

**TOWN OF DILLON  
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING  
WEDNESDAY, December 5, 2018  
5:30 p.m.  
Town Hall**

**CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, December 5, 2018, at Dillon Town Hall. Vice Chair Derek Woodman called the meeting to order at 5:30 p.m. Commissioners present were: Derek Woodman, Joshua Ryks, Steve Milroy and Alison Johnston. Commissioner Teresa England was absent. Staff members present were Dan Burroughs, Town Engineer; Ned West, Town Planner; Nicolas Cotton-Baez, Town Attorney; Corrie Woloshan, Recording Secretary; and Kelly Stevens, Administrative Assistant.

**APPROVAL OF THE MINUTES OF OCTOBER 3, 2018 REGULAR MEETING**

Commissioner Joshua Ryks moved to approve the minutes from the October 3, 2018 regular meeting. Commissioner Steve Milroy seconded the motion which passed unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**CONSIDERATION OF RESOLUTION PZ 17-18, SERIES OF 2018**

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A VARIANCE ASSOCIATED WITH THE INSTALLATION OF A BUSINESS AREA DIRECTORY SIGN ON TRACT A-R OF THE RED MOUNTAIN PLAZA SUBDIVISION, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

**PUBLIC HEARING:**

A Public Hearing is required for this application. The Planning and Zoning Commission shall open a Public Hearing on the application and hear testimony from Town staff, the applicant, and any public testimony submitted during the Public Hearing.

Vice Chair Derek Woodman opened the public hearing at 5:31 p.m.

Applicant Dennis Krueger, co-owner of Red Mountain Plaza presented a summary of the application. The existing sign is sitting on an easement.

Ned West, Town Planner presented.

**SUMMARY:**

Red Mountain Plaza Owners Association (“**Applicant**”) is the owner of common area real property located at 701, 703, 705, & 707 E. Anemone Trail, Dillon, Colorado, and more specifically, Tract A-R of the Red Mountain Plaza. The proposed sign is within a predominantly commercial area of town where numerous businesses have freestanding signs.

**PUBLIC NOTICE:**

The required public notice was provided in mailings to property owners within 300 feet of the subject property, legal notice in the newspaper, public postings at Dillon Town Hall and the Post Office, and by posting the site. Said public notification was done in accordance with the requirements set forth in the Dillon Municipal Code.

**VARIANCE REQUEST:**

The Applicant seeks a variance from certain sign regulations set forth in the Code to overcome certain hinderances to installing a freestanding Business Area Directory Sign on the property. The site is physically challenged in a way that is different than properties in the community. There is limited available space due to numerous easements and utilities, property line constraints, and the site further suffers a hardship in that it has a large stormwater detention area between it and the street frontage of U.S. Highway 6 and East Anemone Trail making the only viable signage area a depressed area well below the surrounding roadway surfaces. The site is further hindered from a clear view for low-lying signage due to the fact that the Town stockpiles snow removed from the roadway in the immediate vicinity of the proposed sign, and the detention pond area receives all of the snow and traction sand removed from the Red Mountain Plaza development.

The proposed Business Area Directory sign provides identification for the Red Mountain Plaza and will provide sign panel locations for the businesses within the four (4) buildings located in the Red Mountain Plaza Subdivision. The variance is requested due to the hardship created by the topography of the site and aims to:

1. Allow for the Business Area Directory sign to be a freestanding sign and not specifically a monument sign; and,
2. Increase the sign height to allow for the height to be measured from an adjacent road surface (E. Anemone Trail) rather than the ground elevation of the depressed area in which the sign is to be installed

**Sign Zone:**

The proposed sign is located within Sign Zone B on the lot located in the Mixed use zone district.

**PROPOSED BUSINESS AREA DIRECTORY SIGN:**

A total of one hundred (100) square feet (one face) of signage for a Business Area Directory Sign to be constructed as a freestanding sign with a measured height of eighteen (18) feet above the adjacent roadway surface of E. Anemone Trail.

**Sign REGULATIONS:**

Sign Zone B provides for the following signage regulation relating to Freestanding and Business Area Directory Signs:

1. Freestanding signs within Sign Zone B may be eighteen (18) feet high (Section 16-11-260(c)(2)). A Freestanding Sign is defined as *“a sign that is supported by one (1) or more columns, upright poles or braces extended from the ground or from an object on the ground, or that is erected on the ground where no part of the sign is attached to any part of a building, structure or other sign; the term includes pole sign, pedestal sign, monument sign, public information sign and ground sign”* (Sec. 16-11-20).
2. A Business Area Directory sign is defined as *“a monument sign designed to advertise two (2) or more businesses contained within the same nonresidential subdivision or planned unit development”* (Sec. 16-11-20).

