

**TOWN OF DILLON  
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING  
WEDNESDAY, November 2, 2016  
5:30 p.m.**

**CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, November 2, 2016, at Best Western Ptarmigan Lodge, 652 Lake Dillon Dr, Dillon, CO 80435. Chairman Nathan Nosari called the meeting to order at 5:31p.m. Commissioners present were: Charlotte Jacobsen, Teresa England and Jerry Peterson. Commissioner Amy Gaddis was absent. Staff members present were Tom Breslin, Town Manager; Kerstin Anderson, Town Marketing & Events Director; Dan Burroughs, Town Engineer; Ned West, Engineering Inspector/Town Planner; and Corrie Woloshan, Recording Secretary.

**APPROVAL OF THE MINUTES OF SEPTEMBER 7, 2016 AND OCTOBER 5, 2016  
REGULAR MEETINGS**

Commissioner Jerry Peterson moved to approve the minutes from the September 7, 2016 and October 5, 2016 regular meetings. Commissioner Teresa England seconded the motion, which passed unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**CONSIDERATION OF RESOLUTION PZ 06-16 SERIES OF 2016**

**A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A NEW DILLON AMPHITHEATER FACILITY LOCATED AT 201 LODGEPOLE STREET, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO. PUBLIC HEARING**

**SUMMARY:**

The Town received a Level III Development application for the construction of a new Dillon Amphitheater Facility located at 201 Lodgepole Street, Dillon, Colorado. The Town of Dillon has submitted the application for this proposed facility. The proposed Dillon Amphitheater Facility will include (4) four new buildings that would replace the existing (4) four Buildings. The project includes ADA accessibility improvements, a new pedestrian event plaza, an enlarged lower plaza between the stage and the concrete seating bowl, a new loading dock area and backstage parking zone, widened sidewalks and stairways and additional landscaping.

Application Type:	<b>Level III Development Permit</b>
Development Name:	<b>Dillon Amphitheater</b>
Project Architect:	<b>Sink Combs Dethlefs, Denver, CO</b>
Project Address:	<b>201 Lodgepole Street</b>
Lot/Block/Subdivision:	<b>Dedicated Town Park Land per Reception No. 108838</b>

Parcel Zoning:

**POS (Parks and Open Space)**

### **AMPHITHEATER HISTORY**

The Dillon Amphitheater has been a major asset to the Town of Dillon for over 30 years. The current configuration amphitheater was created back in the mid 1990's, when a new stage building was constructed and a third section was added to the concrete seating bowl.

Prior to the mid 1990s improvements, the amphitheater consisted of two of the concrete bleacher sections and different stage building as seen in the 1991 aerial photo below. It is easy to forget that not too long ago, the amphitheater was surrounded by a thick tall forest prior to the Lodgepole Pine Beetle epidemic which killed 90% of the trees in the park.

### **PARCEL INFORMATION:**

The Parcel that the amphitheater sits on is a piece of land dedicated as parks property in 1968 under Summit County Reception Number 108838. This publicly owned parcel is the tract of waterfront land between the condominiums and Dillon Reservoir, and extends from Gold Run Circle on the east end to the Dillon Dam Road on the west end.

The parcel dedication language is as follows:

“...have laid out and platted the same into a park and streets as shown here on and do hereby dedicate to the perpetual use of the public, the platted park for cultural and recreational purposes for the benefit of all citizens, and streets, as shown hereon.”

The Dillon Amphitheater is the main “cultural” facility presently constructed on the parcel, and upgrading and rebuilding the facility is consistent with the dedication language on the plat.

### **OVERVIEW OF THE PROJECT AND IMPROVEMENTS:**

In general, most of the existing amphitheater and the existing four (4) buildings will be demolished except for the concrete seating bowl. The major goals of the proposed facility are as follows:

- Increased Restroom Capacity
- Better Concession facilities and offerings
- Ticket Box Office for the possibility of hosting several paid concerts each year
- Increased internal circulation
- Flatten out the grass seating bowl for comfort
- Widen stairways and provide better lighting after shows
- Improved ADA access and more accessible seating options
- Maintain and improve the dancing area next to the stage.
- Add water and sewer facilities to the stage building
- Add greenrooms/dressing rooms for performers behind the stage
- Add a loading dock

### **STAGE BUILDING AND LOWER PLAZA:**

The new stage building will consist of (2) two greenrooms to accommodate two different acts. Each greenroom will be equipped with an accessible bathroom complete with a shower. The green rooms will have furniture and a makeup counter and mirror setup.

The backstage area is expanded to provide storage and an office for tour managers. Three additional dressing rooms are also designed in the backstage area. A janitorial closet with an additional restroom

was added for backstage workers and employees who do not have access to the greenrooms. The backstage storage area will also accommodate a genie lift for working on overhead lighting and sound equipment.

The stage building will also have a small concession located on the street side of the building.

A new permanent sound booth will also be constructed at the back of the center concrete seating bowl.

The stage will be served by a new loading dock with two bays. One bay will be at grade level for small acts that come in cars and vans; a second loading bay will be designed with a 4' dock height to accommodate larger acts and trucks that carry large equipment such as pianos and timpanis.

Next to the dock area on the north side of the building is a small backstage parking area with an accessible parking space and a trash enclosure.

The stage building will also have a new restroom facility located at the lower plaza level. The restroom will have 4 men's stalls, 5 women's stalls and a family restroom. It is contemplated that these restrooms would be open during the summer months to accommodate recreation path users and fishermen. This will be a great community asset.

The new stage is larger than the present stage and is designed to accommodate a full orchestra. The stage will be designed to be 42" above the lower plaza in order allow concrete seating bowl spectators to see over the dancers.

The new lower plaza area in front of the stage is a flexible space and can be programmed with temporary seating if needed for a paid concert event.

The loading dock and lower backstage parking area is access by a 12% access ramp to meet the grade challenges between the Lodgepole street grade and the Amphitheater Stage building. At this time, the Town Code does not have any requirements with regards to loading dock ramps. After checking with trash haulers, trucking companies and tour bus companies, the Town Engineer as concluded that a 12% grade will reasonably accommodate most vehicles that need backstage access. It should be noted, that in general the amphitheater is summer/fall venue and won't typically be used in the winter for performances.

#### **SITE AND GRASS SEATING BOWL IMPROVEMENTS:**

The grass seating bowl will be regraded to a 19.5% grade which is much lower than the existing bowl which can be in the 35% grade range. This will be much more comfortable to sit on. The stairs will be rebuilt through the grass seating bowl with an effective 8' width to better accommodate internal circulation. A new retaining wall along Lodgepole Street will drop the grass seating bowl about 4' below the street grade. A new 5' wide sidewalk behind the north grass seating bowl has been added to allow circulation within the venue.

The site will have two major access points at the upper level. The first access point is off the main parking lot between the box office building and bathroom building. A covered roof element between the buildings will draw people to this entry point. A secondary entrance will be located to the northwest of the grass seating bowl in the same location as existing. A third entry point off the recreation path will be installed to the south of the stage building.

A new handicap ramp to the south of the concrete and grass seating bowls will be constructed to get from the upper plaza level all the way down 27' vertical feet to the lower plaza area. The new ramp

will be designed with a large flat park segment half way down. This ramp will also provide access to a new Accessible seating area at the top of the concrete seating bowl on the south side. The mid-level park element will replace the historical pocket park located next to the existing recreation path. Three lookouts will be constructed to reinstall some of the historical pocket park elements and get these viewpoints almost 20' above the existing path.

A new stairway section will be added along the south end of the grass and concrete seating bowl.

