

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
MAY 21, 2019 TOWN COUNCIL MEETING**

DATE: May 17, 2019

AGENDA ITEM NUMBER: 6

TOPIC: **Condominium Map for the Sail Lofts at Lake Dillon Condominiums**

BACKGROUND/TIME FRAME:

- August 2, 2017 Planning and Zoning Commission Approval of the Level III Development Permit Application for the Condominium Building
- August 10, 2017 Notification to Town Council of the Planning and Zoning Commission Approval
- October 17, 2017 Town Council Approval of License Agreement for 8” Water Main Into Property
- December 5, 2017 Town Council Approval of a Winter Construction Waiver
- December 19, 2017 Town Council Approval of the Development Agreement
- May 1, 2019 Planning and Zoning Commission Review and Recommendation for Approval of the Condo Map and Boundary Line Elimination Plat
- May 21, 2019 Town Council Review of Condo Map and Boundary Line Elimination Plat

SUMMARY:

This Class S-3 Subdivision application is for approval of the condominium map for the Sail Lofts at Lake Dillon Condominiums (“Condominium Map”) and final plat reflecting a boundary line elimination of the interior lot line between Lot 17A and Lot 17B, which lots were created by the plat titled “A Resubdivision of Lots 16, 17 and a Portion of the Open Space Area and a Portion of the Fielder Ave. Central Business District New Town of Dillon”. The Applicant for this subdivision replat is, Sail Lofts LLC.

The Condominium Map defines the condominium volumes for twenty-four (24) units in the building and sets forth Common Elements and Limited Common Elements for the building. The existing lots to be combined by the interior boundary line elimination are described as follows:

- Lot 17A, A Resubdivision of Lots 16, 17, and a Portion of the Open Area and a Portion of Fiedler Ave. Central Business District New Town of Dillon (“**Lot 17A**”), according to the plat recorded on May 13, 2015, Reception No. 1082321, County of Summit, State of Colorado.
- Lot 17B, A Resubdivision of Lots 16, 17, and a Portion of the Open Area and a Portion of Fiedler Ave. Central Business District New Town of Dillon (“**Lot 17B**”), according to the plat recorded on May 13, 2015, Reception No. 1082321, County of Summit, State of Colorado.

The combined new lot will be called Lot 17R, Sail Lofts at Lake Dillon Condominiums.

Easements required on the new parcel will be executed under separate instrument as required by

the Development Agreement between the Applicant and the Town.

BUDGET IMPACT: None

MOTION FOR APPROVAL: "... move to approve Resolution No. 24-19, Series of 2019, A RESOLUTION APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-3 SUBDIVISION TO BE KNOWN AS A FINAL PLAT AND CONDOMINIUM MAP OF SAIL LOFTS AT LAKE DILLON CONDOMINIUMS."

ACTION REQUESTED: Motion, Second, Roll Call Vote.
Resolutions require the affirmative vote of a majority of the members present.

STAFF MEMBER RESPONSIBLE: Scott O'Brien, Public Works Director

RESOLUTION NO. 24-19
Series of 2019

A RESOLUTION APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-3 SUBDIVISION TO BE KNOWN AS A FINAL PLAT AND CONDOMINIUM MAP OF SAIL LOFTS AT LAKE DILLON CONDOMINIUMS.

WHEREAS, Sail Lofts, LLC is the owner of Lots 17A & 17B, A Resubdivision of Lots 16, 17 and a Portion of the Open Space Area and a Portion of the Fielder Ave. Central Business District New Town of Dillon (“**Lots 17A & 17B**”), according to the plat recorded on May 13, 2015, Reception No. 1082321, County of Summit, State of Colorado; and

WHEREAS, on May 1, 2019, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) held a properly noticed public hearing on a Level IV Development Application from Sail Lofts, LLC (the “**Applicant**”) for a Class S-3 subdivision to be know as “A Final Plat and Condominium Map of Sail Lofts at Lake Dillon Condominiums” (“**Application**”), for the purposes of vacating the existing interior lot line to combine Lots 17A & 17B into one single lot to be called Lot 17-R, and for approval of the condominium map of Sail Lofts at Lake Dillon Condominiums, and following the public hearing, the Planning Commission, by Resolution No. PZ 06-19, recommended the Town Council approve the Application, subject to certain conditions; and

