

**PLANNING AND ZONING COMMISSION ACTION ITEM
STAFF SUMMARY
JANUARY 8TH, 2020 PLANNING AND ZONING COMMISSION MEETING**

DATE: December 13, 2019

AGENDA ITEM NUMBER: 4

ACTION TO BE CONSIDERED:

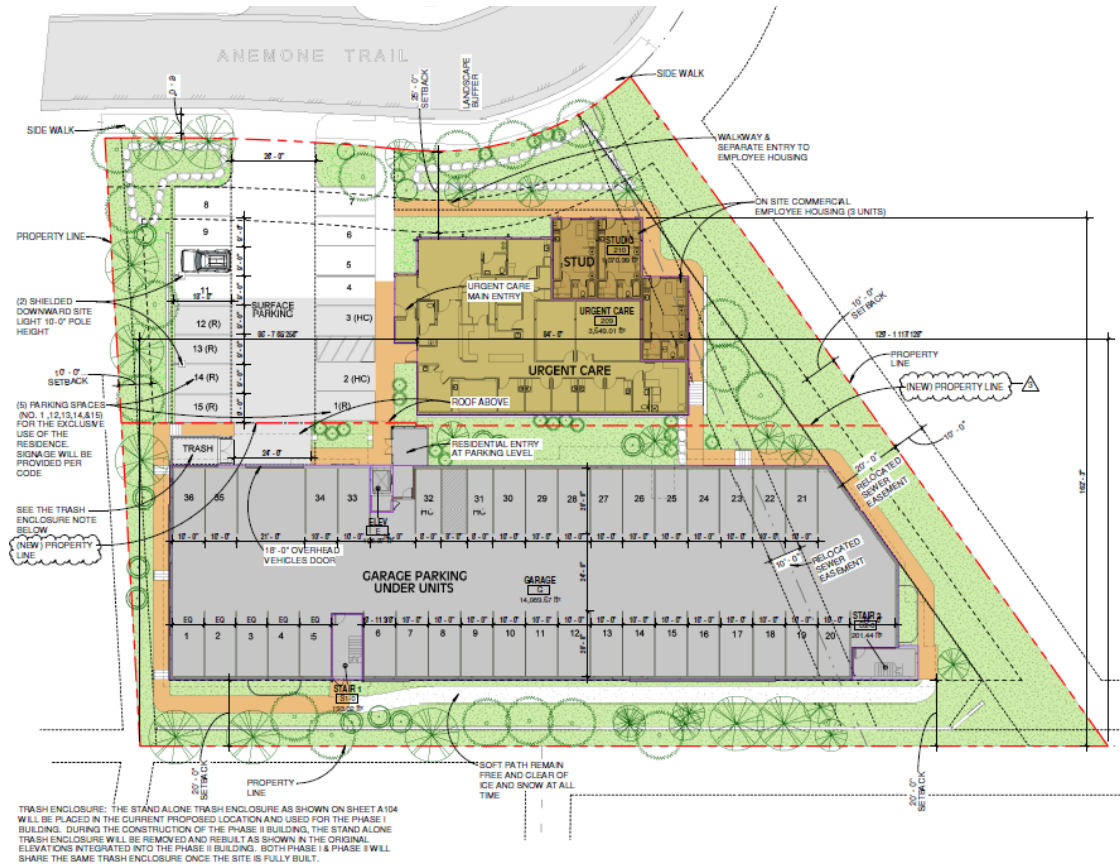
Consideration of Resolution No. PZ 01-20, Series of 2020.

(PUBLIC HEARING)

A RESOLUTION RECOMMENDING THE APPROVAL OF A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-2 SUBDIVISION TO BE KNOWN AS FINAL PLAT OF DILLON URGENT CARE AND SUMMIT RESIDENCES SUBDIVISION.

