

**PLANNING AND ZONING COMMISSION ACTION ITEM
STAFF SUMMARY
JUNE 5, 2019 PLANNING AND ZONING COMMISSION MEETING**

DATE: May 29, 2019

AGENDA ITEM NUMBER: 9

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 13-19, Series of 2019.

A RESOLUTION RECOMENDNING APPROVAL OF A LEVEL IV
DEVELOPMENT APPLICATION FOR A CLASS S-3 SUBDIVISION FOR
THE DILLON PINES TOWNHOMES.

(PUBIC HEARING)

SUMMARY:

This Class S-3 Subdivision application consists of recommending approval of the Final Plat “Dillon Pines Townhomes, A replat of Dillon Pines Apartments – North and Dam Site Apartments - South” which creates one new lot called **Lot 4R** and combines two existing lots into a new single lot. Please refer to the attached plat map that was prepared by Blue River Land Surveying for additional information.

The Applicant for this subdivision replat is West Brown Huntley PC on behalf of the Dillon Pines Townhome Association.

The Replat vacates the existing interior lot line between the two lots.

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



Town of Dillon

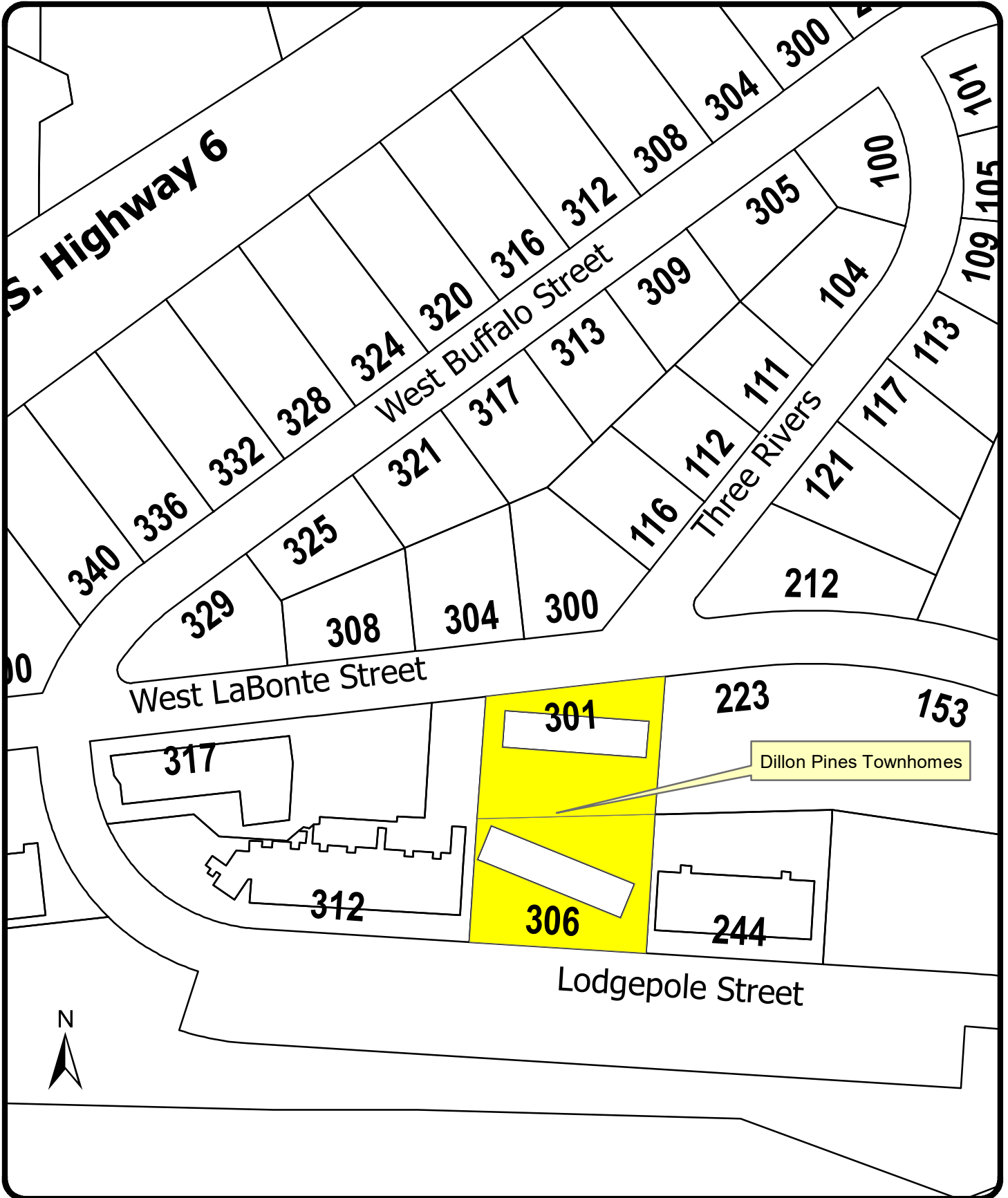
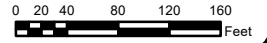
275 Lake Dillon Drive
Dillon, Colorado 80435