WHEREAS, on May 21, 2019, the Town Council held a properly noticed public hearing on the Application; and

WHEREAS, based on information, testimony and the documents made part of the record at the public hearing, the Town Council desires to approve the Application in essentially the same form as accompanies this Resolution, subject to certain conditions.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. On May 21, 2019, the Town Council, following the required notice, held a public hearing 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 requirements.
- C. That the Application is compatible with the Core Area Zone District and is compatible with surrounding uses.

D. That the Application is in general compliance with the Town of Dillon Comprehensive Plan.

Section 2. The Town Council of the Town of Dillon hereby approves the Application for the purposes of vacating the existing interior lot line to combine Lots 17A & 17B into one single lot to be called Lot 17-R, and for approval of the condominium map of Sail Lofts at Lake Dillon Condominiums, with the following conditions:

- A. The Town Manager may approve additional minor changes to the Application that do not change the character or intent of the Application as approved by this resolution.
- B. Prior to recording the final plat and condominium map, the Applicant and the Town shall execute and record the easement agreements as required under that certain Development Agreement, dated December 19, 2017, executed by and between Applicant and the Town.
- C. Prior to their recording, the Applicant shall revise the final plat and condominium map to show, by depiction and reference number, the easements required under that certain Development Agreement, dated December 19, 2017, executed by and between Applicant and the Town.
- D. Upon satisfying conditions B and C, the Applicant shall record “A Final Plat and Condominium Map of Sail Lofts at Lake Dillon Condominiums” in the office of the Summit County Clerk and Recorder.
- E. The Applicant shall file a copy of the recorded “A Final Plat and Condominium Map of Sail Lofts at Lake Dillon Condominiums” with the Town of Dillon.

APPROVED AND ADOPTED THIS 21st DAY OF MAY, 2019 BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO.

TOWN OF DILLON,
a Colorado municipal corporation

By: _____
Carolyn Skowyra, Mayor

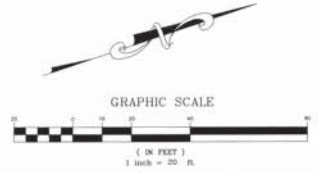
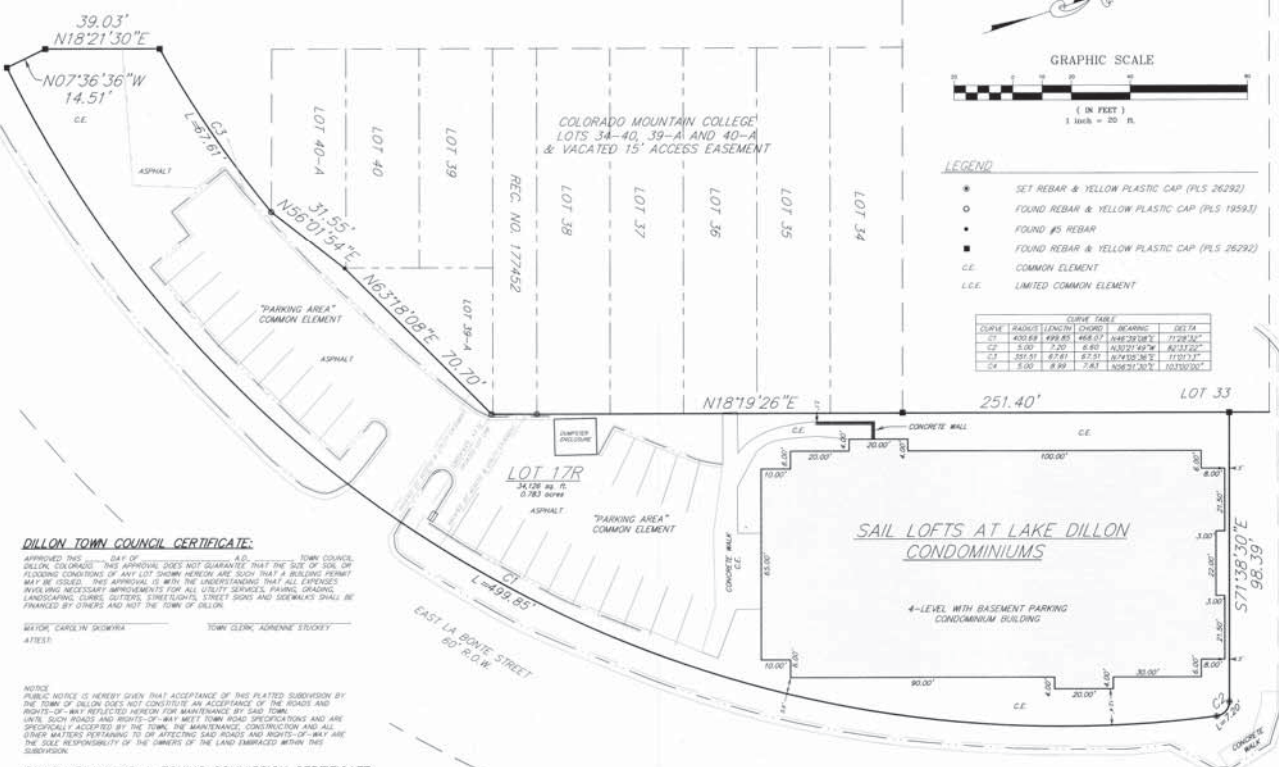
ATTEST:

