

RESOLUTION NO. PZ 10-18
Series of 2018

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE APPROVAL OF A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-2 SUBDIVISION REPLAT OF LOTS 1, 1A, 1B, AND 1C, BLOCK B, NEW TOWN OF DILLON SUBDIVISION FOR THE PURPOSES OF ELIMINATING INTERIOR BOUNDARY LINES AND CREATING ONE LOT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, Dillon Gateway Development, LLC is the owner of real property located at 122 Lake Dillon Drive, Dillon, Colorado and more specifically described as Lot 1, Block B, New Town of Dillon Subdivision (“**Lot 1**”), according to the New Town of Dillon Subdivision recorded March 19, 1962 as Reception No. 94749, County of Summit, State of Colorado; and

WHEREAS, the Town of Dillon is the owner of an unaddressed parcel of real property located at the southeast corner of the intersection between U.S. Highway 6 and Lake Dillon Drive, Dillon, Colorado and more specifically described as Lot 1A, New Town of Dillon Subdivision (“**Lot 1A**”), according to the New Town of Dillon Subdivision recorded March 19, 1962 as Reception No. 94749, County of Summit, State of Colorado; and

WHEREAS, Dillon Gateway Development, LLC is the owner of real property located at 134 Lake Dillon Drive, Dillon, Colorado and more specifically described as Lot 1B, Block B, New Town of Dillon Subdivision (“**Lot 1B**”), according to the New Town of Dillon Subdivision recorded March 19, 1962 as Reception No. 94749, County of Summit, State of Colorado; and

WHEREAS, the Town of Dillon is the owner of real property located at 146/176 Lake Dillon Drive, Dillon, Colorado and more specifically described as Lot 1C, New Town of Dillon Subdivision (“**Lot 1C**”), according to the New Town of Dillon Subdivision recorded March 19, 1962 as Reception No. 94749, County of Summit, State of Colorado; and

WHEREAS, Dillon Gateway Development, LLC has entered into an option to purchase agreement with the Town of Dillon to purchase Lot 1A and Lot 1C from the Town of Dillon in order to develop the Dillon Homewood Suites PUD Development Plan; and

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level IV Development Application from Dillon Gateway Development, LLC and the Town of Dillon (the “**Applicants**”) for a Class S-2 subdivision to replat lots 1, 1A, 1B and 1C, Block B, New Town of Dillon subdivision

(“**Application**”), for the purposes of combining the four lots into one single lot to be called Lot 1R, vacating the existing interior lot lines and utility easements, and for the purposes of dedicating new utility easements, water line easements and fire access easements; and

WHEREAS, the Planning Commission has determined that the Application is complete; and

WHEREAS, following the required notice, a public hearing on the Application was held on June 6th, 2018, before the Planning Commission; and

WHEREAS, following the public hearing the Planning Commission has made certain findings of fact regarding the Application and has determined that certain conditions which are reasonable and necessary to and relate to impacts created by the development should attach to the approval of the Application for the Class S-2 subdivision a replat of lots 1, 1A, 1B and 1C, Block B, New Town of Dillon subdivision.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. That the Planning Commission, following the required notice, held a public hearing on June 6th, 2018 on the Application, and following said public hearing makes the following findings of fact:

- A. That the Application is complete.
- B. That the Application meets the applicable Town of Dillon Municipal Code (“Code”) requirements.
- C. That the Application is compatible with the Commercial Zoning District and is compatible with surrounding uses.
- D. That the Application is in general compliance with the Town of Dillon Comprehensive Plan.
- E. That the Application is a condition of approval of the approved Dillon Homewood Suites PUD Development Plan.
- F. That the Application replats Lots 1, 1A, 1B and 1C into a single lot to be called Lot 1R, Block B, New Town of Dillon Subdivision, Dillon, Colorado and dedicates utility easements, water line easements and fire access easements as shown on the map titled “A FINAL PLAT OF DILLON HOMEWOOD, A RESUBDIVISION OF LOTS 1, 1A, 1B AND 1C, BLOCK B,” dated 05/31/2018 and prepared by Range West Inc.

Section 2. That the Planning Commission hereby recommends to the Town Council of the Town of Dillon the approval of the Application for the purposes of creating Lot 1R, Block B, New Town of Dillon Subdivision, Dillon, Colorado and creating utility easements, water line easements and fire access easements on Lot 1R.

