



The Montrose City Planning Commission held a meeting April 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, Ben Morris, Garry Baker, Ginny Howell, and Roger Shores were present.

ABSENT

Kristine Bagnara, Kerwin Jensen, Alisa Babler

GUESTS

Marcus Walls, John Fitzmaurice, Jack Dooley, Scott Stadel, Sharon Davidson

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

APPROVAL OF MINUTES

Moira Collier asked if she shouldn't be marked as absent during the meeting with the League of Women Voters. Judy Wind made a motion to approve the corrected minutes of the April 11, 2007 meeting with the League of Women Voters. Moira Collier seconded the motion and it carried unanimously.

Judy Wind made a motion to approve the minutes of the April 11, 2007, meeting. Moira Collier seconded the motion and it carried unanimously.

OTHER BUSINESS

Frank Casey has a request regarding the proposed sign code changes.

Moira Collier wants to get verification of the correct start time of the Public Meeting on the Comprehensive Plan on Saturday.

Bob Nicholson said he would like to discuss the clock in the back of the room in the City Council Chambers.

VAR #07-0007 – 1840 EAST MAIN STREET (OLD GIBSON BUILDING).

This is a request for a variance to the sign code to allow 780 square feet of signage instead of the allowed 300 square feet. Daniel Donaldson is the applicant.

The applicant has submitted a letter requesting a continuance of this item until the May 23rd meeting. Tonight's hearing has been noticed, however, so the item must be opened and testimony will be taken from anyone wishing to address this item. No presentation was given.

No one from the audience wished to speak to this item.

The public testimony portion of the hearing was closed.

Judy Wind made a motion to continue VAR #07-0007 at 1840 E. Main Street until May 23, 2007 as requested by the applicant. Bob Nicholson seconded the motion and it carried unanimously.

RZ #07-0006 – 828, 804 AND 844 NORTH CASCADE.

This is a request to rezone these three properties on the same block from R-3 (Medium Density Residential) to R-4 (High Density Residential). Jack Dooley is the applicant.

Judy Wind stated that the applicant is a representative of a client of hers. After answering a few questions from Ben Morris, Assistant City Attorney, Mr. Morris said he would not suggest that Judy recuse herself from the discussion or voting, as there is no reason to believe there is any conflict of interest.

Roger Shores, Assistant City Planner, introduced this item and reviewed the written staff report. All public notice requirements have been fulfilled and all official files and exhibits were entered into the record.

Each parcel is larger than the minimum lot sizes required for multi-family in the R-4 zoning district. Staff is recommending approval of this request.

Jack Dooley of 57497 Ida Road approached the podium to speak in favor of the proposal. Mr. Dooley stated that he had nothing to add to what Roger had stated. He did, however, want to say something to the Commissioners. He wanted them to know that in all of his dealings with the Planning Office and the City, the personnel have always been top flight, first class, professional, helpful and very straightforward in their communications.

Sharon Davidson of 411 N. 9th Street approached the podium. Ms. Davidson asked what would the maximum number of people that would be allowed to reside on that lot if it were rezoned. Roger said the two north most lots are sufficiently sized for a 4-plex or townhouse.

The public testimony portion of the hearing was closed.

The Planning Commissioners discussed the request in relation to the required criteria that must be met.

Bob Nicholson made a motion to recommend approval of RZ #07-0006 at 828, 804, and 844 North Cascade from R-3 to R-4 to City Council because the request meets the criteria. Jim Rumble seconded the motion and it carried unanimously.

VAR #07-0009 –1715 SAW GRASS DRIVE.

This request is for a variance of 9 ½ feet to the rear yard setback for construction of a patio cover. Marcus Walls is the applicant.

Roger Shores, Assistant City Planner, introduced this item and reviewed the written staff report. All public notice requirements have been fulfilled and all official files and exhibits were entered into the record.

