to access a parking spot. Given that the alley is roughly 16', I would insist that the developer move the entirety of the parking spaces on the west side of the lot within the lot line itself and not extend into the ROW. The depth of the parking spot from the lot line to the curb should be sufficient that a personal vehicle can fit entirely inside the spot without extending into the alley.

**Cortez Housing Specialist (Lisa Bloomquist)**

I just spoke to Elizabeth Salkind about this project (please note that she said that if Kim has told you anything different from what I note, please go with what Kim says). Elizabeth said that they are still seeking gap funding for this project, and that the plans may change (or get scrapped 😊) depending on whether or not they can find the gap funding necessary. If they get adequate gap funding, they will proceed with the project as proposed and they will provide us with documentation that the affordability requirements for the project density will be met. However, if they don't receive adequate gap funding, they will change the project plans by reducing the number of units, and if the number of units is reduced they won't need the affordability density bonus and thus affordability commentary is moot. Funding sources may also alter the intention for the project as far as rental vs. homeownership. Right now, they are planning to rent the units - if gap funding for rental units is not identified they may switch to affordable homeownership.

Housing Solutions for the Southwest is a nonprofit organization that has been providing affordable housing units, programs, and services for many years. Even without the potential variability in the project funding sources affecting both the number of units and the levels of affordability, we can be reasonably assured that they will provide housing that is as affordable as possible given financial constraints, and that if they take the affordability density bonus they will put restrictions and systems in place that ensure ongoing affordability and compliance with the code.

**Atmos Energy (Juan Prieto Arias)**

No comments. Thank you.

**ALTERNATIVES**



1. The Commission can approve the application for the special exception and site development plan for the proposed 4 plex on property located at 422 E. 3<sup>rd</sup> St., Cortez Colorado, in the Neighborhood Business (NB) zone and state any conditions it feels would be necessary to ensure compliance with the Land Use Code; or
2. The Commission can deny the application for the special exception 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 make a recommendation on approval or denial of the application for the special exception and site development plan and refer the application to the City Council to make the decision to approve or deny the application.

## **RECOMMENDATION**

Staff recommends Alternative “1” above, approval of the application for the site development plan through P&Z Resolution No. 1, Series 2025, with the conditions below.

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 approve P&Z Resolution No. 1, Series 2025, a resolution approving a special exception and site development plan for four residential units on property located at 422 E 3<sup>rd</sup> St., Cortez, Colorado, in the NB zone, with the following conditions:**

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Specifically, all public improvements shall comply with the minimum requirements of the 2009 City of Cortez Construction Design Standards and Specifications.
2. The appropriate construction drawings and reports for the project, revised as required by the City Engineer shall be signed and stamped by a Colorado licensed architect or engineer, must be approved by the Building Official and City Engineer, and a building permit obtained prior to any construction on the Property.
3. Prior to issuance of a Certificate of Occupancy the Applicant’s engineer shall certify that all improvements were constructed in conformance with the approved plans.

**CITY OF CORTEZ  
RESOLUTION NO. 1, SERIES 2025**

**A RESOLUTION APPROVING A SITE DEVELOPMENT PLAN AND A SPECIAL  
PARKING EXCEPTION FOR FOUR MULTI-FAMILY UNITS LOCATED AT 422 E 3<sup>RD</sup>  
ST., CORTEZ, COLORADO IN THE NEIGHBORHOOD BUSINESS (NB) ZONING  
DISTRICT**

WHEREAS, the owner/applicant, Housing Solutions for the Southwest, Inc. (the “Owner/applicant”) has applied for review of a special exception and site development plan for four multi-family dwelling units to be located on property at 422 E. 3<sup>rd</sup> St., Cortez, Colorado (the “Property”) and more particularly described as:

*Lots 10, 11 and 12, Block 18 F.R. Coffins Addition, according to the plat thereof filed for recorded December 6, 1888 in Book 1 at Page 9.*

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

WHEREAS, Land Use Code Section 6.18, Special Exceptions, indicates that the owner or developer of a property may request a special exception to the number of required off-street parking spaces; and

