

RESOLUTION NO. 86-27

Before the Board of County Commissioners of the
County of Summit
State of Colorado

APPROVING AN AMENDMENT TO THE CINNAMON RIDGE PLANNED UNIT DEVELOPMENT
(Applicant: Carriage Associates Limited Partnership)

WHEREAS, the Carriage Associates has made application to the Board of
County Commissioners for approval of an amendment to the Cinnamon Ridge Planned
Unit Development, which property is located within the unincorporated area of
Summit County, Colorado and is described in attached Exhibits A and B; and,

WHEREAS, the Board of County Commissioners approved the original Cinnamon
Ridge PUD on January 19, 1981 and signed the PUD designation on January 19,
1981; and,

WHEREAS, the application for amendment has been reviewed by the Summit
County Planning Department and the Regional Planning Commission, and they have
recommended approval to the Board of County Commissioners with certain
modifications; and,

WHEREAS, the Board of County Commissioners has held a public hearing on
the application with public notice as provided by law on October 15, 1985; and,

WHEREAS, the Board of County Commissioners approves the following
modifications to the Cinnamon Ridge PUD:

1. Increase in the total number of dwelling units from 46 to 66, of
which two units are to be restricted to employee housing.
2. Increase in parking provided from 58 spaces to 94 spaces based on a
ratio of 1.5 parking spaces per unit.

WHEREAS, in making these modifications, the Board of County Commissioners
finds as follows:

1. Approval of this PUD revision is consistent with the County Master
Plan, the Base II Master Plan, and is not being granted solely to
confer special benefit upon any person.
2. The modifications to the Cinnamon Ridge PUD are consistent with the
efficient development and preservation of the entire planned unit
development.
3. The PUD does not affect in a substantially adverse manner either the
enjoyment of land abutting upon or across the street from the planned
unit development or the public interest.

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NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SUMMIT COUNTY, COLORADO, that the Planned Unit Development designation applicable to the property described in attached Exhibit "A" is hereby amended, with the zoning designation as shown in Exhibit "B" and subject to the provisions of the Cinnamon Ridge PUD Designation, as stated in attached Exhibit C, which must be signed and dated for this zoning to take affect.


This resolution corrects and replaces Resolution 85-74 filed and recorded at Reception Number 306082 as adopted October 15, 1985.

ADOPTED this 12th day of May, 1986.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

By: 
Dan Ulmer, Chairman

ATTEST:


Colleen Richmond, Clerk and Recorder

Cinnamon Ridge
Planned Unit Development Designation

This Planned Unit Development Designation, to be known as Cinnamon Ridge, is approved this 15th day of October, 1985 by the Board of County Commissioners of Summit County, Colorado, hereinafter referred to as the "County" for certain real property located in Summit County and described in attached Exhibit A, hereinafter referred to as the "property". This designation establishes uses permitted on the property, its development plan and phasing, and specific development regulations which must be adhered to by Carriage Associates Limited Partnership, who is the owner and developer of the property, and is hereinafter referred to as the "owner/developer". This designation also specifies improvements which must be made and conditions which must be fulfilled in conjunction with this designation by the owner/developer.

A. USES PERMITTED AND DEVELOPMENT PLAN.

Use and development of the property shall be in accordance with the Development Plan attached as Exhibit "B" hereto, and with the following specific requirements:

1. Permitted Uses

Permitted uses shall be 64 condominium units and two employee housing units (one two-bedroom unit and one studio unit). The condominium units are to be developed in two buildings on Tract A-1 and four buildings on Tract A-2. The employee housing units shall be developed in a third building on Tract A-1. Building height shall not exceed 49 feet, with "height" being as defined in the County Building Code. The net residential area shall not exceed 71,864 square feet.

2. Employee Housing Restriction

The two employee housing units shall be reserved for employee housing through a covenant between the Applicant and the County, in form satisfactory to the County, to be executed prior to the issuance of building permits for the development.