This patio cover has been partially constructed. The owner hired a builder to do the work, but the builder failed to get a building permit. The patio cover extends into the rear yard setback by 9 feet, 6 inches so no permit can be issued without a variance.

Staff does not feel the request can meet the criteria, but did recommend that the Commissioners review those criteria to make their decision.

Jim Rumble asked if the property was posted and Roger stated signs were posted as required. There are photos of those signs in the file. Jim said he went by the property a couple of times and there was no sign.

Marcus Walls of 1715 Saw Grass Drive approached the podium. Mr. Walls presented some photos and a letter from a neighbor that is in favor of the variance. Judy Wind read the letter into the record. He said he was in the wrong because he didn't apply for a building permit and can't get one now unless the variance is approved. The photos depicted a home exactly like his without the patio cover and then with it. Mr. Walls stated that he removed the signs because people kept asking him what they were for and he didn't want them to be a nuisance. The Commissioners asked Ben Morris if this item should be continued. Ben Morris, Assistant City Attorney, stated it is in the record that notice was without a doubt defective so the easiest remedy now would be to re-notice and reschedule. All noticing will need to be redone and the applicant was informed that he will need to leave the signs up.

The public testimony portion of the hearing was closed.

Judy Wind made a motion to continue VAR #07-0009 at 1715 Saw Grass Drive because the notification of the property was defective. Moira Collier seconded the motion and it carried unanimously.

RZ #07-0007 – 1811 PAVILION DRIVE.

This is a request to rezone 2 acres at 1811 Pavilion Drive from R-3 to R-4. John Fitzmaurice of Volunteers of American Care Facilities is the applicant.

Bob Nicholson announced that he constructed the improvements on this property some time back. It was decided that he should recuse himself. Bob left the dais and the room.

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

Staff feels that the request meets the criteria, but suggested that the Commissioners review the criteria themselves before making their decision.

John Fitzmaurice of 61717 Spring Creek Road approached the podium to speak in favor of the proposal.

The public testimony portion of the hearing was closed.

The Commissioners reviewed the criteria.

Moira Collier made a motion to recommend approval of RZ #07-0007 at 1811 Pavilion Drive from R-3 to R-4 to City Council because it meets the criteria. Jim Rumble seconded the motion and it carried unanimously.

Bob Nicholson returned to the dais.

OTHER BUSINESS

CLOCK ON THE BACK WALL IN THE CITY COUNCIL CHAMBERS

Bob Nicholson said every time he comes into the City Council Chambers and compares the time on the clock on the back wall to his cell phone, which he believes is set per International Standards, the clock on the wall is approximately 5 minutes fast. He said a lot of business is conducted in this room and everything starts with that clock and he would like to get it reset to the correct time. Judy said it might not keep the exact time even if it's reset and Bob said we could get a new clock. In comparison to Frank's cell phone the wall clock is 2 minutes fast and Bob said it is now 2 minutes faster than his cell phone too. Bob said he knows everyone thinks this is like splitting hairs, but bid openings occur on the exact time as set and that could be a big issue if held in this room. It was suggested that maybe someone could take a look at it and reset it.

TIME FOR THE PUBLIC MEETING REGARDING THE COMPREHENSIVE PLAN

The public meeting will begin at 9:30 a.m. on Saturday, April 28, 2007 and it will be held at the Fox Theatre. The meeting on Friday is 2:00 p.m. for the Committee members and consultants.

PROPOSED SIGN REGULATION CHANGES

Frank Casey asked if Garry Baker would e-mail the proposed coordinated sign plan regulations to each of the Planning Commission members. It is scheduled for consideration at the May 3, 2007 City Council meeting. It is an appendage to the codes.

NEXT TIME

The next Planning Commission meeting is scheduled May 9, 2007 at 6:00 p.m.

ADJOURNMENT

Judy Wind moved to adjourn the meeting at 6:58 p.m. Matt Box seconded the motion, and it carried unanimously.

CHAIRPERSON

ATTEST