WHEREAS, Land Use Code Section 6.14(e)(9) states that it is at the sole discretion of the of the Zoning Administrator whether a site plan on a property less than ½ acre in size shall be referred to the City Council; and

WHEREAS, The Zoning Administrator has determined that site plan does not need to be referred to the City Council; and

WHEREAS, the Planning and Zoning Commission received evidence and testimony, and reviewed the application for a special exception for parking to allow a total of 4 on-site spaces and site plan for four multi-family dwelling units on the Property at its January 7, 2025 meeting, and is recommending approval of the special exception and site plan with conditions, as evidenced in the adoption of P&Z Resolution No. 1, Series 2025; and

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

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

THAT, this Resolution No. 1 Series 2025, approves a special exception for parking and establishes conditions of approval for the site plan on the Property; and

THAT, the special exception, site plan, and full application for the Property are hereby approved, subject to the following conditions to ensure compliance with the standards in the Cortez Land Use Code for a site development plan:

1. All requirements of utility providers, City departments, CDOT and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Specifically, all public improvements shall comply with the minimum requirements of the 2009 City of Cortez Construction Design Standards and Specifications.
2. The appropriate construction drawings and reports for the project, revised as required by the City Engineer shall be signed and stamped by a Colorado licensed architect or engineer, must be approved by the Building Official and City Engineer, and a building permit obtained prior to any construction on the Property.
3. Prior to issuance of a Certificate of Occupancy the Owner/applicant's engineer shall certify that all improvements were constructed in conformance with the approved plans.

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

MOVED, SECONDED, AND ADOPTED THIS 7th DAY OF JANUARY, 2025

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Robert Rime, Chairman

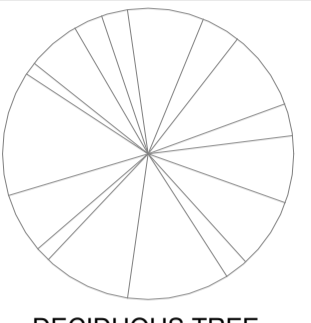

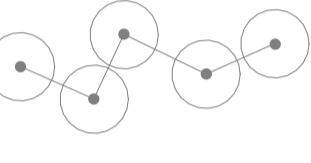
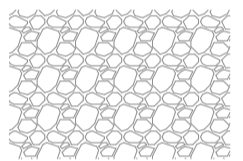