Business Area Directory Signs may be allowed by the Planning and Zoning Commission when they meet the following standards and criteria found in Section 16-11-230 of the Code:

- (1) They must provide direction to a separate and distinct business area of the community which is composed of a nonresidential subdivision or planned unit development. The business area must have at least two (2) businesses and a minimum of two (2) platted lots.
  - (2) They must be designed as a monument sign.
  - (3) They must meet the height limitations set forth in Subsection 16-11-260(c) of the Code.
  - (4) No individual business sign on the business area directory sign may exceed fifty (50) square feet, and the total size of the directory sign may not exceed one hundred (100) square feet. The signage allowed on a business area directory sign is considered additional signage and does not count against the allowable sign area established by the Code for each business.
  - (5) The monument shall be a combination of materials, including stone or brick at the base and heavy timbers as the standards, or alternative materials as may be approved by the Planning and Zoning Commission.
  - (6) Unless otherwise authorized as part of an approved planned unit development, there may only be one (1) business area directory sign per nonresidential subdivision or planned unit development, and no individual business may have more than one (1) sign.
  - (7) The area around the monument sign shall be landscaped in a manner that provides twice the landscaped area and landscaped materials as required for monument signs placed on site.
  - (8) No two (2) business area directory signs may be within three hundred (300) feet of each other.
  - (9) All businesses placed on the business area directory sign must be in compliance with all Town regulations concerning zoning and signage.
  - (10) The sign shall be designed in a manner where signs may be replaced when businesses change within the area.
  - (11) All individual signs, with the exception of the text on the sign, shall be of the same materials, colors, letter sizes, sign sizes, etc. Each individual insert or sign must be similar to all other individual signs on the business area directory sign.
  - (12) The business area directory sign must be placed on one (1) of the lots contained within the nonresidential subdivision or planned unit development and shall count as the freestanding sign allowed for that lot.
  - (13) The sign and landscaping must be maintained by the businesses which erect it.
  - (14) The sign may not be placed on any public rights-of-way, nor may it be placed in a manner where it blocks proper sight line at intersections.
3. Monument sign is defined as *“a freestanding sign of not more than ten (10) feet in height that includes an architecturally designed base or column which is constructed of stone, brick, timbers or other similar material and is designed to be architecturally compatible with the design of the project”* (Sec. 16-11-20).
  4. Only fifty percent (50%) of the surface area per sign face shall be counted against allowed sign area. The two (2) sides of a double-faced sign must be parallel back to back and no thicker than twelve (12) inches (Sec. 16-11-190).

The Red Mountain Plaza Business Area Directory Sign Variance Application is in general conformance with the requirements set forth in the Sign Regulations of the Code, except that they propose a Freestanding Business Area Directory Sign that is not a Monument Sign as defined by the Code, along

with a variation from the Code sign height measurement by proposing a Freestanding Business Area Directory Sign that is eighteen (18) feet high as measured from the roadway elevation of the adjoining E. Anemone Trail Right of way, rather than from the existing grade at the base of the sign.

**COMPLIANCE WITH DILLON COMPREHENSIVE PLAN & GOALS OF THE TOWN:**

This Sign Variance Application is in general conformance with the goals of the Town of Dillon Comprehensive Plan.

The proposed signage helps with the vitality of a portion of the business community of the Town that is currently underserved and disadvantaged with a lack of effective signage based on a hardship created by landforms not typical within the community. Town goals aim to support the vitality of the community.

Commissioner Steve Milroy asked for clarification on where the current sign sits.

Vice Chair Derek Woodman closed the public hearing at 5:42 p.m.

Commissioner Joshua Ryks moved to approve Resolution NO. PZ 17-18 Series of 2018. Commissioner Milroy seconded the motion, which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION PZ 18-18, SERIES OF 2018**

**A RESOLUTION RECOMMENDING THE APPROVAL OF A VARIANCE AND LEVEL IV DEVELOPMENT APPLICATION FOR THE DILLON MEDICAL BUILDING PUD DEVELOPMENT PLAN.**

**PUBLIC HEARING:**

A Public Hearing is required for this application. The Planning and Zoning Commission shall open a Public Hearing on the application and hear testimony from Town staff, the applicant, and any public testimony submitted during the Public Hearing.

Vice Chair Derek Woodman opened the public hearing at 5:45 p.m.

Applicant introduced his team and partners involved. He gave a dual presentation on both applications, PZ18-18 and PZ19-18, including their vision and technical aspects. Vail-Summit Orthopedics & Neurosurgery, Vail Health, The Steadman Clinic, and Howard Heads Sports Medicine are the four players involved, all currently in Summit County. The need for change in facilities and services was discussed and research on proposed location. Details of the proposed facility design, impact on the vicinity and traffic flow were shown. The new PUD was displayed and reason on why it needs changed mentioned. Height of the building was shown as well as calculation methods. Other considerations included minimalistic approach to signage, creation of landscape plan allowing for snow storage, and parking requirements. Wetlands regulations and detention pond classifications were clarified, and historical site photographs displayed. Restorative vegetation was also mentioned. They met with neighboring Lookout Ridge a month ago and incorporated feedback into the design. They have talked with the Summit Stage and are prepared to address the need for a bus stop.

