



The Montrose City Planning Commission held a meeting March 9, 2011 at 5 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

Kristine Bagnara, Frank Casey, Ken Flack, Ray Jantzen, Mandy Norris-Snell, Dianna Reuter, Judy Wind and City staff Ben Morris, Scott Shine, Ginny Howell, and Kerwin Jensen were present.

#### ABSENT

Sergeant Eller, John Harris

#### GUESTS

Derek Miller, Mike Thorpe, Shauna Hovey, Jim Elder, Joel Hankins

Planning Commission Chairperson, Frank Casey, called the meeting to order at 5 p.m.

#### APPROVAL OF MINUTES

Judy Wind made a motion to approve the minutes of the February 23, 2011 meeting. Kristine Bagnara seconded the motion and it carried unanimously.

#### **ANX #10-001 – HIDDEN VIEW ADDITION ZONING – 68161 SUNNYSIDE ROAD.**

The parcel is approximately 10.842 acres and is located on Sunnyside Road. The proposed zoning is R-1A (Large Estate District). At an initial zoning hearing the Planning Commission may select any zoning district designation based upon evidence presented at the hearing, and consideration of the requirements of the Official Municipal code of the City of Montrose.

The requested zoning has a specified minimum lot size of ½ acre. The R-1A zone is a lower density than the Comprehensive Plan recommendation. However, the property's location and its lower level of infrastructure, may make the R-1A a good fit and it is more consistent with existing development in the area.

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. He stated the subject property has some level of infrastructure so the R-1A would be the best option for this area. Staff is recommending approval of the R-1A zoning.

Derek Miller of 68161 Sunnyside Road approached the podium. Mr. Miller stated that he believes the R-1A zoning disallows agricultural uses. He said the density allowed by R-1A is

not possible on this parcel. Mr. Miller said he would prefer RL zoning and he has no desire to subdivide.

Mike Thorpe of 68169 Sunnyside Road approached the podium. Mr. Thorpe owns property to the east of the subject parcel. His concern is that R-1A would not allow agricultural uses and he said his property and the subject property are not suitable for density. There seems to be a lot of inventory of housing available in Montrose already so there is no desire to have much density in this area. If there is a reason in the future to build a subdivision then the applicant can come back and ask for a rezone at that time. A couple of the neighbors have previously asked to be annexed and were turned down, but Mr. Miller was told he had to annex to get services but did not want to be annexed.

Joel Hankins of 68057 Sunnyside approached the podium. He is the neighbor to the west. He said the ground out there is marsh and is not suited for R-1A density.

Kristine Bagnara said that after this discussion has taken place, she realizes that because of some of the same circumstantial matters, she could be in the same position with her property that is in the vicinity. After discussing the matter with the Senior City Attorney, she recused herself from any further discussion and from voting. Kristine left the dais and the room.

Garry Baker wanted to clarify a statement that Mr. Thorpe made. Garry stated that when the other property owners had asked to be annexed in previous years the Engineering Department had stated that the sewer capacity was not adequate at that time. That is why they were not annexed.

The public testimony portion of the hearing was closed.

Judy Wind said she doesn't feel that recommending RL would adversely affect public health, safety and welfare. Throwing R-1A in the middle of county property is not appropriate she said, so she would support RL.

The public testimony portion of the hearing was reopened.

Derek Miller asked for a minimum three acre lot size.

The public testimony portion of the hearing was closed.

Frank Casey said he agrees with the request to zone the property RL with a three acre minimum lot size.

Judy Wind made a motion to recommend RL zoning with a minimum lot size of three acres to City Council for the Hidden View Addition at 68161 Sunnyside Road. Dianna Reuter seconded the motion and it carried unanimously.

Kristine Bagnara came back into the room to take her place at the dais.

**RZ #11-001 – LOTS 9 THRU 11 OF THE GARDEN SUBDIVISION LOCATED AT 1505 6500 ROAD. R-3 (MEDIUM DENSITY RESIDENTIAL) TO RL (RURAL LIVING).**

This is a request to rezone the 30-acre parcel located at 1505 6500 Road from R-3 to RL. Jim and Janet Elder are the applicants.

Scott Shine, City Planner, introduced this item. All public notice requirements have been fulfilled and the official files and exhibits were entered into the record.

This property was annexed as part of the Logan Park Addition Number 1 and 2 in March 2007. The R-3 zoning was requested as the initial zoning district. Since annexation the property has continued to be used for agricultural uses. The applicant would like to continue the existing farming use and potentially add a small number of livestock. The existing access would definitely not be adequate for the density that R-3 zoning would allow.

Staff proposes that the rezone be approved with a minimum lot size for this property being set at three acres.

Jim Elder of 2201 Hill Street approached the podium. Mr. Elder said he wants to plant a small orchard and put a couple cattle and construct one house on the parcel. He has no plans of developing this other than what he has already stated.

Shauna Hovey of 1510 6500 Road approached the podium. Ms. Hovey said she was at the meeting when this property was annexed and zoned. She approves Mr. Elder's request and asked that the Commissioners please consider his request for RL zoning.

Judy Wind asked where the access will be for this property. The property is currently accessed from 6500 Road.

The public testimony portion of the hearing was closed.

Frank Casey said he agrees with the RL zoning for this property and he doesn't see any problems with changing the zoning.

Dianna Reuter made a motion to recommend RL zoning with a minimum lot size of three acres to City Council for RZ #11-001 on Lots 9 thru 11 of the Garden Subdivision located at 1505 6500 Road. Mandy Norris-Snell seconded the motion and it carried unanimously.

### **OTHER BUSINESS**

None

### **NEXT TIME**

The next Planning Commission meeting is scheduled March 23, 2011 at 5:00 p.m.

### **ADJOURNMENT**

Judy Wind moved to adjourn the meeting at 5:47 p.m. Ken Flack seconded the motion, and it carried unanimously.

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CHAIRPERSON

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ATTEST