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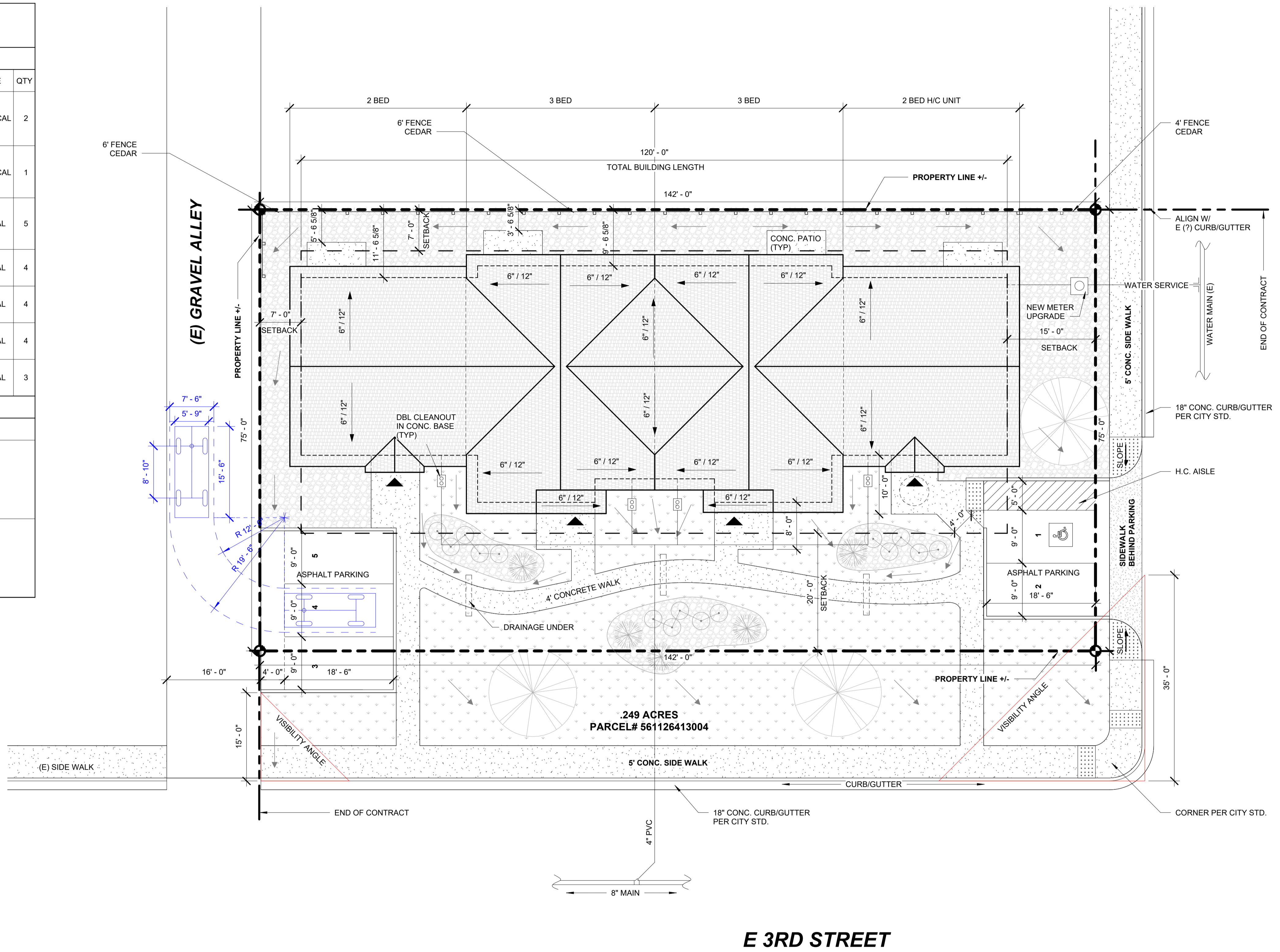
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Cheryl Lindquist, Deputy City Clerk

ALL PLANTING MATERIALS TO BE PROVIDED BY THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING UTILITIES AND STRUCTURES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING PLANTING MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING PLANTING MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION AND MAINTENANCE OF ALL EXISTING PLANTING MATERIALS.

### PLANTING SCHEDULE

TREES/SHRUBS				
SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE	QTY
	GLEDITSIA TRIACANTHOS INERMIS	HONEY LOCUST	2-1/2 CAL	2
	TILIA CORDATA	LINDEN, LITTLE LEAF	2-1/2 CAL	1
	EUONYMUS ALATUS	BURNING BUSH	5 GAL	5
	CARYOPTERIS CLANDONENSIS 'DARK KNIGHT'	BLUE MIST SPIREA	1 GAL	4
	PEROVSKIA ATRIPLICIFOLIA	RUSSIAN SAGE	1 GAL	4
	POTENTILLA FRUCTICOSA	POTENTILLA	1 GAL	4
	PRUNUS BESSEYI PAWNEE BUTTES	CREeping WESTERN SAND CHERRY	1 GAL	3
GRASSES/TERRAIN				
SYMBOL	TYPE			
	CRUSHED GRAVEL			
	NATIVE SEED MIX			

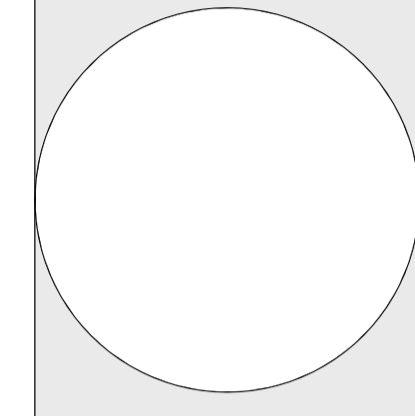


### SITE DATA

- PARCEL #: 561126413004
- AREA: 0.24 ACRES
- ZONE: NB (NEIGHBORHOOD BUSINESS)
- PROPOSED USE: 4-PLEX, MULTI-FAMILY APARTMENT
- BUILDING FOOTPRINT: 4118 SF
- LOT COVERAGE: 38%
- OFF STREET PARKING: 5.0 SPACES (AFFORDABLE)

\*NOTE: GRAY ARROWS DEFINE DRAINAGE PLAN.

