

RESOLUTION NO. PZ 11-17
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, SECOND PHASE, A 24 UNIT CONDOMINIUM BUILDING LOCATED AT 235 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, Second Phase (“Application”), consisting of a 24 unit condominium building and its associated parking located at 235 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 September 6th, 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 September 6th, 2017 on the Application for the Dillon Flats Condominiums, Second Phase, 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, Second Phase, located at 235 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 235 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. Phases One (Lots 17A and 17B) and Phase Two (Lot 16R) of the Dillon Flats Condominium Project shall be administered under a single Owner’s Association for all three properties. The Developer shall create a cross parking agreement between all three lots and permanently commit six (6) of the surface parking spaces on Lots 17A and 17B for the use by the residents of the Lot 16R building. The condominium map shall also provide similar dedication language to permanently establish the link between the shared parking on these three parking lots. The cross parking agreement shall be reviewed and approved by the Town prior to issuance of a Certificate of Occupancy for the first building.
- D. The Developer shall submit final construction plans for the street improvements on E. LaBonte Street, Buffalo Street and Main Street for review and approval by the Town Engineer based on the requirements for the development agreement for this project.
- E. The proposed building will require several revocable encroachment licenses for the roof overhang(s) beyond the property line. Prior to issuance of a building permit, the Developer shall prepare metes and bounds descriptions, prepare an exhibit map for each of the license areas required and pay the required license fees

- F. The Developer shall enter into a right-of-way snow and ice removal agreement with the Town of Dillon on all four sides of the property.

**APPROVED AND ADOPTED THIS 6TH DAY OF SEPTEMBER, 2017
BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON,
COLORADO.**

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

By: _____
Teresa England, Vice Chairperson

ATTEST:

By: _____
Corrie Woloshan, Secretary to the Commission