

**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
WEDNESDAY, September 6, 2017
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, September 6, 2017, at Dillon Town Hall. Chairperson Amy Gaddis called the meeting to order at 5:30 p.m. Commissioners present were: Teresa England, and Kevin Stout. Commissioners Jerry Peterson and Charlotte Jacobsen were absent. Staff members present were Dan Burroughs, Town Engineer; Ned West, Town Planner; Tom Acre, Town Manager; and Corrie Woloshan, Recording Secretary.

APPROVAL OF THE MINUTES OF AUGUST 2, 2017 SPECIAL MEETING

Commissioner Teresa England moved to approve the minutes from the August 2, 2017 regular meeting. Commissioner Kevin Stout seconded the motion which passed unanimously.

PUBLIC COMMENTS

Jim Harmeyer 57 Skyline Lookout Ridge. Going to propose something & needs help working through. Zoning map has a height for area. I'd like to see something for area so anytime there's an increase for the area, changing the zoning title or something, that the community would have to be contacted and give time to meet and have a public hearing to see if there's agreement about why we're going outside of zoning. I look at zoning as an agreement between Town Council, Planning and Zoning, and the community. I don't think agreements should be taken lightly. Expense for mailing should be done by the developer. The community in general should have an opportunity to say why are we going over our plan for this because it doesn't seem to make sense. I need someone's help on how to do this. I don't know if it has to go to Town Council 1st. How do I get this started and get someone to work with me?

Dan Burroughs, Town Engineer – Are you talking about an individual application or zoning restriction anytime it changes. Jim Harmeyer – Anytime it changes. That the community would have to be notified in better time than the 14 days. Most people don't live here so the 14 days doesn't do much good. Dan Burroughs, Town Engineer – What timeframe would you like? Jim Harmeyer – 2 months and in that time there'd be a public hearing. Dan Burroughs, Town Engineer – The way our code is written we have to bring an application to the commission within 30 days. Jim Harmeyer – That's why I need help, I need someone to outline that for me. Commissioner Teresa England – We go through that process now. What you're suggesting is that you want more than 14 days. If they ask for a variance above the existing zoning we have to approve that. That runs through the PNZ commission. Jim Harmeyer – Asking for more than 14 days and a different method. It doesn't help the people that don't live here. I just want to make it tougher to go higher. I care about Dillon, not my view. So I want to know if you're going to build something 90ft tall.

CONSIDERATION OF RESOLUTION NO. PZ 10-17, SERIES OF 2017; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE APPROVAL OF A LEVEL IV DEVELOPMENT

APPLICATION FOR THE CHRISTY SPORTS PLANNED UNIT DEVELOPMENT FOR THE APPROVAL OF A NEW BUILDING AND ASSOCIATED PARKING LOCATED AT 817 U.S. HIGHWAY 6 ON LOT 42R OF THE PTARMIGAN TRAIL ESTATES SUBDIVISION UNIT 1, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

SUMMARY:

The Town of Dillon has received a Level IV Development Application for a proposed Planned Unit Development for Christy Sports located 817 U.S. Highway 6. The existing building and parking lot will be demolished and replaced by a new building and parking lot.

A Level IV application requires a public hearing between both the Planning and Zoning Commission and the Dillon Town Council for approval.

Public Notice:

The Town posted a sign of the public hearing on the site on Monday August 28, 2017. A newspaper ad was ran in the Summit Daily Journal on Friday August 25, 2017, and a mailing noticing the public hearing time and date was sent out on Wednesday, August 23, 2017 to property owners within 300' of the proposed development. These dates are all within the required 7-14 day notice period before the Public hearing on September 6, 2017.

Zoning:

The proposed project is located within the Commercial (C) Zone District.

PROPOSED BUILDING AND SITE

The proposed building consists of three floors. The main level is directly accessible from the parking lot and contains 5,971 sf of sales area and an additional 2,188 square feet for receiving and stock areas for a total of 8,159 square feet. The second floor consists of 6,423 square feet of retail sales and ski rental area. The garden level below the main level consists of an additional 2,523 square feet of office and storage space. The building has a combined total square footage of 17,105 square feet.