**1 SITE PLAN**  
1" = 10'-0"



PERMIT SET

**HOUSING SOLUTIONS CORTEZ**  
CITY OF CORTEZ, COLORADO  
PARCEL # 561126413004  
422 E 3RD ST  
CORTEZ, CO 81321

Revision Schedule	
Number	Date

date: 12.01.2024  
drawn: NSS  
checked: DRB

SITE PLAN

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

Contractor's Name: NA Phone/Email: \_\_\_\_\_

Owner's Name: Housing Solutions for the Southwest Phone/Email: 970- 259- 1086  
kwelty@swhousingsolutions.com

Address: 422 East 3<sup>rd</sup> St. Zone District: NB

Legal Description (Lot & Block): Lots 10,11,12 Block 18 F.R. COFFINS ADDITION

Existing Use: RESIDENTIAL Proposed Use: 4 Plex affordable rental

Lot Dimensions: 142.5 x 75 Proposed GFA(Gross Floor Area): 4,118

**Application Requirements**

\_\_\_\_\_ 3 copies of site plan drawn to scale, titled "Preliminary Site Plan"

\_\_\_\_\_ Scale and north point indicated

\_\_\_\_\_ Name of street on drawing 422 East 3<sup>rd</sup> St

\_\_\_\_\_ Fees \$500.00 pd ck #16090 - Brookie

\_\_\_\_\_ 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

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## **SITE INFORMATION**

PARCEL #: 561126413004  
ADDRESS: 422 E. 3<sup>RD</sup> St., Cortez, CO 81321  
OWNER: Housing Solutions of the Southwest  
ZONE: NB (Neighborhood – Business)

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### **3.14 NB Neighborhood Business District**

(b.) Permitted Use

(f.) Minimum Lot Area

- 2000sf per “affordable/workforce” housing unit = 8000sf
- 10,600sf provided

(g.) Front Yard Setback = 20’ (provided)

(h.) Side Yard Setback = 7’ (provided)

(i.) Rear Yard Setback = 7’ (provided)

(j.) Maximum Lot Coverage = 50%

- Lot Size = 10,600sf
- Building Footprint = 4,118sf
- Lot Coverage = 38% (provided)

(k.) Minimum Floor Area = 800sf minimum in a multi-family dwelling with 6 units or less.

- Minimum Unit Size = 950sf (provided)

(l.) Maximum Height = 35’ max allowable

- 20’ (approx.) provided

(m.) Minimum Lot Width

- 60’ minimum for greater than 2-family dwellings
- 143’ (approx.) provided

## **5.02 Parking: Off Street Requirement (Per Table)**

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Residential Structure with 1-10 dwelling units

(d.) – 2 spaces per dwelling unit

(h.) – off-street loading – NONE

Developer proposes 1.5 spaces per unit based on reduced parking need for qualified Low-Income Tenants. This is also supportive of alternative forms of mobility in the downtown area. Bike racks are provided to encourage bicycles for all age groups.

**SUMMARY:** 4 dwelling units x 1.5 spaces/unit = **6 spaces provided**

Corner Visibility:

(j.3) – Street corner = 35' (provided), Alley Corner = 15' (provided)

## **5.03 Sidewalks**

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5' in NB Zone (provided)

## **5.04 Fences**

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Rear Yard = 8' max (6' provided)

*Separate Permit Required*

## **5.05 Trees, Landscape, Planting**

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(g.) Street Trees 30'-50' apart and 20' from corner (min)

## **5.06 Signs**

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No signs proposed

Fourplex project: 422 3<sup>rd</sup> St Cortez

Harrison Street and 3<sup>rd</sup> Street were constructed as with most city streets in Cortez with the intention of allowing on street parking. That is why the streets have the width they do. On street parking occurs throughout the City. It is very common and accepted in the City for ALL vehicles associated with a dwelling to be parked on street. A curb line full of cars was the INTENDED result.

