

RESOLUTION NO. PZ 11-18
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 A LOT CALLED ALPINE LAKE LODGE PUD AND LOT 1G, BLOCK B, NEW TOWN OF DILLON FOR THE PURPOSES OF ELIMINATING AN INTERIOR BOUNDARY LINE AND CREATING ONE LOT; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, Ivano and Gina Ottonorgo are the owner of real property located at 240 Lake Dillon Drive, Dillon, Colorado and more specifically described as “Alpine Lake Lodge PUD,” Block B, New Town of Dillon Subdivision, according to the plat recorded July 17, 2008 as Reception No. 892579, County of Summit, State of Colorado; and

WHEREAS, LES Properties, LLC and Note Acquisitions, Inc. are the co-owners of real property located at 186 W. Buffalo Street, Dillon, Colorado and more specifically described as Lot 1G, Block B, New Town of Dillon Subdivision, 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 Ottoborgos intend to a purchase Lot 1G from LES Properties, LLC and Note Acquisitions, Inc. in order to develop the Uptown 240 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 the Ottoborgos (the “**Applicant**”) for a Class S-2 subdivision to replat lots 1G and Alpine Lake Lodge PUD, Block B, New Town of Dillon subdivision (“**Application**”), for the purposes of combing the two lots into one single lot to be called Lot 1S, vacating the existing interior lot lines, maintaining the existing utility easements, and for the purposes of dedicating A fire access easement; 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 1G and Alpine Lake Lodge PUD, 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 Uptown 240 PUD Development Plan.
- F. That the Application replats Lots 1G and Alpine Lake Lodge PUD, into a single revised parcel to be called Lot 1S, Block B, New Town of Dillon Subdivision, Dillon, Colorado and dedicates a fire access easement as shown on the map titled “FINAL PLAT UPTOWN 240 PUD DEVELOPMENT PLAN, A RESUBDIVISION OF ALPINE LAKE LODGE PUD AND LOT 1G, BLOCK B, NEW TOWN OF DILLON” dated 06/01/2018 and prepared by Marcin Engineering, LLC .

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 1S, Block B, New Town of Dillon Subdivision, Dillon, Colorado and creating a fire access easement on Lot 1S.

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: 8

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 11-18, Series of 2018.

SUMMARY:

Ivano, Danilo and Gina Ottoborgo own a lot named “Alpine Lake Lodge PUD”, Block B, New Town of Dillon subdivision, located at the northwest corner of the intersection between Lake Dillon Drive and W. Buffalo Street and addressed as 240 Lake Dillon Drive

LES Properties, LLC and Note Acquisitions, Inc. co-own Lot 1G, Block B, New Town of Dillon subdivision, more specifically located at 186 W. Buffalo Street.

The Ottoborgos plan to purchase Lots 1G from the other parties in order to develop the Uptown 240 PUD development plan, which is a condominium project with associated parking and common amenities and a restaurant. This Uptown 240 PUD Development Plan has been previously approved by the Dillon Town Council, who passed Ordinance 01-18, Series of 2018 at the April 3, 2018 regular Town Council meeting.

As a condition of approval for the Uptown 240 PUD development plan, the applicant is required to submit a replat for the two properties on which the project will be constructed.

This Class S-2 subdivision, combines the two existing lots (Lots 1G and Alpine Lake Lodge PUD) into one single 1.17 acre lot to be named Lot 1S.

Because of the nature of the recording process, the land sale of Lot 1G to the applicant, 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 developer entity which will own the entire parcel.

The existing interior lot line between the two lots will be vacated, however the existing utility easements along this lot line will remain because there is an active, buried fiber optic line in the easement.

A new fire access easement will be created on existing Lot 1G. This easement does not need a fire apparatus turnaround because it less than 150’ long, which conforms to the 2012 International Fire Code requirements.

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 Core Area (CA) Zone District.

COMPLIANCE WITH DILLON COMPREHENSIVE PLAN:

This replat required by the Uptown 240 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.