The building will be sited on the west end of the site adjacent to W. Anemone Trail. A parking lot will be constructed on the east side of the building in the remainder of the lot.

Lot coverage:

The proposed building has a footprint of 8,133 square feet and sits on a lot that contains 36,222 square feet (0.832 acres). The proposed building covers 22.5% of the lot which meets code since there is not a specific limitation on building coverage in the Commercial Zone district.

BUILDING HEIGHT:

The commercial (C) zone district allows building to have a maximum height of 40' plus an additional 8' of height for non-habitable areas and roof peaks. The proposed height of the building from the finished main floor (Arch. 100'-0"/USGS 8888.1') to the high point of the roof is 37.5'. As measured by the Town of Dillon zoning code the proposed and allowable building heights are shown in the table below:

Building Identification	817
High Existing Ground Elevation @ Building	8886.0'
Low Existing Ground Elevation @ Building	8880.8'
Base Elevation	8883.4'
Allowable Building Height per Code (at 40'+8'= \pm 48')	8931.4'

USGS Finished Floor Elevation	8888.1'
USGS Top of Building Elevation (37.5')	8925.6'
	Complies

The proposed building is within the height limitations of the Commercial zone district.

ARCHITECTURAL GUIDELINES:

The architect has worked with the Town of Dillon Architectural Guidelines and the Town’s architectural consultant and believes his development is in conformance with the intent of the guidelines. See the attached checklists for additional information.

COMPLIANCE WITH DILLON COMPREHENSIVE PLAN:

A retail building and its associated parking is an allowed use in the Commercial (C) Zone District and is in conformance with the Town of Dillon Comprehensive Plan.

Proposed Planned Unit Development Changes to the Underlying Mixed-Use Zoning District:

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

- A. Reduced setbacks
- B. Parking Lot Grade of 6% maximum.
- C. Reduction in the required number of parking spaces.
- D. Street Tree Reduction
- E. Additional Signage

SIDE YARDS (SETBACKS):

The challenge with this lot is the fact that it is a long and narrow and it is surrounded by three streets. This non-traditional lot was not contemplated by the code so it is hard to apply the setback criteria for front yards and side yards, because the lot has three front yards. The setback distances can be varied through the PUD process. In the commercial (C) Zone district, the typical front yard setback is 25’ and side yard setbacks are 10 feet. The proposed PUD will provide the following minimum setbacks:

- 20’ - Highway 6
- 10’ - W. Anemone Trail
- 10’ – Little Dam Street

Off-Street Parking Lot Considerations:

The proposed building is 17,105 square feet. Town code requires one parking space for every 400 square feet of floor area in a commercial/retail building. The Town code requires 43 parking spaces for this development.

The applicant is providing 38 parking spaces including the required two (2) accessible parking spaces, which is 5 spaces fewer than required by Town Code. Through the PUD process, the applicant is allowed to reduce the number of parking spaces when warranted. The applicant believes that their business model only requires 28 parking spaces for the 10,877 square feet of retail floor area ($10877/400=27.2$) and an additional 8 parking spaces for employees; a total of 36 parking spaces. The applicant believes that the 38 parking spaces provided will be adequate.

The maximum proposed grade of a parking lot is at 4%. Because of the nature of the site which runs parallel to Highway 6 and Little Dam Street which have grades in the 5%-6.5% range, the applicant is proposing a parking lot which has a maximum grade of 6%. The applicant believes this is reasonable

due to that fact the parking lot will have good sun exposure and won't be shaded by the building. See the attached grading narrative from Redland.

SNOW STORAGE:

The Town code requires that a development provide snow storage areas equal to or greater than 25% of the area of the adjacent parking lot. The proposed parking lot is 12, 843 square feet and the required snow storage area is 3,460 square feet. The proposed project will provide 4,077 square feet (30%).

The developer will also provide a 4' snow storage easement along the West anemone and Little Dam Street sides of the property to allow the Town of Dillon to store snow from the public sidewalk along these property lines.