SUMMARY:

This Class S-2 Subdivision application is to replat Lot 45R, Ptarmigan Trail Estates, Unit 1, located at 956 W. Anemone Trail, into two lots to separate the urgent care facility lot from the residential condominiums lot. The Dillon Municipal Code requires an access easement for the rear lot.



Site Plan with Proposed Subdivision Line

The Applicant for this subdivision Pikes Peak Professional Services LLC, the property owner.

The existing lot to be subdivided by the addition of an interior boundary line is described as follows:

- Lot 45R, A Replat of Lots 43, 44, & 45, Ptarmigan Trail Estates, Unit 1, Located in the SW ¼ of Sec.7, T.5 S., R. 77 W. of the 6th P.M., Town of Dillon, Summit County, Colorado (“**Lot 45R**”)

The subdivided new lots will be called Lot 45A and Lot 45B, Dillon Urgent Care and Summit Residences Subdivision.

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. PZ 01-20
Series of 2020

**A RESOLUTION RECOMMENDING THE APPROVAL OF
A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-2
SUBDIVISION TO BE KNOWN AS FINAL PLAT OF DILLON
URGENT CARE AND SUMMIT RESIDENCES SUBDIVISION.**

WHEREAS, Pikes Peak Professional Services LLC is the owner of 956 W. Anemone Trail in Dillon, Colorado that is more specifically described as Lot 45R, A Replat of Lots 43, 44, & 45 Ptarmigan Trail Estates, Unit 1 (“**Lot 45R**”), according to the plat recorded on August 9, 2004, Reception No. 765161, County of Summit, State of Colorado; and

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level IV Development Application from Pikes Peak Professional Services LLC (the “**Applicant**”) for a Class S-2 subdivision to replat Lot 45R on a plat titled “Final Plat of Dillon Urgent Care and Summit Residences Subdivision” (“**Application**” or “**Replat**”), for the purposes of subdividing Lot 45R into two lots to be called Lot 45A and Lot 45B, and dedicating new easements for the purposes of a site access, drainage and utilities; 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 January 8th, 2020, 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 January 8th, 2020 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 Zone 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 replats Lot 45R into two lots to be called Lots 45A and 45B, and dedicates new easements for the purposes of site access, drainage and utilities as shown on the Replat.

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 45A and Lot 45B, and creating new easements for the purposes of a site access, drainage and utilities, with the following conditions:

- A. Prior to recording the final subdivision plat, the Applicant shall enter into a Development Agreement with the Town of Dillon and post a required Letter of Credit for public improvements as required by the agreement.
- 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.
- C. The Applicant shall record the “Final Plat of Dillon Urgent Care and Residences Subdivision” in the office of the Summit County Clerk and Recorder.
- D. The Applicant shall file a copy of the recorded “Final Plat of Dillon Urgent Care and Residences Subdivision” with the Town of Dillon.

RECOMMENDED FOR APPROVAL THIS 8TH DAY OF JANUARY 2020 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

Final Plat
DILLON URGENT CARE AND SUMMIT RESIDENCES
A REPLAT OF LOT 45R, PTARMIGAN TRAIL ESTATES, UNIT 1

Located in the Southwest $\frac{1}{4}$ of Section 7,
 Township 5 South, Range 77 West of the 6th Principal Meridian
 Town of Dillon, County of Summit, State of Colorado

SITE MAP
 APPROXIMATE SCALE: 1"=200'



Legal Description:

LOT 45R, A REPLAT OF LOTS 43, 44 AND 45, PTARMIGAN TRAIL ESTATES, UNIT 1, ACCORDING TO THE PLAT FILED AUGUST 19, 2004 UNDER RECEPTION NO. 765161, COUNTY OF SUMMIT, STATE OF COLORADO

General Notes:

1. Survey Date: May 4th, 2018
2. Address: 956 W Anemone Trail, Dillon, CO 80435
3. The purpose of this plat is to allow separate ownership and financing of the commercial building to be developed on Lot 45A, and the residential building to be developed on Lot 45B.
3. Title Commitment No. MRG20190567-2 was provided by Land Title Guarantee Company with the effective date March 29th, 2019 at 5:00 P.M.
4. Record Easements and Rights-of-Ways shown for this plat were derived from said Title Commitment
5. The 10' Utility Easement created by #765161 will be vacated by this plat upon relocation of the existing sewer line into the 20' Drainage and Utility Easement along the east property boundary as provided in the PUD Plan
6. All lineal units shown are in U.S. Survey feet
7. A nonexclusive access easement is granted to all police, fire protection, ambulance personnel to enter the real property described in this plat in the performance of their official duties.

OWNER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

That Pikes Peak Professional Services LLC, a Colorado Limited Liability Company, being the owner of Lot 45R, Ptarmigan Trail Estates, Unit 1, located in Section 7, Township 5 South, Range 77 West of the Sixth Principal Meridian, Town of Dillon, County of Summit, State of Colorado,

Has laid out, subdivided and platted the same into lots, tracts, streets and easements as shown hereon under the name and style of DILLON URGENT CARE AND SUMMIT RESIDENCES and by these presents, does 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 dedicates those portions of land labeled as "Utility and/or Drainage Easements" to the Town of Dillon for the installation and maintenance of public utilities and drainage conveyances.

IN WITNESS WHEREOF, Pikes Peak Professional Services LLC, has caused its name to be hereunto subscribed this

____ day of _____, A.D., _____

 Nizar Assi, Owner

ACKNOWLEDGMENT

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

The foregoing instrument was acknowledged before me this ____ day of _____, A.D., ____ by

Nizar Assi as Owner of Pikes Peak Professional Services LLC, a Colorado Limited Liability Company.

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.

 Teresa England, Chairperson

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 Skowyrka, Mayor

Attest _____
 Adrienne Struckey, 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.

CLERK'S CERTIFICATE

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

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

By: _____
 Town Clerk, Adrienne Stuckey

SURVEYOR'S CERTIFICATE

I, THOMAS S. MARCIN, being a registered land surveyor in the State of Colorado, do hereby certify that this Plat of Lot 45R, Ptarmigan Trail Estates, Unit 1 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 dedicatory free and clear of all liens, taxes and encumbrances, except as follows:

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

Agent _____

CLERK AND RECORDER'S CERTIFICATE

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

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)

ENGINEER'S CERTIFICATE

All road and drainage improvements are to be constructed according to road and drainage plans that have been approved for construction by the Dillon Town Engineer

 Town Engineer, Dan Burroughs, PE

Dillon Urgent Care and Summit Residences A Replat of Lot 45R Ptarmigan Trail Estates, Unit 1 Town of Dillon, County of Summit, State of Colorado	
<i>DRAWN BY:</i> HCN	<i>DATE:</i> 01/03/2020
<i>CHECKED BY:</i> RME	<i>DRAWING NO.:</i> 19049
<i>JOB NO.:</i> 19049	<i>SHEET:</i> 1 OF 2