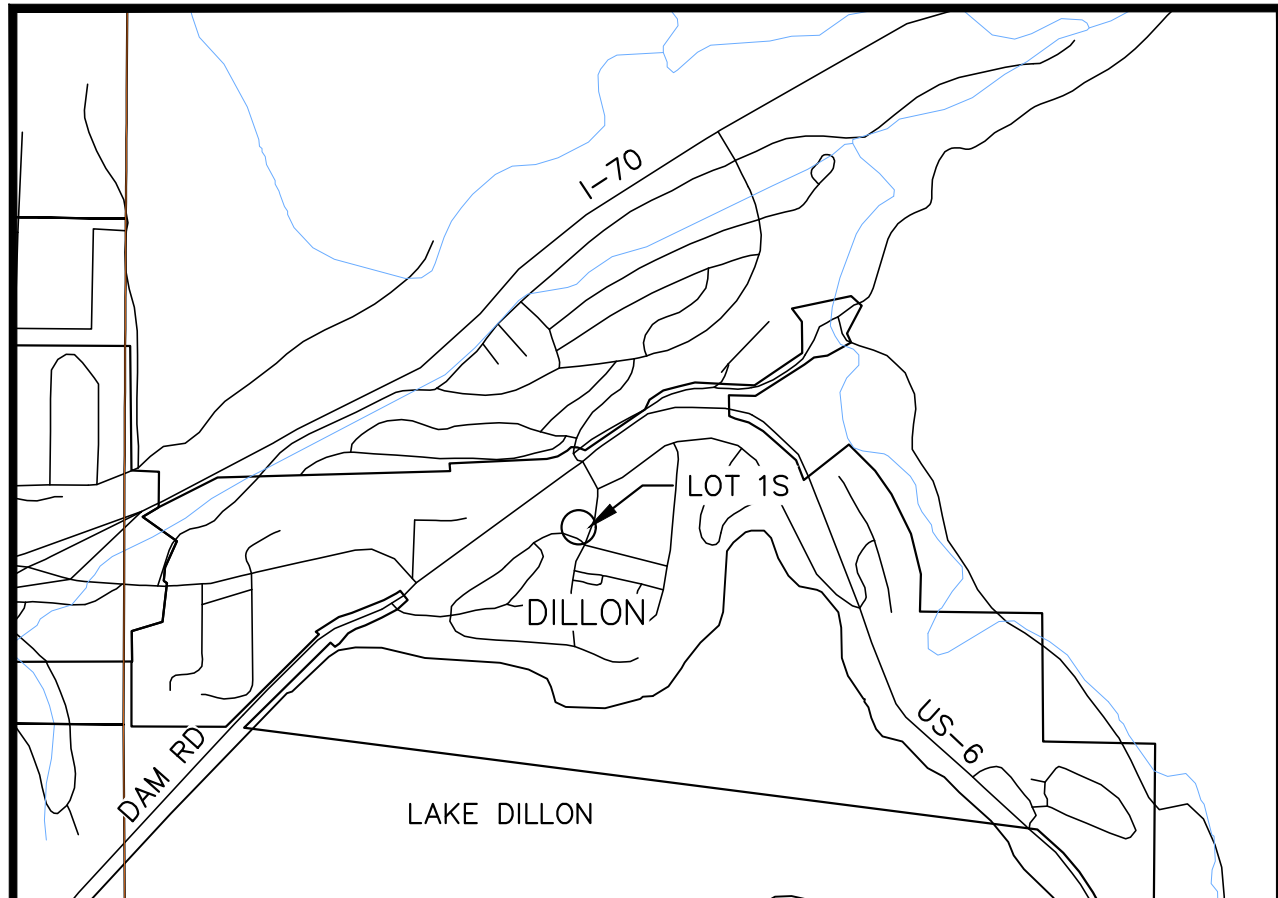
STAFF MEMBER RESPONSIBLE: Dan Burroughs, Town of Dillon

