



The Montrose City Planning Commission held a meeting on July 10, 2019, at 5:00 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

Jan Chastain, Greg Easton, David Fishering, Chad Huffman, Anthony Russo, Karen Vacca and City staff Garry Baker, Tallmadge Richmond, Rachel Allen, Stephen Alcorn and Sharon Dunning were present.

ABSENT

Scott Murphy, Amy Sharp

GUESTS

Keith Abbey, Alan Abbott, Sandra and Donald Barnes, Abbie Bremer, Rod Britten, John Brown, Patrick Byrne, Carolyn Carter, Janet Chapman, Carol Chavez, Wynema Chilianis, Kevin Cleman, Deborah Cooling Davis, Sharon Davidson, Margaret Dumas, Bobbi Fresquez, Mickey Garduno, Melissa Garduno, Lloyd Garduno, John Harold, Cynthia Harwood, Chris Hauck, Mary Hensley, Carolyn Hickerson, Arthur and Janice Hicks, Aaron Hill, Liz Holcomb, Kerri Inda, Terri Ingersoll, Connie Jiron, Sally Jiron, Kimberly Johnson, Sandy Johnson, Karen Kennell, Andy Kennell, Zach and Bobbie Kennell, Val Kepler, David Ketcham, Kevin Kuns, Robin Lewis, Joyce Martin, Garey Martinez, Amanda Martinez, Phil Moomjean, Darlene Mora, Sherry Moss, Chris Munday, Wayne Oldham, Carolyn Packard, Greg Packard, Don Pueppke, Jeremiah Quintin, Jim Renfrow, Rose and Curtis Robinson, Lori Rodgers, Rob Ruyle, Ardis Schmidt, Karen Sherman Perez, Darlene Stanfield, Kami Swann, Jessica Vergari, Karen Winkel, Rachel Zatterstrom

CALL TO ORDER

Chairperson Anthony Russo called the meeting to order at 5:08 p.m.

APPROVAL OF MINUTES

David Fishering moved to approve the minutes of the June 26, 2019 meeting as submitted. Chad Huffman seconded and the motion carried. Anthony Russo was not at the meeting and abstained from voting.

ADDITIONS OR DELETIONS

None.

RZ19-0056 – 931 N PARK AVENUE. This is a proposal to rezone an approximately 30,000 square foot parcel from I-1 Light Industrial to B-3 General Commercial District. Rob Ruyle is the applicant.

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

The property is located at 931 N Park Avenue, just south of the San Juan bypass. The property is an approximately 30,000 square foot parcel with an 8,000 square foot building. Adjacent to the property is a meat processing retail business and a City lot. Across the street to the east is Community Options, and south is a residential neighborhood consisting primarily of single family homes. The requested zoning change is from I-1 light industrial to B-3 general commercial.

The rezone criteria allows for a fair amount of flexibility. The property is classified as an employment center in the master plan. The comprehensive plan is neutral on this question.

This is a recommendation to City Council. If continued, this will be the only notice of that meeting.

Greg Easton asked if staff has a recommendation on this rezone. Garry Baker replied the comprehensive plan would support the rezone application.

David Fishing asked if with the current zoning could there be a conditional use for what the facility can be used for. Garry Baker replied yes.

Anthony Russo asked if it is possible for overnight stays in the B-3 zone. Garry Baker replied yes, it would be looked at as similar to hotels or short-term rentals.

Anthony Russo announced there have been numerous letters received, but they will not be read aloud at this meeting.

Chris Hauck approached the podium to speak in favor of the proposed rezone. Mr. Hauck, General Manager, discussed his experience running the homeless shelter. In the past they have used Mr. Harold's building, and then the Brown Center for this last winter. Shepherd's Hand has furnished hot meals. The lease with City at the Brown Center expires after 2 winters. The organization has been searching through the County and City for a suitable property. The subject property is under contract to be purchased. To modify the building for overnight stays will cost \$.5 million. Mr. Hauck stated they will purchase the building whether or not the zoning is approved. If not approved they will serve meals there then turn people out to the street. If the zoning is approved they will upgrade the building for overnight stays.