**RECOMMENDED FOR APPROVAL THIS 6th DAY OF JUNE 2018 BY
THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON,
COLORADO.**

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
_____, Chairperson

ATTEST:

By: _____
Corrie Woloshan, Secretary to the Commission

**PLANNING AND ZONING COMMISSION ACTION ITEM
STAFF SUMMARY
JUNE 6, 2018 PLANNING AND ZONING COMMISSION MEETING**

DATE: June 1, 2018

AGENDA ITEM NUMBER: 7

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 10-18, Series of 2018.

SUMMARY:

Dillon Gateway Development, LLC owns lots 1 and 1B, Block B, New Town of Dillon Subdivision.

The Town of Dillon owns lots 1A and 1C.

The application has been submitted jointly by the Town of Dillon and Dillon Gateway Development, LLC.

Dillon Gateway Development, LLC plans to purchase Lots 1A and 1C from the Town of Dillon to develop the Dillon Homewood Suites PUD development plan, which is a hotel project with associated parking and hotel amenities that has been previously been recommended for approval by the Planning and Zoning Commission at the May 2, 2018 regular meeting.

As a condition of approval for the Homewood Suites PUD development plan, the applicant is required to submit a replat for the four properties on which the hotel will be constructed.

This Class S-2 subdivision, combines the four existing lots (Lots 1, 1A, 1B and 1C) into one single 1.50 acre lot to be named Lot 1R.

Because of the nature of the recording process, the land sale, PUD development plan and replat will be recorded in order right after closing. The final name of the signatory will change to reflect the final hotel entity which will own the entire parcel.

The existing interior lot lines and utility easements will be vacated by this plat.

A new fire access easement will be created on the south side of Lot 1R which accesses the 40' alley Right-of-way. In conjunction with the 40' Right-of-way, this easement creates a legal fire apparatus turnaround as required by the 2012 International Fire Code.

An additional fire access easement will be dedicated from the entrance off Lake Dillon Drive to the second fire apparatus turnaround located in the northwestern corner of the new lot.

A new waterline easement will be dedicated from Lake Dillon Drive to a new fire hydrant located along the north side of proposed Lot 1R.

A new 20' utility easement will also be dedicated along the U.S. Highway 6 Right-of-way in order to facilitate the under-grounding of the XCEL Energy power lines and the Comcast fiber optic line.

No other easements were required for this plat.

PUBLIC NOTICE:

The Town properly noticed the public hearing in the newspaper, sent out a mailing to properties within 300' and posted the site within the 7-14 day required notice period.

ZONING:

The proposed lots are located within the Commercial (C) Zone District.

COMPLIANCE WITH DILLON COMPREHENSIVE PLAN:

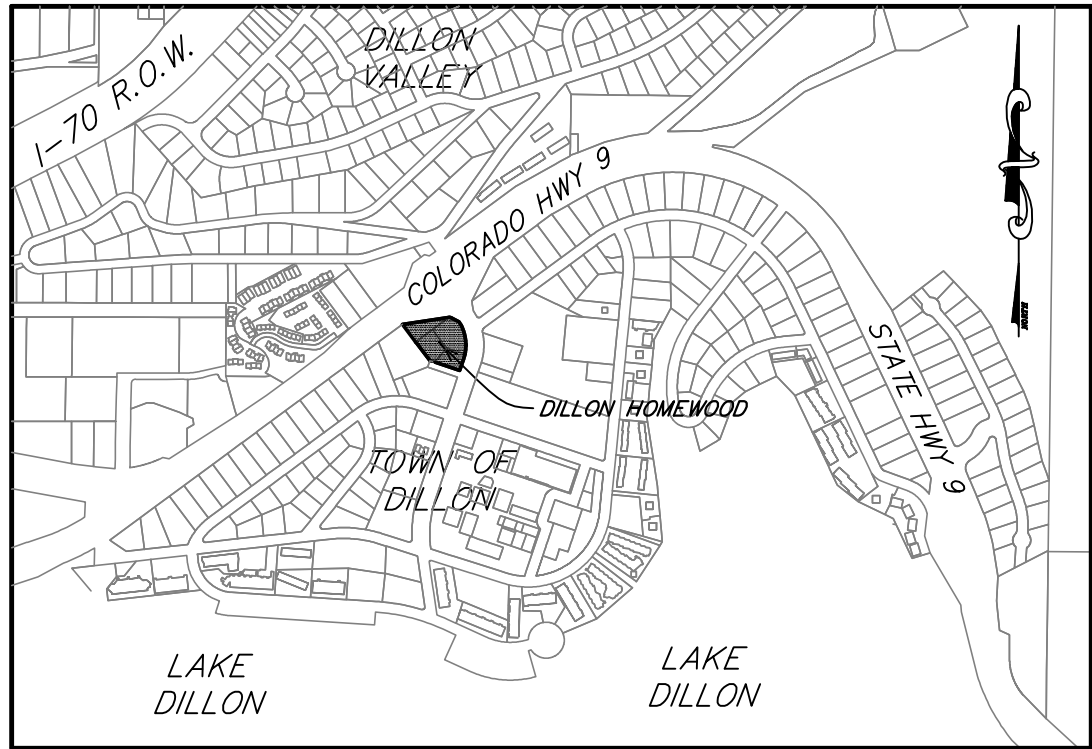
This replat required by the Dillon Homewood Suites PUD Development Plan is in conformance with the goals of the Town of Dillon Comprehensive Plan.

