

**PLANNING AND ZONING COMMISSION ACTION ITEM  
STAFF SUMMARY  
JUNE 2, 2021 PLANNING AND ZONING COMMISSION MEETING**

**DATE:** May 28, 2021

**AGENDA ITEM NUMBER:** 6

**ACTION TO BE CONSIDERED:**

Consideration of Resolution No. PZ 08-21, Series of 2021. **(PUBLIC HEARING)**

**A RESOLUTION APPROVING AN APPLICATION FOR A  
CONDITIONAL USE PERMIT TO OPERATE A CHILD CARE  
FACILITY IN THE CORE AREA ZONE DISTRICT AT 135 MAIN  
STREET.**

**TOPIC:**

The Town has received an Application for a Conditional Use Permit for a preschool (Child care facility) proposed to be located in the Core Area (CA) Zone district at 135 Main Street, more specifically described as Lot 15, Block A, New Town of Dillon Subdivision. The building vicinity map may be viewed in *Figure 1* and the subject units in the building may be viewed in *Figure 2*.

The Applicant is Penney Graves and the preschool is named Rocky Mountain Montessori Preschool (RMM). The Dillon Municipal Code requires a Conditional Use Permit for a preschool use in the Core Area Zone district.

**BACKGROUND / TIME FRAME:**

- April - May 2021: Coordinate with Applicant for Conditional Use Permit Application
- April 30, 2021: Application submittal for Conditional Use Permit

**PUBLIC NOTICE:**

Applications for Conditional Use Permits require a public hearing before the Planning and Zoning Commission. The Town posted signs of the Public Hearing on site on Wednesday, May 26<sup>th</sup>, 2021. A newspaper legal notice ran in the Summit Daily (Journal) on Friday, May 21<sup>st</sup>, 2021 and a mailing noticing the public hearing time and date was sent out on Friday, May 21<sup>st</sup>, 2021 to property owners within 300' of the Application. Notices were also placed in the Town of Dillon public posting locations. These dates and notification distributions are all within the required 7-day minimum and 14-day maximum notice period required by the Dillon Municipal Code (the "Code").

