

ORDINANCE NO. 2159

AN ORDINANCE OF THE CITY OF MONTROSE, COLORADO, AMENDING THE ZONING DISTRICT DESIGNATION OF 804 NORTH CASCADE, 828 NORTH CASCADE, AND 844 NORTH CASCADE FROM AN "R-3", MEDIUM DENSITY DISTRICT TO AN "R-4" HIGH DENSITY DISTRICT.

WHEREAS, the Planning Commission has recommended the zoning changes provided herein; and

WHEREAS, the City Council has determined that such zoning will be consistent with the public health, safety and welfare, the City's Master Plan and changed conditions in the area.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTROSE, COLORADO, that

SECTION 1:

The Official Zoning Map is amended to designate 804 North Cascade, 828 North Cascade and 844 North Cascade more particularly described as:

804 North Cascade:

Lots 21, 22, 23, 24, 25, and 26, and the southerly 5 feet of Lot 20, all in Block 47, Marchant and Peabody's Subdivision, a part of Selig's Addition to the Town of Montrose, now a part of the City of Montrose, Colorado.

828 North Cascade:

Lots 17, 18, 19, and 20 in Block 47, Marchant and Peabody's Subdivision, a part of Selig's Addition to the Town of Montrose, now a part of the City of Montrose, Colorado, Except: the southerly 5 feet of Lot 20 adjoining Lot 21 of said Block 47, County of Montrose, State of Colorado.

844 North Cascade:

Lots 14, 15, and 16 in Block 47, Marchant and Peabody's Subdivision, a part of Selig's Addition to the Town of Montrose, Colorado. Now City of Montrose, Colorado, County of Montrose, State of Colorado as an "R-4", High Density District, according to the Official Zoning Map.

INTRODUCED, READ and PASSED on first reading this 17th day of May, 2007.

ATTEST:

Sharleen R. Walker
Sharleen R. Walker, City Clerk

David S. White
David S. White, Mayor

You will please take notice that the Montrose City Council will hold a hearing upon the above Ordinance and on the question of its adoption on second reading on Thursday, the 7th day of June, 2007, at the hour of 7:00 p.m. at Montrose City Hall in Montrose, Colorado.

INTRODUCED, READ and ADOPTED on second reading this 7th day of June, 2007.

ATTEST:

Sharleen R. Walker
Sharleen R. Walker, City Clerk

Carlos R. Guara
~~David S. White~~, Mayor Pro-Tem
Carlos R. Guara



Community Development Staff Report

RZ #07-0006, R-3 to R-4. 804, 828 & 844 N. Cascade

PUBLIC NOTICE REQUIREMENTS ARE FULFILLED

Proposal: The owners of the three properties on the east side of the 800 block of North Cascade Avenue are requesting the rezoning of their combined half block from the existing R-3, Medium Density Residential District, to the R-4, High Density Residential District.

- R-3 Medium Density Residential District: § 4-4-7 of the Municipal Code
- R-4 High Density Residential District: § 4-4-8 of the Municipal Code

Owners/Applicant: Community Options Inc., John & Mary Dooley, Raymond & Alice Hawks, owners. John Dooley, applicant

Location, Parcel Size: Lots 14 through 26 of the Marchant and Peabody's Subdivision are a combined .87-acres located on the east side of N. Cascade Avenue between North 8th and 9th Streets. The properties are commonly known as 804, 828 and 844 N. Cascade.

Surrounding Land Use and Zoning:

	<u>Zoning</u>	<u>Land Use</u>
North and East	R-3	S-F homes & Baptist Church
South	R-4	6 unit townhouse apartment
West	B-2	Castle Auto Sales & Appliance Warehouse

Comprehensive Plan: Land Use – Chapter 3

Land Use Plan: Existing Medium density

Within Growth Boundary? Yes

Goals: Goal 3: "Provide a diversity of housing opportunities."

Objective: "Provide for a mix of housing types and densities throughout the City to address a variety of incomes and lifestyles".

3.3: "Encourage a mix of densities within subdivisions. . ."

Background: The subject rezoning application is a joint request by three neighboring property owners.

The southern property (Community Options) has six multi-family units located on it. It's a legally non-conforming property in the existing R-3 District. If it were rezoned to R-4 it would bring the existing use into compliance. The other two properties each have a single-family home on them.

The neighboring B-3 District to the west allows most commercial uses and multi-family residential uses as well. The nearest neighbor in the existing R-4 District to the south is a six unit townhouse apartment.

Staff Comments: Each of the subject properties exceed the minimum lot size (9,375 square feet), for multi-family development in the R-4 District. The requested zoning district technically allows for up to 19 units per acre.

Staff Recommendation: The staff is supportive of the request. The R-4 district is a good transition district between the allowed commercial uses to the west and the single-family development across the alley to the east. The high prices of real estate requires going to higher densities than has been common in the past and we expect to see more multi-family development in the future.

This is a good location for multi-family development and we recommend approval of the R-4 rezoning request.

The rezoning criteria are listed below and should be referenced when deciding on the request.

4-4-27: AMENDMENTS AND ADDITIONS TO THE OFFICIAL ZONING MAP

(A)Rezoning:

- (1) Amendments to the Official Zoning Map involving any change in the boundaries of an existing zoning district, or changing the designation of a district, shall be allowed only upon findings as follows:
 - (a) The amendment is not adverse to the public health, safety and welfare;
and
 - (b) The amendment is in substantial conformity with the master plan, or
 - (i)The existing zoning is erroneous, or
 - (ii) Conditions in the area affected or adjacent areas have changed materially since the area was last zoned.

Planning Commission Action: The Planning Commission voted unanimously to recommend the requested zoning to City Council.

*Submitted to the City Council on May17, 2007
Roger Shores, Assistant City Planner*