LANDSCAPING:

Parking Lot Trees: The Town code requires 1 Tree for every 5 parking spaces. 38 parking spaces require 8 trees.

Street Trees: The Town code requires 1 tree for every 15 of lot frontage. This site has streets on three sides of the property for a total of approximately 704 lineal feet of street frontage. Town staff believes the intent of the code was to provide trees along one side of the property (street side) for a standard lot created in Town. Town staff felt it was reasonable to apply the street requirement to just one of the streets and chose Little Dam Street because it had the longest frontage at 360.36'. The Town Code requires 24 street trees for the 360 of lineal street frontage.

The PUD process allows the applicant to vary the landscape requirements of the Town code to provide the amount of landscaping they feel is appropriate for the site.

So a total of 32 trees are required for the development. 8 of the trees must be evergreen trees. The applicant is providing 5 Spruce, 25 Aspen Trees, 1 Bristlecone pine, 1 Amur maple for a total of 32 trees. A condition of approval will be to require the applicant to revise the landscape plan and convert two of the aspen trees to Evergreen trees to meet the code requirements.

The landscape plan also shows numerous shrubs and grass areas. See the attached landscape plan.

SIGNAGE:

The property sits in Sign Zone B which typically allow 75 square feet of signage to be used in one or two building signs on a single tenant building. An additional 30 square foot sign is allowed. The code therefore allows three signs with a total of 105 Square feet.

The amount and size of signage can be increased in a planned unit development. The Developer has requested three building signs with a total combined area of 192 square feet using the following building signage which fits the scale of the building:

- (1) 32 Square Foot sign on the North Side of the building (along Highway 6)
- (1) 85 Square Foot sign on the West Side of the building (along W. Anemone Trail)
- (1) 75 Square Foot sign on the East side of the building (parking lot side)

PEDESTRIAN CONNECTIVITY:

The Developer is providing an accessible route between the 10' path along the south side of Highway 6 and the building. An additional sidewalk between the Little Dam Street sidewalk and the building is provided, but this route is not accessible since the road is steeper than 5%.

UTILITIES:

The proposed project will be served by a water main in West Anemone Trail and an existing sewer main located in Little Dam Street.

DRAINAGE:

The applicant will construct an underground detention pond in the form of a 60" pipe along the south side of the building which will be tied into an existing storm sewer system in Little Dam Street.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution PZ 10-17, Series of 2017.

PUBLIC HEARING:

A **Public Hearing** is required for this resolution.

Chairperson Amy Gaddis opened the public hearing at 5:37 p.m.

Hugh O'Winter presented, Christy Sports is his family's company. Committed to customer service. Been in business since 1958 and in Dillon since 1983. Really excited about this potential project. Think it's going to be positive for the community. Our building is currently 11,500 square feet. Doug Abernethy, from RTA Architects, discussed current site, built in the 70's with parking on 3 sides. There's a lot of grade on this site, 18 feet of fall. It's hard to understand perspective in the mountains, but there's significant fall and it's a narrow site. The current building doesn't address the street, it's not very visible. So it doesn't provide an edge for the Town of Dillon. We started to look how the building fits on this long narrow site. It fits best on the Western edge side of site. It provides a nice corner, and entry to the Town. The narrower part to the east is more appropriate for parking. It helps with our grading condition and retail entry for the customer. And we take advantage of that nice corner we have at those 2 streets. The section on the South is the buffer from the parking to the pedestrian walkway to the Dam. It's a little more pedestrian friendly than it is now as a sea of asphalt. The curb access is very similar to where it is now. Eastern access is where it is now. We have another access at the front of the building. We have service access because trash enclosure is tucked in on South side of the building. It's not in the parking lot like it is now. We started to hide some of those service entries. We have a connection from the highway, north to south.

