



The Montrose City Planning Commission held a meeting July 25, 2007, at 6 p.m. in City Hall Council Chambers. The meeting agenda was posted in accordance with the Colorado Open Meetings Act (C.R.S. §24-6-401, et.seq.).

PRESENT

Matt Box, Frank Casey, Moira Collier, Bob Nicholson, James Rumble, Judy Wind and City staff Sergeant Eller, Commander Keith Caddy, Ben Morris, Garry Baker, Ginny Howell, Kerwin Jensen, and Alisa Babler were present.

ABSENT

Kristine Bagnara, Roger Shores

GUESTS

Don Oberto, Robert Jones, Kathy Heavers, Elizabeth Hall, Austin Hall, Roy Johnson, Robert Bates

Planning Commission Chairperson, Frank Casey, called the meeting to order at 6 p.m.

APPROVAL OF MINUTES

Moira Collier made a motion to approve the minutes of the July 11, 2007, meeting. Matt Box seconded the motion and it carried unanimously.

OTHER BUSINESS

Recap of the Comprehensive Plan meeting that was held last night.

VAR #07-0007 – 1840 EAST MAIN STREET / OLD GIBSON BUILDING (CONTINUED FROM THE APRIL 25, 2007 AND MAY 23, 2007 MEETINGS).

The applicant sent a letter of withdrawal for this request. They will reapply if future needs necessitate a variance.

SUB #07-0015 – THE GROVE PRELIMINARY PLAT.

This subdivision was annexed as the JC Rose Addition and is located in the southeast corner of Woodgate Road and Ogden Road. The R-3A zoning (medium high density) and lot sizes would allow approximately 83 units.

Garry Baker, Senior Planner, introduced this item. All public notice requirements have been fulfilled and all official files and exhibits were entered into the record.

This is the first subdivision to come forth with the COPS fee as part of the process. This is the City Operations and Police Service fees to help defray cost to the City for infrastructure and services provided to the community. This fee is based on the allowed density.

Requests in the review from the traffic engineer at PBS&J have been incorporated in the recommendations for approval.

City staff is recommending approval of The Grove Preliminary Plat with the following conditions: **1).** [Standard Condition] The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the Preliminary Plat. The City staff is not authorized by this approval to execute the Preliminary Plat prior to all conditions being satisfied, **2).** Provide floodplain construction permit. See Chapter 4-2 of the City Code for details, **3).** A copy of the approved 404 Permit from the U.S. Army Corps of Engineers shall be submitted to the City prior to construction in the jurisdictional wetland areas, **4).** Correct typos and other minor errors on the plat. Submit a revised paper copy. A corrected Mylar copy is required prior to scheduling this item on a City Council agenda. The corrected Mylar must be received 2 weeks prior to the desired Council date, **5).** The City's traffic consultant has requested supplemental traffic impact study information. This supplemental information is required prior to City signature of the Preliminary Plat. Any changes to required road improvements will be required at the Final Plat stage, **6).** Provide supplemental engineering plans and landscape plans for open space tracts, as requested by staff, **7).** A 6 foot detached sidewalk is required on Ogden Road and an 8 foot detached sidewalk is required on Woodgate Road. Change plans accordingly, **8).** Widen easements to 20 feet, as requested by utilities, or obtain an agreement for 15-foot easements from those utility providers.

The Commissioners questioned the number of conditions, realignment of Ogden Road, road improvements proposed with this preliminary plat, and realignment of Dry Cedar Creek.

Bob Nicholson asked if there is an SID on this site for improvements to Woodgate Road. Garry said there is an SID in the annexation agreement. Bob said he was asking because they are only showing improvements along a portion of Woodgate Road where the residential construction will take place. Improvements will be included on future phases. Garry said his understanding is that they will complete ½ road width improvements to Ogden and Woodgate and he thought those would be constructed in the first phase of the subdivision, but he said he may be in error on that point. Bob said they are not showing the portion along the commercial development on this plat. Bob asked if Garry felt the annexation agreement states they need to do all of Woodgate initially. Garry said Woodgate doesn't appear to be addressed specifically in the annexation agreement, but that wouldn't limit the City in any way in requiring those improvements. Frank Casey asked if those requirements would be required at the onset of the residential development or the commercial development, and Garry said the improvements would be required with the residential phase. Garry said his belief is that the developer would be required to do the improvements along all of Woodgate Road, including the commercial portion and they would need to be done with the residential phase.

Robert Jones of Vortex Engineering at 255 Vista Valley Drive in Fruita approached the podium. Mr. Jones is the applicant's representative. He said the plan presented is for the residential section of the development. Mr. Jones said after meeting with the Corps of Engineers the box culvert has been eliminated so there will be some type of free standing bridge there. Mr. Jones stated that improvements to Woodgate Road will be done with the phasing and the piece abutting the

residential area will be done first. Mr. Jones was encouraged to work with Mr. Casias to try and get the entire stretch of Woodgate widened at one time, especially since he has property that would ultimately lie in between stretches of completed improvements. Mr. Jones asked the Commissioners to consider allowing attached sidewalks along the southern side of Ogden Road because of the sloping of the banks of Dry Cedar Creek.