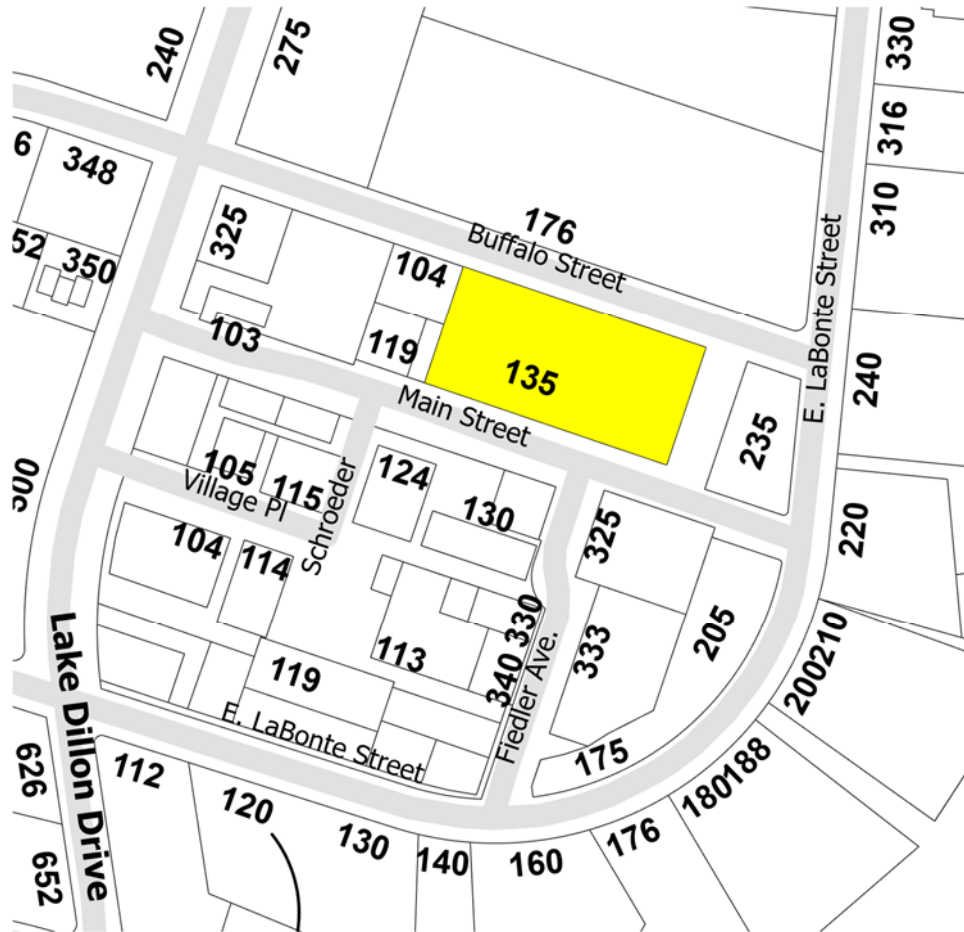


Figure 1. 135 Main Street Building Vicinity

## THE APPLICATION & CODE ANALYSIS:

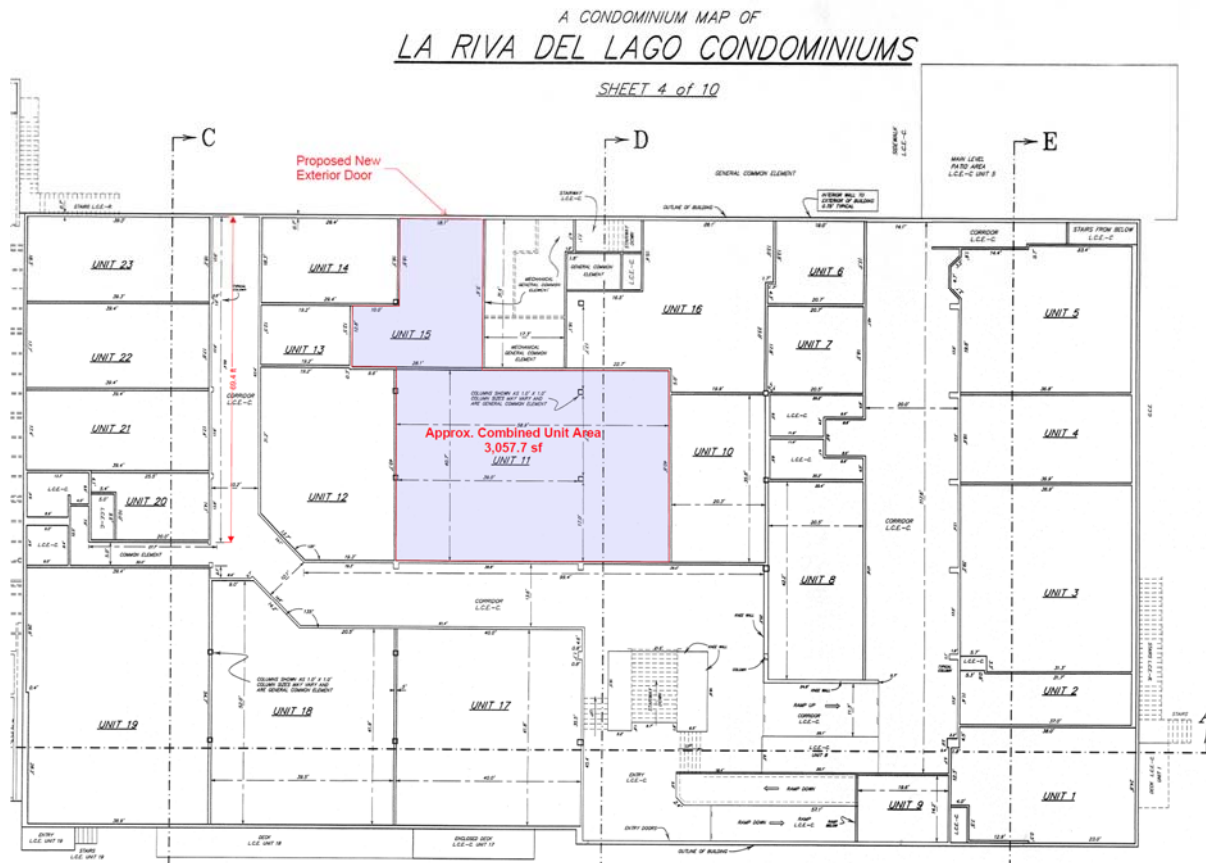
### Application Narrative Provided by Applicant:

Conditional use at the Dillon Center Mall unit 11 and 15 for Rocky Mtn. Montessori Preschool: Rocky Mtn. Montessori Preschool has been in the Town of Dillon since it opened its doors in 1994 at 135 Main St. RMM remained there until the construction of the condos began. I then moved RMM to Dillon Community Church, where it has remained for 15 years. I will be relocating and prefer to stay within the town of Dillon. While this may not be consistent with the intended use, or zoning I do believe that it will bring more families/people to the Dillon Center Mall who would otherwise not step foot in the building. The parcel is definitely suitable for RMM and it will not have any significant negative impact on the air or water quality of the community. Nor will it impair or preclude the use of surrounding properties in the applicable zoning district. Adequate public utilities and services are available to the site.