A little bit about utilities. Again, tight site, not a lot of land area. From a water quality standpoint we have to maximize our site and water quality underground. As opposed to having an above ground detention pond we'd have to service, not necessarily the most sightly thing from a landscaping standpoint. We've got to be creative. Pretty significant undertaking to put this underground, but in the long run it's a better experience for the customer and citizen not to have to deal with that pond. There's a lot of grade, the building is actually helping buffer the grade. We have existing 6% grade. The city's requirement is less than 6%. We have almost 6% on both sides of us because of the two streets. We can't change that. We have to tie to the existing grade. So there's an exception that Dan has noted because of the grade. But it ties in with the street right now and the sidewalks. So I think we're in good shape. Hugh O'Winter – We're looking at providing 36 parking spaces. We've done this format building in other locations in Colorado and feel it's adequate for our use. We tend to have pretty quick turnaround, it's a rental focused business where we're looking to get people in and out pretty quick. Anywhere from 15 to 45 minutes is the average customer period. We feel comfortable with where we're at. We ran the number and are confident this site meets our needs. Doug Abernethy – We have about 11,000 square feet of retail space, the remaining 5000 square feet is really to support the business model with skis and patio furniture. There's a lot of prep work that has to happen both seasons, lot of support work & repair, rental storage. So there's a lot that's not pure retail space that would need more parking than we show. Commissioner

Kevin Stout – How much parking is there now? Doug Abernethy – we lost 10 spots. From 46 to 36. But there's more office component in the existing building than there will be in this new building based on what Hugh is proposing with corporate office.

Doug Abernethy – Let's talk about landscaping. Retail signage, exposure is important. Appropriate placement of landscaping is important and also putting it in locations where it will survive. We focused landscaping at corners where it's more visible, where it supports the building and the architecture better. Because of the height of the building signage is not impacted by the locations of it. There are some parking lot trees that are required based on the number of stalls. Just based on geometry, we lose a significant amount of parking if we start putting trees in the parking lot when we already have a very narrow site. We're not like Dillon Ridge across the street with lots of parking and lots of parking islands. The geometry is such that we can't do that here.

Hugh O'Winter – Predominantly snow storage on North and South end of site, 2 areas. Town requires 25% and we are proposing 30%. Doug Abernethy – We're sort of guinea pigs with the new architecture standards. We met with Roth Shephard it went exceptionally well. The team was very accommodating. The standards they wrote were written around a different building type than we have here. We met the intent of without knowing about these design standards. Really the building is based on the materials and that building being on the corner. We're trying to address design standards from a variety of roof heights and types. So there are sloped roofs, flat roofs, but there's variety. We're trying to address is the corner, the pedestrian that's approaching at the entry, and connecting the building from the interior to the exterior so the windows are strategically located to connect to the streets and to the consumer. The pallet of materials, keeping with the design standards with the lake architecture we have a mix of siding. We have some stucco material to match. It fits specifically with the branding of Christy Sports. They're not bold but create variety. There's natural cedar, we also have some metal because it is a contemporary building.

Doug Abernethy – We did some view studies based in discussions with Roth Sheppard. Signage fits in with the architecture and the corporate branding at this point. Hugh O'Winter – We're trying to use the roof pitches to screen mechanical equipment from the main view corridor. Commissioner Kevin Stout – What's your signage? Doug Abernethy – We have signage on 3 sides. The east, the west and the north. It's small on the North side. The largest side is over the entry on the East side of the building. The signage isn't on the corner. From a retail perspective, really the corner is more of a lantern. There's glass, you can see activity in the building. We're not putting the sign right on the corner we're putting architecture right on the corner.

Doug Abernethy -- It's a partial lower level. Really the support, electrical, mechanical, repair. It supports a little bit of office administrative space. The 1st floor is flexible for the different seasons at Christy Sports. Really a big open floor plan. What you see on the South side of the building is really receiving, receiving stock area, trash, restrooms, elevator. That side is more heavily landscaped. We're screening that. 2nd floor is mainly rental, open retail and open to below with views out the northwest corner.

Chairperson Amy Gaddis – is this showing a floor at the 2nd level? Doug Abernethy – you can see the floor and the glass in this location. It's open to below in this area where the elevated roof is. We get daylight from that North side. Seeing product and people there is more engaging than filling this space.

Commissioner Teresa England – On landscaping, isn't the Town sign adjacent to the corner of the lot. There's no landscaping that's going to impact it? Dan Burroughs, Town Engineer – it won't block it. Our landscaping will block the sign before theirs will.

