

RESOLUTION NO. PZ 13-18
Series of 2018

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE APPROVAL OF A LEVEL IV APPLICATION FOR THE DILLON URGENT CARE AND RESIDENCES PUD DEVELOPMENT PLAN LOCATED AT 956 W. ANEMONE TRAIL, OR MORE SPECIFICALLY LOCATED ON LOT 45R, PTARMIGAN TRAIL ESTATES, UNIT 1, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level IV Development Application from Salima Abou-Assi Trust (the “**Applicant**”) for the Dillon Urgent Care and Residences PUD Development Plan located at 956 W. Anemone Trail, or more specifically located on Lot 45R, Ptarmigan Trail Estates, Unit 1, Dillon, Colorado (the “**Application**”). The Application is for a mixed used building consisting of a proposed urgent care and imaging center, three (3) employee apartments, eighteen (18) condominium units and associated parking and landscaping.

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 September 5th, 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 recommendation for approval of the Application.

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 September 5th, 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 Mixed Use Zoning District and is compatible with surrounding uses.
- D. That the Application is in general compliance with the Town of Dillon Comprehensive Plan.

Section 2. That the Planning Commission hereby recommends approval of the Application for the Dillon Urgent Care and Residences PUD Development Plan with the following conditions:

- A. Final architectural floorplans and elevations, site plans, landscape plans and building configuration shall be submitted and reviewed by Town staff and the Town's architectural consultant for conformance with the Town of Dillon's architectural standards. The Applicant will be required to pay for the cost of the additional architectural review. After the review, the final architecture and the floor plans of the building shall be approved by the Planning Commission at an additional public hearing to be set at some undetermined date in the future.
- B. Prior to issuance of a building permit, the Applicant shall enter into a restrictive housing covenant with the Town of Dillon to provide three (3) apartment units that shall be dedicated Workforce Housing units in perpetuity. The units shall be first offered to employees of the commercial component of the PUD Development Plan; and second to full time residents of Summit County working a minimum of thirty (30) hours per week in Summit County. These apartment units shall never be sold as condominium units.
- C. Prior to issuance of a certificate of occupancy, the Applicant shall submit an additional Level IV Development Application for approval of a condominium map to delineate the commercial and residential units and the common areas of the building. The condominium documents shall specifically state that parking spaces shall not be used for storage. The condominium map shall also specifically identify which five (5) of the outside parking spaces will be dedicated to the residential units and signed accordingly.
- D. The Applicant shall relocate the sanitary sewer main running through the middle of the property to the northeastern property line as shown on the plans. All costs associated with the design and construction of the sewer main shall be the Applicant's responsibility. The Applicant shall dedicate a new 20' Utility Easement to the Town of Dillon for the relocated sewer main as shown on the plans.
- E. The Applicant shall submit an easement vacation application to the Town of Dillon for approval of the vacation of the existing 10' wide utility line running through the middle of the site prior to construction of the building after the existing Town of Dillon Sanitary Sewer main is relocated to the new location and accepted by the Town, and the new corresponding 20' utility easement is dedicated to the Town and recorded at Summit County Clerk & Recorder's office.

- F. Prior to issuance of a building permit, the Applicant shall enter into a right-of-way improvement agreement with the Town of Dillon in order to build the new sanitary sewer, water main, storm sewer, concrete sidewalk and curb & gutter improvements within the W. Anemone Trail right-of-way. The agreement will require the Applicant to provide a letter of credit in the amount of 120% of the estimated cost of construction of these improvements.
- G. Additional minor changes that don't change the character or intent of the Planned Unit Development as approved by this resolution.

**APPROVED AND ADOPTED THIS 5th DAY OF SEPTEMBER 2018 BY
THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON,
COLORADO.**

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

By: _____
Teresa England, Chairperson

ATTEST:

By: _____
Corrie Woloshan, Secretary to the Commission