A 3D model including impact on surrounding vicinity and sunken parking level was shown.

Ned West, Town Planner presented on behalf of the Town.

**PROJECT LOCATION:**

The proposed development is located on Blocks 12, 13, & 14 of the Dillon Ridge Marketplace PUD, and Tract B of the Lookout Ridge Townhomes Phase I, generally located between US Highway 6 and Dillon Ridge Road, east of North Dillon Dam Road, Dillon, Colorado. The four (4) parcels shall be combined into one parcel called Block 12R, which is a concurrent application being reviewed.

**SUMMARY:**

The Town of Dillon has received a Level IV Development application for a proposed Planned Unit Development for the Dillon Medical Building. The project will include site grading and utility infrastructure installations, detention pond reconfiguration, the construction of an approximately 100,000 square foot medical office and clinic building in two phases, and the construction of a parking structure for approximately 293 parking spaces on three levels. The Dillon Medical Building PUD Development Plan is attached to this staff report as Appendix A.

**PUBLIC HEARING:**

Consideration of approval of a Level IV Development application requires a public hearing before both the Planning and Zoning Commission and Dillon Town Council.

**PUBLIC NOTICE:**

Pursuant to the Town Code and Development Regulations, proper notification of the public hearings was published and posted.

**ZONING**

The proposed project is located within the Mixed Use (MU) Zone District and the Dillon Ridge Marketplace PUD.

**PROPOSED BUILDING AND SITE**

The proposed building consists of a multi-story building with medical offices and clinics and an attached three-level parking structure. The building will include an urgent care center, orthopedic surgery center and 72-hour convalescent beds, physical therapy, physician clinic space and other accessory uses necessary to support the medical clinic operations. Much of the lower level of the medical building and parking structure are embedded and / or buried in the hillside.

The building consists of approximately 100,000 square feet of medical facilities to be constructed in two phases. Phase I is proposed to be approximately 75,000 square feet with an additional 25,000 square feet (sf) proposed for Phase II (see Appendix A and the building portions indicated as Phase II). Upon final design, the building may increase in size by up to 5%. The parking structure is an additional 128,367 square feet. The Applicant requests review and approval of both phases at this time. The phasing of development proposed in the Application meets the criterion set forth in Subsection 16-5-120(1) of the Dillon Municipal Code; specifically, failure to proceed to Phase II will not have a substantial adverse impact on the PUD or its surroundings. The Application proposes development of a completed building and all site amenities—including but not limited to infrastructure, landscaping, pedestrian ways, stormwater detention, vehicular circulation, and parking—during Phase I, and development of an expansion to the building developed in Phase I during Phase II. Failure to act on Phase II will in no way have a substantial impact on the PUD, and thus meets the Code criterion set forth in Subsection 16-5-120(1).

The proposed building will be sited on the northern side of the site adjacent to Dillon Ridge Road. The parking structure will be constructed on the west side of the building. An enclosed loading dock is

proposed for the project, as a special consideration for the residents in the Lookout Ridge Townhomes and the Dillon Ridge Apartments.

### **STORMWATER DETENTION ON SITE**

The existing regional, man-made stormwater detention and settling area in the southwestern portion of the site will be reconfigured to accommodate a portion of the building and parking structure and then landscaped with much of the existing on-site vegetation being preserved or replaced. The detention and settling pond receives stormwater runoff from U.S. Highway 6, portions of Dillon Ridge Marketplace, and portions of Lookout Ridge Townhomes.

The Applicant has submitted a variance request as a component of this PUD Application to provide for the reconfiguration of the stormwater detention pond. The Applicant has obtained an Approved Jurisdictional Determination from the U.S. Army Corps of Engineers stating that the area is non-jurisdictional and therefore requires no permits or mitigation through that agency. The Corps further states that the subject area is a man-made stormwater runoff receiving and storage area and receives no other consistence inflows of water. By this determination, the Applicant's request for a variance is supported in that the Dillon Municipal Code specifically states, "Wetland does not include man-made ponds built for the purposes of detaining runoff" (Chapter 17 "Subdivisions", Appendix 17-C "Wetland Regulations"). Appendix 17-C provides for a variance process in which an Applicant may contest the delineation of wetlands.