ACTION REQUESTED: Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

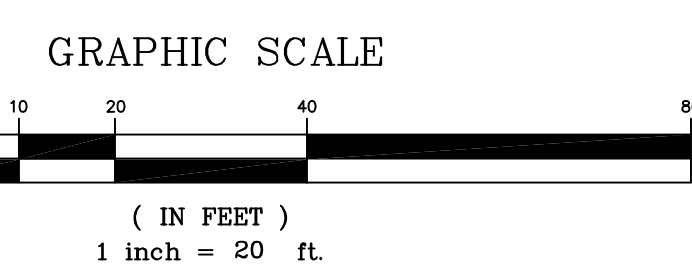
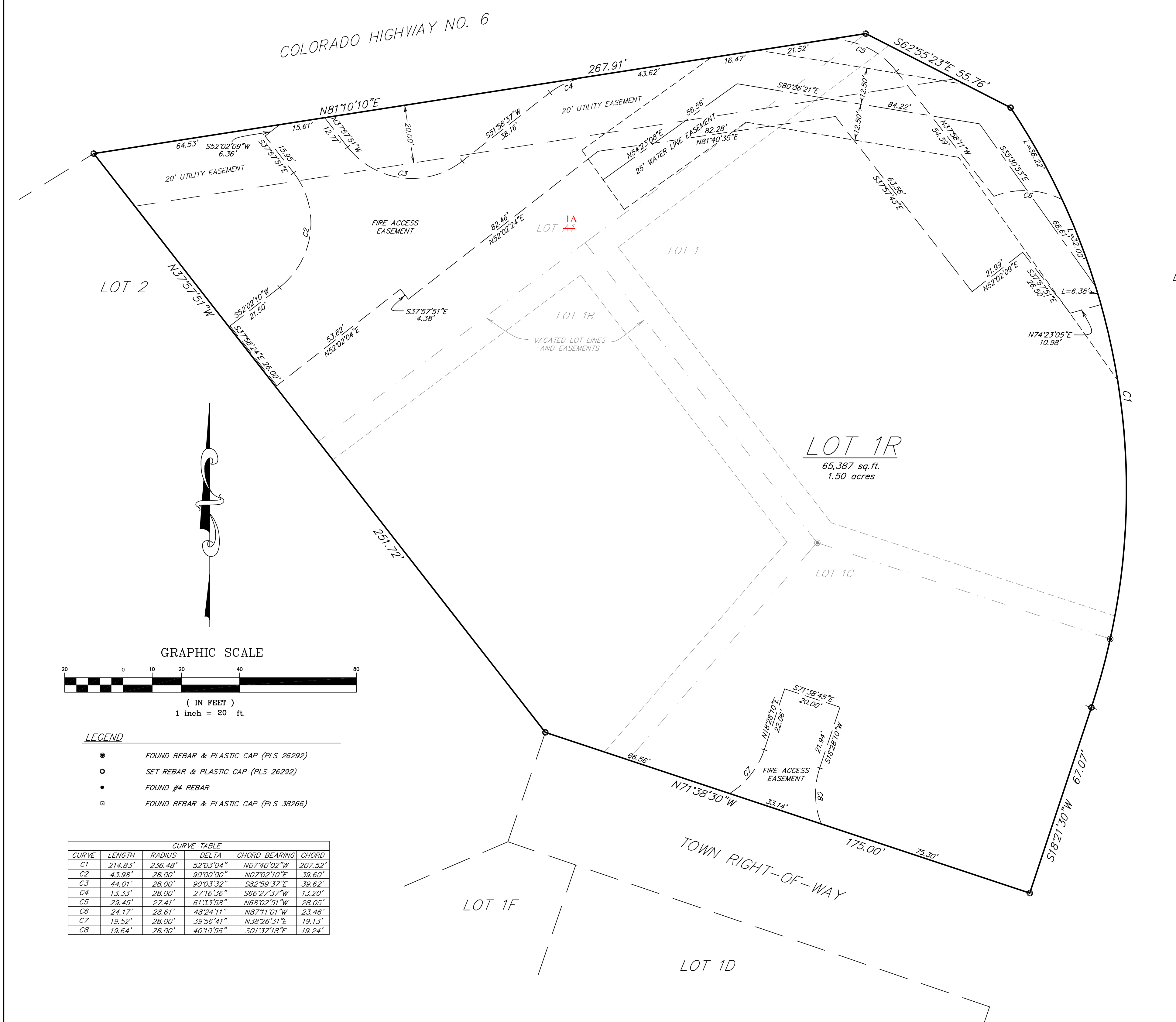
STAFF MEMBER RESPONSIBLE: Dan Burroughs, Town of Dillon