Moving Rocky Mtn. Montessori to 135 Main St. will allow me to expand the preschool and offer more families in the county childcare. Rocky Mtn. Montessori will also bring more families to the Dillon Center Mall, which will expose them to the different businesses there (ie. The bowling alley, the restaurants, the stores, and the gym). My employees and myself will also utilize the restaurants and coffee shop that are in the mall. During the summer months, families will take advantage of the close proximity to the town park and field. It will bring more families into

Dillon, who otherwise, may not utilize the amenities that Dillon has to offer.

I understand there may be some concern with drop off and pick ups for the preschool. Parents drop off between 730 a.m. and 9 a.m. and generally pick up between 330 p.m. and 530 p.m. They do not (all) show up at the same time. I will install an exterior door (facing Buffalo St.) that will provide an easy access for drop off and pick ups. There is adequate parking by the town park for parents during these times. It <sic> do not believe this will have a negative impact on the businesses that operate in the area or mall.



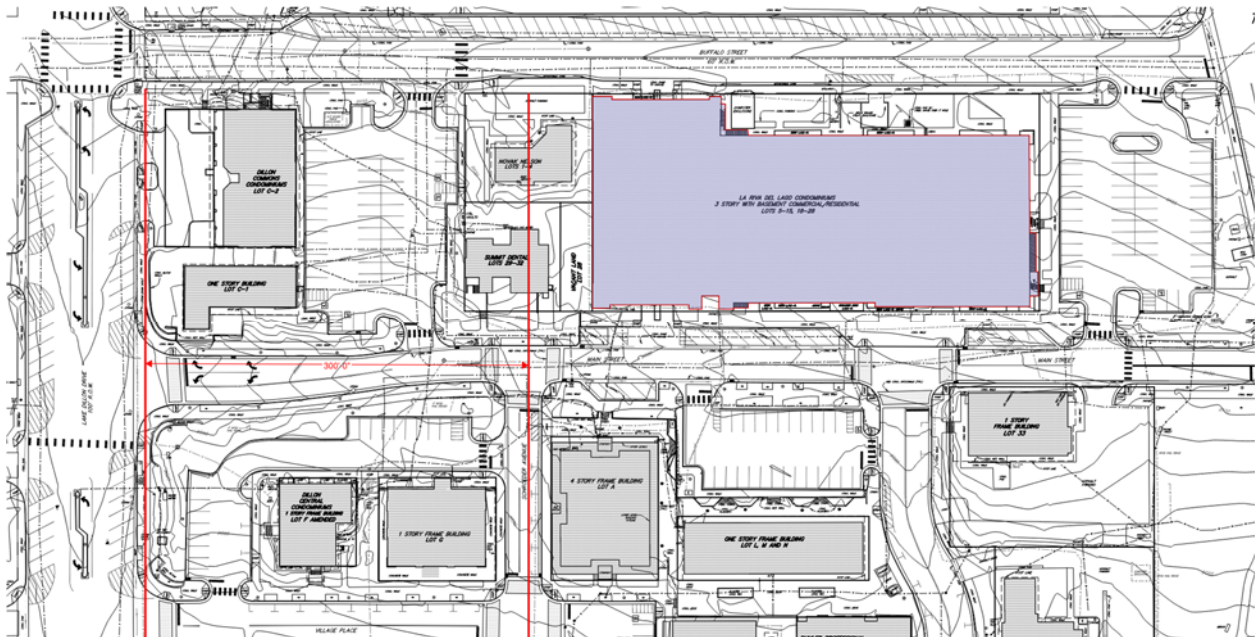
**Figure 2. Proposed Preschool location in 135 Main Street**

**Zoning District:** The Application is located in the Core Area (CA) Zone district. A preschool use is listed as a Conditional Use in the Core Area Zone district and might be considered as a Conditional Use so long as it is located more than three hundred (300) feet from the Lake Dillon Drive Right-of-way (Sec. 16-3-150). See **Figure 3** for the three hundred (300) foot setback verification. A conditional use is an activity generally similar to other uses permitted within a zoning district, which, because of the manner in which the proposed use could be developed, may not be appropriate in all situations or may require the imposition of special conditions to ensure compatibility with existing and potential land uses within the vicinity (Sec. 16-4-110).

**Code Definition of Child care facility means a commercial establishment for daily care or instruction of children.**

-The Application is for a preschool defined in the Code as a Child care facility.

*Parking Analysis:* Unique to the Core Area Zone district is that the Town of Dillon owns and maintains almost all the surface parking spaces, and those spaces in the vicinity of this building may be viewed in **Figure 3**.