Plan A attached shows that using a 20' x 8' parking spot layout and the 35' setback from intersection corners, 8 on street parking spots can be accommodated. The only on site parking would be a handicapped spot off the alley to make a more friendly handicapped access. Additional depth of 24' is shown on that space to allow the narrow 16' alley plus the parking spot be sufficient for maneuvering.

So 9 spots can be accommodated with little need to infill the lot with parking that detracts from aesthetics and reduces the open space available to residents. That would seem to be a performance standard.

City of Cortez standard that dictates off street parking for small multifamily projects flies in the face of normal planning desires to minimize hard surface, maximize landscaped area and provide the best living space possible. Dictating off street parking for such a small project makes little sense in that respect.

Plan B attached shows a typical solution that could be accepted for off street parking meeting the City requirement. This solution is inferior to simply using the available on street parking. The wide curb cut is a trade off for the available at curb parking now existing. As can be seen considerable expense is gone to provide 6 off street spots, one of which is a handicapped space, at the expense of all on street parking on 3<sup>rd</sup> st. 3 on street spots are still available on Harrison.

What makes this inferior is this essentially requires vehicles to back onto 3<sup>rd</sup> street, a more dangerous situation than simple parallel parking on the street, requires that the sidewalk be crossed in the process, making the sidewalk less secure, and invites tandem parking in each site which would overlap City property and sidewalk, in some cases covering sidewalk. It of course robs the project site of significant open space as well.

The extra expense needed for the concrete parking and curb cut/return is significant and the result is LESS functional and safe, significantly, than the on street parking solution. This argument is independent of whether the site has three or four units on it, a separate variance issue.

Typical off street parking as is detailed in development projects cannot be utilized on this site. That layout would require that vehicles can park and then back and maneuver with the required setbacks for parking from the street, to allow vehicles to enter the street forward facing as would happen in an apartment complex kind of layout. This requires two 20' spaces and a 25' central backing lane with an approach path as you would find in any functional public parking area.

Plan C shows an example of this idea. Only 4 of the 6 spaces can be placed within the lot. Two more can be placed in City ROW since 3<sup>rd</sup> Street has a wider 80' right of way. The back up lane allows for 4 of the spaces to back and fill and then approach the street head on as is expected. The two spaces closest to the building do not have the back up pocket available in the center due to building proximity and thus would be very difficult, especially with a larger pickup or van vehicle.