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VICINITY MAP

A FINAL PLAT OF
DILLON HOMEWOOD
 A RESUBDIVISION OF LOTS 1, 1A, 1B AND 1C, BLOCK B
 NEW TOWN OF DILLON, SUMMIT COUNTY, COLORADO
 A PARCEL LOCATED IN THE S.E. QUARTER OF SECTION 7
 T.5S., R.77W. OF THE 6TH P.M.



- LEGEND**
- FOUND REBAR & PLASTIC CAP (PLS 26292)
 - SET REBAR & PLASTIC CAP (PLS 26292)
 - FOUND #4 REBAR
 - FOUND REBAR & PLASTIC CAP (PLS 38266)

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD
C1	214.83'	236.48'	52°03'04"	N07°40'02"W	207.52'
C2	43.98'	28.00'	90°00'00"	N07°02'10"E	39.60'
C3	44.01'	28.00'	90°03'32"	S82°59'37"E	39.62'
C4	13.33'	28.00'	27°16'36"	S66°22'37"W	13.20'
C5	29.45'	27.41'	61°33'58"	N68°02'51"W	28.05'
C6	24.17'	28.61'	48°24'11"	N87°11'01"W	23.46'
C7	19.52'	28.00'	39°56'41"	N38°26'31"E	19.13'
C8	19.64'	28.00'	40°10'56"	S01°37'18"E	19.24'

OWNER'S CERTIFICATE:
 KNOW ALL MEN BY THESE PRESENTS: THAT DILLON GATEWAY DEVELOPMENT LLC, BEING THE OWNER OF LOTS 1, 1A, 1B AND 1C, LOCATED IN SECTION 7, TOWNSHIP 5 SOUTH, RANGE 77 WEST WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF DILLON, COUNTY OF SUMMIT, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 LOTS 1, 1A, 1B AND 1C, BLOCK B
 NEW TOWN OF DILLON
 SUMMIT COUNTY, COLORADO
 HAVE LAID OUT, SUBDIVIDED AND PLATTED THE SAME INTO LOTS, TRACTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "DILLON HOMEWOOD" AND BY THESE PRESENTS, DO HEREBY SET APART AND DEDICATE TO THE PERPETUAL USE OF THE PUBLIC ALL OF THE STREETS, ALLEYS AND OTHER PUBLIC WAYS AND PLACES AS SHOWN HEREON AND HEREBY DEDICATE THOSE PORTIONS OF LAND LABELED AS UTILITY EASEMENTS AND WATER LINE EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AS SHOWN HEREON, AND HEREBY DEDICATE THOSE PORTIONS OF LAND LABELED AS "FIRE ACCESS EASEMENTS" FOR THE USE OF EMERGENCY VEHICLES AS SHOWN HEREON. FIRE ACCESS EASEMENTS SHALL BE KEPT CLEAR OF ALL OBSTRUCTIONS INCLUDING DEBRIS, SNOW AND VEHICLES AT ALL TIMES.
 IN WITNESS WHEREOF, DANNY EILTS, MANAGER OF DILLON GATEWAY DEVELOPMENT LLC, HAS CAUSED HIS NAME TO BE HEREUNTO SUBSCRIBED THIS _____ DAY OF _____, A.D., _____

DILLON GATEWAY DEVELOPMENT LLC
 DANNY EILTS, MANAGER

ATTEST:
 TOWN CLERK
 (CORPORATE SEAL)

ACKNOWLEDGEMENT:
 STATE OF _____) SS
 COUNTY OF _____)
 THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY DANNY EILTS AS MANAGER OF DILLON GATEWAY DEVELOPMENT LLC.
 WITNESS MY HAND AND OFFICIAL SEAL:
 NOTARY PUBLIC
 MY COMMISSION EXPIRES _____