**Figure 3. 135 Main Street beyond 300-foot from Lake Dillon Drive and nearby parking**

The application proposes a preschool with five (5) staff members and up to forty (40) children. The Code requires one (1) parking space per staff member and one (1) parking space per ten (10) children for a preschool use (Sec. 16-6-40). The Code therefore requires nine (9) parking spaces for the proposed preschool as currently conceived. Also, per the Code, a commercial use is assessed one (1) parking space per every four hundred (400) gross square feet of commercial space, and parking space determinations are always rounded up. The proposed preschool will occupy two (2) commercial units in the building equaling 3058 square feet. Based on the Code, the two (2) commercial units in the building would thus have eight (8) parking spaces accounted for as the parking provided for their use.

The Code provides for a mechanism for applicants deficient in the required number of parking spaces in the Core Area Zone district to contribute to a fund for future parking infrastructure improvements, please see **Appendix ‘A’**. A fee for deficient parking is established in the Code on an escalating scale, starting at \$2,000 for the first three (3) parking spaces an applicant is deficient. The parking evaluation is summarized in **Table 1** below:

Area (SF)	Parking Credit - Office Use (1/400 SF)	Parking Required Preschool	Number of Staff	Number of Children	Required Parking Spaces	Deficient Parking Spaces	Fee per Deficient Parking Space
3058	8	1 Space - Staff & 1 Space - 10 Children	5	40	9	1	\$2,000

**Table 1.**

The La Riva Del Lago building is unique in that it has a few private on-site parking spaces off of Buffalo Street. There might be a means that the Applicant can avoid the parking fee if dedicated

parking in this private parking lot is provided to the Applicant.

## REVIEW AND FINDINGS BY PLANNING & ZONING COMMISSION:

### Review Criteria:

Section 16-4-130 of the Dillon Municipal Code provides the following review criteria for a Conditional Use Permit application with the *Applicant responses in italics* and [staff comments in brackets]. For the complete Code section on Conditional Uses, please see **Appendix 'A'** of this staff summary.

1. The use is listed as an allowed conditional use within the Zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.  
*...believe that it will bring more families/people to the Dillon Center Mall who would otherwise not step foot in the building.*  
[A preschool use is listed as a conditional use in the Core Area Zone district as long as it is at least 300' from the Lake Dillon Drive Right-of-way.]
2. The parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.  
*The parcel is definitely suitable for RMM...*  
[The site is developed with an existing building and this criterion does not specifically apply to the Application.]
3. The proposed conditional use will not have significant adverse impacts on the air or water quality of the community.  
*...it will not have any significant negative impact on the air or water quality of the community.*  
[This criterion is not anticipated to apply to this application.]
4. The proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.  
*Nor will it impair or preclude the use of surrounding properties in the applicable zoning district.*  
[The use is similar to other activity in the Core Area Zone district such as a day and churches and is not anticipated to impact uses permitted in the Core Area Zone district.]
5. Adequate public utilities and services are available or will be made available to the site prior to the establishment of the conditional use.  
*Adequate public utilities and services are available to the site.*  
[The existing site is already served by gas, electric, water, and sanitary sewer facilities. The use for the business is not anticipated to negatively impact utilities serving the building. A preliminary review of the water and sewer tap fees for the building and the application indicate that the proposed use will not require any additional EQR's for the Application. See **Table 2.**]

Area (SF)	EQR Credit - Office Use (0.65 / 1,000 SF)	EQR's Required Preschool	Number of Children	Required EQR's
3058	1.988	1.500 / 50 Students	40	1.2

**Table 2. Tap Fee (EQR) Evaluation**

6. If located on an adjoining lot, the following additional criteria shall be met: the conditional use is parking or storage uses accessory to a primary single-family use.  
 [This criterion does not apply to the Application.]
7. If the conditional use is for wholesale trade class 1 or wholesale trade class 2, the following additional criteria shall be met:
  - a. The proposed conditional use will not produce any noise or vibration issues that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
  - b. The proposed conditional use will not produce any smells, odors or noxious fumes that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building. The proposed conditional use shall meet all applicable code requirements for ventilation and fire protection.
  - c. The proposed conditional use will not produce any storage, loading or delivery activities related to the storage, loading or delivery of finished products or raw materials that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
  - d. The proposed conditional use will not cause its employees and vendors to occupy parking spaces intended for retail businesses within two hundred (200) feet of the business.

[These criteria do not apply to the Application.]

Letters of Support: The Applicant has submitted letters of support to accompany the Application and they may be viewed in **Appendix 'B'**.

Decision:

If the proposed development is in compliance with conditional use criteria, the Planning and Zoning Commission may approve the application. When deemed necessary to ensure that the use meets the criteria for approval, the Planning and Zoning Commission may attach conditions that relate to impacts created by the proposal.