By: _____
Adrienne Stuckey, Town Clerk



**A FINAL PLAT AND CONDOMINIUM MAP OF
SAIL LOFTS AT LAKE DILLON CONDOMINIUMS
A REPLAT OF LOTS 17A & 17B
A RESUBDIVISION OF LOTS 16, 17 AND A PORTION OF THE OPEN AREA AND A PORTION OF FIEDLER AVE.
CENTRAL BUSINESS DISTRICT NEW TOWN OF DILLON
THE THIRD RESUBDIVISION OF BLOCK "A"
SECTION 8, TOWNSHIP 5 SOUTH, RANGE 77 WEST OF THE 6TH PRINCIPAL MERIDIAN
TOWN OF DILLON, SUMMIT COUNTY, COLORADO**

VICINITY MAP



- LEGEND**
- SET REBAR & YELLOW PLASTIC CAP (PLS 26292)
 - FOUND REBAR & YELLOW PLASTIC CAP (PLS 19593)
 - FOUND #6 REBAR
 - FOUND REBAR & YELLOW PLASTIC CAP (PLS 26292)
 - C.E. COMMON ELEMENT
 - L.C.E. LIMITED COMMON ELEMENT

CURVE	RADIUS	LENGTH	CHORD	BEARING	AREA
C1	400.00	499.85	468.07	N48°28'00"E	77,208.34'
C2	5.00	7.20	6.80	S82°21'48"W	80.3330'
C3	500.00	18.84	18.84	N89°58'00"E	11,912.34'
C4	5.00	8.89	7.81	N82°31'30"E	103,330.00'