Public Works - GIS

Contents:

Dillon Pines Townhomes

1 inch = 150 feet





Vicinity Map 1" = 400'

DILLON PINES TOWNHOMES

A replat of
DILLON PINES APARTMENTS - NORTH
 a plat filed under Reception Number 99611
 and
DAM SITE APARTMENTS - SOUTH
 a plat filed under Reception Number 97971
 New Town of Dillon
 Summit County, Colorado
 Section 7, T5S, R77W, 6th P.M.
 (Sheet 1 of 2)

Owner's Certificate

Know all men by these presents:

That the President of the **DILLON PINES TOWNHOME ASSOCIATION** for the owners of the Townhome Units located in A Parcel of Land Lying Wholly within Section 7, T5S, R77W, of the 6th Principal Meridian, Town of Dillon, County of Summit, State of Colorado, more particularly described as follows:

DILLON PINES APARTMENTS - NORTH, a plat filed under Reception Number 99611 and DAM SITE APARTMENTS - SOUTH, a plat filed under Reception Number 97971

Have laid out, subdivided and platted the same into lots, tracts, streets and easements as shown hereon under the name and style of "**DILLON PINES TOWNHOMES**" 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 easements for the installation and maintenance of public utilities as shown hereon.

In Witness Whereof, Tori Gustafson has caused her name to be hereto subscribed this _____ day of _____, A.D. _____

Title _____
 State of Colorado)
) SS.
 County of Summit)

The foregoing instrument was acknowledged before me this _____ day of _____, by Tori Gustafson, President, **DILLON PINES TOWNHOME ASSOCIATION**.

Witness my hand and official seal.
 My commission expires _____

Notary Public _____

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 site or 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.

ATTEST
 Town Clerk _____ Mayor _____

Noting

Public Notice is hereby given that acceptance of this planned subdivision by the Town of Dillon does not constitute an acceptance of roads and right-of-way reflected hereon for maintenance by said town. Until such roads and right-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 right-of-way are the sole responsibility of the owners of the land embraced within this subdivision.

Title Company Certificate

Land Title Guarantee 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. _____

Randy Gibbons, Agent

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 _____

Surveyor's Certificate

I, Renee B. Parent, being a registered land surveyor in the State of Colorado, do hereby certify that this Plat of "**DILLON PINES TOWNHOMES**" 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.

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

Name _____

Notice: 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. In 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.

Clerk's Certificate

I hereby certify that this instrument was filed in my office at _____ O'Clock _____, A.D. _____ and is duly recorded.