If the proposed development is not in compliance with condition use criteria, the Planning and Zoning Commission may deny the application.

The Planning and Zoning Commission may also continue the hearing for up to thirty-five (35) calendar days for good cause, or to allow additional information and materials to be submitted that will allow for a comprehensive review. In no event may the Planning and Zoning Commission continue a hearing for more than thirty-five (35) days unless agreed to in writing by the applicant. In the event a hearing is continued, the applicant shall submit any additional materials he or she wishes the Town to consider at least ten (10) days prior to the continued hearing, unless otherwise specified by the Town.

**BUDGET IMPACT:** None

**STAFF RECOMMENDATION:** Town staff recommends approval of Resolution PZ 08-21, Series of 2021

**MOTION FOR APPROVAL:**

I move we approve Resolution PZ No. 08-21, Series of 2021 with conditions as presented.

**ACTION REQUESTED:** Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

**DEPARTMENT HEAD RESPONSIBLE:** Scott O'Brien, Public Works Director

**Appendix 'A' Dillon Municipal Code Excerpts**  
**Conditional Uses & Future Parking Improvement Fees**



- DILLON MUNICIPAL CODE  
CHAPTER 16 - Zoning  
ARTICLE IV - Supplemental Zoning Provisions  
Division 2 Conditional Uses

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*Division 2 Conditional Uses*

**Sec. 16-4-110. Purpose.**

A conditional use is an activity generally similar to other uses permitted within a zoning district, which, because of the manner in which the proposed use could be developed, may not be appropriate in all situations or may require the imposition of special conditions to ensure compatibility with existing and potential land uses within the vicinity. In some instances, conditional uses may be referred to in this Chapter as a special review. In those instances, the special review shall mean a conditional use, and shall be treated as such hereunder.

**Sec. 16-4-120. Authorization.**

Uses listed as conditional uses within any zoning district may be approved by the Planning Commission after at least one (1) public hearing, if the criteria contained in this Division have been satisfied. Conditional uses shall be established and maintained in accordance with the applicable development standards within the zoning district in which the use is located, and any conditions imposed as part of the approval.

**Sec. 16-4-130. Conditional use criteria.**

The following criteria, in addition to other applicable criteria in this Chapter, shall be used to review and decide conditional use permit applications.

- (1) The use is listed as a conditional use within the zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.
- (2) The parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.
- (3) The proposed conditional use will not have significant adverse impacts on the air or water quality of the community.
- (4) The proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.
- (5) Adequate public utilities and services are available or will be made available to the site prior to the establishment of the conditional use.
- (6) If the conditional use is parking or storage uses accessory to a primary single-family use and located on an adjoining lot, the following additional criteria shall be met:
  - a. Parking shall not be allowed in any setback of the vacant lot.
  - b. There is no predetermined limit to the number of vehicles allowed on the vacant lot, but the Planning and Zoning Commission, using the perceived capacity as appropriate for the neighborhood, shall determine a maximum number of vehicles.
  - c. If more than two (2) vehicles are parked on the vacant lot, they shall be fully screened in accordance with Section 16-7-30.
  - d. No commercial vehicles are allowed to be parked or stored on the vacant lot.

- (7) If the conditional use is for wholesale trade class 1 or wholesale trade class 2, the following additional criteria shall be met:
  - a. The proposed conditional use will not produce any noise or vibration issues that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
  - b. The proposed conditional use will not produce any smells, odors or noxious fumes that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building. The proposed conditional use shall meet all applicable code requirements for ventilation and fire protection.
  - c. The proposed conditional use will not produce any storage, loading or delivery activities related to the storage, loading or delivery of finished products or raw materials that have significant adverse impacts on the community and the neighboring property owners and tenants in a multi-tenant building.
  - d. The proposed conditional use will not cause its employees and vendors to occupy parking spaces intended for retail businesses within two hundred (200) feet of the business.

(Ord. 04-20 §5)

#### **Sec. 16-4-140. Authorization of conditions.**

When deemed necessary to ensure that the use meets the criteria for approval, conditions addressing the following, or related, matters may be imposed:

- (1) Size, height and location of buildings and accessory structures.
- (2) Landscaping when necessary to provide screening from incompatible adjacent uses or from public rights-of-way.
- (3) Retention of existing trees and vegetation for buffering purposes.
- (4) Size, location, screening, drainage and surfacing of driveways, parking and loading areas and street access.
- (5) Size, height, location and materials for the construction of fences to screen the subject property from incompatible adjacent uses or from public rights-of-way.
- (6) Location and intensity of outdoor lighting.
- (7) Hours of operation or conduct of particular activities.
- (8) Abatement, mitigation or prevention of nuisances.
- (9) Availability and improvement of urban services, including street improvements, dedication of street right-of-way, traffic signs and signals, sewer, storm drainage, water and turnouts and shelters for mass transportation, provided that the condition applies only to the subject property or public right-of-way or easement abutting the subject property, or impacted by the subject property.
- (10) Conditions may be imposed that require that all or part of the proposed development or use be deferred until certain events occur, such as the availability to the subject property of certain levels of service required to meet Town standards and provide for the health, safety and/or welfare of the community.
- (11) Conditions may be imposed that require that any and all conditions imposed under this Section be recorded in the deed of records with the County Clerk and Recorder.