Anthony Russo asked Garry Baker if the proposed business would be able to operate as a kitchen under the current zoning. Garry responded he doesn't believe so. It would need to have a B-3 zoning.

Greg Easton asked if the building was large enough. The applicant felt it was. Greg asked about the demographics. The applicant replied the majority are males, slightly less are females, and they have also had children. There are 3 predominant groups; the situational homeless who don't want to be but cannot afford housing, those who are disabled and unable to support themselves, and a small segment who do want to be homeless.

Anthony asked how many are transient. The response was perhaps half. The people who are on the street begging are not the people staying at their facility. Anthony asked why they are not staying with the Brown Center. The response was the City is not interested in a permanent use of that facility because it is a long way out of town.

Jan Chastain asked if these same clients are involved with other agencies.

Gary Martinez approached the podium to answer the question. He replied they have a number of professionals and other agencies working with them collaboratively.

Anthony Russo asked how the property is occupied. The response was the facility opens at 6:30 a.m. Once the people leave the facility they are on their own. Mr. Martinez described the operations. There are rules they are required to abide by when on the premises. They would like to give these people an overnight option, which is why they are asking for the zone change.

Anthony Russo stated he wanted to make it clear without the zoning change the daytime activity cannot happen either. Anthony asked if they have spoken with the neighbors. The response was Mr. Renfrow spoke to neighbors, and he (Mr. Martinez) went to speak with Kinikin. Mr. Houck received correspondence stating there would be a community meeting. Mr. Houck replied to the correspondence that he would be happy to attend the meeting. There was no reply to this offer.

Greg Easton asked if there are any other services in the area provided to the homeless. The response was there are other agencies that are helping out. Greg stated there seems to be a homeless issue in that neighborhood already, and Mr. Martinez replied there is a homeless issue in all of Montrose. He stated they will have surveillance, and it will be more secure.

Anthony addressed Mr. Martinez regarding safety being better, stating he said once the people leave the facility they are no longer in their control. Anthony asked how much more control would there be for this population then there is currently. Mr. Martinez replied if they leave they would not be staying around the area where they would be monitored. If they were allowed to stay overnight it would be a more controlled environment.

Jan Chastain asked if they were using the same model as they did at MADA. Mr. Martinez replied yes, with a few modifications.

Chris Hauck, 17687 6300 Road, returned to the podium to clarify a few points. He stated this last year more than half of the people left the shelter for other housing, they were not unsheltered when they left. Secondly, the adjacent property, Kinikin, is also cooking and serving meals. It is in the same I-1 zone. He feels he would have the same use under the I-1 as Kinikin does. Anthony Russo asked staff for clarification. Garry Baker responded the Kinikin property is not being considered tonight. Anthony added for clarification it is not allowed in an I-1 zone without a conditional use permit.

Chad Huffman asked how many people were living in the shelter on a long-term basis, 60 days or longer. The response was fewer than 10.

Anthony Russo said there was a mention that about 50% are transient, so a large percentage of the people they are dealing with are not living in Montrose.

Garey Martinez returned to the podium to answer the question. He stated they are dealing primarily with Montrose residents and only a small percentage are transients. Anthony asked if the statement that it was about 50% transient was not correct. Mr. Martinez responded he meant there are 50% situational homeless, not transient.

Chad Huffman asked what the policy is if someone arrives under the influence. Mr. Martinez replied if they are under the influence they are not allowed to stay.

Karen Vacca asked what kind of health and safety problems have there been over the past year. The response was virtually none. They have rules that must be observed. They have never had to call the police.

David Fishing asked when looking at properties what were the criteria. Mr. Martinez responded all other available sites were either too small, too far, and/or would take too much money to fix.

Terry Ingersoll approached the podium. She was concerned if the area where the property is located is appropriate for the program.

Keith Abbey approached the podium. He read the B-3 zone caters to the general public and asked if these people are considered the general public. Garry Baker responded, yes, they are considered general public. Mr. Abbey lives nearby and is concerned with where the people who show up under the influence will go if turned away.