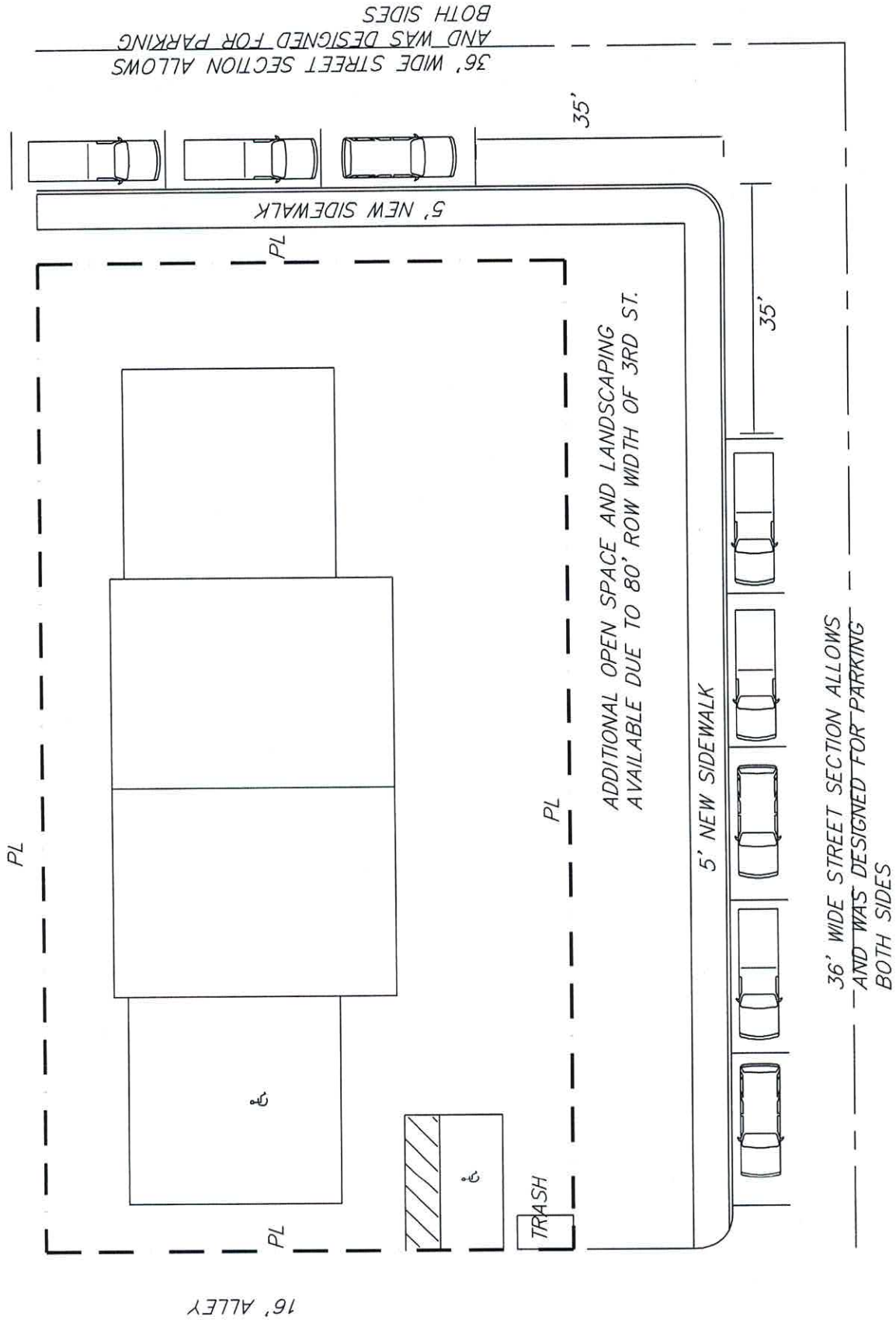
A good example of this parking scheme can be seen in the recently City approved 3 plex on North Mildred across from the hospital. This parking lot is poor and nearly non functional from a design standpoint.

In summary, off street parking rules are for when on street parking is insufficient and for larger projects where space is available for parking that follows Engineering Standards. The on street option for this project is the better choice.