A new perimeter will be installed around the entire facility to establish a liquor control boundary. The fence along Lodgepole Street and the main plaza will only be 36"-42" high. The lower fence separating the bike path and the amphitheater will be 6'-7' high and will have a gate to access the lower restrooms from the recreation path.

### **UPPER PLAZA IMPROVEMENTS AND BUILDINGS:**

The Upper Plaza area will consist of three new buildings and a space for farmer's market booths. The buildings were aligned in a north south direction similar to the existing configuration.

A new upper plaza area will be constructed to the west of the bathroom and concessions building which can support up to (8) eight 10'x10' farmer's market booths for additional food or drink options. The new plaza area will be accessed by a concrete service drive between the concessions and bathroom building which allows vendors to drive from the parking to the upper plaza area.

One of the highest priorities with the new amphitheater was to increase restroom capacity. Presently this large facility is served by 4 men's and 4 women's restroom stalls which is very inadequate. The Town typically provides 10 or more portable restroom units during the summer to help meet the demand. The new building will have 11 men's restroom stalls and 22 women's stalls. This building will also have a new park side men's restroom with three stalls, and a companion park side women's restroom with 3 stalls as well. These additional 6 restrooms spaces are accessed off the south side of the building and are intended to be used all summer long for park and pavilion users during the day and early evening. The main amphitheater restrooms would be locked during the day except for events in the amphitheater, to minimize cleaning.

A new box office building will be constructed north of the bathroom building. Half of this building will be a wine/beer concession and the other half will be a ticket booth with ticket windows along the parking lot side of the facility. A walk in cooler will be constructed in the middle of the building to store kegs, wine and soda. West of the box office building a large block of accessible seating will be maintained along a wall above the center grass seating bowl. See the figure on the next page.

A new concessions building is proposed south of the new bathroom building. This concession building will also have a small garage for park maintenance, a first aid room and an additional family restroom.

### **PROPOSED ARCHITECTURE AND MATERIALS:**

The proposed exterior of the buildings will be constructed with a combination of natural stone, CMU block, and wood siding/simulated wood siding, architecturally finished metals, and standing seam metal roofs.

### **VISUAL IMPACT ANALYSIS:**

The architect was successful at maintain view corridors and limiting the impacts of the new facility to the views of the lake.

**CODE ANALYSIS:**

Permitted Uses: The proposed amphitheater facility is permitted as an accessory use in the Parks and Open Space (POS) zone district.

Yards (Setbacks): The POS zone district does not have any established setback requirements. Since the proposed facility is centered around the existing concrete seating bowl, the buildings were sited to accomplish the goals outlined above and provide ample space for circulation on all sides of the buildings.

Building Height: The POS zone district allows buildings that are 35' in height plus an additional 8' for architectural elements.

The stage building is 36.5' high, the southeast tip of the roof is the part that exceeds the 35' building height and is allowed by the additional 8' for architectural elements. So the stage building meets the requirements of the code.

The box office/bathroom building has a maximum height of 23.25', which peaks at the shared roof element between the two buildings.

The standalone concessions building has a height of 15.43'.

**COMPLIANCE WITH THE DILLON COMPREHENSIVE PLAN:**

The proposed facility is in compliance with the Town of Dillon Comprehensive plan and the improvement of this facility is listed as a community goal as follows:

Section 8: Community Facilities and Utilities, Section II. Town of Dillon Facilities, states that:

“Of these facilities, the marina and amphitheater are economic generators for the community as each brings visitors into the community for various events and activities.

The amphitheater was recognized by the community as an important asset and should be maintained and improved.”

So the improvement of the Dillon Amphitheater is a community goal as set forth in the Town of Dillon Comprehensive Plan.

**PUBLIC NOTICE:**

A public notice for this Level III development review at the November 2<sup>nd</sup>, 2016 Town of Dillon Planning And Zoning Commission meeting, was published in the Summit County Journal on Friday, October 21st, 2016, which meets the 7-14 day notice requirement.

A sign was posted on at the intersection of Lake Dillon Drive and Lodgepole Street next to the existing amphitheater fence on Friday, October 21, 2016.

**STAFF RECOMMENDATION:**

Staff recommends approval of Resolution PZ 06-16, Series of 2016.

Commissioner Teresa England questioned if landscaping will be between the audience & the dancefloor. Dan Burroughs, Town Engineer said yes little shrubs. The lower plaza will be 3-4 feet below the concrete seating bowl so people can see above the dancers. There's a wall there so the only way to get down to the lower plaza is to use the stairs. There will be a hand guard rail in front of the

seating. Commissioner Teresa England inquired if ADA seating in front of stage so dancers are going to start hitting? Dan Burroughs, Town Engineer said that it is a code requirement. It is a much bigger dance floor about 6 times bigger than now and we want to give them the opportunity to be close to the stage too. We are also programming in more accessible parking at the top of the concrete seating bowl. That gives us 3 different opportunities for people that need accessible seating.

Commissioner Jerry Peterson asked if there would be ADA access to the lower seating area and how they would get back up the hill. Dan Burroughs, Town Engineer stated they'll have to go up the ramp. They're all compliant ramps, 8% grade with hand rails on the side. It's a journey but we don't really have a good place for an elevator right now because you'd have to put an elevator with a tunnel and this is what we can afford right now. It's possible in the future there could be a different building element that would have an elevator in it but this would solve our problem for right now. It was really important to maintain a lot of the accessible seating at the top but people can still choose.

Commissioner Jerry Peterson said so a lot of people in wheelchairs are going to be stuck at the top? Dan Burroughs, Town Engineer explained people can still choose. It's going to be a nice rec path with landscaping and almost a nature walk down. It's 14 feet from the top of the plaza to the next set of seating and then we drop another 14 feet from there so we have several ADA locations. At least people have the opportunity whether or not you have wheelchairs in front of the stage because of the daunting journey I don't know. But we've at least provided that and met code requirements. Commissioner Nathan Nosari asked what is the vertical rise from stage to the upper plaza? Dan Burroughs, Town Engineer, replied from the concrete lower plaza which is about 4 feet below the stage, it's about 28 feet.

Chairman Nathan Nosari inquired about what work is currently going on at the amphitheater. Dan Burroughs, Town Engineer explained what we're doing right now are all those things we need to do anyway to get water and sewer down there. So we built a sewer lift station vault, we built a force main that comes from behind the Amphitheater all the way up to Lodgepole Street and ties in there. We ran a new water main down there and put two fire hydrants on both sides of the Amphitheater for fire protection and we rebuilt the path because of where everything needed to go. But we also need a fire apparatus turn around to meet current international fire code requirements, so we've been working with the fire department on this so we decided to get that work out of the way because we need to do it anyway even if the project didn't go through.

Commissioner Jerry Peterson you got the liquor concession next to parking lot, gonna give them a couple beers before they hit the road? Dan Burroughs, Town Engineer: No. One thing you don't see in this plan, there's a little wall that creates separation about a foot and a half so there'll be a fence on it. One of the things we need to do is have a fence around the whole venue for liquor control perimeter. So there will be a fence around the whole venue except at the main entrance. We'll have signs up saying you can't take liquor past this point.

Commissioner Teresa England asked do you have any blowups that show the current facility and the new facility? Dan Burroughs, Town Engineer showed an overlay of the old and new facilities explaining we worked with Council and brought 3 different options for rock and wood to them and they decided on the elevations. But originally it was a red pre-cast concrete. Drawings of Existing stage in relation to new stage show the point on the roof is 7 feet higher than the existing building but most of the building, is actually below the ridgeline of the existing building. At the upper plaza bathroom building, they tried to keep everything in the corridor that's there now to keep the views when driving by the park and looking at mountains so minimize impact. Commission Teresa England said the drawings showing now and then in the future, and it doesn't change.