Sam Brown, 761 Anemone Trail & 765 Anemone Trail the old Vitamin Cottage building – the biggest problem with this application is wholly insufficient parking. I've heard them say it's adequate parking, they cut out 10, they're 5 short of the code. The code they're applying is 1 space for 400 square feet. You know where they park, on my property. If you look at that design there are more spaces in close proximity where people can park illegally on their neighbors property than it shows on this application. Sunday I was there at 3:30 and there were 18 cars in the front parking lot, 16 were from Christy Sports. The employees park there, the shoppers park there. We posted signs just yesterday. If you approve this it's wholly insufficient. Our parking ratio is 1 per 200. So this development is twice as dense, they're 7 spaces under the code, and they're going to be parking on our property like they all do now and at the Dam Brewery. And you're going to start the parking wars. The police department is going to be involved in a lot of ticketing. You're going to have a lot of displeased shoppers that are going to be towed. If you want that kind of war then give them this type of parking.

Brian Sullivan, regional manager for Christy Sports. The parking issues this gentleman talks about happen once a year. It's when we have our tent sale. Quite frankly, I tell my employees while that lot is empty and there's nobody parking there, we'd love you to park there. We've had this discussion with Christy Sports, this is a problem we're going to have to deal with, and we're going to have to deal with employee parking. I've never seen any in my 11 years here, any customers walking from that parking lot up to Christy Sports. The Dam Brewery and Christy Sports have worked together for my 11 years up here dealing with parking. It's during our tent sale, it's over Christmas Break, and sometimes over Spring Break. Those are the 3 times a year we ask our employees to park elsewhere. If they say we can't park down there we won't. This is not a problem for this project. Commissioner Kevin Stout – I do see a problem with future tent sales because you've already given up 7 spaces, then you put up a tent. Now you have a real problem. Brian Sullivan – I can tell you that we lose how many spaces due to our tent sale, it has to be at least 20. The tent sale as everyone knows it in Dillon is over. There will no longer be tents in that parking lot as there was this year. That will never happen again. We may have a mini-tent but it will either be off-site or in the building. Also, the 10 spots we lose, for the administrative office in the winter, there are times there are 8-9 people in the administrative office that will not be there. Those offices are going to be moved off-site. Commissioner Kevin Stout – During spring break, how many employees will be at this location? Ballpark. Brian Sullivan – 25. Commissioner Kevin Stout – But you only have 8 employee parking spaces. So half of your parking will be employees. I understand people do take the bus, but I'm guessing it's not 50%. Brian Sullivan – No, but again this is what we preach. These times you guys have to carpool. You can't park in the parking lot because it gets crazy. We really encourage our employees to find off-site parking, or carpool, or do what they need to do. Our employees love working for us. They will do what they need to do to be there. If we tell them they can't park in the parking lot, not a problem. Commissioner Kevin Stout – I'd like to see something written in the document that says you can't have a tent. I've seen this happen, you're here as current management, we need to make sure we don't create this problem in the future. I'm not sure how we address employee parking. I'm concerned about that. I understand from a code standpoint we're close but we have to make sure we're addressing these issues.

Hugh O'Winter – I would like to bring to the public's attention that Sam Brown is planning on leasing his space to a competitor of ours out of Texas in the same use as Christy Sport. So I think there's some natural conflict there to be unsupportive. So I think the view is a little skewed and I think it's important for everyone to know that. Right now we have our call center in our current footprint. That's about 8-10 vehicles that are no longer going to be parking in that facility. Brian Sullivan – Again, I want to make sure everyone understands we're talking about 3 to 6 times a year this is a problem. Dan Burroughs, Town Engineer – just to add there are 6-7 parallel spaces on Little Dam that are available for all. Teresa – I'd venture to guess more brewery customers park in Christy's than vice versa. It works both ways, there's a mutual reciprocity I'd also add that having this new store brings retail traffic to Sam's property. Otherwise you don't know

anything that's in that shopping center until you get to Christy's and look down there. So there's value. The tent sale probably brought customers to the Vitamin Cottage.