### **ARCHITECTURAL DESIGN AND ADHERANCE TO THE GUIDELINES:**

Davis Partnership Architects has worked with the Town of Dillon Design Guidelines and the Town's architectural consultant, Roth Sheppard, and believes the development is and/or will be in conformance with the intent of the Guidelines. Roth Sheppard Architects recommends the Town approve the architecture of the building, stating that the design incorporates many of the principles and design elements found in the Guidelines and promises to be a building with a blend of 'Mountain Lakestyle' features suitable for Dillon. Roth Sheppard Architects reviewed the checklists provided within the Guidelines and found no applicable deficiencies with the design. The results of that review and the Preliminary Materials Board may be viewed in Appendix C. The Applicant has provided preliminary project renderings and a digital, preliminary materials board with the Application.

The Applicant proposes varying materials, textures and colors for cladding the building. The lower portion of the building has weathered corrugated steel siding installed vertically to provide dimensionality and a sense that the building organically rises up from the earth. Dark toned metal panels cover the upper walls and provide both vertical and horizontal panel joints to break up the building mass. The overhanging roof eaves are clad with wood simulating material to enhance the appearance of the building and further tie the building back to the earth. The butterfly roof design provides for central collection of stormwater runoff (to be piped to the stormwater drainage system) and helps to conceal the centrally located rooftop mechanical screening area as seen from the ground and roadways surrounding the building. The windows have a random mullion pattern design to accommodate the final interior partitions and are dark in color as specified in the Guidelines.

### **BUILDING HEIGHT:**

The maximum elevation of the proposed building's rooftop mechanical screening is 9073.17', which calculates to provide a building height of 52.92' based on the determined base elevation for the building (53' for the purposes of approval. The base elevation was determined to be 9020.25' based on the low point of 8997' and the high point of 9043.5'. The underlying Mixed use (MU) Zone District allows buildings to have a maximum height of 35' as measured per Town Code, plus an additional 8' for

uninhabited structures such as screened mechanical installations, and thus the total building height may be 43' high.

The proposed building is over the typically allowable height for the Zone by 9.92'. Through the PUD process, an Applicant may request additional height.

It is noteworthy that the Applicant has designed the building with the intention to have the least amount of impact on the adjacent residential properties. The building is benched into the hillside and steps down in concert with the topography. Much of the lower portions of the building are buried or are partially buried. Also, the building base elevation is calculated to be at a lower elevation than might be anticipated for the site since the low point falls within the existing detention pond area at a very low-lying elevation.

The Code provides for the ability to discount sunken areas within a building footprint if they do not exceed 50% of the total building footprint. In this case, the sunken area is greater than 50%, so that exception may not be directly applied to this particular building. Were that exception applicable in this situation, the building height is estimated to be on the order of 36'.

#### **OFF-STREET PARKING:**

The building consists of approximately 100,000 sf of medical office and clinical space which requires a total of 250 parking spaces at a rate of one space per every 400 gross square feet of building area. The Applicant proposes approximately 293 parking spaces, with a guarantee of not providing less than the minimum required amount of 250 spaces. Final structural design may impact the number (293) of proposed parking spaces by forcing the elimination of some spaces for structural columns. Two-thirds of the vehicle parking is within the enclosed portion of the parking structure, while one third is exposed in the Plaza and on the top parking deck. The amount of parking provided meets the Code and the proposal to provide additional structured parking is acceptable.

#### **SNOW STORAGE:**

The project has a snow removal surface area of 46,140 SF, and a proposed snow storage area of 10,335 SF, or 22.4% of the hardscaped areas. The Code would typically require 25% for parking area snow removal (Sec. 16-6-60), and recommends 25% for other hardscape removal areas, but does not specifically require it for those areas (Sec. 16-8-100). Through the PUD process dimensional standards set forth in the off-street parking requirements (Sec. 16-6-60) may be modified to best suit the PUD. All surplus snow not capable of being stored on site shall be hauled off and placed in a legal receiving area at the owner's expense. The snow storage plan as presented, or as modified to satisfy the Fire Authority while keeping the same total storage area, is acceptable to the Town.

#### **YARDS (SETBACKS):**

The Mixed Use (MU) Zone District requires a front yard setback of 25', a side yard setback of 10', a street side yard of 20', and a rear yard setback of 20' except where yards abut a residential zoning district they shall be 25'. The Town has determined to review the project considering the front of the project off of Dillon Ridge Road because the primary access point is off of that right of way, and the project will likely be given a street address on Dillon Ridge Road.

All of the yard requirements are satisfied with the proposed project with one minor exception on the northeastern corner of the building at the enclosed loading dock area, where the front yard setback is 21.4' from the Dillon Ridge Road Right of way within the existing cul-de-sac. Were the courtesy of the enclosed loading area not provided as a concession to the community, this slightly reduced front yard likely would not exist. Also, were site access available off of US Highway 6, the subject yard would then be considered the rear yard. Yard setbacks may be varied through the PUD process, and the proposed

setback is acceptable to the Town.