Commissioner Charlotte Jacobsen asked if there would be liquor sales or anything down below. Dan Burroughs, Town Engineer said possibly at the concession stand down below. We have a concession stand room built into the design, so it is provided for. Whether or not we activate it will be show dependent. Different promoters say it's good, some say it's bad. If we had a smaller event like nature nights it might be nice to have concessions down there so people don't have to go all the way to the top. We wanted a design with a lot of flexibility in the facility so we could accommodate a bunch of different types of activities. A lot of those things we'll have a better feel for what people want once we start operating.

Public question from unknown person: Where do you discharge fireworks? Dan Burroughs, Town Engineer said fireworks will be put off from the same location. Kerstin Anderson, Town Marketing & Events Director informed it's from end of the guest dock.

Dan Burroughs, Town Engineer continued, that's one thing we need to go over is the heights. So that building, the ultimate height is 36 ½ feet. That's just at one point. Most of the building, 90% of the building, is lower than the current ridgeline. The architect did a good job fitting it into the hillside so it's not very impactful to the views. The code allows for a building that's 35 feet tall plus an additional 8 feet for the architectural elements. Our building is 36 ½. We're a foot and a half over the 35 but we're allowed an additional 8 feet. So this building is compliant with the code. Commissioner Jerry Petersen asked what kind of material –shingles, or metal. Dan Burroughs, Town Engineer said right now it's a standing metal seamed roof. We're cognizant of the fact that reflections might be a problem, but that particular roof element faces towards the sun so the sun won't reflect off of it into anybody's eyes. And we'll use more of a matte finish so it's not reflective. We're pushing the new facility out 9 feet towards the lake. If you're sitting down low you'll still see the amphitheater structure and the band, hopefully that's why you're there. As you get higher up the view corridor really isn't that much different.

Chairman Nathan Nosari discussed procedure before opening up to public. We are going to limit comments to 3 minutes per person. Purpose of the Planning & Zoning Commission is to review the applicant which is the Town submittal of the application. We're looking for 4 things: completeness, adhering to the Town codes and comprehensive plan, how the land was deeded. This hearing is for land use only, not for budgetary priority, it's a Town Council decision. Before we open for public comments, we do welcome constructive comments regarding architecture, traffic patterns, amenities, and landscaping elements. Your comments are appreciated. Dan Burroughs, Town Engineer added, the other thing we want to talk about is how we review our developments and see how they fits in with the comp plan and we also evaluate the parcel. This is a unique position because of where the lot lines are. We own this big parcel of land between Lodgepole Street and the lake. Denver Water owns half the land between Lodgepole Street and the lake. It's a dedicated piece of parks land that was dedicated back when the Town was moved in the 60's. That goes all the way from The Damn Road, wraps around the lake through the Marina, all the way over to Gold Run Circle. It's a really large parcel. One of the things we evaluate is lot coverage, and the lot coverage of these buildings is 1%. It's miniscule compared with the size of the lot. The comp plan also supports the project. We're trying to improve it and make it a better facility for everybody.

Commissioner Jerry Peterson brought up phasing and project timeline. Dan Burroughs, Town Engineer detailed right now we are working on design development and are going to hopefully finish final construction drawings by the end of year. That's why we wanted to get in front of you before we finish the drawings in case there's something that we needed to accommodate. And then hopefully put out to bid in Spring & it's our intent to start construction mid-July. It will take about 1-year to build, so we're hoping to have it opened before 4<sup>th</sup> of July 2018. Commissioner Teresa England asked will this be done in phases or are all 4 buildings going to be done at the same time? Dan Burroughs, Town

Engineer explained we just finished the design development set that we're reviewing. We're having a professional cost estimator come up with that cost, and once we have that cost we'll evaluate what we have budgeted for next year. We have almost \$6 million budgeted for this project. We're going to borrow \$5 million and go on from there. One of the other things we've worked on over the last year and a half with the Council is looking at the amount of capital money we've spent over the last 10 years and it's some big numbers. Tom Breslin, Town Manager reports: over the last 10 years we've spent \$27 million in capital projects around Town. \$9.5 million due to special sales tax dedicated to roads so we rebuilt a lot of roads. The rest we spent, \$18 million, we used on multiple projects. When we did our 10 year plan moving forward we used that number and fit in the rebuild of the amphitheater, phase 1 of the Town Park, and ongoing vehicle and I.T. needs and building needs. Part of your capital plan is your payback on your loans. At the end of the 10 years we still have \$2.5 million in capital funds. That's with conservative revenue projections going forward. We've had great growth past 2 years and projections are good.

Chairman Nathan Nosari opened the public hearing at 6:12p.m.

Randy McSwain, 160 E. La Bonte St #E202 Dillon, said the dance theater is in act of leaving and some of the activity that occurs at the amphitheater has been from the theater involvement. Now that they're leaving, what does that do for the amount of activity that will be at this new theater that you're building? Kerstin Anderson, Town Marketing & Events Director reported: We will continue Friday & Saturday night free concerts to the community. Those were funded by the TOD previously. We are still looking to do dance nights, looking to extend some of our cultural programs, we have done naturalization ceremonies down there. We have talked to the orchestra and organizations like that. Looking to see if we can broaden some of our programming. We've also looked at doing something like a series. Might bring in one paid concert per month on a bigger scale. So we're staying relatively the same, we're looking to expand programming and increase quality. Tom Breslin, Town Manager stated we've been paying for those concerts the whole time. Funding and letting them keep revenue from concessions. Now we run the concessions and we use the revenue we get from that to bolster the programs we do. Randy McSwain said we've heard lots of comments from folks around the neighborhood. The primary issue that's hard to resolve is the rather contemporary look of this flying roof that you have over the stage area. It's an issue that's hard to swallow given our mountain area with primo spot looking across to the Ten Mile Range. Not sure it needs to be a contemporary look, it needs to fit in with the area. Everything you're talking about is palatable. I just find the 1<sup>st</sup> look of this massive flying roof line not to be copasetic to the area. Dan Burroughs, Town Engineer reported we hired an architectural consultant. Over time they brought 3 different original concepts to Council and this is the one they liked and went with. Tom Breslin, Town Manager said the peaks behind there are quite jagged and reflect the roof line. Kerstin Anderson, Town Marketing & Events Director commented that it does quite a bit to maintain the view corridor and open it up as compared to the current peaked roof.

Lindsey Stapay, 21 County Road 451 Breckenridge, asked to see before and after photos in terms of land use for amenities. One of the things she enjoys is sitting there looking at the mountains. With amenities of the mountains has anyone integrated an open idea where you could see through like Ford Amphitheater? Dan Burroughs, Town Engineer explained that was the 1<sup>st</sup> concept, and after evaluating everything, with amount of wind off the lake it would complicate the sound. Then we went to a glass window system and because of the orientation the sun would shine through and blind people. So yes, we did look at it. The thing we're doing that's neat is by pushing the stage out towards the lake we've for the 1<sup>st</sup> time opened up the views to Peak One. Before they were blocked. Plus you're going to see Buffalo and everything. You're always going to have a view, it's just going to be different. Commissioner Teresa England discussed that views of Peak One are now open and you have choice of views, mountains or band.