(Ord. 04-20 §5)

**Sec. 16-4-150. Limits on conditions.**

The following limits and requirements apply to conditions imposed pursuant to this Division:

- (1) Conditions shall be clear and objective; shall be reasonably related to the public health, safety and welfare; and shall be designed to reasonably effectuate their intended purpose.
- (2) If the dedication of street right-of-way or street improvements are required as provided in this Division, the provision of the dedication, improvements or funding of such shall be deferred until a building permit is obtained.

(Ord. 04-20 §5)

**Sec. 16-4-160. Transfer of conditional use permit.**

Unless otherwise provided in the final decision granting the conditional use permit, any conditional use permit granted pursuant to this Chapter shall run with the land, and shall automatically transfer to any new owner or occupant subject to all conditions of approval.

**Sec. 16-4-170. Duration of permit.**

- (a) Except as provided in subsection (b), a conditional use permit shall expire if an applicant fails to obtain a building permit to construct the conditional use within one (1) year of the date of conditional use permit issuance.
- (b) If the conditional use permit is issued in connection with an approved development permit, the duration of the conditional use permit shall be concurrent with the duration of the development permit pursuant to Division 11 of Article II of this Chapter.

(Ord. 04-20 §5)

**Sec. 16-6-50. Participation in future parking improvements and parking fees.**

- (a) In those instances where the applicant for a development permit within the Core Area, including a request for a change of use, cannot or desires not to provide all parking spaces required in this Chapter, the applicant may request to enter into an agreement with the Town to pay (i) a fee per deficient parking space as set forth below; and (ii) the annual fee for a pro-rata share of the Town's costs in maintaining, removing snow from, and overlaying, from time to time, parking spaces in Town-provided parking lots, as set forth in Chapter 11 of this Code; such request may be granted or denied in the Town Council's sole discretion. Fees per deficient parking spaces shall only be charged for the number of required parking spaces a development is deficient, and no fee per deficient parking space shall be charged for parking spaces actually provided.
- (b) The right of an applicant to request and, if granted, to enter into such an agreement and make such payments, and the authority of the Town to accept such payments, shall be subject to the following limitations:
- (1) Not applicable to residential uses. Requests to pay fees in lieu of providing parking spaces in the amount required in this Chapter shall not be granted for parking as required for residential uses. The full amount of parking spaces as required for residential uses must be provided on-site.
  - (2) Agreement. The agreement shall specify the number of spaces the project is deficient, shall indicate the applicant's agreement to pay the fee per deficient parking space and the annual fee, and shall be entered into prior to the issuance of a building permit.
  - (3) Amount of fee per deficient parking space. The amount of the fee per deficient parking space shall be contingent on the number of parking spaces the project is deficient as set forth in Chapter 19 of this Code.
  - (4) Payment of fee per deficient parking space. The fee per deficient parking space shall be paid in full to the Town prior to the issuance of a building permit for the project or, at the discretion of the Town, at another time as agreed to between the Town and applicant, if the fee is guaranteed by a letter of credit.
    - a. Except as provided in Subsection (7) below, fees paid to the Town are nontransferable and nonrefundable. Any fee paid in connection with the development of a particular lot, tract or parcel shall run with the land for which the fee is paid, and is nontransferable to any other lot, tract or parcel.
    - b. If the development permit for which a fee has been paid has expired, and a new application for a development permit is thereafter filed for the same parcel within five (5) years, the Town shall credit any previous payments of fees per deficient parking spaces toward any fees due for the new application.
    - c. If a change in use of a property results in a reduced requirement for off street parking under the provisions of this Chapter, no refund shall be paid by the Town with respect to off street parking spaces which are no longer required.
  - (5) Use of fees per deficient parking space by Town. The fees collected by the Town pursuant to this Section may be expended by the Town only for the following purposes:
    - a. Acquisition of real property for the construction of municipal parking facilities within the Core Area, or any area located within one-half (½) mile of the Core Area if the Town Council determines that the Core Area will benefit from the provision of parking on such property.
    - b. Development, expansion, design or capital repair of municipal parking spaces or facilities within the Core Area, or any area located within two thousand (2,000) feet of the Core Area, including

but not limited to, construction costs, surveying costs, engineering, design and similar expenses related thereto.

