



CITY OF DURANGO SPECIAL USE PERMIT

Pursuant to Articles 2-1-3, 2-2-3 and 6-3-3 of the City of Durango Land Use and Development Code (LUDC), a Special Use Permit is hereby approved for the following use/development:

Applicant: Steve Gates, on behalf of property owner, TomKat LLC
Location: 750 Main Ave, Unit 202
Description: Modification to a mixed-use building in the CB zone to convert condominium unit # 202 from commercial use to residential use.

The Special Use approved by this permit must be operated and maintained in conformity with all applicable sections of the City of Durango's Land Use and Development Code (LUDC), including but not limited to Division 2-1-3, Section 2-2-2-1 and Section 2-3-2-9. The use/development must also maintain compliance with any specific conditions listed below.

The Special Use approved by this permit shall be subject to inspections by City staff for the purpose of determining compliance with the conditions of approval. Failure to maintain these conditions will result in the initiation of enforcement action as provided by the LUDC which may include revocation of this Special Use Permit.

This permit shall be subject to the following conditions of approval:

- 1) No direct internal accesses between the residential units and the commercial units shall be allowed.
- 2) Residential units shall be accessed from the street or alley via a secure door or gate that leads to a hallway or staircase.
- 3) All relevant and applicable criteria from the Land Use and Development Code shall apply to this property.
- 4) Vacation rentals shall not be permitted within this development.
- 5) In accordance with LUDC requirements, residential unit # 202, hereby being converted from commercial to residential use, shall be provided with a minimum of two (2) parking spaces.
 - a) Parking spaces provided through a long-term lease must be located within one quarter mile of the subject property.
 - b) Following a written request from the Community Development Department, the property owner will provide proof of parking rights within fourteen (14) days. In the event of a violation of the parking requirements herein, the City of Durango may pursue code enforcement action available under Article 6-4 of the Land Use and Development Code.
 - c) The parking requirements for the property may not be amended or terminated without the consent of the City.
- 6) The applicant shall obtain a building permit and certificate of occupancy from the Community Development Department prior to commencement of any residential use of the unit.

- 7) All residential and commercial units within this development shall conform with the requirements of the City of Durango's adopted building and fire codes.
- 8) Changes to the uses of this property shall require a review by the Community Development Department and may trigger the need for a new Special Use Permit, as determined by the Community Development Director.

Developments and uses granted by this Special Use Permit shall be developed or established in accordance with an approved development schedule or within one (1) year of the date of approval if no development schedule is established. Failure to develop or establish such development or uses in accordance with the time period approved by this permit shall cause the administrator to revoke the permit.

This Special Use Permit is transferable. If the conditions of the permit become the responsibility of a person or entity other than the applicant, the Community Development Department shall be notified in writing, identifying the new responsible agent and ensuring the maintenance of the conditions of this Special Use Permit. Failure to do so may result in revocation of this permit.

Tyler Michael Digitally signed by Tyler Michael
Date: 2025.06.13 14:20:08 -06'00'

Approved By: _____
for Jayme Lopko, AICP
Community Development Director

Date: June 13, 2025
Project File #: SUP-25-8