Bobby Craig, 1037 Forest Hills Dr Breckenridge -- how tall is roof over stage at the high point & the low point? Dan Burroughs, Town Engineer reported the top elevation is 36 ½ feet. The side buildings where green rooms are its 28 feet and loading dock is 20. The tippy top elevation is 36 ½ feet and the side is 28 feet. The ridge of the existing structure is also 29 feet. Chairman Nathan Nosari asked what is the length of the current stage and what's the length of the proposed stage? Dan Burroughs, Town Engineer explained the new stage is 60 feet and this one is about 40. Bobby Craig asked how does it impact the lakeside trail behind it? Dan Burroughs, Town Engineer said there will be landscaping in between the building and bike path. The roof slopes toward the lake.

Commissioner Jerry Peterson asked what is the proposed maximum capacity? Dan Burroughs, Town Engineer detailed it will seat 3000, similar to what we have now. Didn't make the venue bigger, just moved it around. Lawn area is almost exactly the same square footage as it is now. Commissioner Jerry Peterson asked do you anticipate having paid concerts? Dan Burroughs, Town Engineer said most people buy their tickets ahead of time but you still need tickets for will-call and people who decide to go that night. We have 2 points of ticket sales. May not be enough but architects think it's enough and they have lot of experience building venues for large crowds. Commissioner Jerry Peterson said we get afternoon/evening squalls – will we have any kind of shelter or is it just rain delay? Dan Burroughs, Town Engineer presented that's where the roof element came from between the bathrooms and ticket booth. But it's not going to accommodate everyone.

Chairman Nathan Nosari closed the public hearing at 6:25p.m.

Commissioner Charlotte Jacobsen asked about the order of the approval process? Dan Burroughs, Town Engineer explained the Town Council is the client, the applicant. We spent all the money to develop all the plans and what's wanted. Then we take to Planning & Zoning Commission and make sure we've met all code requirements. Commissioner Charlotte Jacobsen asked does it need to go back to Council to approve what we've approved? Dan Burroughs, Town Engineer said not from a design perspective but yes, from a budgetary standpoint. This is just for land use.

Commissioner Teresa England moved to approve Resolution NO. PZ 06-16 Series of 2016 which passed unanimously upon roll call vote. Commissioner Charlotte Jacobsen recused herself because she made her wishes known publicly.

#### **CONSIDERATION OF RESOLUTION NO. PZ 07-16, SERIES OF 2016;**

**A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE APPROVAL OF A CLASS S-1 RE-SUBDIVISION OF LOT C AND PORTIONS OF THE PUBLIC AREA, PARKING AREA AND OPEN AREA IN BLOCK A, NEW TOWN OF DILLON SUBDIVISION, FOR THE PURPOSE OF CREATING NEW PARCELS, TO BE CALLED LOTS SW-1, SW-2, SW-3, SE-1, SE-2, SE-3, SE-4, NE-1, NW-1, NW-2 AND NW-3, BLOCK A AND DEDICATING STREET RIGHT OF WAY AND PUBLIC AREAS ADJACENT TO THESE PARCELS. PUBLIC NOTICE.**

#### **SUMMARY:**

The Town has a received a Class S-1 application for the resubdivision of Lot C and portions of the Public Area, Parking Area and Open Area in Block A, New Town of Dillon subdivision, for the purpose of creating new parcels, to be called Lots SW-SWS-2, SW-3, SE-1, SE-2, SE-3, SE-4, NE-1, NW-1, NW-2 and NW-3, Block A and dedicating street Right of Way and public areas adjacent to these parcels. The Town of Dillon is the applicant.

#### **DISCUSSION:**

The Dillon Town Council has directed staff to create development opportunities within the Town Center (Block A) in an effort to promote the revitalization of this important part of the Town. The Town Core area has a very unique parking situation, in that the Town owns most of the parking in the Town Center. The Town therefore provides the parking and accessible parking for most of the businesses in the Town Core.

When the concept of creating new lots in the Town Center was first contemplated, it became important to study the actual parking usage in the Town center in order to determine (1) how much parking is being used by the existing businesses, (2) how much parking could be available for new businesses, and (3) determine where lots could be created while maintaining parking to existing businesses. To that end, the Town decided to conduct a parking study and count parking usage for each of the public lots in the Town Center.

Between February of 2014 and February of 2015 Town Staff conducted parking counts in the Town Center. The number of vehicles parked in each lot was counted at different times of the day and on different days of the week. The Town gathered 188 data points (days of data) and observed that not more than 280 of the parking spaces are typically used at the same time.

There are 534 parking spaces in the study area.

Of the 534 Existing parking spaces the peak usage is around 280 spaces, which leaves about 250 spaces available to support redevelopment and growth in the Town Center. At the time of the parking study, the vacancy rate in the Town Center was less than 12%. So part of the 250 spaces need to be preserved for the vacant commercial office space.

Once the parking counting was done and the data analyzed, Town Staff then took this data and developed a program to maintain and provide 500 parking spaces in the Town Center by reconfiguring some of the parking lots and at the same time creating some new lots that future buildings could be built on. Since Block A already has parcels labeled in a series of numbers and a series of letters, the new lots were named with the compass ordinal directions. See the figure below for an overview of the proposed Town Center Lots.

The **Orange** lots are proposed with the intent of being package with an adjacent Yellow Lot to create a larger development opportunity. These lots may include some parking underneath under the buildings to protect the parking pool.

The **Blue** Lots, Lots SW-3 and SE-4, could be packaged with the Payne building and the other southwest and southeast lots to create a single large development than spans between Lake Dillon Drive and Fiedler Avenue. Using the Orange and Blue lots would require some sort of parking structure within the building footprint to provide enough parking.

The Town also already owns a small parcel at the southwest corner of the Main Street and Schroeder Avenue intersection called Lot C. The proposed plat would abandon this lot and reconfigure it into Lots NW-2 and NW-3.

The new parking and lot layout also took into account needs for trash service and accessible parking for each building. See the attachments for a detailed proposed layout for each parking lot around each of the new buildings. It is anticipated that the parking lots would be configured in conjunction with the development of the surrounding lots as needed. A lot of the parking has been shifted to on street parallel parking in order to create a walkable downtown area with 12' sidewalks along the proposed buildable lots. The 12' sidewalk can also host street trees and street lights along the parking and maintain an 8' wide walking area next to proposed buildings.

An actual Right-of-Way for Main Street would be dedicated as part of this replatting process for the first time. In order to provide walkable sidewalks on each side of the road, as well as parallel parking, the proposed Right-of-Way width for Main Street is 70'.

It is anticipated that the parking lots would be rebuilt and reconfigured in conjunction with the development of the surrounding lots as needed. A lot of the parking has been shifted to on street parallel parking in order to create a walkable downtown area with 12' minimum width sidewalks along the proposed buildable lots. The new lots can be created while maintaining over 500 parking spaces in the Town Center area.

Of the proposed reconfigured parking spaces 50% of the parking will be on streets and 50% will be in parking lots.

In summary, the Town of Dillon is interested in reconfiguring portions of the Town Owned parking areas and undeveloped land in the Town Center into 11 new parcels. Once the lots are created, the Town intends to transfer the properties to the Dillon Urban Renewal Authority (DURA) as needed. The DURA would put out a request for proposal for each of the lots and see if there is any interest in the development community. The new lots are shown on two separate plats as follows:

**DILLON MAIN STREET LOTS:**

This plat creates four lots along the south side of Main Street and the Main Street Right of Way between Lake Dillon Drive and Fiedler Avenue. Up to this point, Main Street has never been a platted right of way. The proposal would straighten out Main Street between Fiedler Avenue and Lake Dillon Drive and install parallel parking on both sides of the street in order to replace some of the parking lost by the proposed developable lots. See the attached drawings.