- c. Payment of the principal, interest and other costs of bonds, notes and other obligations issued or undertaken by or on behalf of the Town to finance the acquisition, development, expansion or capital repair of municipal parking spaces and facilities within the Core Area or within two thousand (2,000) feet of the Core Area.
- (6) Fees in lieu of deficient parking shall not be used to remedy any deficiency in capital facilities that exists without regard to the proposed development.
- (7) Refund or credit of fees paid in lieu of providing parking.
- a. Refund. Any fees in lieu of providing parking, or portion thereof, collected pursuant to this Section which have not been expended or which have not been committed for expenditure for eligible parking improvements or design within twenty-five (25) years from the date of payment shall be refunded, upon application, to the record owner of the property for which the fee was paid, together with interest thereon at the legal rate earned thereon by the Town from the date of collection to the date of refund.
  - b. Credit. In the event the Town forms a special improvement district for the purpose of providing public parking facilities within or adjacent to the Core Area, all parking fees (not including interest) paid within a ten-year time period immediately prior to the formation of the district shall be credited toward the assessments of each lot for which the fees were previously paid.
- (8) Parking account.
- a. The Finance Director shall establish an interest-bearing account into which all fees per deficient parking space collected by the Town pursuant to this Section shall be deposited. Interest earned on the account into which the fees are deposited shall be considered funds of the account and shall be used solely for eligible parking design and improvements as authorized in this Section. The fees collected and the interest earned thereon shall not be commingled with any other funds of the Town.
  - b. The Finance Director shall establish adequate financial and accounting controls to ensure that the fees per deficient parking space disbursed from the account are utilized solely for eligible parking design and improvements as authorized in this Section.

(Ord. 05-99 §1; Ord. 02-02; Ord. 05-03 §2; Ord. 01-04 §§1-3; Ord. 14-20 §3)

**Appendix 'B' Letters of Support**

May 13, 2021

Town of Dillon

275 Lake Dillon Dr

Dillon, CO 80435

TO WHOM IT MAY CONCERN:

We have recently learned that the Rocky Mountain Montessori School is wanting to rent space in the La Riva Mall. We fully support this move to the mall. We think it will definitely be a benefit for Cameez. To fill the mall spaces is good but even better to fill it with kids and smiles. We would welcome them and be happy to have them share space with us.

Thank you for considering this.

Jerry, Diana and Jeremy Szeszulski



Caring Community † Growing Intimacy with God † Going Passionately

20 May, 2021

Town of Dillon  
PO Box 8  
Dillon, CO 80435

Re: Rocky Mountain Montessori School

Dear Town of Dillon,

We want to encourage the Town to approve Rocky Mountain Montessori School's move to the La Riva building in Dillon.

RMMS has been on our campus for 15 years, and have been great partners, as well as providers of an imperative service to the families of Summit County. Their move to the new location will be a refreshing improvement for the families they serve and a continued blessing to the Town.

If you have questions, I'd be happy to discuss anything with you. Please feel free to contact me at 970-468-6405.

Sincerely,

Jude Mitchell  
Administrator  
Dillon Community Church



Date 5-27-2021

Attention – Town of Dillon/La Riva Mall

From – Kimberly Ramey

Letter of Support for Rocky Mountain Montessori Preschool

To Whom It May Concern,

Thank you for your consideration and the opportunity to write this Letter of Support for Rocky Mountain Montessori School. My name is Kimberly Ramey, and I live in Dillon, CO with my husband and our two children who are 13 years old and 11 years old. My oldest started at Rocky Mountain Montessori Preschool when he was 4 years old continued until he started kindergarten. My youngest started when he was 3 years old and continued also until he started kindergarten. Rocky Mountain Montessori Preschool has been a huge part of our lives and helped provide our kids with an incredible foundation for preschool skills, social and emotional skills, academics, and communication skills. My children still speak fondly of their memories from Rocky Mountain Montessori Preschool and absolutely loved and still love their teachers, Mrs Penney, Mrs K, Mrs Monica and Mrs Brianna. As you know, there is a lot of turnover in Summit County with employment. Those 4 teachers are still at Rocky Mountain Montessori Preschool and are still providing a great preschool education and foundation for our community and the children in our community. Mrs. Penney, Penney Graves, the owner and administrator, continues to provide a full comprehensive curriculum to the preschool students and their families through the Montessori program and methods of teaching. In addition to the Montessori program they teach and instill being kind to others, respect others, and care for not only people but nature and our surroundings.