MARCIN ENGINEERING LLC

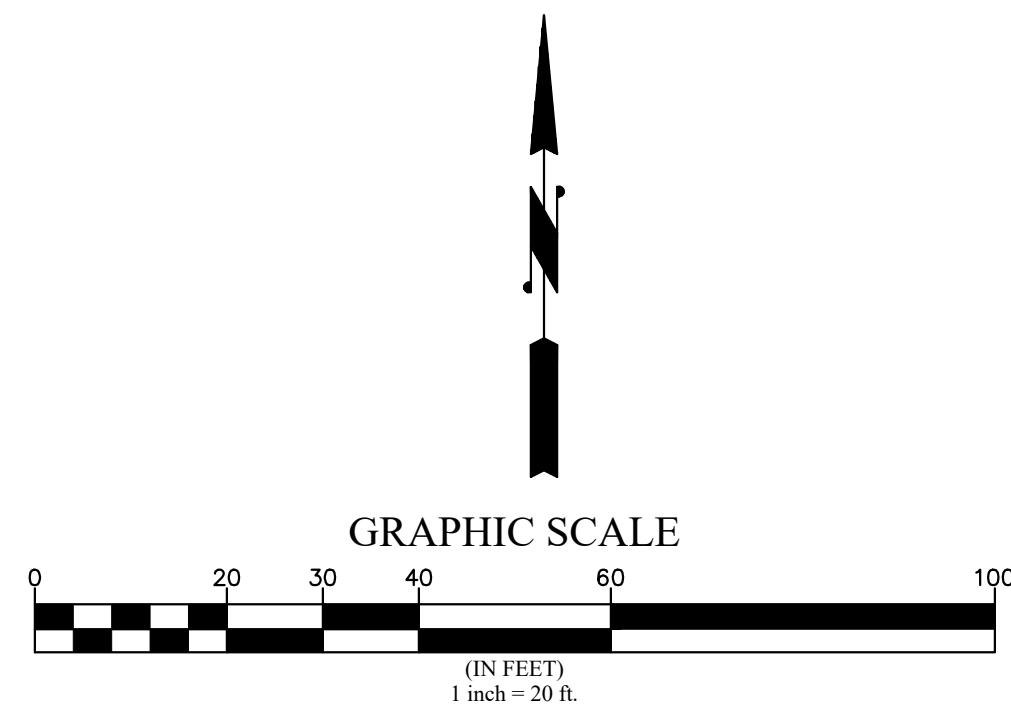
130 Ski Hill Road #235
 P.O. BOX 6008
 Breckenridge, CO 81620
 (970) 771-3459



Final Plat

DILLON URGENT CARE AND SUMMIT RESIDENCES A REPLAT OF LOT 45R, PTARMIGAN TRAIL ESTATES, UNIT 1

Located in the Southwest $\frac{1}{4}$ of Section 7,
Township 5 South, Range 77 West of the 6th Principal Meridian
Town of Dillon, County of Summit, State of Colorado