**LOT COVERAGE:**

The proposed medical building and attached parking structure have a footprint of 92,875 SF, and the lot area is approximately 257,299 SF. The proposed building covers 36.1% of the lot. The Applicant requests that they be allowed a total potential percentage of lot coverage to be up to 45% to allow for potential building footprint adjustments during final design. Final design of the building may increase the building size by 5%. The total allowable lot coverage within a Mixed Use (MU) district is 40%; however, the percent lot coverage may be varied through the PUD process.

**SIGNAGE:**

The Applicant requests additional signage beyond that typically permitted by the Code as may be petitioned for through the PUD review process. The additional requested signage is on scale with the size of the building and appropriate for the site. The following signage is proposed:

Sign 1: Three (3) 30 SF each sign panels on Dillon Ridge Marketplace Business Area  
Directory Sign = 90 SF Total

Sign 2: Two (2) Building Identification Signs: One on the south face of the building at 20 SF and one on the western side of the northwestern corner of the parking structure at 15 SF = 35 SF Total

Sign 3: Two (2) 15 SF each Tenant Signs on the building = 30 SF Total

Sign 4: Up to four (4) 4 SF each on premises business directory signs = 16 SF Total

Sign 5: Two (2) 10 SF freestanding directory signs = 20 SF Total

Sign 6: One (1) 15 SF freestanding monument sign at the entrance to the parking structure and drop-off plaza area = 15 SF Total

Grand Total of Sign Areas = 206 SF

**OPEN SPACE:**

Although the Mixed use (MU) Zone District does not require open space for non-residential projects, the Applicant proposes a great deal of open space on site. There are patios for patrons & staff and there are walking paths and landscaped areas throughout the project. The site has extensive landscaping throughout the site, creating open space that is inviting for outdoor enjoyment.

**VEHICULAR AND PEDESTRIAN CIRCULATION:**

The project proposes adequate internal street circulation designed for the type of traffic generated, safety, convenience and access.

The project proposes pedestrian ways throughout the PUD which allow for walking safely and conveniently among areas of the PUD and which provide for connections to the PUD from adjacent areas. The plans show an accessible sidewalk connection between the front door of the medical building and the proposed public sidewalk on Dillon Ridge Road and North Dillon Dam Road. There are other onsite pathways connecting pedestrians with the intersection of North Dillon Dam Road and US Highway 6 and a potential future pedestrian way connection with the intersection of US Highway 6 and Evergreen Road. The latter connection requires the Town to expand the pedestrian way system in the area by constructing a connection between the eastern edge of Tract B and Evergreen Road, as well as improvements to the intersection of Evergreen Road and U.S. Highway 6.

**LANDSCAPING:**

The total amount of street frontage of the project is approximately 1340' which requires a total of 89 street trees to be provided at a rate of 1 tree per 15' of frontage where front yards are required, including



street side yards (Sec. 16-7-30). The front yard is off of Dillon Ridge Road, with a side street yard off of North Dillon Dam Road. A total of 75 street trees are provided within the street front and side yards of the site between the building and right-of-way. An additional 48 trees are provided on site around the building. The site is further landscaped with shrubs, ornamental grasses, perennials, and ground covers. Some sod is specified in high visibility areas along the street front and side yards, with the remainder of the site to be naturally revegetated with native species for ground cover. The detention pond will have much vegetation preserved and will be replanted as necessary, with the intent to preserve or re-establish much of the existing vegetation species.

Off-street parking tree plantings, as required by Sections 16-6-60 and 16-7-30, are addressed differently in the Application than specifically spelled out in the Code. This is in part, due to the fact that over two thirds of the parking are below a concrete parking deck and structure, thus preventing the viewing of cars parked there. There are 99 parking spaces (+/-) that are exposed, 7 in the plaza and drop-off area and 92 on the first level of parking where the parking deck is exposed. Substantial landscaping is provided in the plaza area, and the exposed parking is buffered with street trees and other landscaping materials.

The building is well buffered by the landscape design, the design and materials are of high quality, and the site is greatly improved with the provided landscaping. The PUD development plan may establish landscaping standards that differ from those in the underlying zone or in the Code, provided that the standards further the objectives of the PUD regulations, the Comprehensive Plan, and the specific PUD development plan. The landscaping plan as submitted is acceptable to the Town through the PUD development plan approval process.