Town Clerk _____

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 _____

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 **Blue River
 Land Surveying**
 (970) 668-3730
 PO Box 2820 Breckenridge, CO 80424
 www.blueriverlandsurveying.com

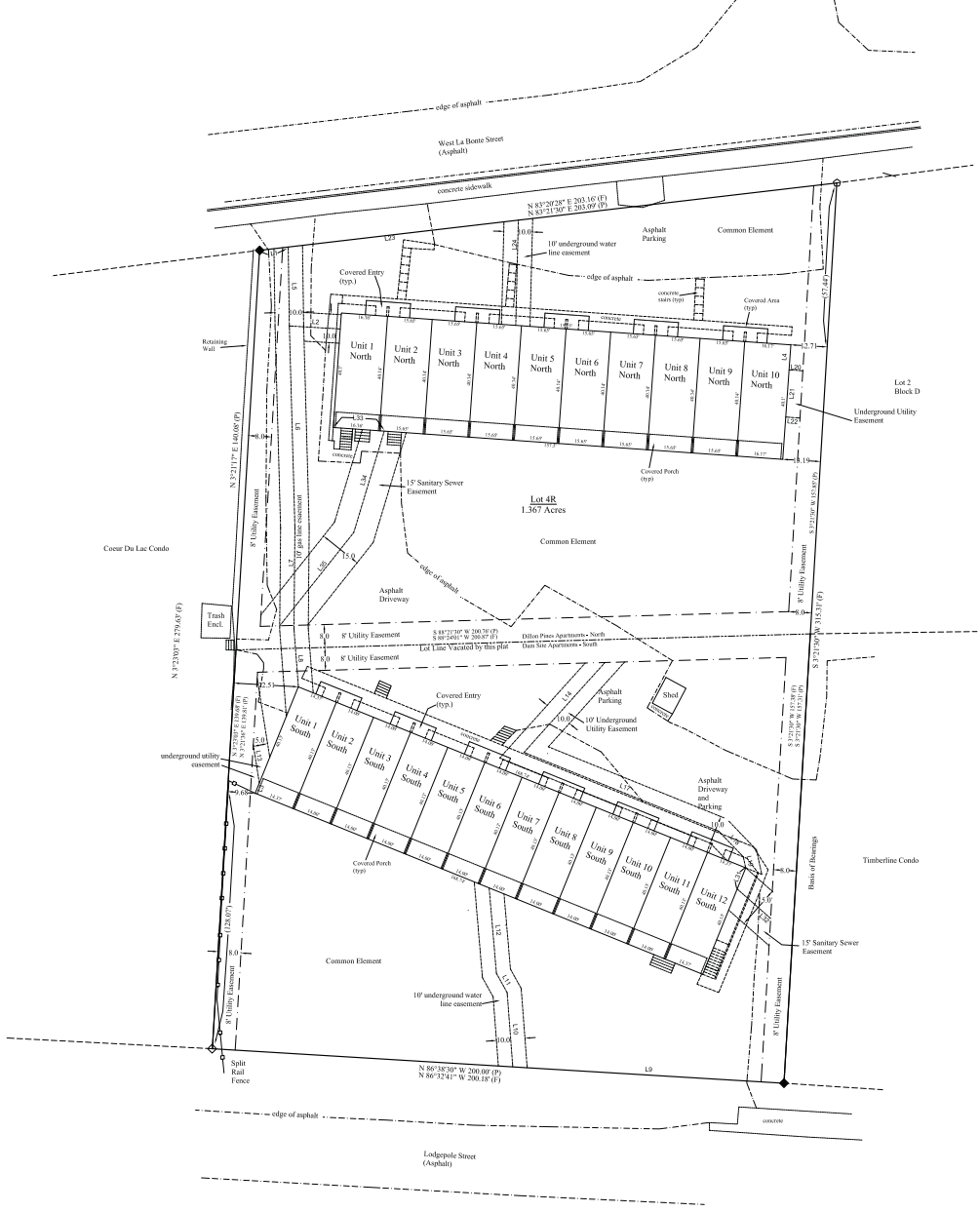
Drawing Update: 01-31-2016
 Drawing Update: 02-21-2017
 Date: 08-20-2017 15584

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Line Table, Centerlines of Easements created by this plat

