

**ARCHULETA COUNTY PLANNING COMMISSION
ARCHULETA COUNTY, COLORADO
RESOLUTION NO. 2019-01PC**

**A RESOLUTION OF THE ARCHULETA COUNTY PLANNING COMMISSION
APPROVING THE INTEGRITY INDUSTRIAL BUILDING
CONDITIONAL USE PERMIT FOR PARCEL 2Z2, RIDGEVIEW SUBDIVISION**

WHEREAS, the Board of County Commissioners has adopted the *Archuleta County Land Use Regulations*, pursuant to C.R.S. §30-28-101, *et. seq.*, C.R.S. §24-64.1-101 *et. seq.*; C.R.S. §24-67-101 *et. seq.*; and C.R.S. §29-20-101 *et. seq.*; and

WHEREAS, Chris Smith, Integrity Industrial Park LLC, has applied for the Integrity Industrial Building Conditional Use Permit (CUP) (PLN19-299), and is the authorized representative of the owner; and

WHEREAS, Bykota REI, LLC, is the owner(s) of record of the subject property, Parcel 2Z2 Ridgeview Subdivision Amendment 2017-01, at 543 Navajo Trail Dr., Pagosa Springs, CO; and

WHEREAS, the proposal will permit a new multi-tenant Light Industrial/Commercial (Mixed Use) building; and

WHEREAS, the property is zoned Planning Unit Development (PUD) with a land use designation of Commercial; and

WHEREAS, Section 3.2.3 of the *Archuleta County Land Use Regulations* provides that the Planning Commission shall be the primary decision-making body for Conditional Use Permits; and

WHEREAS, the Planning Commission held a public hearing on the request on July 24, 2019; and

WHEREAS, public notice of the hearing was given by publication in a newspaper of general circulation in the County, and posted on site and mailed to adjacent property owners at least twenty-one (21) days prior to the public hearing, as required by Section 2.2.3 of the *Archuleta County Land Use Regulations*; and

WHEREAS, at the public hearing testimony was taken from all persons appearing and wishing to give testimony; and

WHEREAS, the Planning Commission has taken into consideration the recommendations of staff and public testimony, and the requirements of Section 3.2.3 of the *Archuleta County Land Use Regulations* for a Conditional Use Permit; and

WHEREAS, the Planning Commission voted 4-0 to approve the request.

NOW, THEREFORE, BE IT RESOLVED BY THE ARCHULETA COUNTY PLANNING COMMISSION, AS FOLLOWS:

Section 1. Findings.

The Planning Commission finds that:

- a. The application meets the review criteria for a Conditional Use Permit in Section 3.2.3.4 of the *Archuleta County Land Use Regulations*, and
- b. The application meets the required findings for a Conditional Use Permit in Section 3.2.3.5 of the *Archuleta County Land Use Regulations*, and

Section 2. Conditions.

The Planning Commission approves the Bykota REI request for the Integrity Industrial Building Conditional Use Permit (CUP) on Parcel 2Z2 Ridgeview Subdivision Amendment 2017-01, at 543 Navajo Trail Dr., with the following conditions:

1. Applicant shall update the site plan, for approval by Planning and Engineering staff.
2. If the retaining wall shown on plans requires a building permit, then Applicant will need to apply to Vacate that portion of the utility easement prior to application for a building permit for that structure.
3. After construction, positive drainage shall be provided by the applicant on all project roads frontages. Applicant shall request the Engineering Department complete an inspection for positive drainage before occupancy of the site.
4. After construction of the building and before occupancy of the building, the Engineering Department will require a signed and sealed letter from a professional engineer stating that improvements were built according to the approved design engineer's report (dated June 24, 2019) and will work appropriately in accordance with County Standards.
5. This CUP authorizes uses meeting the OTHER Mixed Use category in Table 3 of the *Archuleta County Land Use Regulations*. Applicant or Property Owner shall be responsible for Change of Use applications for each tenant before they occupy the structure, with documentation as Light Industrial, Building Contractors, Vehicle Major Repair, Warehousing, or any Use by Right in the Commercial zone as defined by the Land Use Regulations, and allocation of parking spaces.

MOVED, SECONDED AND ADOPTED BY THE ARCHULETA COUNTY PLANNING COMMISSION, by a vote of _____ in favor to _____ against, this ___ day of _____, 2019.

ARCHULETA COUNTY PLANNING COMMISSION

ATTEST:

By: _____

Chair

Recording Secretary

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