#### **UTILITIES:**

The proposed project will be served by an existing water main and a sewer main located along U.S. Highway 6. A portion of the water main shall be removed and replaced as a part of the project. New water and sewer service connections are proposed to come off the water and sanitary sewer mains paralleling U.S. Highway 6. An alternate water service location, or additional water service location, is proposed off of Dillon Ridge Road on the northern side of the building. The Applicant will rebuild the existing water main running through the site north-south, connecting the Highway 6 water main with the water main in Dillon Ridge Road. New fire hydrant installations are proposed, and additional ones may be required by the Fire Authority. New easements will be provided for the new underground utility locations and old easements no longer required will be abandoned. This will be handled through the concurrent Final Plat Application.

#### **DRAINAGE**

Storm drainage improvements proposed for the project include: roof drains piped to the stormwater drainage pipe works, area drains and inlets, existing culvert intercepts, surface drainage ways and ditches, and pipe works running to the detention pond. A new curb inlet will also be constructed on North Dillon Dam Road, which will discharge into the reconfigured stormwater detention pond. The stormwater detention pond will be reconfigured and appropriately sized for the drainage basin which drains to it.

#### **FIRE AUTHORITY REVIEW**

Fire Marshal Kim McDonald reviewed the Application and provided the Applicant with preliminary review comments. The Applicant will need to address these comments and submit to the Fire Authority for additional review prior to the issuance of a Building Permit for the project. These comments may be reviewed in Appendix D of this staff report.

#### **COMPLIANCE WITH DILLON COMPREHENSIVE PLAN**

A medical clinic and office building is an allowed use in the Mixed Use (MU) Zone District and is in conformance with the Town of Dillon Comprehensive Plan.

### **PROPOSED PLANNED UNIT DEVELOPMENT DESIGN CONSIDERATIONS AND CHANGES TO THE UNDERLYING MIXED-USE ZONING DISTRICT**

The developer is proposing the following changes which are allowed to be varied by the Town Municipal Code through a Planned Unit Development Process.

- A. The proposed building will be 53' in height as measured by the Code, which exceeds the Mixed Use Zone District maximum height of 43' (35' + 8' mechanical).
- B. Additional signage.
- C. Project is proposed in two (2) phases. Phase I will be 75,000 SF and Phase II will be a building addition of an additional 25,000 SF.
- D. Wetland regulation variance by contesting jurisdictional wetland delineation.
- E. The building will occupy up to 45% of the lot area which does not meet the Mixed Use requirement to be 40% or less building coverage of the total lot area.
- F. Minimum front yard setback, off of Dillon Ridge Road, of 20'
- G. The snow storage provided on site is 22.4%, which is less than the Code percentage of 25%
- H. Landscaping as presented

### **CONDITIONS OF APPROVAL**

The Planning and Zoning Commission may recommend conditions of approval that relate to the impacts created by the proposed PUD which may include, but are not limited to, the Conditions of Approval found in Section 2. of the Resolution.

Commissioner Joshua Ryks asked if there will be a pathway connection? Ned West Town Planner responded the Town has met with Lookout Ridge and talked about providing the capability for a pathway towards Evergreen Parkway.

Recording Secretary Corrie Woloshan mentioned 10 letters have been received in support of the proposed Dillon Medical Building. Letters mention a need for more health care options and this kind of facility and care in Dillon. It will improve the quality of life for residents and businesses and bring new customers to Town boosting sales tax. These letters were received from: Corinne O'Hara 12/3/2018, John Loss with Miller Real Estate Investments 11/30/2018, Hugh O'Winter with Christy Sports 11/30/2018, Scott Downen with Dillon Ridge Investments 12/5/2018, Alan Henceroth with Arapahoe Basin Ski Area 12/4/2018, Kimball Crangle with Gorman and Company 11/29/2018, Lori Walter resident of Summit Cove 11/29/2018, Leslie Hebron with Colorado Craft Brokers 11/29/2018, Jeffrey Kistler resident on Crown Court 12/3/2018, and Chip Lambert resident of Lookout Ridge 12/5/2018.

Dave Bittner of 94 Lookout Ridge Drive mentioned he's waited for years for the hole to be filled in. It's an eyesore that we don't need. He asked who maintains the traffic circle halfway up to Lookout Ridge? Dan Burroughs Town Engineer responded that it's a joint effort with the Town. Bittner stated the asphalt needs repaired there and asked if they don't arrive by ambulance how patients arrive. Applicant responded that it's an urgent care facility, not an emergency room. So, they will be driven there. A lot of the business anticipated is scheduled surgery versus trauma victims. Bittner commented the buildings as presented are good looking and the height profile excellent. Snow storage for Lookout Ridge is good and evergreens will absorb sound from Highway 6. Suggestion was made to use natural grasses that don't need to be maintained.

Scott Downen of CR 1042 Frisco, is an owner of Dillon Ridge Apartments across the street from this project. Expressed concern about lighting because the design is right next to the apartments. Also on screening,

requested minimizing mechanical screening on top because the apartments have good views. Spoke in favor of the project.