LINE	BEARING	HORIZ. DIST.
L1	S83°29'28"W	10.00'
L2	S86°58'59"E	18.22'
L3	S22°02'28"W	3.49'
L4	N4°02'30"E	8.76'
L5	S0°49'20"E	27.62'
L6	S17°42'37"E	70.56'
L7	S0°31'09"W	35.48'
L8	S4°24'27"E	19.54'
L9	S88°22'41"E	94.07'
L10	N4°19'16"W	26.03'
L11	N29°02'48"W	7.73'
L12	N4°25'56"W	24.88'
L13	S9°01'40"E	13.56'
L14	S41°59'45"W	42.28'
L17	S67°58'02"E	73.33'
L18	S43°55'24"E	12.46'
L19	S12°22'25"E	3.97'
L20	N88°57'11"W	4.82'
L21	S4°02'44"W	16.55'
L22	S83°57'11"E	5.82'
L23	S83°29'28"W	81.00'
L24	S1°24'20"W	36.81'
L31	N22°04'42"E	7.96'
L32	S48°55'37"E	15.62'
L33	N88°57'11"W	17.86'
L34	S16°04'48"W	36.90'
L35	S38°22'55"W	53.47'

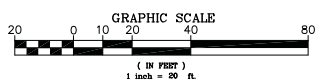


- Legend**
- (F) Field Measurement
 - (P) Plat (Rec. No. 99611 and 97971)
 - ◆ Found 1/2 rebar
 - ◆ Found rebar w/ blue cap LS illegible
 - Found rebar w/ yellow cap LS illegible

- Notes:**
- 1) Bearings are based on the east line of Dillon Pines Apartments - North and Dam Site Apartments - South.
 - 2) South, North, and end of said line is a rebar with yellow cap illegible; south end of said line is a 1/2 rebar.
 - 3) Total Lot Area: 1.367 Acres.
 - 4) Dillon Pines Apartment - North: 0.685 Acres
 - 5) Dam Site Apartments - South: 0.685 Acres
 - 6) New, single lot created by this plat to be called Lot 4R.
 - 7) Located underground utilities marked by others.
 - 8) Sewer line locate by Snowbridge 10-16-2017.
 - 9) Unit boundaries are consistent with the outside of foundation wall and party walls.
 - 10) South and North buildings are both Two Story.
 - 11) Broadband easements (Rec. No. 535297 and Rec. No. 679964) are not plottable.

This survey does not constitute a title ownership search by Blue River Land Surveying. All ownership, easement and public record information was based on the Owner's Title Commitment Order Nos. M2010000-5, D06, Lodgepole St. #4) and M20151026-6 (001) W. La Bonte St. #9), issued by Land Title Guarantee Company.

Property is subject to exceptions as described in the title policy as referenced.



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Drawing Update:	01-21-2016
Drawing Update:	11-01-2017
Drawing Update:	02-21-2017
Date:	08-26-2017 15584

RESOLUTION NO. PZ 13-19
Series of 2019

**A RESOLUTION RECOMMENDING APPROVAL OF A
LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-3
SUBDIVISION FOR THE DILLON PINES TOWNHOMES.**

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level IV Development Application from Dillon Pines Townhome Association, Inc. and Tori Gustafson (the duly authorized agent of the individual townhome-unit owners) (hereinafter referred to together as the “**Applicant**”) for a Class S-3 subdivision on a plat titled “DILLON PINES TOWNHOMES” (“**Application**”), for the purposes of eliminating a lot line separating the Dillon Pines Apartments and Dam Site Apartments; 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 5th, 2019, 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 subdivision should attach to the 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 June 5th, 2019 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 Residential High (RH) 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. That the Planning Commission hereby recommends that the Town Council of the Town of Dillon approve the Application for the purposes of eliminating a

lot line separating the Dillon Pines Apartments and Dam Site Apartments, with the following conditions:

- A. Prior to the Town Council's public hearing on the Application, the Applicant shall address the comments of the Town Engineer and Town Attorney's office concerning the powers of attorney required under the Code for Applicant to become eligible to subdivide the property.
- B. 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.

**RECOMMENDED FOR APPROVAL THIS 5th DAY OF JUNE, 2019
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: _____
Michelle Haynes, Secretary to the Commission