**Lot NE-1** sits at the southwest corner of the Main Street and Fiedler Avenue intersection. This 5,624 square foot (76'x74') lot is proposed to occupy a portion of Parking Lot E. As shown on the attached **Parking Lot 'E'** plan, the parking lot can be reconfigured into an "L" shape and the parking can be increased from 19 spaces to 44 spaces. *This development of course assumes that the existing building on Lots L, M and N would be demolished prior to development of Lot NE-1.* Additional parallel on street parking would be constructed next to Lot NE-1 on Main Street and Fiedler Avenue.

**Lot NW-1** sits along Lake Dillon Drive between Main Street and Village Place. This lot will occupy the present location of parking lot 'D'. See the attached **MAIN STREET** plan. The 12 spaces from parking lot 'D' will be moved to Village place which would be reconfigured as a one-way street with diagonal parking on both sides increasing the Village Place parking count from 20 spaces to 38 spaces as shown on the **VILLAGE PLACE PARKING** plan. Lot NW-1 would be 10,374 square feet and would create a prime retail opportunity on Lake Dillon Drive.

**Lots NW-2 and NW-3** sit along the south side of Main Street between Lake Dillon Drive and Schroeder Avenue as shown on the attached **MAIN STREET** plan. Each lot is 80'x41' and contains 3,283 square feet. Nine parallel parking spaces are proposed on the south side of Main Street in front of these buildings, and an additional 2 accessible spaces would be built off Schroeder Avenue next to Lot NW-3. These 11 spaces would replace the 10 parking spaces in Parking Lot C that the new buildings will sit on.

**DILLON EAST LABONTE LOTS:**

This plat creates seven lots along the north side of East LaBonte Street between Lake Dillon Drive and Fiedler Avenue. The proposal widens the LaBonte Street right-of-way from 60' to 69' in order to allow for parallel parking on both sides of the street and a new 12' wide sidewalk between the new lots and the parallel parking on the north side of the street.

**Lot SE-1** sits at the northwest corner of the LaBonte Street and Fiedler Avenue intersection. This 4,508 square foot lot is proposed to occupy a portion of Parking Lot I. As shown on the attached **Parking Lot 'I'** plan, the parking lot can be reconfigured into an "L" shape and the parking would be decreased from 52 spaces to 39 spaces. An additional 5 parallel parking space would be constructed on Fielder Avenue and LaBonte Street adjacent to the lot so the net loss would only be 8 parking spaces. Historically this parking lot typically only needed between 20-30 spaces most of the day and at peak times needed upwards of 40 spaces. It should be noted that the parallel parking on the south side of LaBonte Street never gets used at the moment.

**Lots SE-2 and SE-3** are created in case a developer wants to use more of the parking lot for a proposed development and provide public underground parking in exchange for the land as an option.

**Lot SW-1** sits at the northeast corner of the Lake Dillon Drive and LaBonte Street intersection. This 8,046 square foot lot is proposed to occupy a portion of Parking Lot G. As shown on the attached **Parking Lot 'G'** plan, the parking lot can be reconfigured into an "L" shape and the parking would be decreased from 50 spaces to 45 spaces. An additional 8 parallel spaces would be built along the adjacent streets for a total of 52 spaces or a net gain of 2 spaces. Historically this parking lot sees about 20-40 cars a day. This premium corner lot will hopefully develop as a prime commercial, retail and restaurant complex.

**Lots SW-2 and SW-3** are created in case a developer wants to use more of the parking lot for a proposed development and provide public under structure parking in exchange for the land as an option.

**Lot SE-4** is created so a master developer could perhaps utilize all the SE and SW lots and combine them with Parcel D (the Payne Building) to create a new master development from Lake Dillon Drive all the way to Fiedler Avenue.

#### ZONING:

The existing properties are all currently zoned CA – Core Area.

The proposed properties will also remain zoned as CA – Core Area.

The purpose of the Core Area Retail Zone is restated below from Town Code Section 16-3-150(1):

*Purpose. The purpose of this zone is to preserve and enhance areas within the commercial core of the community for concentrated retail sales and businesses that will serve the pedestrian shopper. This district is the retail, commercial and entertainment core of the community for both visitors and residents. The intent is for this area to be a dominant retail and entertainment center, and thus more intensive development of the area is encouraged than elsewhere in the community. Core Area uses should be buffered from surrounding areas to minimize adverse impacts. The intent is to create a pedestrian environment with automobile access encouraged in the peripheral areas through parking lots or structures. Wholesale trade class 1 uses may be allowed as a conditional use upon a finding that the aesthetic, environmental and noise impacts to adjacent uses are minimal. Multi-family residential dwelling unit uses are allowed in this district as a permitted use if located above the ground floor level, or as a conditional use on the ground floor level if such conditional use is approved as part of a separate PUD application and approved PUD plan. Design, landscaping and signage should complement the intimate character of this area as a retail and entertainment center.*

#### CONFORMANCE WITH THE COMPREHENSIVE PLAN:

The proposed subdivision is in conformance with the adopted comprehensive plan and encourages the redevelopment of underutilized parcels within the Town Center/Core Area. That vision from page 6-4 of the Comprehensive Plan is restated below:

*Town Center. The Dillon Town Center was improved by the community in the early to mid-1990 through extensive streetscape and street improvements. The Town needs to continue to build on these improvements and encourage private investment in the Town Center that will strengthen the economic climate in downtown Dillon. The Leland Study and the Dillon Town Center Vision and Direction report both recommended the formation of an Urban Renewal Authority. The formation of an Urban Renewal Area encompassing the Town Center areas will provide funding mechanisms for incentives to promote redevelopment of outdated and underused commercial spaces, as well as provide an opportunity to develop housing for year round residents. The key to revitalization will be to bring more people for longer periods of time to the Town Center to dine, shop, and enjoy public spaces and spectacular views.*

#### ADDITIONAL INFORMATION

Once the lots are created, they would be available for acquisition through the Dillon Urban Renewal Authority as mentioned above. Once a proposal is submitted and accepted by the DURA, each individual proposal would have to come to the planning and zoning commission for project specific approval in a public hearing context. So the community will be able to judge each project proposal on its own merits at some point in the future.

#### **STAFF RECOMMENDATION:**

In the interest of creating potential development opportunities in the Town Core, Town Staff recommends approval of the application.

Commissioner Jerry Peterson asked was there underground parking proposed? Dan Burroughs, Town Engineer: proposed enclosed parking lot but not necessary ramp going down. The parking pool is there for commercial uses not for residential uses. Anytime you build a residential unit you have to provide parking on your lot and it can't be part of the parking pool.

Chairman Nathan Nosari said we currently have 4 or 5 restaurants in Town, they have a different parking ratio than office use. Let's say we have 10 restaurants obviously it would command more parking. Did you think about this when we did the 500 spaces? Dan Burroughs, Town Engineer explained we constantly evaluate parking impact to the community. One of the big advantages we have in the Dillon Core Area is that we have a parking pool that's become a new tool that some cities are trying to implement and we've just always been built that way. Being an 'office park' it frees up spots at 5 for night time entertainment and restaurant usage. It's a shared parking concept. It's not a long walk to the Marina parking lot. There's a lot of extra parking. We don't see a time of the day where it would be 100% full. We're working towards that. Parking problems mean you have a very successful Town Center.

