

**CITY OF CORTEZ
CITY COUNCIL
RESOLUTION NO. 36, SERIES 2021**

**A Resolution Approving a Conditional Use Permit to Expand an Existing Medical Clinic at
691 E. Empire Street, Located in the Residential Multifamily (R-2) Zoning District**

WHEREAS, agent Billy Harris, agent for property owner Southwest Colorado Mental Health Center, Inc., DBA Axis Health System, has applied for review of a conditional use permit for the construction of a 6,927 square foot expansion to an existing building currently housing a clinic, located on property at 691 E. Empire Street, Cortez, Colorado, 81321 and more particularly described as:

*Section: 26 Township: 36 Range: 16 TR in NW1/4 NE1/4 NE1/4,
Montezuma County, State of Colorado
Parcel ID: 5611-261-00-016*

WHEREAS, the applicant has applied to the City for a conditional use permit for the expansion of an existing building for a medical clinic and associated development on said property; and,

WHEREAS, Land Use Code Section 3.05, Use Regulations, indicates that this type of use in the Residential Multifamily District (R-2) is allowed only through approval of a conditional use permit; and,

WHEREAS, the applicant presented a preliminary conceptual site plan and the necessary submittal items to be reviewed by the City Planning and Zoning Commission at a duly-advertised public hearing on December 7, 2021; and,

WHEREAS, the Planning and Zoning Commission has reviewed the application for a conditional use permit for the same property and recommended conditional approval for the expansion of a medical clinic and addition to an existing building and associated development on said property, as evidenced in the adoption of P&Z Resolution No. 8, Series 2021; and,

WHEREAS, the applicant presented a preliminary site plan and the necessary submittal items to be reviewed by the City Council at a duly-advertised public hearing on December 14, 2021; and,

WHEREAS, the City Council has reviewed the application for a conditional use permit for the same property and recommended conditional approval for the expansion of a medical clinic and addition to an existing building and associated development on said property, as evidenced in the adoption of Council Resolution No. 36, Series 2021; and,

WHEREAS, the owners are interested in continued use and development of the property; and,

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

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WHEREAS, it appears that all requirements of the City's Land Use Code have been or can be met.

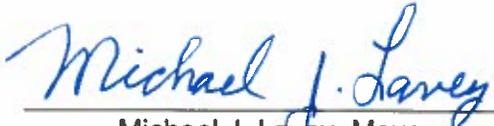
NOW THEREFORE BE IT RESOLVED BY THE CITY OF CORTEZ PLANNING AND ZONING COMMISSION:

THAT, Council Resolution No. 36, Series 2021, stipulates the conditions of approval for a conditional use permit for the expansion of a medical clinic and addition to an existing building and associated development on the aforementioned property; and

FURTHER THAT, the concept and approval of a conditional use permit for the expansion of a medical clinic and addition to an existing building and associated development at 691 E. Empire St., Cortez is hereby approved by City Council, subject to the following conditions:

1. All requirements of utility providers, City departments, and affected Districts must be satisfied on the site plan submitted with the building permit application, as outlined in adopted City Codes and other regulatory documents, including but not limited to the construction design standards, the Building Code, and Fire Code.
2. Any exterior lighting shall be contained on the property, as per Land Use Code Section 5.07 – Performance Standards.

MOVED, SECONDED, AND ADOPTED THIS 14th DAY OF DECEMBER 2021.



Michael J. Lavey, Mayor

ATTEST:



Linda L. Smith, City Clerk