Cap Allen  
Dec. 13, 2024

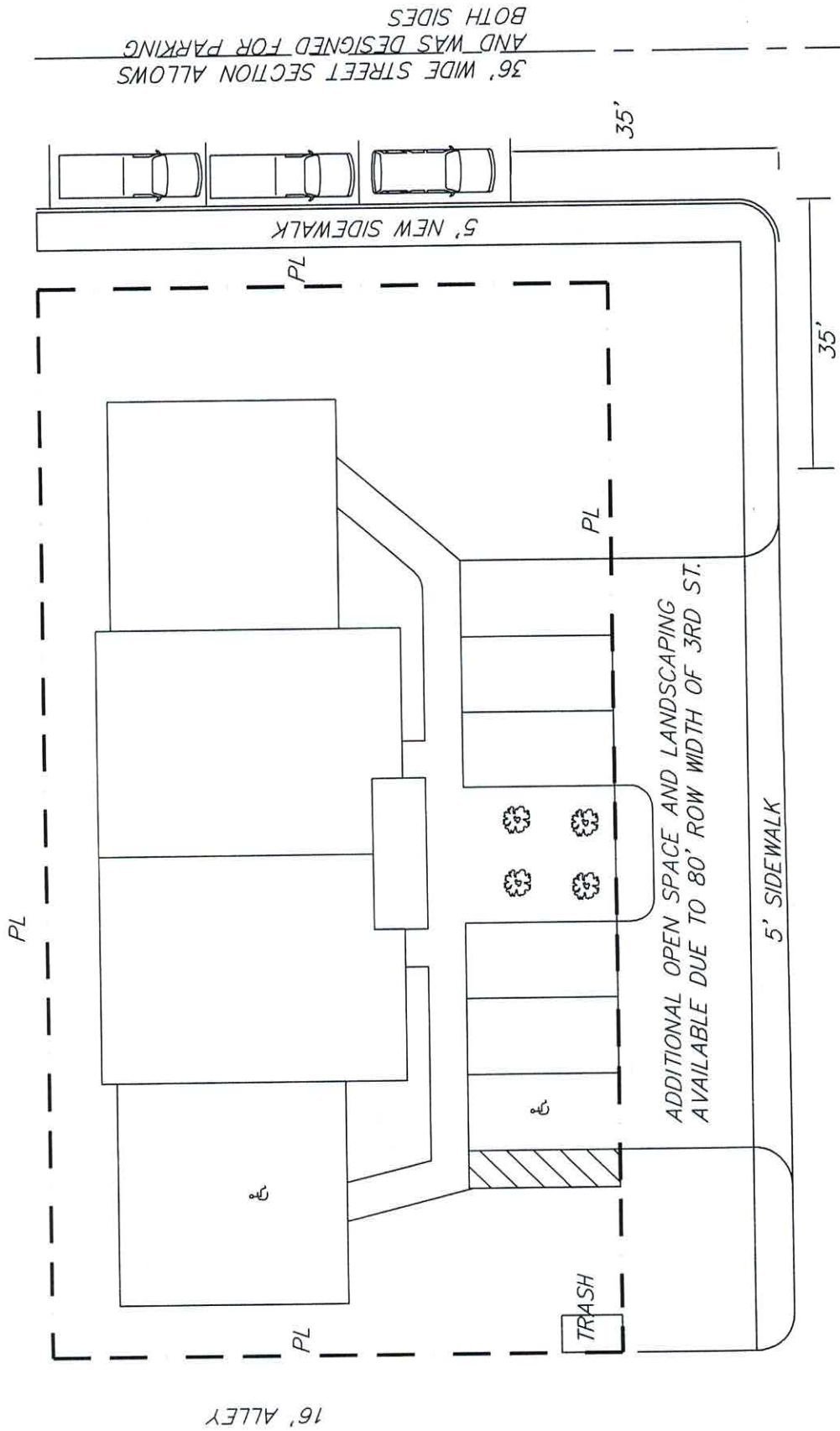


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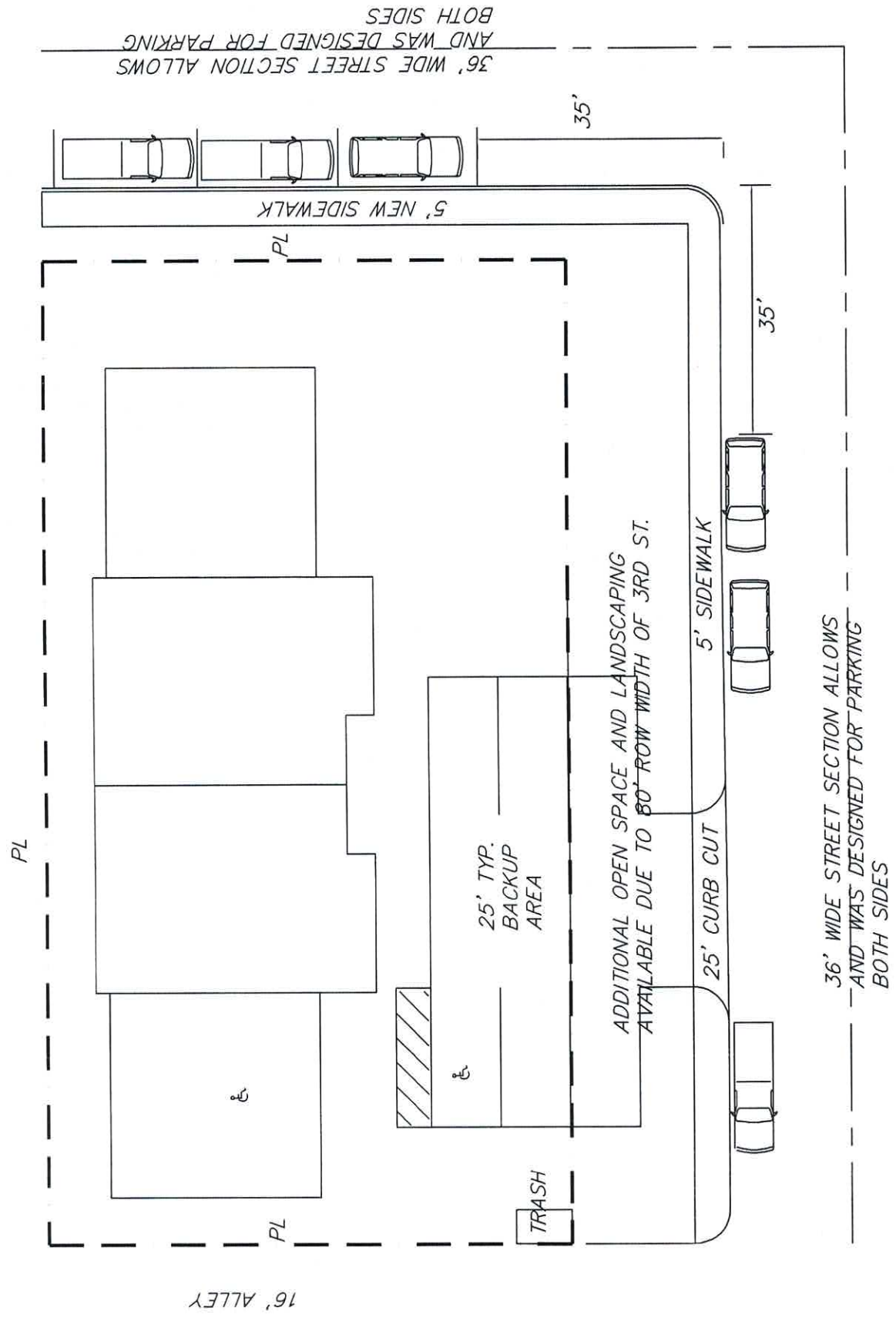
36' WIDE STREET SECTION ALLOWS AND WAS DESIGNED FOR PARKING BOTH SIDES

36' WIDE STREET SECTION ALLOWS AND WAS DESIGNED FOR PARKING BOTH SIDES



B

9



36' WIDE STREET SECTION ALLOWS AND WAS DESIGNED FOR PARKING BOTH SIDES

36' WIDE STREET SECTION ALLOWS AND WAS DESIGNED FOR PARKING BOTH SIDES

16' ALLEY

PL

PL

PL

5' NEW SIDEWALK

25' TYP. BACKUP AREA

TRASH

ADDITIONAL OPEN SPACE AND LANDSCAPING AVAILABLE DUE TO 80' ROW WIDTH OF 3RD ST.

25' CURB CUT

5' SIDEWALK

35'

35'



CITY OF CORTEZ  
123 ROGER SMITH AVENUE  
CORTEZ, CO 81321

January 07, 2025

Agenda Item: 6. a.

MEMO TO: Planning and Zoning Commission

FROM: RACHAEL MARCHBANKS, DIRECTOR OF COMMUNITY/ECONOMIC DEVELOPMENT

SUBJECT: **Transportation Master Planning Presentation**

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**BACKGROUND**

City of Cortez Public Works is currently working on a transportation master plan. Jones and DeMille Engineering is the consultant team working on the project. The plan includes two phases. The first phase is planning for CDOT roadway projects along CDOT corridors. The second is planning efforts throughout the city.

**RECOMMENDATION**

None at this time.

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