Commissioner Teresa England questioned as each lot comes up for redevelopment, the others would be reevaluated as we go? Dan Burroughs, Town Engineer said: Absolutely, every one would be a separate development app that would be reviewed by you and evaluated by the community. Right now we are trying to create enough opportunities that there's something to pick from and hopefully we can get one or 2 of these going over the next 3 to 5 years maybe sooner. It's hard to appraise commercial property in Dillon. There aren't a lot of comparables. The comparables they have to use are in Silverthorne, Frisco & Breckenridge so the per cost square footage is all over the place. We did get it appraised but it's almost not worth it. Goal of Town is once these properties are created it would be transferred to the Dillon Urban Renewal Authority. They would be able to sell that to people anywhere from market value to no value depending on what they're trying to develop. Just because we create the lots today doesn't mean everything's going to happen in the near future. Chairman Nathan Nosari said when you sell the property it's a public process, can you explain that process? Dan Burroughs, Town Engineer explained it would go to the Dillon Urban Renewal Authority and that real estate sale would be conditional on development agreement. So there would be very strict rules as to how they need to develop the property, how soon, and

if they fail on that the land would revert back to the Town. And the purchase price would be negotiated as part of this process. That would have to be reviewed by the Dillon Urban Renewal Authority. Which in our Town it's so small it's also the Town Council. We're just creating lots. We hope once the lots are created we can drum up some interest in the Town. It's always easier to sell something you have. There's no real reason not to do it, they're parking lots so there's no loss to the community.

Chairman Nathan Nosari opened the public hearing at 6:46p.m.

Greg Jungman, 115 Village Place Dillon, stated this sounds like a process that is appropriate to go forward. I don't know that I'm looking to have patients park down at the Marina. This Town over the 40 years I've been here has had how many attempts to become a walking mall community downtown. We've watched streets torn up, changed. We've watched diagonal parking go away. To say parking is available is true but figures don't lie but liars figure. Having enough distance suddenly you feel like you're back in Breckenridge again and most of us don't want to be in Breckenridge. That's why we're in Dillon and Silverthorne and places where it's easy. I understand a lot of us are compatible most businesses are done with patients most days by 6pm but we still fight it when it comes to a Friday with the Farmers Market and things like that with activities that go on in downtown Dillon and suddenly we find that we can't be open because it doesn't work. But there's not a lot of those in the summer and we all love being here. The Town does a good job of doing this so this is appropriate. Certainly even the building I have is not the last best use of that property. It's old it's not in great shape. I would say that probably this is appropriate to carry on with. I urge you to accept 1 or 2 of these projects at a time and see where parking goes with that.

Commissioner Jerry Peterson stated one of the things about Dillon, there is a place to park. Some of these other towns you drive around you find a business and then you start hunting for a place to park. By the time you park the car you've forgotten where the business is. Kind of like the skiers. They all want to ski 50,000 vertical but they want to park within 200 yards. Kind of nuts.

Mark Richmond, 103 Main St Dillon, proposed this wouldn't be a real positive development for us as proposed. Our South elevation is taken away and it actually carves Main Street around part of our building. Coincidentally we just engaged Bobby Craig to take a look at development application for next years building. The opportunity to serve on the Economic Development Committee back when it was finished in 2007 but I think it started in 2005. Of course nothing has happened since then really with the plan. Pretty good study and I really enjoyed working on that but I don't see a lot of concepts from that development plan in this proposal. I think some of the bigger lots are fine. Some of the smaller lots are really difficult to develop. Even our lot is fairly small. And without some adjacent Town land we can't achieve the goals for Town Center. Which as I understand it are mixed use. Some sort of commercial bottom floor and residential above. To do that you gotta have underground parking. That's really expensive. That's the reality. If our lot is reduced to a small pad we're not going to go forward I'll tell you that. But we are ready to proceed if we have a chance. So I'd like to take a different look at that Main Street side. I don't think those small lots are very easy to develop. And I think a larger lot could be a really good site. It's got a wonderful South elevation and absolutely superb views. Anyway, we're hopeful to go forward and appreciate the chance to speak to you. Dan Burroughs, Town Engineer stated most of the planning studies we've done is they always talk about walkability and parking on the streets. That's kind of been a theme and this plan does that. Even if you adopted this plan it doesn't preclude another development idea from happening. It just means we maintain part of the right-of-way. We don't have any applications to evaluate right now so this is our best shot at trying to do something without help from anyone else. Mark Richmond continued: one of the challenges is there's kind of a thorough planning process to even submit. As I understand it. You're saying just submit a different plan. I think already right now we would have to submit a development application, get a conditional use permit, bringing any residential on the 1<sup>st</sup> floor, and a PUD plan. Isn't that where we are right now? Dan Burroughs, Town Engineer said it depends, I don't know what you're proposing specifically. So I don't know if you'd need

a PUD or not. Mark Richmond added: that's what we've talked about in the past and but now we're getting at vacating public right of way. I think this is a little bit of 'subdivide it and hope they come'. I'd like a chance to give you something to look at.

Eddy Obrien, partner with Mark Richmond at 103 Main Street Dillon – this will be our 20<sup>th</sup> anniversary since we built that building and that's probably the last major building that was built. I served on the Economic Development Committee same time Mark did. We had different concepts of how this was going to proceed in the redevelopment. There were concepts such as incidental property one of the reasons we did buy the old building which used to be FIRC was to tear it down and use the property around it that the city owns. By the way, most of the properties in here are floating within the Town's properties. So Dillon Commons we do own the parking lot up front, we only own the building footprint. So the property literally around us, this 10 foot between Dillon Commons and 103 is Town property. The garden area in front of our building you would think would be ours but no it's the Town. Even along the side it belongs to the Town. Back in the day when we looked at this we thought the real incentive is to allow different types of property. One of the types was marketable city property. The other is incidental that only has value to the building it's sitting on. The plan that's in front of you right now, the immediate effect for us in 103 is that in this case a portion of our building extends into the Town. The building does. So now we have an easement issue. Then we have a parking issue because when we initially purchased the building to have meetings, unofficial meetings, we thought that the urban renewal concept of the day was, bring it all the way out to the edge. You have your sidewalk, you have your store-front and you have your units up top. The way it sits now that's pretty much gone. A corner development in a city is probably the most valuable piece of property there is in a city. If you reduce our ability to build this and put any commercial on the ground because of parking, you just took that corner out. Conceptually does that work, the answer is it isn't. So as a developer do I want to come in here and look at lots that frankly the Town's staff says 'this makes sense'. Or do we want to come in here and negotiate and talk with the Town to take property that does make sense. Does that help define what's going on? Commissioner Teresa England: I think it's the chicken and the egg. You also have developers that will come in and design to the lot. If the lot doesn't exist they have no parameters in which to envision what they want to build on the lot. I think that's what the Town is trying to do, is to create some momentum, something marketable and then we'll have the flexibility to deal with the reality on the ground. Whether you come in or someone else comes in. Eddy Obrien replied, you're right, I think it's the chicken and the egg. You've just reduced square footage on a major corner. Commissioner Teresa England proposed I see value for providing parking directly in front of the building. I think there is value. Eddy Obrien, we agree. But we can't develop it because now the lot has become so small you can't really build anything on it. Tom Breslin, Town Manager commented: you don't know that.