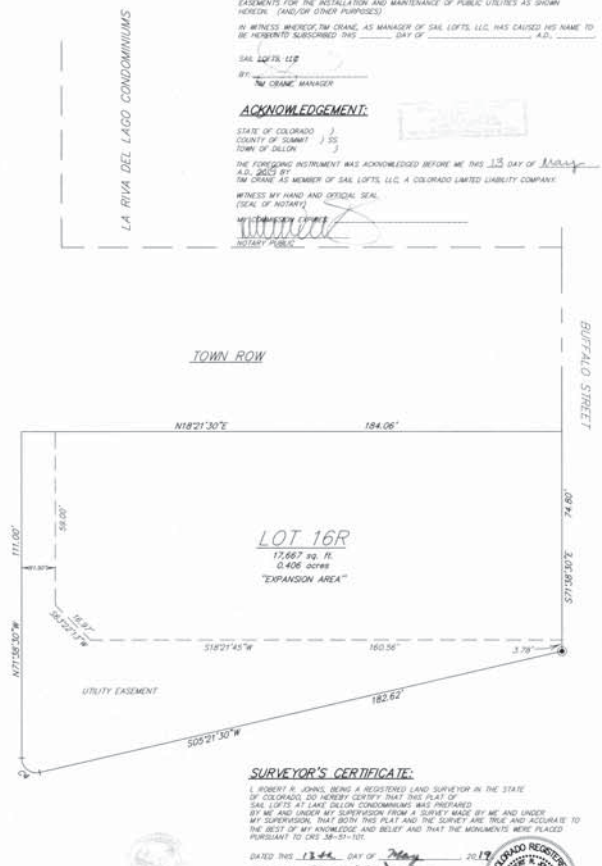
OWNER'S CERTIFICATE:
KNOW ALL MEN BY THESE PRESENTS: THAT THE SAIL LOFTS, LLC, A COLORADO LIMITED LIABILITY CORPORATION, BEING THE OWNER OF THE REAL PROPERTY DESCRIBED AS FOLLOWS:
LOTS 17A & 17B, BLOCK A, NEW TOWN OF DILLON, A RESUBDIVISION OF LOTS 16, 17 AND A PORTION OF FIEDLER AVE., CENTRAL BUSINESS DISTRICT NEW TOWN OF DILLON, THE THIRD RESUBDIVISION OF BLOCK "A", NEW TOWN OF DILLON, SUMMIT COUNTY, COLORADO (RECEPTION NO. 1042321)

HAVE LAD OUT, SUBDIVIDED AND PLATTED THE SAME INTO LOTS, TRACTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND STYLE OF "A FINAL PLAT AND CONDOMINIUM MAP OF SAIL LOFTS AT LAKE DILLON CONDOMINIUMS A REPLAT OF LOTS 17A & 17B A RESUBDIVISION OF LOTS 16, 17 AND A PORTION OF THE OPEN SPACE AREA AND A PORTION OF FIEDLER AVE., CENTRAL BUSINESS DISTRICT NEW TOWN OF DILLON, THE THIRD RESUBDIVISION OF BLOCK "A", TOWN OF DILLON, SUMMIT COUNTY, COLORADO" 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 SET APART THOSE PORTIONS OF LAND LABELED AS EASEMENTS FOR THE INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AS SHOWN HEREON. (AND OF OTHER PURPOSES)

IN WITNESS WHEREOF, I, THE OWNER, AS MANAGER OF SAIL LOFTS, LLC, HAS CAUSED MY NAME TO BE HEREONTO SUBSCRIBED THIS _____ DAY OF _____, A.D., 2019.

ACKNOWLEDGEMENT:
STATE OF COLORADO)
COUNTY OF SUMMIT) SS.
TOWN OF DILLON)
THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 13th DAY OF May, 2019, BY _____, AS MEMBER OF SAIL LOFTS, LLC, A COLORADO LIMITED LIABILITY COMPANY.
WITNESS MY HAND AND OFFICIAL SEAL (SEAL OF NOTARY)

NOTARY PUBLIC



SURVEYOR'S CERTIFICATE:
I, ROBERT E. JOHNS, BEING A REGISTERED LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE PLAT OF SAIL LOFTS AT LAKE DILLON CONDOMINIUMS WAS PREPARED 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 DCS 38-31-101.
DATED THIS 13th DAY OF May, 2019.
SIGNATURE: Robert E. Johns
COLORADO REGISTRATION NO. 26292



CERTIFICATE OF TAXES PAID:
I, THE UNDERSIGNED DO HEREBY CERTIFY THAT THE ENTIRE AMOUNT OF TAXES, AND ASSESSMENTS DUE AND PAYABLE AS OF _____ 2019 UPON ALL PARCELS OF REAL ESTATE DESCRIBED ON THIS PLAT ARE PAID IN FULL.
DATED THIS 14th DAY OF May, 2019.
SIGNATURE: _____
SUMMIT COUNTY TREASURER