Please consider granting a conditional use permit to Rocky Mountain Montessori Preschool and allowing them to move into the space at the La Riva Mall in Dillon, Colorado for their school. I can attest that Rocky Mountain Montessori Preschool and their staff will be a great addition to this space and they will continue to teach the children how to be respectful and good citizens in our community and the staff hold themselves to the same high standard. I have not met one family, that does not cherish the time their children are or were at Rocky Mountain Montessori Preschool learning and thriving.

If you have any further questions, please feel free to contact me personally.

Thanks,

  
Kim Ramey

Mother of 2 students that are graduates of Rocky Mountain Montessori Preschool

PO Box 3685, Dillon, CO 80435

Home phone – 970-368-4408

5/27/2021

To: Town of Dillon

We are writing to show our full support for the Rocky Mountain Montessori to be granted approval to move into a new location operating out of the La Riva Mall in Dillon, CO. Summit County, and more importantly the Town of Dillon, is in dire need of more licensed preschool spots and this new location would allow for 15-20 more kids to receive an amazing preschool education as well as for parents to be able to resume work in the county.

As a local working family our children had the honor of attending the Rocky Mountain Montessori (RMM) from September 2016 until September 2020. Both boys gained an immense sense of independence, confidence and exceeded the necessary skills to take them into Kindergarten! RMM teachers are all wonderful, kind, thoughtful caring individuals who take pride in their teachings and engagement with their students! Our kids still request to stop by and just say hi or can you send that picture to my "old school?".

As local business owners in Silverthorne we are faced every day with the childcare & preschool shortages and long waitlists which prevent members from joining our team here at Summit Express and/or being able to work as much as they need to or would like due to lack of childcare availability.

We sincerely believe this move in location would benefit the Town of Dillon, our working families and our businesses and we look forward to your approval!

Sincerely,



Jackie & Bob Roppel

970-986-4146

jackie.roppe@summitexpress.com

Jennifer Riberdy  
PO Box 2660  
Silverthorne, CO 80498

May 27, 2021

To Whom It May Concern,

I am writing to express my support of Penny Graves and the Rocky Mountain Montessori Preschool.

It has been several years, but all three of my daughters went to Rocky Mountain Montessori for at least a year or two. We were always happy with their care and the running of the school. Things were always well organized and clean and Penney and her staff were good at communicating with us. I have no reason to believe that any of that has changed and I imagine Penney and her school will be excellent tenants.

If you have any questions, please do not hesitate to contact me.

Jennifer Riberdy  
[Jpiberdy@gmail.com](mailto:Jpiberdy@gmail.com)  
970-390-3118

**RESOLUTION NO. PZ 08- 21**  
**Series of 2021**

**A RESOLUTION APPROVING AN APPLICATION FOR A  
CONDITIONAL USE PERMIT TO OPERATE A CHILD CARE  
FACILITY IN THE CORE AREA ZONE DISTRICT AT 135 MAIN  
STREET**

**WHEREAS**, the Planning and Zoning Commission of the Town of Dillon (“Planning Commission”) has received an application (the “Application”) for a Conditional Use Permit from Penney Graves (the “Applicant”), to operate a Child Care Facility, to be named Rocky Mountain Montessori Preschool, in the Core Area (CA) zone district at 135 Main Street; 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 2, 2021, 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 use 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.** The Planning Commission, following the required notice, held a public hearing on June 2, 2021 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 use proposed in the Application is listed as a conditional use within the zone, or is otherwise identified as a conditional use and is consistent with the intent and purpose of the Comprehensive Plan and applicable zoning district.
- D. That the parcel is suitable for the proposed conditional use, considering such factors as size, shape, location, topography, soils, slope stability, drainage and natural features.
- E. That the proposed conditional use will not have significant adverse impacts on the air or water quality of the community.

- F. That the proposed conditional use will not substantially limit, impair or preclude the use of surrounding properties for the uses permitted in the applicable zoning district.
- G. That adequate public utilities and services are available at the site to serve the conditional use.

**Section 2.** The Planning Commission hereby approves the Application for a Conditional Use Permit to operate a Child Care Facility in the Core Area (CA) zone district at 135 Main Street, subject to the following conditions:

- A. The Applicant shall submit a copy of the certificate of occupancy to the Town.
- B. The applicant shall enter into an agreement with the Town to pay a fee per deficient parking space if another parking arrangement is not provided. The payment(s) shall be made as set forth in the agreement.
- C. The Town Manager may approve minor revisions to the Application that do not alter the character or intent of the Application as approved by this Resolution.

**APPROVED AND ADOPTED THIS 2<sup>ND</sup> DAY OF JUNE, 2021, BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.**

**PLANNING AND ZONING COMMISSION  
TOWN OF DILLON**

By: \_\_\_\_\_  
Alison Johnston, Chairperson

ATTEST:

\_\_\_\_\_  
Michelle Haynes, Secretary to the Commission