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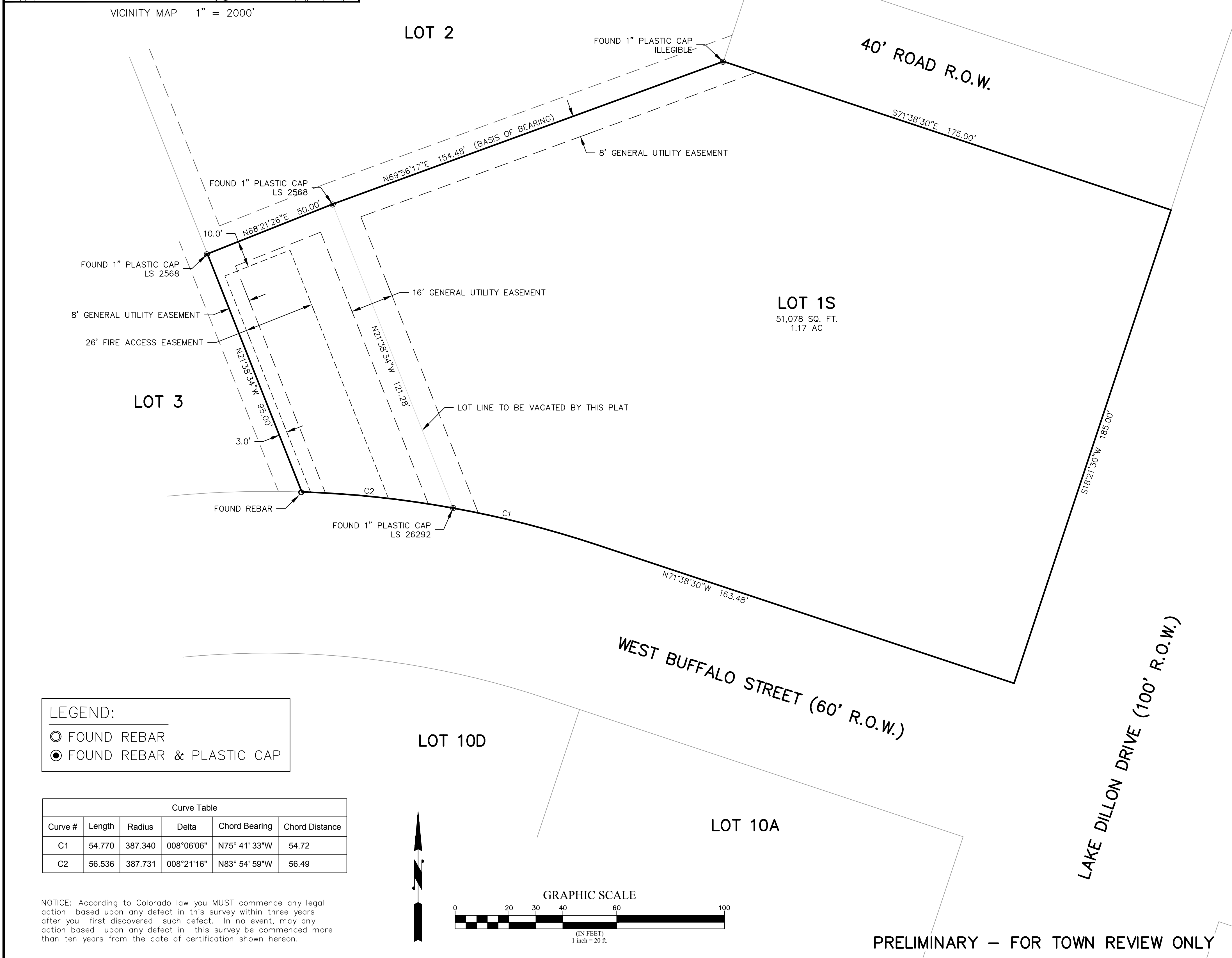
FINAL PLAT

UPTOWN 240 PUD DEVELOPMENT PLAN

A RESUBDIVISION OF ALPINE LAKE LODGE PUD AND LOT 1G, BLOCK B, NEW TOWN OF DILLON
Town of Dillon, Summit County, State of Colorado