Bobby Craig, 1037 Forest Hills Drive Breckenridge, said he represents a couple different opinions here. I am working for Mark & Eddy on Lot C. I also represent the other group that has applied for residential development next to CMC. Dan Burroughs, Town Engineer clarified: they didn't apply. Bobby Craig said: excuse me Dan, can I finish? I'll try and be brief. I know there's a World Series and I want to go watch it too. Looking at this room and seeing how many people are here, I think this is a big deal. I think people do care. No offense Jerry, but we do want to build. We want to be that stack of paper, we wanted to be in this summer was really our goal and we haven't be able to do it. We are here, this is the rubber meeting the road. I think it's a great idea that you're waiting to see if CMC will take this. Just for the record, we'll start building on this next summer. Our application is in, we'll be breaking ground next summer if we can move forward. We want to build residential. There's a problem with condominiums, there's a construction defects law in Colorado that does not allow us as architects and developers to get reasonable insurance. We're not going to build condominiums. We will build apartments and then we'll convert them to condominiums in the future 8 years later. There's a problem with mixed use though. If I'm a restaurant down here and I have residential condominiums up there that complicates the financing. It's very very difficult to find financing for a mixed use development. It's a great planning concept. The

vision we have here is fantastic. The execution is what I have problems with. First of all, the realignment of Main Street jogs around the existing building there. In my opinion, with all due respect Tom, but I am an architect and I'm trying to figure out how in the hell to put a building that's 30 feet wide and 150 feet long and make it economical? It doesn't work. Just look at the scale. These lots across the street are 30 feet by 80 feet. That doesn't work for what we want to do. If we want to do any residential, where do we put the parking? To put parking underground you have an 18 foot deep space a 24 foot aisle and another 18 foot space. That's 60 feet, a foot or two for wall. It's 62 feet wide is what we need to develop if we're going to create our own parking which is needed for residential. Commissioner Jerry Peterson commented: cost wise, it's not economical. Bobby Craig said: we'll do it. \$20,000 a space. If I can build units up above we can make the numbers work. We will put parking below ground. That's the only way we're going to get these residential developments off the ground. Because you can't sell a unit unless you have a parking spot dedicated. It just isn't going to happen. Again, the size of these lots is great, as long as you're building a Starbucks. I've talked to Starbucks, you know what, they're not coming. Tom Breslin, Town Manager commented: well they're already here. Bobby Craig continued, I'm here and we want to build. This is ridiculous as a size. I'd really like to finish, then you can rebut. Give me 5 minutes I'll be out of here. Chairman Nathan Nosari said, you had 3, you're over but go ahead, please finish. Bobby Craig went on, the platting of this is the final nail in the coffin of the heart of Dillon. I've been looking at this property for 20 years wondering why isn't anyone putting their money here? I want to put my money here but there is no frickin way I'm going to do it. Circulation sucks in here. It sucks for vehicles and it sucks for pedestrians. We have this gigantic square and this dead ends. This is a nightmare. You've created one way in and there's only one way out. We want the exact opposite, we want multiple ways in. We want vehicles and pedestrians to feel comfortable moving through here. I come through here all the time and I still get ticked off when I get in here. Ideally you want to use eminent domain, take the Payne building, drive this street through and create some kind of access that goes through. If you want to buy the Payne building, let's do it. Let's go after it, I'll help you. One-way streets and diagonal parking is not the way to go. On street parallel is great but you're creating a 70 foot right of way in here. And you're killing the development on each side. Why don't you actually look at what you're creating here versus saying we're going to plat a lot and then hope a developer comes in. They're not coming in. You're going to have that developer come in and say we need more space. Right now and we're talking about high-density, 4-stories. Who's going to build 4 stories on a 30 foot wide lot? You can't. It makes no sense. There are 3 R's that are going to help you out of this. No offense and I understand your office use. The 3 R's: Restaurants, Retail & Residential, then the offices are going to survive. Right now you don't have that in the Town core. That's what we need to do. With all due respect, let's slow this process down. God I can't believe I'm saying that. Don't plat these lots, you'll never get them unplatted and it's going to be a dead Town Core.

Dan Burroughs, Town Engineer: If the only goal is residential he has some points. These are small lots. But a lot of these lots are conducive to new offices, making retail if we can find the right environment. And they're 40 feet deep. So that's one viewpoint if you want to build residential. But we're not advocating that you build a 4 story building on these lots. It could be a 1-story retail, a 1-story office building. You can create 40 foot deep building that's 80 feet long which is perfect for more office. Again, we have the parking pool to support commercial, retail, maybe restaurants. So that's an opinion if you want to build residential lot and put parking under it. It's not going to work on these lots most likely. There are other things. They could all be single-story buildings, we're not saying they have to be 4-story skyscrapers. There are options out there and if we create these lots we can pursue those with other developers who have different visions. We just don't know what's out there now because they don't exist. With regards to Main Street, we put a lot of thought into that. We've listened to all these plan studies that we've done and this is our concept for Main Street. You need a 70 foot right-of-way because if you're going to put parking on the sides plus have room for snow storage, we're proposing 10 foot wide parking spaces which is a little wider than what most cities do which is 8 feet. But that's better for our snow plowing and we stack snow in there. We have 12 foot lanes which are really standard. And then we have



this little buffer that's 13 feet for a building. You don't want a 4-foot sidewalk in front of the building because it's going to be really tight. It's not going to feel right. If you walk at any pedestrian mall in this country, the ones that feel good are at least 12 to 16 feet wide and we're providing for 12 feet 4 inches. That gives us place to put trees, maybe an occasional bench, a sculpture. And it makes it a very walkable street. If you add it all up, 70 was the magic number. There's a lot of opportunity here. You shouldn't be coerced into thinking that there's only one way to look at this. That's why we want to create some lots and get some ideas from developers that might be willing to build a 1-story commercial office building. That would be ok. We have a successful office park. We can add to that. One of the biggest incentives we have is that we provide all the parking. We provide all the snow plowing. Any of the business owners in this room know how much you have to spend plowing snow up here. And the Town does it for you, and they do it before 6 every morning. We provide some really good incentives that are totally overlooked. If the parking lot fails, who rebuilds it, the Town does. If the sidewalk fails who rebuilds it, the Town does. If there's a pothole, the Town fills it. These are incredible incentives that most building owners don't have. It doesn't have to be a 4-story skyscraper that's all residential. All those things are inclusive and included in the Core Area vision but not every lot is amenable to those kind of buildings. But we want to find out what's out there.

Commissioner Jerry Peterson: So this resolution includes redoing Main Street? Dan Burroughs, Town Engineer: All it does is create right-of-ways. Most of the streets in the Town Center aren't right-of-ways right now. Over time we are creating opportunity for developers. The developer that comes in might have a totally different idea for Main Street. So we have a framework from which we can work with developers. What the Town is trying to do is create opportunity. The last new building built in this Town was 20 years ago. It's been a long time. We haven't been able to find that partnership with a developer or building owner in the Town Center to get some new development going. Pug Ryan's did that about 8 years ago. They acquired a piece of land next to their building so they could expand it and that's what they did. And they have been very successful. They were the 1<sup>st</sup> developer to use the DURA process.

Lisa Hunter, Dillon Commons 325 Lake Dillon Dr #302, asked what is current vacancy rate for offices in the Town and has there been expressed interest to expand the offerings of office? Dan Burroughs, Town Engineer explained last time we did it was about 12%. Most of those vacancies were in 2 buildings: mostly in Dillon Plaza building and also La Riva Del Lago. Coincidentally, the new owner of La Riva Del Lago who has only owned that building for 2 years is doing a great job of going out and finding people. Setting the lease numbers right to get redevelopment in that building. We've issued I think 5 permits this year. So this new owner is motivated to get that building going and he's getting rid of some vacancies in that building. He's also planning on reopening the bowling alley this Fall. Some of it is just finding the right person with the right kind of attitude to get things filled. We have that guy in the La Riva Del Lago building. Lisa Hunter asked has there been an expressed demand of either flavor of real estate because it would seem that if we're going to portion off for office and retail but there's no appetite for that, instead it's residential, I'm just trying to get a sense of the vacancy rate. So if we have all this office space available and people aren't taking it. Why? And if we were to potentially build something that would be more office oriented and we were to have space, I guess I'm just trying to understand the current mix. Dan Burroughs, Town Engineer: Again, the last time we did a big study was only about 12%. And again, most of those vacancies were in the La Riva Del Lago building and in the top of the Dillon Commons. Most of these other buildings are pretty much full. It's a surprise because everybody thought it was dead. We're trying to create opportunity to make mixed use happen. We're trying to look out for everybody. We want to get the lots created so we can put them on the market and ask people what they'd be willing to build and find out what's appropriate. But we're open to anything: office, retail, restaurants, some residential if it fits. If they can't make the parking work it's probably not a good fit for that lot. We're not telling people they have to build residential, they have an option.

