

**RESOLUTION NO. PZ 08-17**  
**Series of 2017**

**A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR THE DILLON FLATS CONDOMINIUMS, A 24 UNIT CONDOMINIUM BUILDING LOCATED AT 175 AND 205 E. LABONTE STREET, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.**

**WHEREAS**, the Planning and Zoning Commission of the Town of Dillon (“Planning Commission”) has received a Level III Development Application from Dillon Ridge Investments, LLC (the “Developer”) for the Dillon Flats Condominiums (“Application”), consisting of a 24 unit condominium building and its associated parking located on 175 and 205 E. LaBonte Street, Dillon, Colorado; 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 2<sup>nd</sup>, 2017, 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 for the Dillon Flats Condominiums.

**NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:**

Section 1. That the Planning Commission, following the required notice, held a public hearing on August 2<sup>nd</sup>, 2017 on the Application for the Dillon Flats Condominiums, 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 Core Area Zoning 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 provides a significant workforce housing component.

Section 2. That the Planning Commission hereby approves the Application and the Level III Development Permit for the Dillon Flats Condominiums located at 175 and 205 E. LaBonte Street, Dillon, Colorado with the following conditions:

- A. The Developer shall enter into a Development Agreement (“Agreement”) with the Town of Dillon for the proposed public improvements adjacent to 175 and 205 E. LaBonte Street and shall meet all the obligations and requirements contained therein prior to issuance of a certificate of occupancy for the building.
- B. The Developer shall enter into a Restrictive Covenant and Agreement for the provision of workforce housing (“Restrictive Covenant”) with the Town of Dillon for the Dillon Flats Condominiums, containing the provisions as follows:
  - 1. Developer shall dedicate in perpetuity six (6) deed restricted units, equaling twenty five percent (25%) of the total units in the development to serve as local workforce housing. Local workforce housing is defined as persons living in Summit County full time and working in Summit County a minimum of thirty (30) hours per week.
  - 2. Two (2) of the units will not be subject to any maximum purchase price restrictions.
  - 3. The maximum purchase price for four (4) of the units will be set at the Area Median Income (“AMI”) levels set forth in the approved agreement for Disposition and Development of Lots 16R, 17A and 17B as approved and executed by the Dillon Urban Renewal Authority at a later date.
- C. All storm sewer inlets, manholes and pipes located on Lots 17A and 17B shall be considered private and maintained by the developer in perpetuity.
- D. The Developer shall submit final construction plans for the street improvements on E. LaBonte Street for review and approval based on the requirements for the development agreement for this project.
- E. The Developer shall grant additional sidewalk and access easements for the public sidewalks being constructed on Lots 17A and 17B. The Developer shall grant a 4’ wide snow storage easement along E. LaBonte Street adjacent to the back of the public sidewalk.

**APPROVED AND ADOPTED THIS 2<sup>ND</sup> DAY OF AUGUST, 2017 BY  
THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON,  
COLORADO.**

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

By: \_\_\_\_\_  
Amy Gaddis, Chairperson

ATTEST:

By: \_\_\_\_\_  
Corrie Woloshan, Secretary to the Commission