

**RESOLUTION OF THE BOARD OF COMMISSIONERS,
OF SAN MIGUEL COUNTY, COLORADO,
APPROVING THE FINAL PLAT OF FILING 2
OF THE ALDASORO RANCH PLANNED UNIT DEVELOPMENT**

Resolution #1992-73

WHEREAS, ALDASORO LTD. ("applicant") seeks final plat approval for Filing 2 of The Aldasoro Ranch Planned Unit Development (PUD);

WHEREAS, Filing 2 consists of 114 single-family lots, but 10 of those (Lots 108-113, 152-154 and 165) can't be platted currently because they lie within parcels owned by the U.S. Forest Service;

WHEREAS, the applicant seeks to reserve these lots for single-family use and plat them after a land exchange with the Forest Service is effected;

WHEREAS, the PUD, consisting of 166 lots on approximately 4,400 acres on Deep Creek Mesa in the western part of the Telluride Region, received preliminary approval on Feb. 7, 1991;

WHEREAS, Filing 1, with 52 lots (seven of those reserved for single-family development contingent upon a future Forest Service land exchange), was approved June 6, 1991;

WHEREAS, Section 2.2 of the Final Development Plan Approval for the Aldasoro Ranch Planned Unit Development ("PUD Agreement") states that at every 2-year interval after the recording of the first final plat for the Aldasoro Ranch, the number of then final platted Affordable Housing lots shall equal at least 15 percent of the then platted lots in the PUD;

WHEREAS, Filing 2 includes 16 Deed Restricted Affordable Housing lots (129, 138-151 and 160), the final platting of which, together with the seven final platted Deed Restricted lots approved in Filing 1, will fulfill the 15 percent Affordable Housing requirement for the entire PUD;

WHEREAS, Section 7.2 of the PUD Agreement requires the applicant to designate a minimum of 40 percent of the land in the PUD as "Common Open Space" (as defined in the Land Use Code);

WHEREAS, Filing 2 contains 49.7 percent Common Open Space;

WHEREAS, Filing 2 also includes a site for a clubhouse within the open space for the use and enjoyment of PUD residents, and no commercial uses are allowed on this site or anywhere else in Filings 1 and 2;

WHEREAS, the dedication and construction of trails for public use through the Aldasoro Ranch will satisfy the park dedication requirement established in Section 5-8 of the Land Use Code, and

the proposed trails plan for Filing 2 complies with the Trails Map in the Telluride Regional Area Master Plan;

WHEREAS, the applicant must construct trail sections within two years of final platting of the areas traversed by particular trail sections, in accordance with Land Use Code Section 5-506;

WHEREAS, Land Use Code Section 5-805 requires the applicant to dedicate to the County 124,800 sq. ft. of land (300 sq. ft. of land per person times 4 persons per single-family lot times 104 final platted lots) for public use;

WHEREAS, the application proposes to dedicate 272,619.8 sq. ft. of public hiking trails in Filing 2 and requests that the excess 147,819.3 sq. ft. be credited against any future public park land dedication requirements for the PUD;

WHEREAS, Land Use Code Section 5-608 and Section 5.2 of the PUD Agreement requires the applicant to tender certified funds in the amount of \$50,752 (\$122.00 per person times 4 persons per single-family lot times 104 final platted lots) to the Board of County Commissioners at the time of or prior to approval of this final plat application to mitigate the impact of the PUD on the Telluride Fire Protection District;

WHEREAS, Land Use Code Section 5-808 requires the applicant to tender certified funds in the amount of \$56,659.20 (\$136.20 per person times 4 persons per single-family lot times 104 final platted lots) to the Board of County Commissioners at the time of or prior to approval of this final plat application to mitigate the impact of the PUD on the Telluride R-1 School District;

WHEREAS, Land Use Code Section 5-806 requires the applicant to dedicate to the County 124,800 sq. ft. of land (300 sq. ft. of land per person times 4 persons per single-family lot times 104 final platted lots) for school and educational purposes. The application proposes to dedicate 148,104 sq. ft. in the form of School Site 1, and the applicant has requested that the excess 23,304 sq. ft. be credited against any future school-land dedication requirements for the PUD;

WHEREAS, Section 5-604 of the Land Use Code requires the applicant to tender certified funds in the amount of \$5,665.92 (10 percent of the Telluride R-1 School District Impact fee) to the Board of County Commissioners at the time of or prior to approval of this final plat application to mitigate the impact of the PUD on local solid waste disposal systems;

WHEREAS, Section 4.1 of the PUD Agreement requires the applicant to dedicate 0.75 percent from the initial sale of each lot to the County to share in the provision of regional transportation capital facilities, and operation and maintenance thereof;

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WHEREAS, the proposed plat contains an appropriate easement that would allow the Telluride Regional Airport to be served by an alternate transportation system from the San Miguel River Valley floor;

WHEREAS, A First Supplement to the Aldasoro Ranch All Filings Improvements Bonding Agreement (Filing 2) submitted as part of this application proposes to secure all improvements necessary to serve Filing 2 by deeding of Lots 46 and 48, Aldasoro Ranch Filing 1 to the Board of County Commissioner, and placing of \$1,915,761 in a cash escrow account;

WHEREAS, the County Planning Director and the County Attorney have found the form of the document acceptable, and the County Engineer has determined the amount of the combined collateral sufficient to cover the required improvements;

WHEREAS, the Preliminary Development Plan Approval for the Aldasoro Ranch Planned Unit Development describes in detail the findings and conditions upon which preliminary PUD approval, granted Feb. 7, 1991, by the Board of County Commissioners is based; and

WHEREAS, the Board of County Commissioners considered this application, along with relevant evidence and testimony, at its regular meeting on Dec. 10, 1991.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of San Miguel County, Colorado, hereby approves the Final Plat of Filing 2 of the Aldasoro Ranch PUD.

BE IT FURTHER RESOLVED that no commercial uses are allowed at the clubhouse site or anywhere else in Filings 1 and 2, Aldasoro Ranch.

BE IT FURTHER RESOLVED that in two years from the date of the recordation of the final plat approved herein, the applicant shall construct trail sections designated on the final plat approved herein, in accordance with Section 16 of and Exhibit DP-3 to the PUD Agreement.

BE IT FURTHER RESOLVED that 147,819.8 sq. ft. be credited against any future public park land dedication requirements for the PUD.

BE IT FURTHER RESOLVED that 23,304 sq. ft. be credited against any future school-land dedication requirements for the PUD.

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BE IT FINALLY RESOLVED that ALDASORO LTD. shall dedicate 0.75 percent from the initial sale of each lot to the County, and each subsequent purchaser of property in the PUD shall dedicate 0.75 percent of each subsequent sale of property within the PUD to the County to share in the provision of regional transportation capital facilities, and operation and maintenance thereof, in accordance with Section 4.1 of the PUD Agreement.

APPROVED by the Board of County Commissioners of San Miguel County, Colorado, at its regular meeting on Dec. 10, 1992.

SAN MIGUEL COUNTY BOARD OF COMMISSIONERS

By: William Wenger
William Wenger, Chairman

ATTEST:
By: Charles Freeman
Deputy Clerk