TITLE COMPANY'S CERTIFICATE:
I, _____, TITLE COMPANY, DOES HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE TO ALL LANDS SHOWN HEREON AND ALL LANDS HEREBY DESIGNATED BY WRITTE OF THIS PLAT AND TITLE TO ALL SUCH LANDS IS IN THE SUCCEEDOR FREE AND CLEAR OF ALL LIENS, TAXES AND ENCUMBRANCES, EXCEPT AS FOLLOWS: (1) _____
DATED THIS 13th DAY OF May, A.D., 2019.
SIGNATURE: _____

MORTGAGE HOLDER CERTIFICATE:
FIRST BANK OF COLORADO, DOES HEREBY CERTIFY THAT THEY HAVE EXAMINED THIS PLAT AS A LENDER FOR THE PROJECT AND DOES HEREBY APPROVE OF THIS PLAT.
BY: _____
NAME: BILLY SHAMBERGER
TITLE: EXECUTIVE VICE PRESIDENT

DILLON TOWN COUNCIL CERTIFICATE:
APPROVED THIS _____ DAY OF _____, A.D., _____ TOWN COUNCIL, DILLON, COLORADO. THIS APPROVAL DOES NOT GUARANTEE THAT THE SIZE OF SOIL OF 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, PAVERS, GRADING, LANDSCAPING, CURBS, CURTAINS, STREETLIGHTS, STREET SIGNS AND SIDEWALKS SHALL BE FINANCED BY OWNERS AND NOT THE TOWN OF DILLON.
BY: CAROLYN SKOWINA, TOWN CLERK
AND: ADRIENNE STODOLY, TOWN CLERK

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

CLERK'S CERTIFICATE:
STATE OF COLORADO) SS.
TOWN OF DILLON)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK, _____ A.M., AND IS DULY RECORDED.
TOWN CLERK

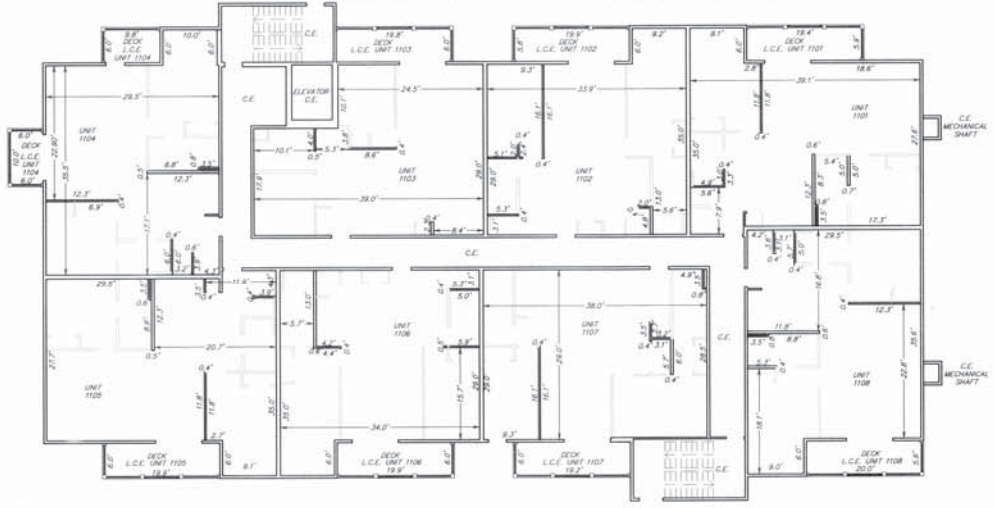
ENGINEERS CERTIFICATE:
ALL ROAD AND DRAINAGE IMPROVEMENTS ARE TO BE CONSTRUCTED ACCORDING TO ROAD AND DRAINAGE PLANS THAT HAVE BEEN APPROVED FOR CONSTRUCTION BY DILLON TOWN ENGINEER.
TOWN ENGINEER: DEAN BURROUGHS, P.E.