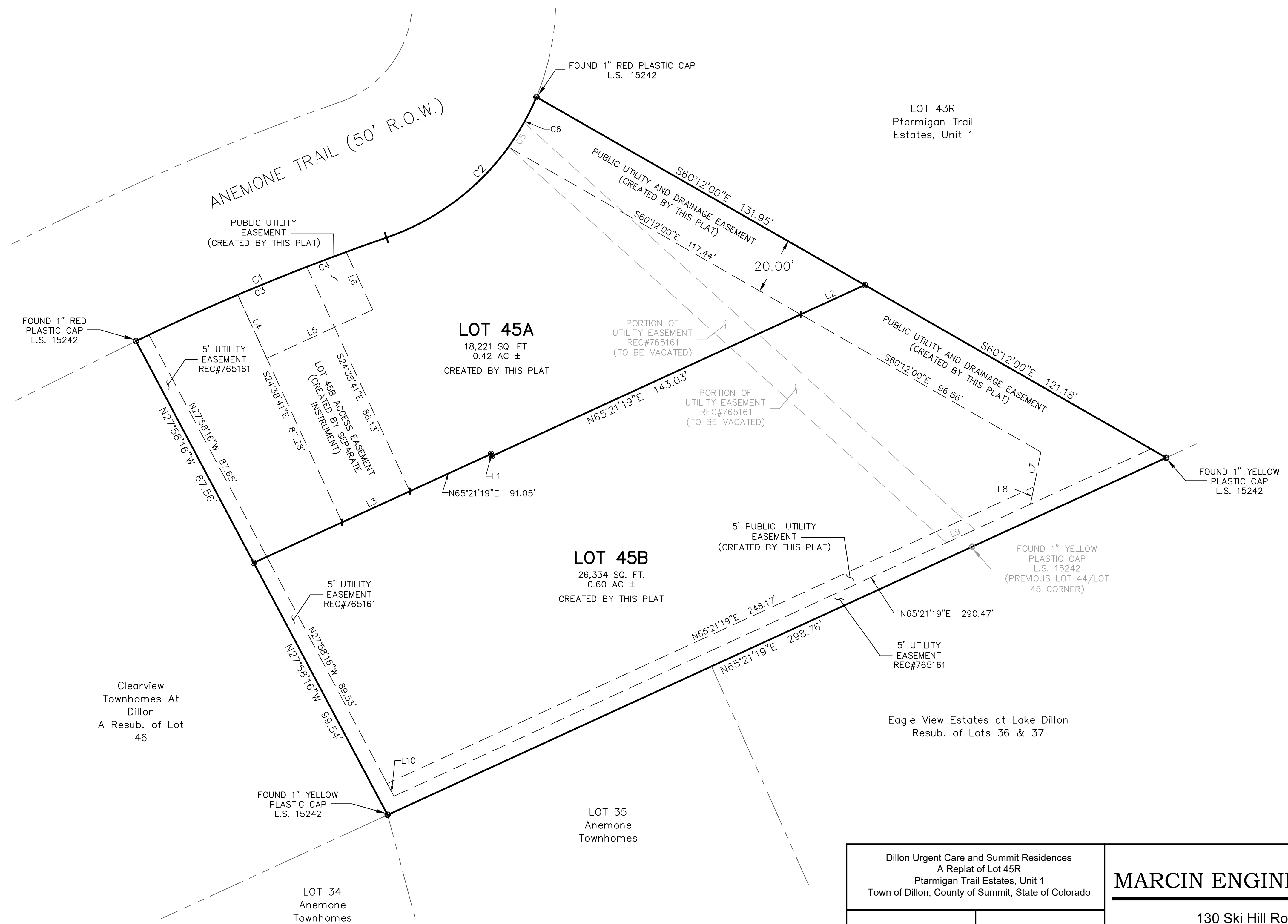


Line Table		
Line #	Direction	Length
L1	S24° 38' 41"E	0.79'
L2	N65° 21' 19"E	24.58'
L3	N65° 21' 19"E	26.00'
L4	S24° 38' 41"E	24.35'
L5	N65° 21' 25"E	40.62'
L6	S24° 38' 40"E	22.18'
L7	N11° 16' 21"E	12.38'
L8	N11° 16' 21"E	6.17'
L9	N65° 21' 19"E	10.89'
L10	S27° 58' 16"E	5.01'

Curve Table					
Curve #	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	94.56'	792.50'	6°50'11"	S67° 33' 13"W	94.50'
C2	73.89'	87.40'	48°26'24"	N46° 50' 30"E	71.71'
C3	26.03'	792.50'	1°52'54"	S67° 53' 36"W	26.03'
C4	14.66'	792.50'	1°03'35"	S69° 21' 50"W	14.66'
C5	10.15'	87.40'	6°39'13"	N32° 25' 51"E	10.14'
C6	20.05'	87.40'	13°08'26"	N29° 11' 31"E	20.00'

LEGEND:

- FOUND MONUMENT AS DESCRIBED
- SET NO.5 REBAR WITH 1½" ALUMINUM CAP L.S. 37999



Dillon Urgent Care and Summit Residences A Replat of Lot 45R Ptarmigan Trail Estates, Unit 1 Town of Dillon, County of Summit, State of Colorado	
DRAWN BY: HCN	DATE: 01/03/2020
CHECKED BY: RME	DRAWING NO.: 19049
JOB NO: 19049	SHEET: 2 OF 2

MARCIN ENGINEERING LLC

130 Ski Hill Road #235
P.O. BOX 6008
Breckenridge, CO 81620
(970) 771-3459



NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered 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 certification shown hereon.