Deborah Cooling approached the podium. She has several concerns: that there is already a homeless issue in the community, this property's location in relation to Community Options, and the effect on property values.

Mickey Garduno approached the podium. She is concerned with the lack of communication, where these people will be during closed hours, needles laying around, and what will be done to assure these people will not be in the neighborhoods. She feels there needs to be prudent planning and community support.

Greg Packard approached the podium. He is concerned about safety, the Northside School, Peak Academy, and where these people go when they are gone from the facility. He is concerned they are going to frequent the area and the parks.

Mary Hensley approached the podium. She works for Community Options. She is concerned with transients walking in the area and does not feel the area is safe.

Val Kepler approached the podium. She states last year she had her garage broken into. She is concerned with the problems in the neighborhood.

Melissa Garduno approached the podium. She has helped with homeless populations and says the problem is heart wrenching. She is concerned with shelter security for people going there.

Andy Kennel approached the podium. He is here on behalf of his son and family who live adjacent to this property and have two young children. He expressed his concern that no one can guarantee nothing bad can happen.

Janice Hicks approached the podium. She is concerned about lowering property values, local schools, and greater risk for the neighborhood.

Margaret Dumas approached the podium. She is a longtime resident of the neighborhood. She says there is much vandalism in the area now. She understands this is bringing help but it is also bringing a problem and should be done properly.

John Harold approached the podium. Mr. Harold stated he has worked with the shelter in Delta for years. Initially no one wanted it in the neighborhood but the neighbors have since stated they were wrong; it has worked a lot better than they anticipated. He is in support of a facility where, with proper programs and support, these people can be placed back into a normal situation.

Darlene Stanfield approached the podium. She is here on behalf of her elderly parents who live in the neighborhood. They are worried about the neighborhood and what this is going to bring. She described what it is like at the homeless shelter on North Avenue in Grand Junction. She is concerned they will be on people's property waiting to get in.

Jessica Vergari approached the podium. She lives several blocks away and sees a lot of people taking drugs. She is not opposed to a shelter, but thinks it needs to be more centralized and in a more commercial setting. She is concerned if they are drunk and turned away it will be into her neighborhood. There is already an issue.

Jeremiah Quintin approached the podium. He states he has worked with homeless people and this is the hardest place to get help for them. He feels crime is unfairly being blamed on the homeless and we need to change as a community and help these people.

Jim Renfrow approached the podium. Mr. Renfrow discussed reasons for the homeless problem. He feels it will improve the neighborhood to put in this facility.

Lori Rogers approached the podium. Ms. Rogers states she gets home very late from work. She fears people will shelter in her barn at night.

John Brown approached the podium. He is on the board of Shepherd's Hand. He stated this is someone trying to help. Montrose has a problem and homelessness is the fault of the City for not addressing the issue.

Alan Abbott approached the podium. He has a down-syndrome daughter who attends the Park Place facility for at-risk adults. These at-risk people cannot always determine right from wrong, and he is concerned with the location of the facility.

Rachel Zatterstrom approached the podium. She is conflicted with this. She has experienced situational homelessness and has compassion for these people. However she understands the fear and worry and is concerned if this is an appropriate location for this service. She feels there is a need to address the cause of this problem.

Mickey Garduno returned to the podium. She is concerned with traffic, and feels it is already a dangerous roadway.

Bobby Fresquez approached the podium. She has experienced homeless people in her neighborhood and is concerned about safety and crime. She does not feel the homeless shelter should be in a residential area, nor across from Community Options.

Kimberly Johnson approached the podium. She has worked with Shepherd's Hand and the homeless for 4 years. These homeless people are members of our community. Most have mental problems and cannot hold a job. They have no place to go and police have nowhere to take them. Shepherd's Hand and Lighthouse are willing to take this on for the City of Montrose.

Don Barnes approached the podium. He lives nearby to the proposed facility. He is concerned about safety. He feels he has experienced this before when Vista School was behind him, and he had a lot of problems. He feels the area is wrong for this facility.

