

RESOLUTION NO. PZ 08-20
Series of 2020

**A RESOLUTION RECOMMENDING APPROVAL OF A
LEVEL IV DEVELOPMENT APPLICATION FOR A PUD
LANDSCAPE PLAN FOR THE MULTI-FAMILY PROJECT AT 14
ENSIGN DRIVE.**

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level IV Development Application from CHILLS LLC (the “**Applicant**”) for a Planned Unit Development (“**PUD**”) Landscape Plan for the multi-family development at 14 Ensign Drive Lot 1, Block 5, Corinthian Hill Subdivision, Dillon, Colorado; and

WHEREAS, the Planning Commission has determined that the Application is complete; and

WHEREAS, a PUD Landscape Plan may dictate the specific landscaping requirements of a project, which may deviate from the general Code requirements, through the PUD review and approval process; and

WHEREAS, following the required notice, a public hearing on the Application was held on July 1, 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 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 July 1, 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 satisfies a condition of approval to submit a revised landscape plan for the multi-family development at 14 Ensign Drive, approved by the Planning Commission by Resolution PZ 12-19, Series of 2019 on June 5th, 2019.

- D. That the Application is compatible with the Residential Medium Zone District and is compatible with surrounding uses.
- E. That the Application is in general compliance with the Town of Dillon Comprehensive Plan.
- F. That the homeowners of the Corinthian Hill Subdivision desire the Applicant, through the PUD Landscape Plan process, provide a landscape plan that has fewer street trees than required by the general Code requirements.
- G. That the Corinthian Hill Property Owners Association Board of Directors has found the submitted PUD Landscape Plan for 14 Ensign Drive satisfies their desires for less view obstructing landscaping.
- H. That the Applicant wishes to install landscaping on site in accordance with the PUD Landscape Plan as depicted in Exhibit A, which deviates from the typical landscaping provisions of the Code relating to the total number of street trees.
- I. That the Application complies with Section 16-5-120 of the Code, being appropriate for the uses in the approved development plan and compatible with area landscaping and streetscape plans.
- J. That the PUD Landscape Plan will not have an adverse impact on the surrounding area. The PUD Landscape Plan is compatible with the scale, intensity, and type of land uses located on adjacent property.
- K. That the proposed benefits offset the proposed exceptions to the underlying zoning district regulations, and such exceptions are in the best interest of the public health, safety and welfare.

Section 2. That the Planning Commission hereby recommends approval of the Application for a PUD Landscape 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 landscape shall be maintained in good condition and trees and shrubs shown on the plan shall be replaced in similar type and location should they fail to thrive.
- C. No landscape walls or retaining walls shall be constructed in the utility easements.
- D. The storm drain pipe and detention ponds shall be maintained by the property owner for continued functional use as designed.

- E. No trees shall be planted within ten (10) feet laterally of an underground water or sanitary sewer service or main.

**RECOMMENDED FOR APPROVAL THIS 1ST DAY OF JULY, 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

Resolution PZ 08-20, Series of 2020

EXHIBIT 'A'
PUD LANDSCAPE Plan
14 Ensign Drive