Sam Brown – I don't have a conflict of interest. I have a new tenant that's going to be a competitor. And I want them to have parking not these people's parking in their parking lot so it looks busy there's no room. Or they can't park to go in and shop at my tenant's business. That's not a conflict of interest. So I'm going to tell my customers to go park at Christy's 3 times a year. This isn't a new occurrence. We have put up permanent parking signage. Violators will be ticketed and towed. Commissioner Teresa England – that will solve some problems by having that signage. People will think twice about parking there. I also suggest that as a competitor I will shop both stores. I might park at yours and walk to the other. But I will shop both stores. I think your competitor is counting on Christy Sports to bring people to their store.

Dan Burroughs, Town Engineer – I did make a mistake in the resolution on Section 2 Subpart G. Instead of 1st sentence, we want to change that to 135.

Chairperson Amy Gaddis closed the public hearing at 6:35 p.m.

Commissioner Teresa moved to approve Resolution NO. PZ 10-17 Series of 2017 correcting section 2G subpart 1 to read 135 square foot sign facing Hwy 6. Commissioner Kevin Stout seconded the motion, which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. PZ 11-17, SERIES OF 2017; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR THE DILLON FLATS CONDOMINIUMS, SECOND PHASE, A 24 UNIT CONDOMINIUM BUILDING LOCATED AT 235 E. LABONTE STREET, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

DILLON FLATS CONDOMINIUMS, SECOND PHASE, AND PROJECT SUMMARY:

The Town of Dillon has received a Level III Development Application from Dillon Ridge Investments, LLC (the "Developer") for the second phase of the Dillon Flats Condominiums ("Application"), consisting of a 24 unit condominium building and its associated parking located on 235 E. LaBonte Street, Dillon, Colorado. More specifically, the project will be constructed on Lot 16R, Block A of the New Town of Dillon subdivision.

The unit mix for the building includes three (3) One Bedroom & One Bath Units, seventeen (17) Two Bedroom & Two Bath Units, and four (4) Three Bedroom & Two Bath Units.

The fourth floor residential plan (Fifth story from street level) shows the additional third bedroom & loft for units 17, 20, 21 and 24.

The First phase of the Dillon Flats Condominium proposal includes a single condominium building on Lot 17A with the required parking being provided on Lots 17A and 17B. The First Phase was previously approved at the August 2, 2017 Planning and Zoning Commission Meeting under Resolution PZ 08-17, Series of 2017.

DILLON URBAN RENEWAL AUTHORITY (dura) BACKGROUND:

Lots 16R, 17A and 17B were created by the Town of Dillon in 2015 out of underutilized Town Owned land in the Dillon Town Center. Lot 16R contains a portion of existing Parking Lot B which only saw

an average use of around 10 vehicles per day after a year of study. Parking Lot B will be reconfigured to provide 19 public parking spaces to help serve the needs of the La Riva Del Lago building. See the attached proposed Parking Lot 'B' layout.

In the fall of 2015, the Town of Dillon requested proposals from the development community for these lots, and received two (2) proposals. Ultimately, the Town decided to move ahead with a proposal for two (2) condominium buildings on Lot 16R, Lots 17A and 17B because the proposal has a workforce housing component. The Town of Dillon Town Council passed a resolution earlier this year that allows the property to be transferred from the Town of Dillon to the Dillon Urban Renewal Authority on a date to be determined in September of 2017.

The proposed real estate transfer agreement between the Developer and the Dillon Urban Renewal Authority was approved at the August 15th, 2017 special meeting of the Dillon Urban Renewal Authority. This agreement sets up the terms of the purchase and sale of Lot 16R and Lots 17A and 17B to the Developer and will require that an additional workforce housing covenant and an additional development agreement be executed between the Town of Dillon and the Developer.

Public Notice:

The Town posted a sign of the public hearing on the site on Tuesday, August 29, 2017. A newspaper ad was ran in the Summit Daily (Journal) on Friday, August 25th, 2017, and a mailing noticing the public hearing time and date was sent out on August 23, 2017 to property owners within 300' of the proposed development. These dates are all within the required 7-14 day notice period before the Public hearing on September 6, 2017.