MAP NOTES:
1) DECLARATION: ALL PROPERTY DESCRIBED IN THIS MAP IS SUBJECT TO THE DECLARATION FOR SAIL LOFTS AT LAKE DILLON CONDOMINIUMS RECORDED AT RECEPTION NO. _____ AND ALL COINED TERMS IN THE DECLARATION HAVE THE SAME MEANING IN THIS MAP.
2) DEVELOPMENT RIGHTS: AS PROVIDED IN ARTICLE 8 OF THE DECLARATION, DECLARANT EXPRESSLY RESERVES THE RIGHT TO ADD TO THE PROJECT ALL OF ANY PORTION OF LOT 16R, THE EXPANSION AREA, TO DEVELOP ADDITIONAL UNITS, COMMON ELEMENTS AND LIMITED COMMON ELEMENTS. DECLARANT WILL EXERCISE SUCH DEVELOPMENT RIGHTS ON ALL OR ANY PORTION OF THE EXPANSION AREA IN WHATEVER ORDER OF DEVELOPMENT DECLARANT, IN ITS SOLE DISCRETION, DETERMINES. DECLARANT IS NOT OBLIGATED TO EXPAND THE COMMUNITY BEYOND THE LOTS CREATED BY THIS MAP, BUT MAY EXPAND THE COMMUNITY TO INCLUDE A MAXIMUM OF 88 UNITS. THE CONSENT OF OWNERS OF OTHER LOTS WILL NOT BE REQUIRED FOR ANY SUCH EXPANSION.
3) 50% OF THE EXTERIOR PARKING SPACES ARE PERMANENTLY RESERVED AND DEDICATED TO THE USE OF THE CONDOMINIUM ADDITION LOCATED ON LOT 16R PER PLANNING AND ZONING COMMISSION RESOLUTION PZ11-12, SERIES OF 2011, DATED SEPTEMBER 8, 2011.

NOTE: ACCORDING TO COLORADO LAW, THIS MAP MUST CONTAIN ANY LEGAL ACTION TAKEN AFTER ANY DEFECT IN THIS SURVEY WHICH MIGHT BEAR UPON THE VALIDITY OF THIS SURVEY IS TO BE CORRECTED BY THE SURVEYOR. THIS SURVEY IS CONSIDERED MORE THAN 30 DAYS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

A FINAL PLAT AND CONDOMINIUM MAP OF
SAIL LOFTS AT LAKE DILLON CONDOMINIUMS
 A REPLAT OF LOT 17A AND 17B
 A RESUBDIVISION OF LOTS 16, 17 AND A PORTION OF THE OPEN AREA
 AND A PORTION OF FIEDLER AVE.
 CENTRAL BUSINESS DISTRICT NEW TOWN OF DILLON
 THE THIRD RESUBDIVISION OF BLOCK "A"
 TOWN OF DILLON, SUMMIT COUNTY, COLORADO
 SHEET 2 OF 3

FIRST FLOOR



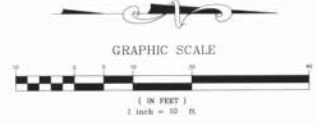
SECOND FLOOR



THIRD FLOOR



FOURTH FLOOR



NOTE: THE FACILITIES WITHIN WALLS INSIDE OF UNITS THAT ARE DIMENSIONED ARE, C.E. AND UNDIMENSIONED WALLS DEPICTED IN A LIGHT LINE ARE PART OF THE UNIT.



Drawn RRL/AK/EH	Dwg SHEET_2	Project 21410
Checked RRL	Date 05/02/19	Sheet 2 of 3
R-A-N-G-E-W-E-S-T ENGINEERS & SURVEYORS, INC.		
P.O. Box 589 Silverthorn, CO 80498 970-468-6281		

