

TOWN OF PARACHUTE, COLORADO
RESOLUTION NO. 2017-12

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO APPROVING WITH CONDITIONS A SPECIAL USE PERMIT FOR PROPERTY LOCATED AT 248 4TH STREET IN THE TOWN OF PARACHUTE FOR PERSONAL STORAGE UNITS (MINI-STORAGE), OUTDOOR STORAGE - UNSCREENED, AND MULTIPLE-FAMILY DWELLING AND TOWNHOUSE USES.

WHEREAS, JAZ Holdings, LLC (the “Applicant”) owns property located at 248 4th Street in the Town of Parachute, identified as Garfield County Parcel No. 2409-121-00-034 (the “Property”) and submitted an application for a special use permit for personal storage units (mini-storage), outdoor storage – unscreened, and multiple-family dwelling and townhouse uses (the “Application”);

WHEREAS, pursuant to the Review Procedures Chart (Table 1.1) at Section 15.01.220 of the Code, an application for special use permit is a two-step review process and the Planning Commission reviews an application and makes a recommendation to the Board of Trustees;

WHEREAS, there is an existing 4-plex on the Property and the Applicant wishes to construct and operate a mini-storage and an unscreened outdoor storage facility on the Property;

WHEREAS, the Property is zoned Medium Density Residential Zone District (MDR);

WHEREAS, pursuant to Section 15.02.245 of the Parachute Municipal Code (“PMC” or “Code”), the Applicant has submitted an application to rezone the Property to Service Commercial Zone District (SC);

WHEREAS, the Application for a special use permit is contingent upon the Property being rezoned from MDR to SC Zone District and such rezoning was approved by the Board of Trustees by Resolution No. 2017-11;

WHEREAS, pursuant to Schedule of Uses contained at Section 15.02.230 of the Code, personal storage units (mini-storage), outdoor storage – unscreened, and multiple-family dwelling and townhouse uses are special uses in the SC Zone District;

WHEREAS, pursuant Section 15.02.210.A of the Code, uses designated as special uses are contingent uses which may or may not be appropriate in a particular location depending on the nature of the proposed use, its relationship to surrounding land uses and its impact on traffic capacities, potential environmental effects, compatibility with the neighborhood, and conformance with the comprehensive plan;

WHEREAS, pursuant to Section 15.02.210.C of the Code, in considering an application for special use, the Planning Commission and Board of Trustees shall consider: (1) the compatibility of the use with adjacent uses and adjacent zone districts, as applicable, including the

use's potential traffic generation, noise, lighting, parking requirements, and general deleterious effects on such adjacent uses and properties; (2) conformance with the comprehensive plan; and (3) the applicant's history of zoning compliance within the Town;

WHEREAS, pursuant to Section 15.02.210.D of the Code, the Board of Trustees may impose conditions on a special use approval designed to lessen the adverse impacts, if any, of the special use, to protect the health, safety and welfare of Town residents, and to ensure compliance with all other applicable provisions of the Code;

WHEREAS, pursuant to Section 15.01.260 of the Code, a land use approval for a special use shall be 1 year; however, if, within the duration of the approval, no required subsequent application has been filed, or authorized use established or building permit or other development action taken, the approval shall expire, except, for good cause, the granting authority may grant a single extension of the approval for a time period not to exceed the amount of the initial approval's duration;

WHEREAS, pursuant to Section 15.02.210.E of the Code, the Board of Trustees may, in its discretion, specify that the length of the special use approval: (1) be personal to the original applicant, (2) run with the original location for which the permit is approved, or (3) be otherwise transferable, upon such terms and conditions specified by the Board of Trustees; and, in the absence of any specific findings or orders of Board of Trustees concerning the length of an approved special use, the special use approval shall be deemed to be non-transferable and personal to the applicant;

WHEREAS, the Planning Commission reviewed the Application at a public meeting, found the Application in conformance with the review criteria set forth in Section 15.02.210.C, and recommended the Board of Trustees approve of the Application, subject to conditions; and

WHEREAS, the Board of Trustees reviewed the Application at a duly noticed public hearing, finds the proposed special uses appropriate in light of the review criteria set forth in Section 15.02.210.C, and wishes to approve of the Application, subject to conditions. set forth in Exhibit A which is incorporated herein (the "Conditions").

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF TRUSTEES OF THE TOWN OF PARACHUTE, COLORADO THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Board of Trustees hereby approves Applicant's Application and approves a special use permit for personal storage units (mini-storage), outdoor storage – unscreened, and multiple-family dwelling and townhouse uses on the Property subject to the conditions set forth on Exhibit A.

Section 3. This Resolution shall be recorded in the public records of Garfield County, Colorado.

INTRODUCED, PASSED, APPROVED, AND ADOPTED by a vote of 5 to 0 of the Board of Trustees of the Town of Parachute, Colorado at a regular meeting held at the Town Hall in the Town of Parachute, Colorado on the 18th day of May, 2017 and approved by the Mayor on the 18th day of May, 2017.

**BOARD OF TRUSTEES OF THE
TOWN OF PARACHUTE, COLORADO**



By

Roy B. McClung
Roy B. McClung, Mayor

ATTEST:

Lucy Cordova
Lucy Cordova, Town Clerk

EXHIBIT A

1. A screening screen fence that meets Parachute Municipal Code standards shall enclose the subject site. A decorative wrought iron fence component is permitted along the 4th Street boundary
2. As required by the Parachute Municipal Code, the applicant shall submit a detailed site plan subject to review and conformance with Sections 15.01.215 of the Municipal Code. The Town Manager shall review for submittal of items related to General Architectural Standards as necessary (Section 15.04.310), Landscape Plan(15.04.170), Lighting Plan (15.04.175) and allowed waivers, and Signage (Chapter 15.060).
3. The Applicant shall comply with Section 15.07.305 – General Requirements for all Uses throughout the life of the project.
4. All use of the site shall conform to with adopted fire codes applicable to the Town of Parachute and recommendations on emergency access and other appropriate safety measures as suggested by the Grand Valley Fire Protection District and the Town of Parachute Police Department.
5. The Record of Decision by the Parachute Board of Trustees for the JAZ Holdings LLC Special Review Use for Personal Storage shall be recorded in the real estate records of the Garfield County Clerk and Recorder.
6. All representations made in the applicant's written material or verbally as reflected in the minutes of the public meetings or hearings where the Application was presented to the Commission and/or Board of Trustees are considered part of the application and binding on the applicant.
7. Applicant shall reimburse the town for any and all fees, including consulting costs, incurred in the review of the Application.
8. At time of building permit or site plan review, the applicant shall submit a drainage plan which meets the standards of the Parachute Municipal code.
9. The need for fire suppression systems will be analyzed and reports submitted as part of the Building Permit Review.
10. Any engineering standards are documents should clearly state the water demand and sewer loading for the subject property.
11. The Site Plan submitted by the Applicant is schematic in nature. The Applicant will

prepare a Site Plan for Building Permit issuance that complies with the applicable Town of Parachute Land Use Regulations. General arrangement and number of buildings, size and number of storage units, grading/drainage design, landscaping and other improvements can be revised by the

Applicant. The total cumulative building square footage of 34,880 square feet is the maximum square footage that can be constructed via this Special Use approval. Cumulative building square footage greater than 34,880 square feet will require the Applicant to request an amended approval as per the adopted Town of Parachute Land Use Regulations at the time of the request.”

12. This Special Use approval will only apply to the existing 4 plex onsite. A maximum addition of 1,500 sq. ft. will be allowed to be expanded anywhere outside of the front setback.