

TOWN OF PALMER LAKE, COLORADO

RESOLUTION NO. 21 - 2024

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW MULTI-FAMILY RESIDENTIAL DEVELOPMENT IN GENERAL BUSINESS AND COMMERCIAL (C1) ZONE LOCATED AT BLOCKS 38 AND 39 EAST PALMER LAKE

WHEREAS, the Board of Trustees of the Town of Palmer Lake, Colorado, pursuant to Colorado statute and the Town of Palmer Lake Municipal Code, is vested with the authority of administering the affairs of the Town of Palmer Lake, Colorado; and

WHEREAS, Rebecca Albright and Philip Tedeschi (the “Applicant”) plan to purchase Block 38, parcel 7105118001, from the Town and develop with Block 39, parcel 7105128001 (the “Property”); and

WHEREAS, the Applicant, with the authorization of the Town, submitted an application for a conditional use permit for multi-family residential on the Property; and

WHEREAS, the Property is located in the General Business and Commercial (C1) zone district; and

WHEREAS, Section 17.44.020 of the Palmer Lake Town Code authorizes single and multi-family residential as a conditional use in the C1 zone district, as determined by the planning commission and town board; and

WHEREAS, on February 21, 2024, the Palmer Lake Planning Commission considered the application and by a vote of 5-0, with one abstention, recommended that the Board of Trustees approve the conditional use permit; and

WHEREAS, on March 28, 2024, the Palmer Lake Board of trustees considered the application, including the recommendation of the Planning Commission, and public comment and concluded that the conditional use permit should be granted on the conditions set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE, COLORADO AS FOLLOWS:

1. The Board of Trustees has reviewed the application, considered the recommendation of the Planning Commission, and the comments of the public and finds that the proposed use is similar in nature and not more detrimental than other uses allowed as conditional uses in the C1 zone, for single and multi-family residential, contingent on the purchase of the town parcel.
2. Based on its findings the Board approves the conditional use permit subject to the conditions that (1) Block 38 is purchased by the Applicant, and (2) that the Town Code is amended to allow the use of septic (on-site wastewater treatment system or OWTS) for duplexes, as proposed. If no such amendment is approved by August 1, 2024, then this special use permit shall be deemed to be denied.

3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Resolution is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this Resolution. The Board of Trustees hereby declares that it would have passed this resolution and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.
4. Repeal. Existing resolutions or parts of resolutions covering the same matters embraced in this Resolution are hereby repealed and all resolutions or parts of resolutions inconsistent with the provisions of this Resolution are hereby repealed.

INTRODUCED, RESOLVED, AND PASSED AT A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF PALMER LAKE ON THIS 28th DAY OF MARCH 2024.

ATTEST:

TOWN OF PALMER LAKE, COLORADO

Dawn A Collins
Town Administrator/Clerk

BY: _____
Glant Havenar
Mayor