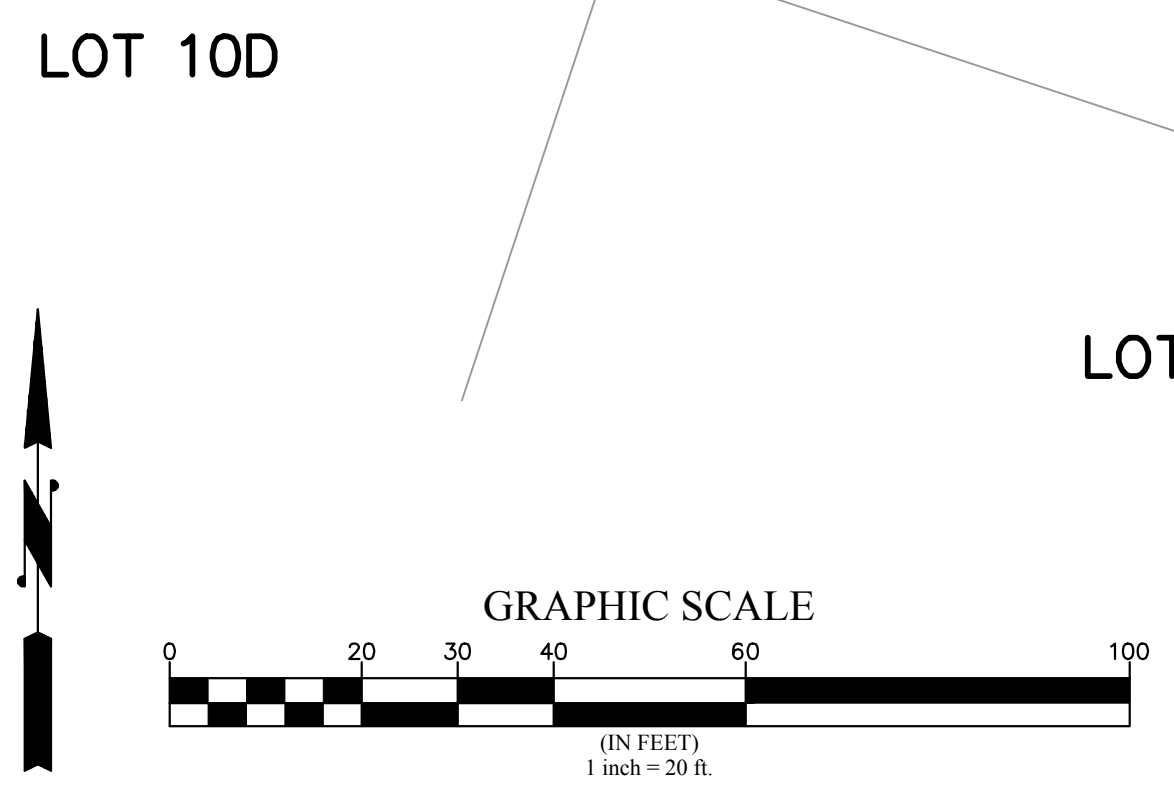


VICINITY MAP 1" = 2000'



LEGEND:
 ○ FOUND REBAR
 ● FOUND REBAR & PLASTIC CAP

Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	54.770	387.340	008°06'06"	N75° 41' 33"W	54.72
C2	56.536	387.731	008°21'16"	N83° 54' 59"W	56.49



OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:
 That DANILO OTTOBORGO, being the owner of ALPINE LAKE LODGE PUD and LOT 1G, BLOCK B, NEW TOWN OF DILLON, located in Section 27, Township 3S, Range 77W, West of the Sixth Principal Meridian, Town of Dillon, County of Summit, State of Colorado, more particularly described as follows:
 Parcel A
 Alpine Lake Lodge PUD, Block B, New Town of Dillon, containing 45,710 square feet or 1.05 acres, more or less
 Parcel B
 Lot 1G, Block B, New Town of Dillon, containing 5368 square feet or 0.12 acres, more or less

Have laid out, subdivided and platted the same into lots, tracts, streets and easements as shown hereon under the name and style of UPTOWN 240, 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 "General Utility 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 debris, snow, and vehicles at all times.

IN WITNESS WHEREOF, _____ and _____ have caused their names to be hereunto subscribed this _____ day of _____ A.D., _____

Secretary _____ President _____

DILLON PLANNING AND ZONING COMMISSION CERTIFICATE

Approved this _____ day of _____, A.D., _____, Town Planning and Zoning Commission, Dillon, Colorado.

Chairman _____

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 Skowyr, 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.

ACKNOWLEDGMENT

State of Colorado)
 County of Summit) ss.
 Town of Dillon)

The foregoing instrument was acknowledged before me this _____ day of _____, A.D., _____ by _____ as President and _____ as Secretary of _____, a Colorado corporation.

Witness my hand and official seal.
 My commission expires: _____
 Notary Public _____

SURVEYOR'S CERTIFICATE

I, THOMAS S. MARCIN, being a registered land surveyor in the State of Colorado, do hereby certify that this Plat of UPTOWN 240 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 _____, A.D., _____

Name _____

TITLE COMPANY 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 AND RECORDER'S CERTIFICATE

I hereby certify that this instrument was filed in my office at _____ this _____ day of _____, A.D., _____ and filed under Reception No. _____

Summit County Clerk and Recorder _____

CERTIFICATE OF TAXES PAID

I, the undersigned, do hereby certify that the entire amount of all taxes due and payable as of _____, 20____ upon parcels of real estate described on this plat are paid in full.

Dated this _____ day of _____, 20____, A.D., _____

Summit County Treasurer or designee _____
 (Ord. 14-08 §1)

FINAL PLAT UPTOWN 240 PUD DEVELOPMENT PLAN Town of Dillon, Summit County State of Colorado	
DRAWN BY: <u>JLV</u>	DATE: <u>06/01/18</u>
CHECKED BY: <u>RAG</u>	DRAWING NO.: <u>PLAT</u>
JOB NO: <u>17087</u>	SHEET: <u>1</u> OF <u>1</u>



MARCIN ENGINEERING LLC

130 SKI HILL RD, #235
 P.O. BOX 6008
 BRECKENRIDGE, CO 80424
 (970) 771-3459

PRELIMINARY – FOR TOWN REVIEW ONLY

DRAWING: P:\2018\17087-2018_Golfway\Survey\17087-PLAT.dwg