



**CITY OF MONTROSE
PLANNING COMMISSION AGENDA**

*City Council Chambers 5 p.m.
April 10, 2013*

The 11:00 rule will be enforced. All public hearings scheduled and noticed to be heard today must begin prior to 11:00 p.m. or they will be rescheduled. If the Planning Commission is discussing an agenda item, but has not voted on the item before 11:00 p.m., the Planning Commission may take a vote to decide whether to vote on the agenda item or to continue the item to the next meeting. The Planning Commission may also vote to consider discussion and action on additional agenda items that require action in a specified time period due to legal requirements. All remaining agenda items, not heard due to time constraints, will be placed first on the next Planning Commission Agenda.

1. Approval of the minutes dated February 27, 2013
2. Additions or Deletions.
3. **INTRODUCTION OF NEW ASSISTANT CITY PLANNER.**
4. **SNAPSHOT OF OUR COMMUNITY.** Kerwin Jensen will give this annual presentation about the City of Montrose.
5. Other Business
6. Next Time April 24, 2013 at 5:00 p.m.
7. Adjournment



The Montrose City Planning Commission held a meeting February 27, 2013, at 5 p.m. in the 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

Planning Commissioners Doug Glaspell, Judy Wind, John Beadle, Barbara Hawke, Josh Freed and City staff Garry Baker, Sharon Dunning, and John Harris were present.

ABSENT

Frank Casey, Kerwin Jensen, Rob Joseph, Ray Jantzen

GUESTS

Niles Yoho, Roger Ryser, Lana Kinsey

Planning Commission Chairperson, Judy Wind, called the meeting to order at 5 p.m.

APPROVAL OF MINUTES

Doug Glaspell moved to approve the minutes of the February 13, 2013, meeting. Barbara Hawke seconded the motion, and it carried unanimously.

2013 ANNEXATION REPORT AND 3-MILE PLAN. This is the 2013 Annual Annexation Report and 3-Mile Plan as required by Colorado State Statute (CRS §31-12-105(1)(e)). The Plan contains verbal policies and maps to illustrate annexation priorities, eligible enclave annexations, existing city limits, growth areas, transportation routes, etc. No official action is to be taken, but input is welcome.

Garry Baker, Senior Planner, introduced this item and reviewed the contents of the report. The purpose of the report is to fulfill state statutes that require the City to have a plan in place for any annexations that may take place in 2013. This year presents a unique situation in that in the past there have always been annexations ongoing or planned for, but this year there are none and none are contemplated as far as Garry knows.

In his presentation Garry presented a number of growth management ideas. The state statute requires certain exhibits and maps to be included in the 3-mile plan as well as statements on

designated utility providers such as water districts, city sewer service areas, and proposed major street extensions. Those are the basic elements in an annexation report.

The priorities for annexation in 2013 will be to consider annexation of the following properties subject to the statutory limitations and areas that can meet statutory eligibility requirements as set forth in CRS §31-12-104 and CRS §31-12-105: 1) Properties served adequately and properly by City utilities, 2) Private land owner request, 3) highway corridor properties, 4) existing eligible enclaves, and 5) growth areas.

At the conclusion of Garry's report, Doug Glaspell mentioned that within in the 3-mile zone there is some BLM land and asked what kind of situation is created when trying to annex BLM property. Garry stated that legally there is no issue as long as we meet state statutes for continuity with city limits and that utilities are provided.

Barbara Hawke mentioned that the local BLM office is going through their major resource plan revision, which is when they determine any lands that they might want to dispose of. Barbara asked if there are any BLM lands that the City might be interested in acquiring. Garry Baker stated that there have been some informal visits with the BLM regarding some parcels, but there are no serious conversations taking place. Barbara stated that this would be the time to talk about it, since this opportunity only comes up every 15 to 20 years.

RZ#13-01 – 1551 64.50 ROAD FROM R-1A (VERY LOW DENSITY DISTRICT) TO B-3 (GENERAL COMMERCIAL DISTRICT).

This is a request to rezone the property at 1551 64.50 Road from R-1A to B-3. Niles Yoho is the applicant.

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

The applicant is seeking a rezoning in order to conduct a retail business from his garage. The subject property is about ½ acre in size. It is located on 64.50 Road and has direct access to that road. Most of the surrounding properties have homes, with associated industrial and contractor uses on the same lots. The Black Canyon Industrial Park and other light industrial uses are 150 feet to the southeast. The airport is located to the rear of the property. The homes nearby are also zoned R-1A, which may not be appropriate considering the area. The comprehensive Plan Future Land Use Map designates the area as Employment Center.

Staff feels the proposed rezoning will not adversely affect the public health, safety and welfare, and believes that the rezoning criteria have been met and appear to be in substantial conformity with the Master Plan. Staff feels that B-3 zoning is appropriate since there are a lot of existing commercial/industrial uses in this area and recommends approval of the rezoning request.

Doug Glaspell asked if the property was already listed as residential when it was annexed into the city in 1999 or was that zoning given to the property at the time of annexation. Garry Baker stated

he did not know what it was before it was annexed, but that the current zoning was applied when it was annexed into the City.

Niles Yoho of 1551 64.50 Road approached the podium. Mr. Yoho stated that he believes the property was industrial before annexation because there was a business in the garage previously. His proposed use is to sell shoes, socks and boots, mostly online, and would like to be able to use the garage for storage. He maintains a large parking lot at that address as well.

Roger Ryser of 1531 64.50 Road approached the podium. Mr. Ryser stated a concern that the change in zoning at 1551 64.50 Road would change his property's valuation or property tax. However, he stated that he supports Mr. Yoho and his business. Garry Baker stated that the City does not administer the property tax, so that would be a question for the County assessor.

Lana Kinsey of 1808 Story Lane approached the podium. Ms. Kinsey stated she has no opposition to Mr. Yoho's request for rezoning. Her concern as an adjacent landowner has to do with above-ground fuel and the proximity to the airport. Garry Baker stated that he does not have information on this and suggested that she check with the FAA or the airport to see if they regulate it in any way, but he thinks they only regulate the height of buildings. Judy Wind stated that although the zoning allows the uses by right, other agencies would still have regulatory authority. Garry thinks there are a number of B-3 properties surrounding the airport.

The public portion of the hearing was closed.

Doug Glaspell moved to recommend approval of RZ#13-01 for Section 21, Township 49, Range 9, a tract of land in the NE4 SW4, Section 21, described as beginning at a point 60 ft south of the SE corner of the NE4 NE4 SW4 thence south 147 ft, thence west 150 ft, thence north 147 ft, thence east 150 ft to the point of beginning, also known as 1551 64.50 Road for a rezone (RZ #13-01) from R1-A (Very Low Density District) to B-3 (General Commercial District) with the following condition: [Standard Condition]: The approval of RZ#13-01 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 zoning ordinance. The City staff is not authorized by this approval to execute the zoning ordinance prior to all conditions being satisfied. John Beadle seconded and the motion carried unanimously.

ADDITIONS OR DELETIONS

None.

OTHER BUSINESS

None.

NEXT TIME

The next Planning Commission meeting is scheduled for March 13, 2013.

ADJOURNMENT

Barbara Hawke moved to adjourn the meeting at 5:40 p.m. Doug Glaspell seconded the motion, and it carried unanimously.

CHAIRPERSON

ATTEST