Zoning:

The proposed project is located within the Core Area (CA) Zone District. A multi-family residential project is allowed above the street level as a use by right as long as none of the residences are located on the ground floor. In this case, the ground floor of the building is mostly parking and also includes stairwells and an elevator. Therefore the project complies with the use requirements of the CA zone district.

Workforce Housing:

The Developer is proposing that 25% of the twenty-four (24) units, a total of 6 units will be reserved for workforce housing and will be sold to people who can demonstrate that they work within Summit County a Minimum of 30 hours per week. Additionally, four (4) of these units will also have a maximum purchase price set by the Summit County Combined Housing Authority based on incomes within the 90% to 130% AMI (Area Median Income) range.

The final unit numbers to be dedicated with the AMI restriction will be finalized in a separate Workforce Housing Restrictive Covenant ("Restrictive Covenant") that the Developer will enter into with the Town of Dillon. This agreement will be reviewed and approved by the Town Council at a future date and is a condition of the purchase and sale agreement between the DURA and the Developer.

COMPLIANCE WITH DILLON COMPREHENSIVE PLAN:

The Developer believes that their proposal for a 100% residential project above the first floor within the Core Area Zone meets the Towns objectives for development by providing 24 condominium units in the Dillon Town Center to add more residents to the Town Center to support core area business growth. The Comprehensive plan also encourages developments in the Town Center that can add workforce housing opportunities within the Town of Dillon and Summit County.

Off-Street Parking Lot Considerations:

The proposed development requires five (5) Parking spaces for the one bedroom units at a rate of 1.5 parking space per unit; and an additional forty-two (42) parking spaces for the twenty-one (21) two bedroom and three bedroom units based on two units per unit. A total of forty-seven parking spaces are required.

Unit Type	Quantity	Parking Rate	Parking Required	Parking Provided
One Bedroom	3	1.5 space/unit	5	
Two Bedroom	21	2 space/unit	42	
TOTAL			47	47

The developer is providing 41 parking spaces onsite; 27 on the first level of the building and 14 outside the building along the west side of the property. The additional 6 spaces will be provided on Lots 17A and 17B, which had an excess of 6 parking spaces. These spaces will be permanently attached to Lot 16R through a cross-parking agreement between the two phases of the Dillon Flats Condominiums future Owner’s Association. These will also be permanently dedicated on the final Condominium maps for the properties.

Per Town and Federal Code, the Developer is providing two (2) Accessible parking spaces in the parking garage beneath the building.

The proposed parking lot conforms to the Town Code parking lot design standards and includes 18’ x 9’ spaces outside the building with a 24’ driveway between them. Per Town Code Section 16-6-60(7) “Backing onto public Street,” the parking spaces are allowed to back into the right-of-way used primarily as a public parking lot along the west side of Lot 16R.

SIDE YARDS (SETBACKS):

The Town Code does not require any setbacks in the Core Area Zone, so the building complies with Town Code.

Lot coverage:

The Town Code allows a building within the Core Area Zone to occupy the entire lot. The landscape indicates that 0.09 acres (22%) of the 0.41 acre property will be landscaping/open space.

BUILDING HEIGHT:

The Core area zone allows buildings to be 50’ high plus an additional 8’ for unoccupied vaulted ceilings areas and elevator shafts.

The actual proposed height of the building from the finished floor of the garage to the top of the ridge line is 58’. As measured by the Town of Dillon zoning code the building height for the building is as shown in the table below:

Building Identification	1
High Existing Ground Elevation @ Building	9108.8’
Low Existing Ground Elevation @ Building	9101.6’
Base Elevation	9105.2’

Allowable Building Height per Code (at 50'+8')	9163.2'
USGS Finished Floor Elevation	9101.8'
USGS Top of Building Elevation (58')	9159.8'
	Complies

The table above demonstrates that the building is actually 3.4' below the maximum building height allowed as measured by Town Code.

