

RESOLUTION NO. PZ 11-20
Series of 2020

A RESOLUTION APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A MINOR AMENDMENT TO THE DILLON URGENT CARE AND RESIDENCES PUD DEVELOPMENT PLAN.

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level III Development Application from Pikes Peak Professional Services, LLC (the “**Applicant**”) for a Minor Change to the Dillon Urgent Care and Residences PUD Development Plan (the “**PUD**”), 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 August 5, 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 August 5, 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 constitutes a Minor Change to the PUD, in accordance with the definition set forth in Section 16-1-200 of the Code: *Minor change* means a

proposed change to an approved development permit that does not qualify as a "correction" or "adjustment" and does not:

1. Change the general character of the development or the proposed density;
2. Change the boundaries of the permitted development;
3. Change any use, such as residential to commercial;
4. Significantly change the location or amount of land devoted to a specific land use; or
5. Relax dimensional standards or other specific requirements established by the Planning Commission or Town Council as a condition of approval.

Section 2. That the Planning Commission hereby approves the Application for a Minor Change to the Dillon Urgent Care and Residences PUD Development Plan, with the following conditions:

- A. The Town Manager may, in the Town Manager's sole discretion, approve additional Corrections or Adjustments 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 be required in the Development Agreement to grant utility and fire department access easement(s) to the Town and fire department prior to the issuance of certificates of occupancy for the project.
- 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 pond(s) 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 final building height, which shall be no greater in height than the maximum height approved in the PUD, as amended, prior to final framing inspection by the Building Department.
- 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. The Applicant shall provide landscaping to screen the three apartment units in Phase I. The additional landscaping should include tall ornamental grasses and some shrubs, but no trees since the improvements will be located in the utility easement. The landscaping for screening the apartments needs to be shown on the revised landscape plan to be submitted to the Town in accordance with Condition 'F' above.
- L. The Applicant shall update the Open Space calculation and table on Sheet A103 to remove from that calculation any designated snow storage area shown on the plans in accordance with the Code.
- M. 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.
- N. The Applicant shall submit a Condominium Map 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.
- R. The applicant shall revise the PUD development plan drawing set in conformance with the PUD, as amended, prior to recording the PUD.
- S. 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.

APPROVED AND ADOPTED THIS 5th DAY OF AUGUST, 2020 BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
_____, Chairperson

ATTEST:

By: _____
Michelle Haynes, Secretary to the Commission