Edward O'Brien of 18 Spinning Leaf Trail Silverthorne and office at 325 Lake Dillon Dr. Mentioned 21 years of having an office in Dillon and 35 years living in Summit County. Spoke in favor of the project and incredible favorable economic impact. The design is attractive. Affordable housing will be positively impacted. Communities will absorb the added number of people coming in to work there as well as the school system.

Commissioner Alison Johnston asked if she owns a business in Dillon Ridge is that a conflict of interest? Nicolas Cotton-Baez Town Attorney, asked if she felt she would be biased. Commissioner Alison Johnston replied, no, I don't think there's a conflict. Nicolas Cotton-Baez Town Attorney clarified, it's ok to make an opinion.

Vice Chair Derek Woodman questioned on comments about Lookout Ridge and communication, but how much communication has happened with the new Dillon Ridge Apartments? Lighting has been brought up. Ned West Town Planner mentioned our code is not truly dark sky requirement. Applicant added that communication with Dillon Ridge Apartments has been with the owner-operator, not the residents as it's not fully occupied yet.

Vice Chair Derek Woodman questioned, how does it work with ambulance staging? Applicant clarified the ambulance would not be staged there. If you need a higher level of care they would call 911 just like any other business would. There is a designated location should the need arise for an ambulance.

Commissioner Steve Milroy asked if there is an overlap between this urgent care and the project by the Dillon Dam? Applicant replied he's reached out to that project but talks haven't happened yet. It is their intent to get an understanding of their proposal. Dan Burroughs Town Engineer added, the Town staff hasn't received any comments.

Vice Chair Derek Woodman closed the public hearing at 6:57 p.m.

Commissioner Joshua Ryks moved to approve Resolution NO. PZ 18-18 Series of 2018. Vice Chair Derek Woodman seconded the motion, which passed unanimously upon roll call vote.

### **CONSIDERATION OF RESOLUTION PZ 19-18, SERIES OF 2018**

A RESOLUTION RECOMMENDING THE APPROVAL OF A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-2 SUBDIVISION TO BE KNOWN AS THE DILLON RIDGE MARKETPLACE REPLAT E.

### **PUBLIC HEARING:**

A Public Hearing is required for this application. The Planning and Zoning Commission shall open a Public Hearing on the application and hear testimony from Town staff, the applicant, and any public testimony submitted during the Public Hearing.

Vice Chair Derek Woodman opened the public hearing at 7:03 p.m.

Ned West, Town Planner presented.

**SUMMARY:**

This Class S-2 Subdivision application consists of approving the “**Dillon Ridge Marketplace Replat E**” plat which creates one new lot called **BLOCK 12R** and combines four existing lots into this new single lot to support the development of a medical center. Please refer to the attached plat map that was prepared by Aztec Consultants, Inc. for additional information. The existing Lots are described as follows:

- **Block 14**, Dillon Ridge Marketplace Replat D according to the plat recorded on March 24, 2004 as Reception No. 750675, County of Summit, State of Colorado (Owned by Dillon Ridge Marketplace III)
- **Blocks 12 and 13**, Dillon Ridge Marketplace Replat D according to the plat recorded on March 24, 2004 as Reception No. 750675, County of Summit, State of Colorado (Owned by Dillon Ridge Investments, LLC)
- **Future Phase Tract B**, according to the plat titled “Lookout Ridge Townhomes Phase I,” recorded on June 27, 2001 as Reception No. 655933, County of Summit, State of Colorado (Owned by Dillon Ridge Investments, LLC)

The applicant for this subdivision replat is Ten Mile Holdings, LLC, which has entered into tentative agreements with the owners of Tract B, Blocks 12 and 13, and Block 14 to purchase the four parcels and combine them into a single lot and develop the Dillon Medical Building PUD Development Plan. A separate concurrent Level IV development application for the Dillon Medical Center PUD Development Plan has been submitted and will be reviewed at the December 5<sup>th</sup>, 2018 meeting.

Replat E vacates the existing interior lot lines between the four lots and related utility easements.

Replat E will also dedicate new easements for the purposes of public utilities, Town of Dillon water infrastructure, Town of Dillon sanitary sewer infrastructure, Town of Dillon Right of Way, public sidewalks and public access, Town of Dillon snow storage, business area directory signage, and drainage and detention.

The proposed easement for the existing Business Area Directory sign is located in the southwest corner of proposed Block 12R near the intersection of North Dillon Dam Road and U.S. Highway 6. It currently has signage for other Dillon Ridge Marketplace subdivision buildings including City Market, REI, Skyline Cinema, Bed Bath and Beyond, and will also support new future signs for the Dillon Medical Center building tenants.