3. Parking

The Applicant shall provide at least 94 surface parking spaces based on a ratio of 1.5 spaces per unit. The parking area shall be separated from the highway by landscaped berms in order to provide a buffer and enhance the visual aesthetics of the development. The parking spaces shall comply with any County parking regulations in effect at the time of construction.

4. Public Use Areas

The Applicant shall grant an easement to the County for public use of a parcel of land adjacent to the Snake River consisting of 1.19 acres, and for such easement shall receive a credit in the full amount of the Public Use Fee otherwise required. Such easement shall be granted upon the final plat.

5. Development Schedule

The previous developer has constructed the employee housing units and two buildings on Tract A-1. The Applicant intends to construct the buildings on Tract A-2 during summer, 1987, and complete development by December, 1987.

6. Signs

All signs shall comply with the Summit County Outdoor Advertising Regulations as now in effect or hereafter amended.

7. Architectural Character

The Applicant shall ensure that the architectural character of the structures on Tract A-2 are compatible with the development on Tract A-1 and surrounding developments. The Applicant shall employ the use of uniform colors, materials, landscaping, pavers or other architectural treatments to provide integration of the development of Phase I and Phase II.

8. Platting

A final plat of the Property shall be submitted to and approved by the County prior to development.

9. Section 404 Permit

The owner/developer shall comply with all conditions of the permit issued by the Corps of Engineers allowing wetland modification of the property under Section 404 of the Federal Clean Water Act.

B. UTILITIES AND IMPROVEMENTS.

Public utilities, improvements and services shall be provided in the development of the property as stated in this section. Detailed specifications and time schedules for their construction shall be set forth in the Subdivision Improvements Agreement and required as a condition of final plat approval.

1. Water System

Water shall be provided by the Blue River Water District.

2. Sewer System

Sanitary sewer service shall be provided by the Snake River Sewer Fund.

3. Access

Access to the Property is to be provided via Oro Grande Drive. Access within the Property shall be provided by a paved private drive as shown on the Development Plan. This private drive shall provide an access and utility easement from the Novak-Nelson property to Oro Grande Drive.

4. Fire Protection

Fire protection is to be provided by the Snake River Fire Protection District. The Applicant shall meet all fire protection requirements of the District.

5. Landscaping

Landscaping shall be installed in accordance with a detailed landscaping plan submitted and approved by the County with the site plan approval.

C. GENERAL PROVISIONS.

1. Breach of Provisions of PUD Designation

If at any time any provision or requirement stated in this designation has been breached by the owner/developer, the County may withhold approval of any or all site plans or plat maps, or the issuance of any or all building permits applied for on the property, until such breach has been remedied; provided, however, that the County shall not take any affirmative action on account of such breach until it shall have first notified the owner/developer in writing and afforded the owner/developer a reasonable opportunity to remedy the same.

2. Binding Effect

This planned unit development designation shall run with the land and be binding upon the owner/developer, and their respective successors, representatives and assigns, and all persons who may hereafter acquire an interest in the property or any part thereof, with the exception that provisions of this designation may be modified through an amendment in accordance with the procedure stated in C.3. This designation shall be recorded in order to put prospective purchasers or other interested persons on notice as to the terms contained herein.

3. Amendments.

Amendments to the provisions of this planned unit development designation shall be reviewed and acted upon in the same manner as any rezoning application, subject to the County's procedures for zoning amendments and to the requirement for findings under the Planned Unit Development Act of 1972 at C.R.S. 24-67-106(3)(b)[1973 ed.]. Action on any proposed amendment shall be taken by the Summit County Board of County Commissioners after conducting a public hearing for which notice has been published at least 30 days prior in a newspaper of general circulation and mailed to all property owners within and abutting this planned unit development.

