



**BOARD OF COUNTY COMMISSIONERS OF GUNNISON COUNTY
RESOLUTION NO. 24 - 54**

A RESOLUTION APPROVING LUC-23-00032, A LAND USE CHANGE PERMIT APPLICATION FOR SKETCH PLAN REVIEW OF A MAJOR IMPACT LAND USE CHANGE FOR AN EXPANSION OF COMMERCIAL USE AT DISCOUNT (AKA CENTENNIAL) STORAGE ON THE PARCEL OF LAND COMMONLY KNOWN AS PARCEL NO. 3701-250-06-008, 825 STATE HIGHWAY 135, GUNNISON, COLORADO; LEGALLY DESCRIBED AS LOT 3, FLYING RANCH SUBDIVISION, ACCORDING TO THE PLAT FILED SEPTEMBER 17, 2019 AT RECEPTION NO. 662373, COUNTY OF GUNNISON, COLORADO

WHEREAS, the Applicant, Centennial Storage Partners, LLC, represented by Jennifer Barvitski and Schumacher & O'Loughlin, LLC, requests a 2.75-acre expansion of commercial use to allow for 115 additional outdoor fenced vehicular storage spaces adjacent to the existing Discount Storage ("Property"); and,

WHEREAS, the Discount Storage Expansion of Commercial Use Sketch Plan ("Application") was submitted on July 10, 2023 and determined a complete application on May 20, 2024; and,

WHEREAS, the Planning Commission held public work sessions and public hearings to discuss the Application on the following dates

- August 1, 2024 Work Session
- October 3, 2024 Work Session and Site Visit
- November 21, 2024 Joint Public Hearing; and,

WHEREAS, a joint public hearing was conducted on November 21, 2024 by the Planning Commission and Board of County Commissioners, in which the Commission and BOCC received and considered both written and oral public comment; and

WHEREAS, at the November 21, 2024 joint public hearing; after a review of the application and all information, documentation, and testimony related to it, the Gunnison County Planning Commission tendered a Recommendation of Approval with findings and conditions to the Board of County Commissioners; and

NOW THEREFORE, the Board of County Commissioners hereby adopts in full the Planning Commission's recommendation and the findings of fact therein, and makes these findings of fact:

1. The project is a Major Impact pursuant to Section 7-101:C. Expansion or Change of Commercial or Industrial Use Larger than 10,000 sq. ft. or More.
2. Pursuant to Section 7-102: Standards of Approval for Major Impact Projects, the Commission hereby finds and concludes:
 - a. This Sketch Plan application is generally consistent with the standards and requirements of the Resolution, pursuant to Section 7-103, i.e., compliance of the proposed land use change with the standards of the Resolution are required to be determined broadly and conceptually during Sketch Plan review. This application has addressed, and the Commission has evaluated this submittal for its integration of the standards of the Resolution within its conceptual presentation of the proposed development pursuant to the foregoing standard.



- b. The applicant has submitted sufficient evidence at this stage of the process to demonstrate that the project concept is compatible with the community character, taking into account the appropriate modifications discussed above.
 - c. Phasing has not been proposed by the applicant within this Sketch Plan submittal.
 - d. All uses have been identified on lots within this proposed development.
3. The following have been identified as potential issues related to this application during the Sketch Plan review process:
- a. It is unclear if the Applicant has permission from the ditch owners to have placed a culvert through the subject property and how the culvert will be maintained over time.
 - b. Proposed fencing at the site may cause wildlife conflicts.
 - c. How the project complies with the June 27, 2019 BOCC Policy Direction, which states "An applicant should assume that commercial, industrial and nonresidential uses outside of platted or zoned areas that allow these uses will be difficult and/or unlikely to be permitted," and further directing these uses to existing commercial/industrial parks.
4. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Community Development file relative to this application; including all exhibits, references and documents as included therein.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Gunnison County, Colorado, that no additional public hearing on the Application need be conducted by the BOCC, and further, the BOCC hereby approves the Application for LUC-23-00032 as recommended by the Planning Commission, with the following conditions:

