CITY OF CORTEZ
CITY COUNCIL
RESOLUTION NO. 10, SERIES 2021

A Resolution Approving to Construct a 2400 Square Foot Building at 503 Patton Street in the Commercial Highway (C) Zoning District

WHEREAS, Paul Julian, Authorized Representative for owner 4740 Dillon Dr. LLC, 4740 Dillon Dr., Pueblo, CO 81008 (hereinafter "owner"), has applied to the City for review of a site development plan to construct a 2400 Square Foot Building at 503 Patton Street, and more particularly described as follows:

Section: 30 Township: 36 Range: 15 TR NW/4NW/4
City of Cortez, Montezuma County, Colorado

WHEREAS, the Owner has applied to the City for review of a site development plan for the development of property located at 503 Patton Street and,

WHEREAS, Land Use Code Section 6.14, Site Plans, indicates that plans for development on property located in the Commercial Highway (C) Zoning District must be reviewed prior to the issuance of a building permit; and,

WHEREAS, the Planning and Zoning Commission reviewed the site plan for the same property and recommended conditional approval the site plan for development on said property, as evidenced in the adoption of P&Z Resolution No. 3, Series 2021; and,

WHEREAS, the Owner has presented a site plan and necessary submittal items for review by the City Council (Council) at a regularly-scheduled meeting held on June 8, 2021; and,

WHEREAS, the Council held a duly-advertised public hearing on June 8, 2021, to receive public comment on the proposed site plan; and,

WHEREAS, the Owner has held legal ownership to the property subsequent to the adoption of said Council Resolution No. 10, Series 2021, and are interested in development of their property; and,

WHEREAS, based on the evidence and testimony presented at said public hearing, the Planning and Zoning Commission and the Owner have agreed to certain conditions of approval for the development; and,

WHEREAS, it appears that all requirements of Chapters 5.00 and 6.00 of the City's Land Use Code for development of this site have been or can be met.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF CORTEZ COUNCIL:

THAT, Council Resolution No. 10, Series 2021, approves the site plan and full application for the construction of a 2400 Square Foot Building at 503 Patton Street, as submitted by Paul Julian, Authorized Representative for owner 4740 Dillon Dr. LLC, with the following conditions:

a. All requirements of utility providers, City departments, and affected districts must be satisfied, as outlined in adopted City Codes and other regulatory documents. Specifically, all public improvements shall comply with the minimum requirements of the 2009 City of Cortez Construction Design Standards and Specifications.

b. The appropriate construction drawings and reports for the project, signed and stamped by a Colorado-licensed architect or engineer, must be approved by the Building Official and City Engineer, and a building permit obtained prior to any construction on site.

c. The landscaping improvements shall be installed prior to issuance of a Certificate of Occupancy. Irrigation and maintenance must be provided. In the event that construction of the building and all other requirements are met prior to the installation of the landscaping, and the applicant desires a Certificate of Occupancy, the applicant may choose to provide a financial surety and obtain a CO in advance of completing the landscaping improvements. In this event, the applicant shall provide an assurance bond, letter of credit, or other financial security agreed to by both Parties, providing a guarantee of installation of the landscaping within a time frame approved by the City of Cortez.

d. The off-street parking shall be constructed as a durable, dust-free surface, in accordance with the requirements of Land Use Code Section 5.02(e)(2).

e. Any additional exterior lighting shall be contained on the property, as per Land Use Code Section 5.07 – Performance Standards.

f. Local and State marijuana licensing requirements must be met prior to issuance of a Certificate of Occupancy.

g. All requirements of Colorado Department of Transportation must be met prior to issuance of the Certificate of Occupancy.

h. The plat for the subdivision of the property must be approved and recorded prior to issuance of a building permit.

FURTHER THAT, the Owner is to coordinate with City staff to ensure that these conditions are fully met.

MOVED, SECONDED, AND ADOPTED THIS 8TH DAY OF JUNE 2021.

Michael J. Lavey

Michael J. Lavey, Mayor

ATTEST:

Linda L. Smith, City Clerk