Carolyn Carter approached the podium. Her comment was that Jesus was homeless.

Deborah Cooling returned to the podium. She asked why Shepherd's Hand is no longer able to work out of MADA.

Garey Martinez returned to the podium to answer the question. He stated their mission statement was to help homeless and low income people. They found a lack of cooperation and obstructionism at MADA in helping to accomplish their mission. It was not working and the decision was made by the board to leave.

Karen Vacca asked if he feels this current location is really the most appropriate place and why. Mr. Martinez responded he feels it is the best place because it is centrally located as well as in the same area as MADA. Costs are substantially reduced being so centrally located. If security is necessary they will address it.

Greg Easton asked how many meals are served during the day. Mr. Martinez responded that many of the individuals work and may eat elsewhere. They serve 20 or 25 average per night. He does not think the free meal is the draw, but the bed. Anthony asked if this is not approved is there another site to serve the food. Mr. Martinez replied they could get food through Christs Kitchen which would be happy to work with them.

Jim Renfrow returned to the podium. He described a registered sex offender they picked up. He said they worked with him, put him in a motel, and then put him on a bus to a relative.

The public hearing portion of the meeting was closed.

Anthony Russo said he wanted to state just how important this issue is. Nobody is saying it is not a major concern for Montrose. He wanted to clarify that we are voting on a zoning issue, not for or against a homeless shelter. Greg Easton added that this is a recommendation to City Council.

Planning Commissioners discussed their concerns, which were; there is no adjacent B-3 zoning, the criteria of public health and safety cannot be assured, there is a potential for nuisance, there is a possible effect on property values, and the proximity to residential neighborhoods and schools. David Fishing stated there is already a problem in the area and suggested the facility may improve the nuisance issue, but there is no guarantee it wouldn't make it worse either. If the property stays as I-1, then conditional use permits would be required giving an additional level of oversight on the property. Greg Easton stated this would be more of a City issue than a Planning Commission issue. Anthony advised discussion of a conditional use was premature at this point.

Karen stated it is her understanding that whatever the Planning Commission recommends to City Council they can accept without hearing public comment. Garry Baker replied they do have that option but on most zoning requests their practice has been to allow public comment. Also they can either accept the recommendation or they can schedule their own de novo hearing, which would be a further public notice process.

Chad Huffman said he would like to express his support that overall there needs to be a plan for what is going on with the homeless community. He is concerned specifically about the residential location of this facility in relation to schools. The applicant stated this was the ideal location, but he feels a more central location would be better. Greg Easton said there may be a better location but there is nothing available. He feels the City as a whole needs a proactive comprehensive approach to dealing with this issue.

Jan Chastain moved to recommend to City Council no action on RZ19-0056, a request for rezone from I-1 Light Industrial to B-3 General Commercial District for 931 N Park Avenue. The proposal does not meet the code criteria for rezoning based on evidence presented in the staff report and public testimony. Karen Vacca seconded. David Fishing opposed the motion. The motion carried.

OTHER BUSINESS

Garry Baker discussed the comprehensive plan workshops coming up. The first one is on July 22, 2019 and the topic is transportation. There will be at least 7 workshops. All the dates have been sent out. They will also be talking at the Forum next week at 8:00 on Wednesday at the Casa office on N 2nd Street.

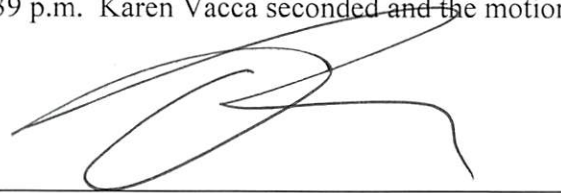
The next Planning Commission meeting is scheduled for August 14, 2019.

PUBLIC COMMENT

None.

ADJOURNMENT

Greg Easton moved to adjourn the meeting at 7:39 p.m. Karen Vacca seconded and the motion carried unanimously.



CHAIRPERSON



ATTEST