Kathy Heavers of 1839 Otter Pond Circle approached the podium. Ms. Heavers had concerns about only having nine shares of water for irrigation for this subdivision, but the subdivision will be connected to City utilities, which includes water.

Roy Johnson of 1805 Otter Pond Drive approached the podium. Mr. Johnson wanted to alert the developer that there has been an excessive amount of water drainage at certain times of the year that comes down the ditch. At times it has run down Otter Pond Drive.

Judy Wind asked staff to respond to the request for attached sidewalks along Ogden Road. Garry said the detached sidewalks are preferred and they provide a measure of safety and a buffer for pedestrian traffic. Alisa Babler, City Engineer, stated it is feasible to have detached sidewalks, it will just be more work for the developer.

The public testimony portion of the hearing was closed.

There was concern expressed regarding the improvements to the Ogden/Woodgate intersection. The Commissioners felt the entire stretch of Woodgate that abuts this property should be improved all at once. They also asked that the applicant speak with Mr. Casias about doing the improvements to Woodgate Road along his property at the same time. It was noted that some of the information is missing in this application and Bob Nicholson felt there should be completion of the application. Frank Casey does not want to send this to City Council with this many conditions. It was brought up that if the Preliminary Plat is approved and the developer starts the work, and then the Corps of Engineers does not allow the realignment, the developer would not be able to have a final plat approved. The plat would need to be reassessed at that time.

The public testimony portion of the hearing was reopened.

Robert Jones approached the podium again. Mr. Jones said that the Corps of Engineers appears to be very pleased with the plans as presented and the developer is confident that they will be able to obtain the 404 Permit. He also said none of the plans submitted to the City, including the sketch plan, included improvements to the frontage along the commercial development, so he said he was rather surprised that this is coming up now. Moira Collier read from the minutes taken during the Sketch Plan discussion regarding the improvements so she couldn't understand why Mr. Jones was surprised by tonight's discussion.

The public testimony portion of the hearing was closed.

Matt Box said he agrees that this shouldn't go forward to City Council with so many things that are not yet done. After further discussion it was decided to make a motion for conditional approval.

Judy Wind made a motion to approve The Grove Preliminary Plat with the following conditions:
1). [Standard Condition] The approval of this Preliminary Plat is expressly conditioned upon City staff ensuring that all policies, regulations, ordinances and municipal code provisions are met and that the Applicant adequately addresses all of staff's concerns prior to the execution of the

Preliminary Plat. The City staff is not authorized by this approval to execute the Preliminary Plat prior to all conditions being satisfied, **2**). Provide floodplain construction permit. See Chapter 4-2 of the City Code for details, **3**). A copy of the approved 404 Permit from the U.S. Army Corps of Engineers shall be submitted to the City prior to construction in the jurisdictional wetland areas and they must acquire approval from the Bureau of Reclamation for the box culvert and bridge, **4**). Correct typos and other minor errors on the plat. Submit a revised paper copy. A corrected Mylar copy is required prior to scheduling this item on a City Council agenda. The corrected Mylar must be received 2 weeks prior to the desired Council date, **5**). The City's traffic consultant has requested supplemental traffic impact study information. This supplemental information is required prior to City signature of the Preliminary Plat. Any changes to required road improvements will be required at the Final Plat stage, **6**). Provide supplemental engineering plans and landscape plans for open space tracts, as requested by staff, **7**). A 6 foot detached sidewalk is required on Ogden Road and an 8 foot detached sidewalk is required on Woodgate Road. Change plans accordingly, **8**). Widen easements to 20 feet, as requested by utilities, or obtain agreement for 15 foot easements from those utility providers, **9**). Improvements along all of Woodgate and Ogden Roads need to be done with the first phase, **10**). Contact Mr. Casias and try to work out an agreement regarding the road improvements in front of his property so they may be done at the same time as The Grove improvements. Jim Rumble seconded the motion and it carried unanimously.

OTHER BUSINESS

Comprehensive Plan Meeting

Kerwin Jensen discussed the Comprehensive Plan meeting that was held last night. The meeting centered around transportation issues. There were about 80 participants in attendance. The next meeting will be on September 5, 2007 at the Pavilion and it will start .at 6:30 p.m.

NEXT TIME

The next Planning Commission meeting is scheduled August 22, 2007 at 6:00 p.m.

ADJOURNMENT

Moira Collier moved to adjourn the meeting at 7:53 p.m. Matt Box seconded the motion, and it carried unanimously.

CHAIRPERSON

ATTEST