

RESOLUTION NO. PZ 5-20
Series of 2020

**A RESOLUTION RECOMMENDING APPROVAL OF A
MAJOR PUD AMENDMENT FOR THE DILLON URGENT CARE
& RESIDENCES PUD DEVELOPMENT PLAN LOCATED AT 956
W. ANEMONE TRAIL.**

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level IV Development Application from Pikes Peak Professional Service LLC (the “**Applicant**”) for a major amendment to the Dillon Urgent Care and Residences PUD Development Plan (“**Application**”), which was previously approved by the Town Council pursuant to Ordinance No. 08-18, Series 2018, following a recommendation of approval by the Planning Commission; 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 May 6, 2020, before the Planning Commission; and

WHEREAS, before the close of the public hearing, the Planning Commission continued the hearing to June 3, 2020 on the request of the Applicant; and

WHEREAS, during the continuance, the Applicant submitted minor changes to the Application, including revised grading plans, lowered building height, and the removal of the sign on the east face of the Phase I building; and

WHEREAS, on June 3, 2020, the Planning Commission reopened the public hearing, at which hearing the Planning Commission reviewed evidence and heard testimony regarding minor changes to the Application; 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.

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 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, **except as modified through the PUD.**
- C. That the Application is compatible with the Mixed Use Zone District and is compatible with surrounding uses.
- D. That the Application is in **substantial conformance** with the Town of Dillon Comprehensive Plan.
- E. **The PUD as set forth in the PUD development plan will not have an adverse impact on the surrounding area. The PUD is compatible with the scale, intensity, and type of land uses located on adjacent property.**
- F. **The proposed benefits offset the proposed exceptions to the underlying zoning district and the subdivision regulations and such exceptions are in the best interest of the public health, safety and welfare.**
- G. **Streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.**
- H. **The proposed utility and drainage facilities are adequate for the population densities and type of development proposed and will not create a drainage or pollution problem. The timing of installation of utility and drainage facilities will be closely coordinated with development construction and will not create a hardship on residents either within or outside the planned area.**
- I. **The density in the proposed development will not result in the inability on the part of the Town or utility providers to provide public utilities or services to the project.**

Section 2. That the Planning Commission hereby recommends that the Town Council of the Town of Dillon approve the Application for a major amendment to the Dillon Urgent Care and Residences PUD Development Plan, 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. The Dillon Urgent Care and Residences PUD Development Plan shall be updated once all conditions have been met and be recorded prior to issuance of a Building Permit.
- C. The Applicant shall enter into a Development Agreement with the Town of Dillon prior to issuance of a Building Permit.
- D. The applicant shall grant a new 25’ water easement to the Town centered on the fire hydrant lateral and main from the street.

- E. The applicant shall enter into an encroachment license with the Town of Dillon for the residential driveway, site concrete walks & stairways and boulder walls constructed within the 25' sanitary sewer easement. The stairways shall not be connected to the building to allow their complete removal for sanitary sewer main maintenance or replacement.
- F. The Applicant shall submit final site plan, landscape plans, site lighting plans, construction stormwater management plans, and civil and right-of-way construction plans to the Town Engineer for review and approval. The applicant shall address all comments from the Summit Fire & EMS authority prior to submittal of the final drawing set.
- G. The Applicant shall design and construct a storm sewer collection system between the onsite detention ponds to a new double gutter inlet in the W. Anemone Trail Right-of-way near the northern corner of the site, which new inlet shall be connected to the existing inlet near the southeastern corner of W. Anemone Trail and Little Dam Street.
- H. For each phase of the Development, the Applicant shall submit to the Town for review and approval a surveyor's Improvement Location Certificate plat (the "ILC") of the cast concrete foundation for the building prior to final foundation inspection by the Summit County Building Inspection Department (the "Building Department").
- I. For each phase of the Development, the Applicant shall submit to the Town for review and approval a surveyor's Improvement Location Certificate plat (the "ILC") of the framed building height prior to final framing inspection by the Building Department. . The maximum height of each building shall not exceed the allowable height of the Mixed-Use Zone District as calculated using a base elevation of 8883.0' for the Lot 45A Clinic Building, and a base elevation of 8890.5' for the Lot 45B condominium building.
- J. The Applicant shall provide to the Town Engineer, upon the completion of the underground utility installations and prior to the Certificate of Occupancy, an As-Built drawing of the underground utilities associated with the Application to include dimensions and details relating to the location of utility system fittings, components, pipe sizes, alignment, and installation locations.
- K. Due to the minimal nature of the snow storage provided, the Applicant shall enter into a snow storage removal agreement with the Town for the instances when the snow storage is full. Parking spaces shall not be used for permanent storage of snow.
- L. The Applicant shall construct and maintain a trash enclosure for Phase I. A trash enclosure shall remain available to the Phase I portion of the Development during the construction of Phase II. Upon completion of Phase II, and the construction of

the permanent trash enclosure approved as a part of the original PUD approval, Phases I and II shall jointly utilize the permanent trash enclosure.

- M. The Applicant shall conform to the PUD Sign Plan requirements set forth in this application, which provides the dimensional standards for a total of six (6) signs for the Development with a total square foot area of 222 square feet. One sign exceeds the typical twenty (20) foot maximum sign length.
- N. The Applicant shall submit an application for a Condominium Map for the Lot 45B residential building for review and approval by both the Planning and Zoning Commission and the Town Council in Public Hearings prior to issuance of a certificate of occupancy for Phase II.
- O. The Applicant shall complete all Public Improvements related to the PUD prior to issuance of the Certificate of Occupancy for Phase I. All landscaping and site improvements for Phase I shall be completed prior to issuance of the Certificate of Occupancy for Phase I. All site improvements and landscaping shall be completed for Phase II of the PUD prior to issuance of the Certificate of Occupancy for Phase II of the PUD.
- P. The Applicant shall enter into a Restrictive Covenant Agreement with the Town to ensure the apartment units constructed as part of Phase I are to be used solely as temporary housing for employees of the urgent care facility, or workforce housing for persons working at least 30 hours per week in the Town of Dillon or Summit County.
- Q. The Applicant shall grant a new access easement across Lot 45A between the W. Anemone Trail and the Lot 45B property line for access to the residential condominium building on Lot 45B. If the final lot line between Lots 45A and 45B needs to be adjusted, the Applicant shall submit an additional application for approval of a lot line adjustment to the recorded plat.

RECOMMENDED FOR APPROVAL THIS 3rd DAY OF JUNE 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

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