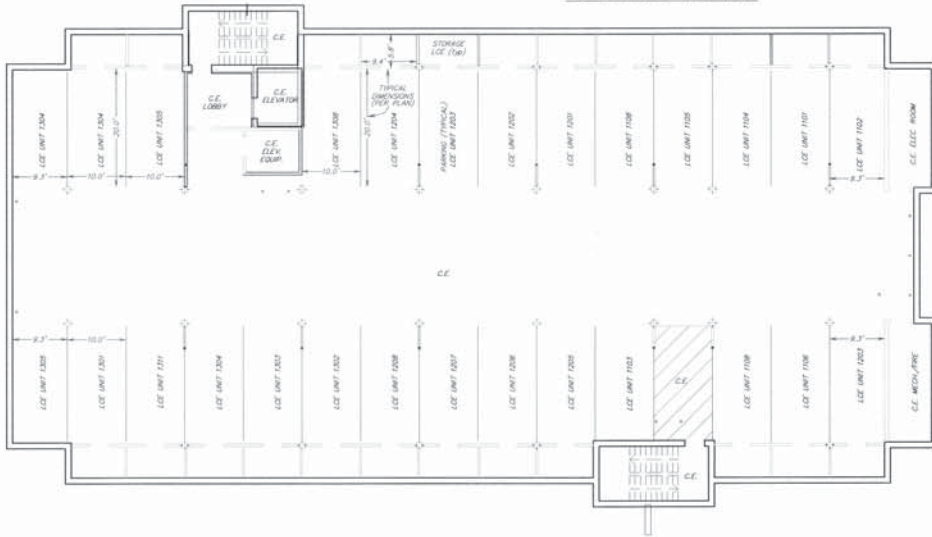
NOTE: ACCORDING TO COLORADO LAW, YOU MUST CONSULT ANY LOCAL AGENCIES BEFORE ANY DEVELOPMENT IN THIS JURISDICTION. WHILE THESE PLANS SHOW A PLAN TO BE SUBMITTED TO THE LOCAL AGENCIES, IT IS YOUR RESPONSIBILITY TO VERIFY THAT ALL LOCAL AGENCIES HAVE REVIEWED AND APPROVED THE PLANS. THE SURVEYOR IS NOT RESPONSIBLE FOR ANY VIOLATIONS OF LOCAL ORDINANCES OR REGULATIONS.

**A FINAL PLAT AND CONDOMINIUM MAP OF
SAIL LOFTS AT LAKE DILLON CONDOMINIUMS**

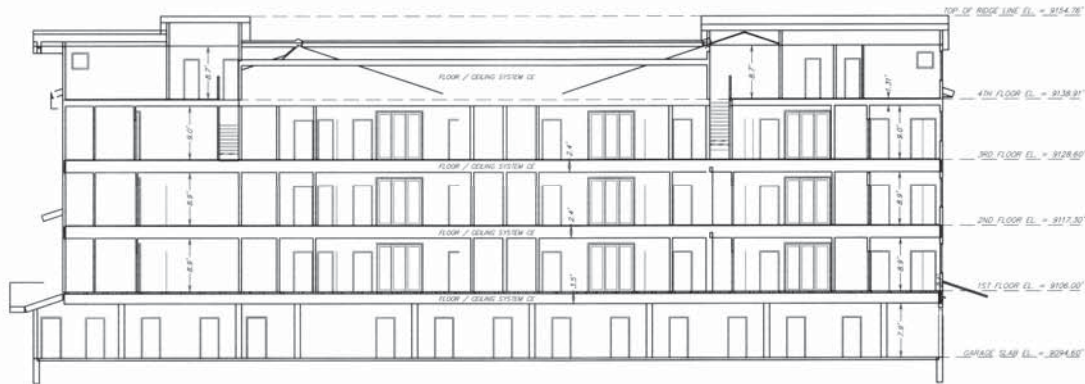
**A REPLAT OF LOT 17A AND 17B
A RESUBDIVISION OF LOTS 16, 17 AND A PORTION OF THE OPEN AREA
AND A PORTION OF FIEDLER AVE.**

**CENTRAL BUSINESS DISTRICT NEW TOWN OF DILLON
THE THIRD RESUBDIVISION OF BLOCK "A"
TOWN OF DILLON, SUMMIT COUNTY, COLORADO
SHEET 3 OF 3**

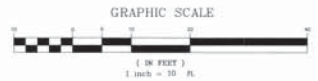
GARAGE LEVEL



SECTION NORTH-SOUTH



SECTION EAST-WEST



Drawn: RRU/AJ/DH Day: SHEET_3 Project: 21410
Checked: RRU Date: 05/02/19 Sheet: 3 of 3
R-A-N-G-E-W-E-S-T
ENGINEERS & SURVEYORS, INC.
P.O. Box 589
Silverthorne, CO 80498 970-468-6281