1. Pursuant to Section 7-103: C., in the submittal of Preliminary Plan, the applicant shall formulate detailed, designed/engineered solutions to the issues and concerns identified during this Sketch Plan review, and shall address, in a site-specific manner, all other issues that are relevant to the Preliminary Plan.
2. The Preliminary Plan application shall address how the application and proposed development will address the following issues identified during the Sketch Plan review process:
 - a. A 25' maintenance easement must be maintained from either side of the ditch. The Applicant may obtain written notarized consent from the ditch owner(s), that distance may be decreased, and existing historical easements used to gain access to ditches, headgates, and fences for maintenance or operational purposes shall be preserved or replaced with reasonable alternate easements suitable for continuation of the historic use.
 - b. The applicant shall provide explanation on how the ditch culvert shall be maintained.
 - c. The applicant shall work with Colorado Parks and Wildlife to identify if fencing is appropriate and a design that will accommodate wildlife movement.
3. Per LUR Section 7-202(O), approval of this Sketch Plan application constitutes a final decision of approval for the general development concept only but shall not constitute approval of any detailed design or engineering submittals or proposed solutions to specific



problems revealed during the Sketch Plan review or later in the review process. Sketch Plan approval by the Board shall not constitute approval of the Major Impact project, or permission to proceed with construction of any aspect of the proposed land use change. Approval at this stage only authorizes the applicant to submit a Preliminary Plan application. If, during the Preliminary and Final Plan reviews, the applicants are unable to fulfill all the requirements of this Resolution or any requirements imposed as part of the Preliminary or Final Plan review, then the application shall be denied at the Preliminary or Final Plan review stage.

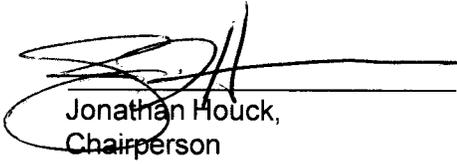
4. The applicant shall be required to submit and actively pursue the completion of the Preliminary Plan application within twelve (12) months after the date of approval of the Sketch Plan. Per Section 7-202: Q. Extension of Submittal Deadline, the Board may extend the deadline to submit a Preliminary Plan application for no more than 12 months beyond the date of the 12-month expiration, and only one extension may be granted. Failure to submit a complete Preliminary Plan application within this time period shall render the Sketch Plan approval null and void and require the applicant to begin the Sketch Plan review process again.
5. This approval is founded on each individual finding and condition. Should the applicant successfully challenge, in a judicial proceeding, any such finding or condition, this approval is null and void.
6. This Sketch Plan approval may be revoked or suspended if Gunnison County determines that any material fact set forth herein or represented by the applicant was false or misleading, or that the applicant failed to disclose facts necessary to make any such fact not misleading.
7. The removal or material alteration of any physical feature of the property (geological, topographical or vegetative) relied on herein to mitigate a possible conflict shall require a new or amended land use change application.
8. Approval of this use is based upon the facts presented and implies no approval of similar use in the same or different location and/or with different impacts on the environment and community. Any such future application shall be reviewed and evaluated, subject to its compliance with current regulations, and its impact to the County.
9. This review and decision incorporates, but is not limited to, all the documentation submitted to the County and included within the Planning Office file relative to this application; including all exhibits, references and documents as included therein.

THIS RESOLUTION AND THE APPROVAL GRANTED HEREBY shall not be effective unless and until a copy is recorded in the Office of the Clerk and Recorder of Gunnison County.

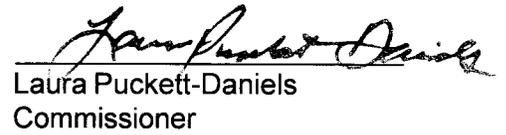
INTRODUCED by Commissioner Smith,

seconded by Commissioner Puckett Daniels, and passed on this 17th day of December, 2024.

BOARD OF COUNTY COMMISSIONERS


Jonathan Houck,
Chairperson


Elizabeth Smith,
Commissioner


Laura Puckett-Daniels
Commissioner

ATTEST:


Deputy County Clerk



Gunnison County, CO
12/18/2024 3:40:29 PM
447

699999
Page 4 of 4
R 0.00 D [fee:doc]