The proposed easements dedicated on Replat E will be revised prior to the recording of the plat to show the final layout, size, configuration and designation of such easements based on the final construction plans.

Vice Chair Derek Woodman closed the public hearing at 7:03 p.m.

Commissioner Alison Johnston asked what the benefit is of changing lot lines? Ned West Town Planner explained, the building crosses lot lines.

Commissioner Steve Milroy moved to approve Resolution NO. PZ 19-18 Series of 2018. Commissioner Alison Johnston seconded the motion, which passed unanimously upon roll call vote.

**CONSIDERATION OF RESOLUTION PZ 20-18, SERIES OF 2018**

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING INDIVIDUAL SIGN APPLICATIONS FOR THREE BUILDING SIGNS ON THE CHRISTY SPORTS BUILDING LOCATED AT 817 U.S. HIGHWAY; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Ned West, Town Planner presented.

**SUMMARY:**

Signdealz (“**Applicant**”) has submitted three (3) applications for individual building signs for the new Christy Sports building located at 817 US Highway 6. Since this building has a single tenant, a master sign plan was not required for the building, so each sign then needs to be approved by the planning and zoning commission.

**PUD APPROVAL:**

The Christy Sports Planned Unit Development (PUD) was approved by the Dillon Town Council on October 3<sup>rd</sup>, 2017 by the passing of Resolution 53-17, Series of 2017. The PUD was recommended for approval by the Town of Dillon Planning and Zoning Commission on September 1<sup>st</sup>, 2017 by the passing of Resolution PZ 10-17, Series of 2017.

**PUD SIGN CRITERIA:**

The new Christy Sports building is located within Sign Zone B. The sign submittal package is attached for reference and each sign is constructed with individual internally lit letters. The Christy Sports PUD modified the requirements of Sign Zone ‘B’ to allow three signs as follows:

<b>Sign Number</b>	<b>Location</b>	<b>Allowable Sign Area Per the approved PUD</b>	<b>Proposed Sign Area</b>
Sign 1	North Elevation (Highway 6 Side)	35 sf	<b>31.4 sf</b>
Sign 2	West Elevation (W. Anemone Trail Side)	85 sf	<b>83.4 sf</b>
Sign 3	East Elevation (Parking Lot Side)	75 sf	<b>68.3 sf</b>
	<b>TOTALS</b>	195 sf	<b>183.1 sf</b>

**ANALYSIS:**

The proposed (3) individual building signs will be installed in the locations and configurations approved in the Christy Sports PUD, and therefore the proposal meets the quantity and dimensional requirements established in the PUD approval.

The three signs total 183.1 square feet, which is 94% of the approved PUD sign area of 195 square feet.

Vice Chair Derek Woodman opened the public hearing at 7:09 p.m.

Vice Chair Derek Woodman closed the public hearing at 7:09 p.m.

Commissioner Alison Johnston moved to approve Resolution NO. PZ 20-18 Series of 2018. Vice Chair Derek Woodman seconded the motion, which passed unanimously upon roll call vote.

**JANUARY 2, 2019 MEETING IS CANCELLED. Confirm Special Meeting on January 9, 2019.**

All commissioners present confirmed they will be in attendance at the January 9, 2019 special meeting.

Commissioner Joshua Ryks moved to cancel the regular meeting on January 2, 2019 and reschedule for January 9, 2019. Commissioner Alison Johnston seconded the motion, which passed unanimously upon roll call vote.

**PROJECT UPDATES:**

Ned West Town Planner confirmed that the buildings across the street have been demolished and we are waiting for both projects to pull permits. We expect that in the Spring. There are minor changes that will need addressed. Christy Sports is coming along, and they were eager to make tonight's meeting. They anticipate opening in the next couple of months. Sail Lofts Phase 1 is continuing along. The building has taken shape. They're anticipating taking on Phase 2 in the Spring.

Dan Burroughs Town Engineer mentioned, re-review of Dillon Urgent Care residents revised architecture will come up at the January meeting. One of the last pieces of the amphitheater that's being done are LED's on back side facing the lake that light up 'Amphitheater'. The storm sewer to drain the Ice Castles was finished, it was a pretty big issue. They have 3 feet before it's a problem so hopefully they'll do their part and stay on it.

**OTHER BUSINESS:**

Dan Burroughs Town Engineer stated this is Corrie's last meeting, she is moving into more of a finance roll. Kelly Stevens was introduced and will be taking over as recording secretary.

**ADJOURNMENT**

There being no further business Commissioner Alison Johnston moved to adjourn. Commissioner Joshua Ryks seconded the motion, which passed unanimously upon roll call vote. The meeting adjourned at 7:25 p.m.

Respectfully submitted,

*Corrie Woloshan*

Corrie Woloshan  
Secretary to the Commission