4. Notices.

All notices required by this designation shall be in writing and shall be either hand delivered or sent by certified mail, return receipt requested, postage prepaid, as follows:

Notice to County:

Board of County Commissioners
P. O. Box 68
Breckenridge, CO 80424

Notice to Applicant:

Carriage Associates
365 South Street
Morristown, New Jersey 07960

5. Entire Designation

This designation contains all provisions and requirements incumbent upon the owner/developer and the County relative to the Cinnamon Ridge Planned Unit Development, and nothing contained herein shall be construed as waiving any requirements of the County's Zoning and Subdivision Regulations, Common Reiew Procedures, or other regulations otherwise applicable to the development of the property. This PUD designation supersedes and replaces the Cinnamon Ridge PUD Agreement dated January 19, 1981.

IN WITNESS WHEREOF, the County and the owner/developer have executed this Designation as of the date first above written.

BOARD OF COUNTY COMMISSIONERS
OF SUMMIT COUNTY, COLORADO

By: Don Peterson
Don Peterson, Chairman

ATTEST:

Colleen Richmond
Colleen Richmond, Clerk and Recorder

CARRIAGE ASSOCIATES LIMITED PARTNERSHIP
By: [Signature]

ATTEST:

EXHIBIT "A"

LEGAL DESCRIPTION

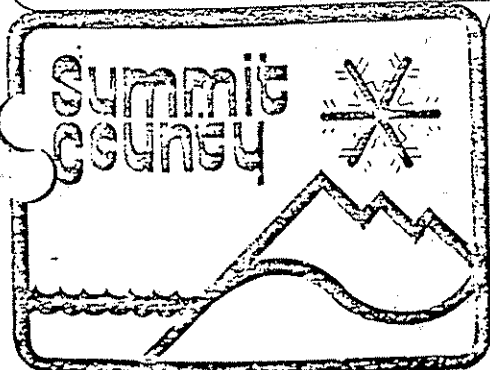
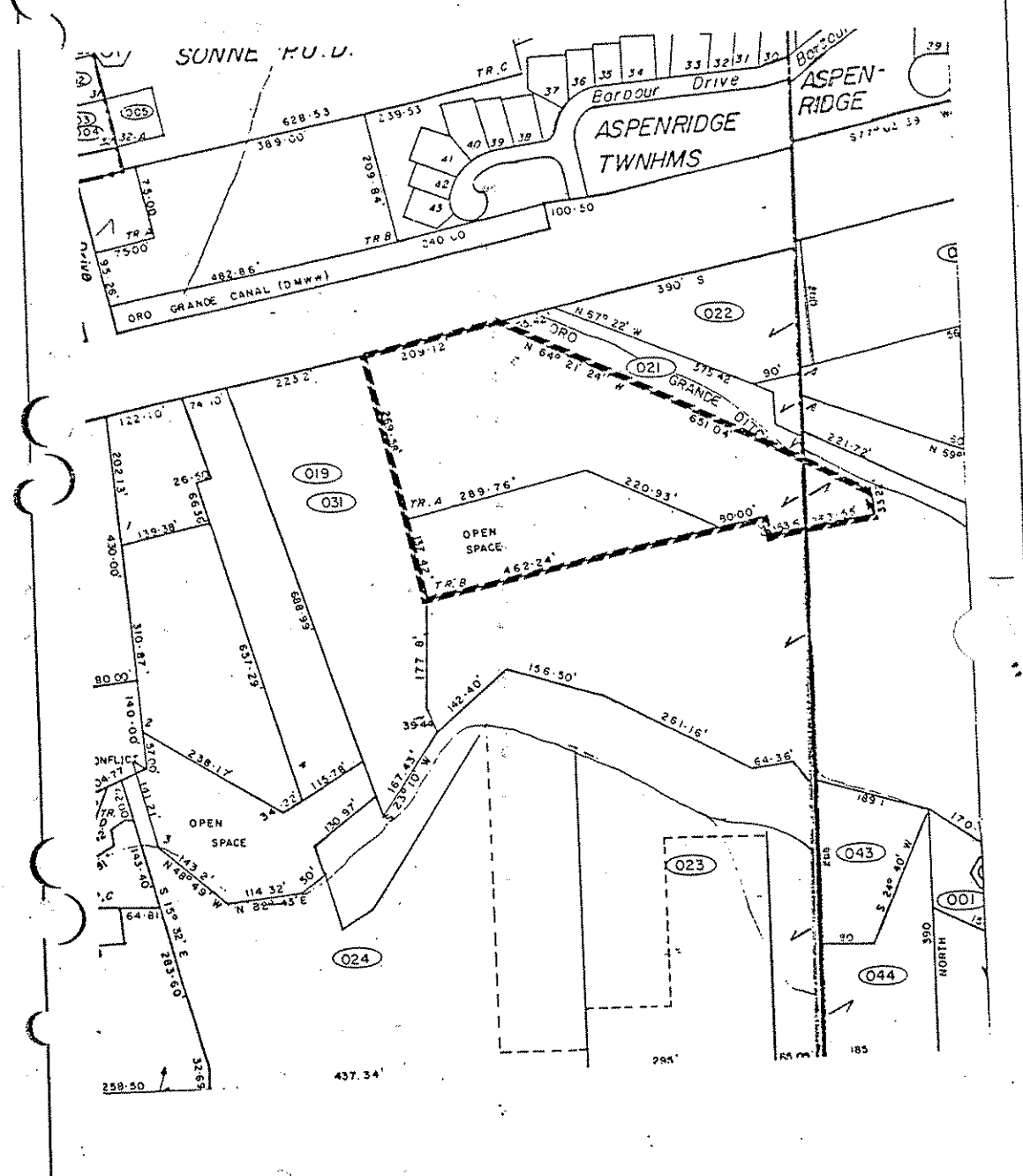
A tract of land which is all of that land previously platted as Cinnamon Ridge and recorded under reception number 237827 and being a portion of the northeast 1/4 of Section 24, Township 5 South, Range 77 West and of the northwest 1/4 of Section 19, Township 5 South, Range 76 West of the sixth principal meridian, and also being a portion of Homestead Entry Survey No. 110, County of Summit, State of Colorado, being more particularly described as follows:

Commencing at the northeast corner of said Section 24; thence $S00^{\circ}09'00''$ along the east line of said Section 24 a distance of 421.00 feet to a point on the southerly right-of-way line of U.S. Highway No. 6 whence corner No. 7 of said H.E.S. 110, a brass cap, bears $S00^{\circ}09'00''E$ 1300.86 feet distant; thence $S77^{\circ}00'00''W$ along said southerly right-of-way line a distance of 494.77 feet to a point which is the northeast corner of said Cinnamon Ridge, said point being the point of beginning; thence $S64^{\circ}19'24''E$ along the southerly line of Frostfire Condominiums amended a distance of 651.04 feet; thence $S06^{\circ}05'33''W$ a distance of 33.20 feet; thence along the northerly boundary of said Frostfire Condominiums amended for the following three (3) courses:

1. $S77^{\circ}06'49''W$ a distance of 163.55 feet;
2. $N14^{\circ}22'51''W$ a distance of 30.15 feet;
3. $S77^{\circ}04'50''W$ a distance of 542.24 feet;

Thence $N13^{\circ}00'00''W$ along the east line of that tract of land described in Book 181 at page 557 of the Summit County records a distance of 407.00 feet to a point on said southerly right-of-way line of U.S. Highway No. 6; thence $N77^{\circ}00'00''E$ along said southerly right-of-way line a distance of 209.12 feet to the point of beginning, containing 4.455 acres, more or less.

EXHIBIT "B"



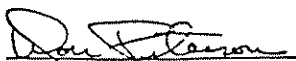
OFFICIAL ZONING MAP

FOR: Cinnamon Ridge PUD

ADOPTED BY THE SUMMIT COUNTY BOARD OF COUNTY COMMISSIONERS

DATE: October 15, 1985

RESOLUTION NUMBER: 85-74


Don Paterson, Chairman