DILLON TOWN COUNCIL CERTIFICATE:
 APPROVED THIS _____ DAY OF _____, A.D., _____ TOWN COUNCIL, DILLON, COLORADO. THIS APPROVAL DOES NOT GUARANTEE THAT THE SIZE OF SOIL OR FLOODING CONDITIONS OF ANY LOT SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT MAY BE ISSUED. THIS APPROVAL IS WITH THE UNDERSTANDING THAT ALL EXPENSES INVOLVING NECESSARY IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, LANDSCAPING, CURBS, GUTTERS, STREETLIGHTS, STREET SIGNS AND SIDEWALKS SHALL BE FINANCED BY OTHERS AND NOT THE TOWN OF DILLON.

CAROLYN SKOWYRA, MAYOR
 ATTEST:
 JO-ANNE TYSON, CMC/MMC, TOWN CLERK
 (CORPORATE SEAL)

NOTICE: PUBLIC NOTICE IS HEREBY GIVEN THAT ACCEPTANCE OF THIS PLATTED SUBDIVISION BY THE TOWN OF DILLON DOES NOT CONSTITUTE AN ACCEPTANCE OF THE ROADS AND RIGHTS-OF-WAY REFLECTED HEREON FOR MAINTENANCE BY SAID TOWN. UNTIL SUCH ROADS AND RIGHTS-OF-WAY MEET TOWN ROAD SPECIFICATIONS AND ARE SPECIFICALLY ACCEPTED BY THE TOWN, THE MAINTENANCE, CONSTRUCTION AND ALL OTHER MATTERS PERTAINING TO OR AFFECTING SAID ROADS AND RIGHTS-OF-WAY ARE THE SOLE RESPONSIBILITY OF THE OWNERS OF THE LAND EMBRACED WITHIN THIS SUBDIVISION.

DILLON PLANNING & ZONING COMMISSION CERTIFICATE:
 APPROVED THIS _____ DAY OF _____, A.D., _____ TOWN PLANNING AND ZONING COMMISSION, DILLON, COLORADO.
 CHAIRMAN

TREASURER'S CERTIFICATE:
 I, THE UNDERSIGNED DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES AND ASSESSMENTS DUE AND PAYABLE AS OF _____ UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.
 DATED THIS _____ DAY OF _____, 20____.
 SIGNATURE _____
 SUMMIT COUNTY TREASURER

TITLE COMPANY'S CERTIFICATE:
 _____ DOES HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN HEREON AND ALL LANDS HEREIN DEDICATED BY VIRTUE OF THIS PLAT AND TITLE TO ALL SUCH LANDS IS IN THE DEDICATOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS:

 DATED THIS _____ DAY OF _____, A.D., _____
 AGENT

CLERK & RECORDER'S CERTIFICATE:
 STATE OF COLORADO)
) SS
 COUNTY OF SUMMIT)
 I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ DAY OF _____, THIS _____, A.D., _____ AND FILED UNDER RECEPTION NO. _____
 SUMMIT COUNTY CLERK AND RECORDER

SURVEYOR'S CERTIFICATE:
 I, ROBERT R. JOHNS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF "DILLON HOMEWOOD" WAS PREPARED BY ME AND UNDER MY SUPERVISION FROM A SURVEY MADE BY ME AND UNDER MY SUPERVISION, THAT BOTH THIS PLAT AND THE SURVEY ARE TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE MONUMENTS WERE PLACED PURSUANT TO CRS 38-51-101.
 DATED THIS _____ DAY OF _____, 20____.
 SIGNATURE _____
 ROBERT R. JOHNS
 COLORADO REGISTRATION NO. 26292



MORTGAGE HOLDER CERTIFICATE:
 _____ DOES HEREBY CERTIFY THAT THEY HAVE EXAMINED THIS PLAT AS A LENDER FOR THE PROJECT AND DOES HEREBY APPROVE OF THIS PLAT.
 BY: _____
 NAME: _____
 TITLE: _____

Drawn RRJ	Dwg 21676PLAT	Project 21676
Checked RRJ	Date 05/31/18	Sheet 1 of 1

R-A-N-G-E-W-E-S-T
 ENGINEERS & SURVEYORS INC.
 P.O. Box 589
 Silverthorne, CO 80498 970-468-6281

NOTE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT, AND NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

R:\RRJ\PLAT\21676.dwg 5/31/2018 6:58:30 AM, RRJ