Greg Jungman – If I could make one brief comment on that. I think the reason they're willing to talk residential as an added note, I have 2 apartments at the top of our building and it takes an average of 1-day to refill those if somebody leaves. And I have one commercial space down below that's been vacant for 2 years which is an \$800/month place. It's pretty good sized and I have very little interest in it. There's a difference that way. The reason the top of the Dillon Plaza building is vacant is because that's what I occupy. Because before I moved half of the other one was vacant. Chairman Nathan Nosari said so you're saying your average turn over time is a day, have you petitioned to Town? I think we have a conditional use for residential on the 1<sup>st</sup> floor right? Dan Burroughs, Town Engineer said Yes, there's a process for that. Chairman Nathan Nosari offered, so if you want to convert your space that's been vacant for 2 years for an apartment, there is a process, you can make that residential. Greg Jungman: has considered talking to the Town about that but I feel like this should be commercial. Commissioner Jerry Peterson: Problem in Dillon is it's not a walk around town like Frisco and Breckenridge. It's a destination Town. You come here for one or 2 things. You park, do your thing and you're out of here. As far as walk around, it's not a walk around city like Frisco. We lost the optometrist because he wanted walk-in traffic. Just the way it is. It's a destination town rather than a walk around town. Commissioner Teresa England: One question, who's showing up at your office saying we'd like to talk to you about opportunities in Dillon? Dan Burroughs, Town Engineer: we've met with quite a few people over the past year. Commissioner Teresa England asked: Is it retail, residential? Dan Burroughs, Town Engineer replied: about everything. We don't want to talk about individual things but it's been kind of exciting. Let us know when you get those replatted. Whether or not that's a real deal or not I don't know. There is interest if the lots actually exist so it is something that's tangible that we can say you can own this yes there's a deed. Commissioner Teresa England questioned, we can replat this? Dan Burroughs, Town Engineer confirmed oh yes you could replat it back to the way it is. Simple enough. It's just lines on a map. This isn't the end game. It could be, but this is just an option. You know we haven't had any new building here in 20 years. La Riva Del Lago added residential units in 2005 and Pug Ryan's developed in 2008. That's kind of been it for 20 years. This is a tool. Right now we don't have a lot of building owners that want to rebuild their buildings. Is the conversations we've had. If we want to create opportunity we have to create new lots. It's a theory. Whether or not it works, I don't know. I think what we've talked about is worth a shot while we wait for other existing building owners to do something. It's just another tool in the toolbox to help us try to accomplish redevelopment. That's been the focus of Town Council for about 10 years now.

Eddy Obrien – there was one really good business deal between Town property and a private business and that was Pugs. I'd love to see the model, I know what happened. One of the things Dillon has a lot of is land. It's one of two towns in the United States that's setup like this and the other's in Alaska. Basically the Town owns all of, they called it parking back then. Our group changed the name to marketable properties and incidental properties. That's how we looked at it. An incentive from the Urban Renewal Group to recreate, rebuild and cause revitalization to probably one of the most beautiful places on earth is to be able to actually give land and sell certain parcels at a way reduced price so you can afford to get into it. Some of the other success that's happened in the other small towns in the area is based on tax incentives and other tools that Dillon also has and uses. But we're not seeing these things in this plan. What we're seeing is, these things make sense to people on the staff who have done some work on it. I heard the concept of there were lots of conversations with lots of different people this year and interviews, etc. I'm not sure. I know I talked on the sidewalk and a few other places here with staff. I certainly haven't had anybody walk down to my office which is half a block away and say hey, what are you guys thinking? It just doesn't happen. I bought in here because I believed in it. I didn't buy in Keystone. I bought one piece in Silverthorne and bought other parcels too. And the whole idea on purchasing that corner was to redevelop it. We did not buy that for anything else. So what are the items that would really help us to do redevelopment? Last year when the Town proposed building the lots I never heard anything about the lots around the Payne building not being for sale. Except for redevelopment of everything and the Payne building being required to sell. Now that's come out and that does make some sense. How does that work? Let's say the seller of the Payne building wants an extraordinary amount over what appraised value is. Is

the Town willing to reduce the value of all the other properties around it so the deal would work? Dan Burroughs, Town Engineer responded: that's a gross mischaracterization. If he came to us tomorrow and said this lot, if he wanted that we would work with him tomorrow. And we appraised this lot. There are building owners and there are developers and they're not necessarily the same. Eddy Obrien continued, I clearly understand that. I'm in the business. You just came up with what Breckenridge and Frisco and everybody else are doing. They are giving developers the opportunity to turn office space and retail space. It's required by the Towns to turn it into residential. That offer is on the table. Why? It doesn't work anymore. Mixed use. Bobby, when was the last time you had someone walk in your architectural office and ask for mixed use? Bobby Craig answered: It's been over 10 years. Commissioner Teresa England added: You can't get financing for mixed use. Tom Breslin, Town Manager said: We're addressing that. You know that in the Town Core area it doesn't have to be mixed use. There's an exception, as the Chair pointed out, to have residential on the first floor presently. If someone's utilizing that they can bring that to PNZ. Eddy Obrien continued: We need a bigger and better more creative plan that offers more opportunity than just saying here is a lot for sale. Does that have an effect on any of the other buildings in the area on their ability to re-subdivide, to revitalize, literally knock down the building. That has no effect on any of the other buildings. Dan Burroughs, Town Engineer said: right, we can redevelop the Town Center. Eddy Obrien said: The changes you're making are narrowing our site to a point on a major corner on your Main Street so it doesn't make any sense to redevelop. Dan Burroughs, Town Engineer clarified: We've always told you we would trade the bigger lot for your lot.

Chairman Nathan Nosari interjected: Tonight we're looking at lots, and if there aren't any other comments we're going to close the public hearing.

Kerstin Anderson, Town Marketing & Events Director – one last comment is that speaking for the Town we are very interested in continuing conversations. This is one piece of different tools that we're looking to drive that more comprehensive picture, drive that bigger picture. Many of you have been invited to technical grant assistance work that we're doing with the Office of Economic Development in the next coming weeks to talk about this and market this as part of a larger plan.

Eddy Obrien: I have one thing to say. Chairman Nathan Nosari requested: please, make it brief. Eddy Obrien stated: It's problematic when the person doing the application is also the review authority. Commissioner Teresa England said: That's not true. Dan Burroughs, Town Engineer added: The property owner is the Town.

Chairman Nathan Nosari closed the public hearing at 7:30 p.m.

Commissioner Jerry Peterson moved to table Resolution NO. PZ 07-16 Series of 2016 discussion and continue the discussion at the December 7, 2016 meeting. Commissioner Teresa England 2<sup>nd</sup> the motion and suggested doing this in pieces as opposed to all at once. You're not going to get developers coming in and buying all of these at once. Tom Breslin said: You don't know that. The motion passed unanimously upon roll call vote.

## **ADJOURNMENT**

There being no further business, the meeting adjourned at 7:30 p.m.

Respectfully submitted,

*Corrie Woloshan*

Corrie Woloshan  
Secretary to the Commission