UTILITIES:

The proposed project is located within the Dillon Town Center and water and sewer mains exist on the adjacent streets. The proposed water service to the building will be fed off the 8" water main in Buffalo Street. The proposed sewer service to the building will connect to a relocated sewer main in Main Street.

DRAINAGE:

The proposed property drains to Dillon Reservoir. A storm sewer system exists in the Town Center and outfalls in Lake Dillon Drive below the Dillon Amphitheater. The proposed development will drain to existing inlets in Main street and Parking Lot B.

SNOW STORAGE:

The proposed development provides the required 25% snow storage for the parking lot onsite. See the Landscape Plan for more information.

ARCHITECTURAL GUIDELINES:

The architect has worked with the Town of Dillon Architectural Guidelines and the Town's architectural consultant and believe that their development is in conformance with the intent of the guidelines. See the attached checklists for additional information.

PEDESTRIAN CONNECTIVITY:

Public sidewalks are located on the north, east and south side of the proposed buildings. Pedestrian exits directly connect to the sidewalks on E. LaBonte Street and Main Street.

PRIVATE RESIDENTIAL UNIT Open Space:

The developer is providing a 6'x20' Deck for most of the units which provides 120 square feet of outdoor open space per unit. The exception to this rule are Unit 8 which have two decks totaling 204 square feet; Units 16 and 24 which have two decks totaling 132 square feet.

There is not a specific private open space requirement in the Core Area zone, but the mixed use zone requires a minimum of 100 square feet per two-bedroom for comparison purposes.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution PZ 11-17, Series of 2017.

PUBLIC HEARING:

A **Public Hearing** is required for this resolution.

Chairperson Amy Gaddis opened the public hearing at 6:40 p.m.

Tim Crane, developer with Summit Homes Construction presented. The buildings do share similar architecture and similar use of materials. They will have a different color pallet. But the intent was to use these as, we'll call them, book ends. I think the architecture on this end of La Bonte will be complimentary. This is part of the Town Core revitalization effort. We think this provides a great opportunity to bring new residents into the Town. Out of the 24 units there is a mix of 1, 2, and 3-bedroom units. Of those, 6 will be local deed-restricted units. 4 will have AMI targets. The differentiation is we're selling these units to people that make 90% or 100% of AMI with a specific price point on those units. So a 90% AMI is \$237,000. To buy that unit you'd have to make about \$56,000. It keeps that unit affordable into the future since resales will be restricted. The intent of having a unit at the 30-hours a week is to provide the opportunity for a Summit County local resident to buy into a unit that's always meant to be for a full-time resident. So the restriction goes a little past just working in the County. But you have to live in the unit, work in the County. You can't rent it. The intent is for it to be full-time occupied by someone in the County. Commissioner Kevin Stout – A person buys this they're a 40 hour employee and they lose their job. You've sold it to that person. But can they not rent it? Period. How does that work? Tim Crane – that's a good question for the Summit County Housing Authority. Danny Teodoru – Typically what you have in deed restriction, and the way the Housing Authority has handled it, you have provisions right in the covenant that allow for variances for those types of events. Disability, loss of employment, etc. And you have to request the allowance. So if you're moving and you're just going to rent it out continuously, you have to check with the Housing Authority and get approval. There are flexible processes. Commissioner Teresa England – how do they monitor it? When someone loses their job, how does the Housing Authority know they've lost their job? Is the HOA monitoring it? Danny Teodoru -- 1st Housing Authority and the County will be monitoring. Commissioner Teresa England – Show us your W-2 every year. Danny Teodoru – It sets up a process. If you're in violation of a covenant there are remedies including bank forced sale and buy-back. Tim Crane – What we've seen, we put 25 units on the market through a whisper campaign, and 21 of the units went overnight. So we've been taken by surprise by that. Just as you're entering into Keystone. We started on the 1st 25 of 66 deed restricted locals housing. It's shocking, tell-tailing of the need that's out there. So we anticipate these units going quickly. As Dan said, we're still finalizing the deed restriction and we're working closing with the Housing Authority on that. These restrictions have gotten more standardized over the last couple years through all the efforts in Summit County. The project is under the height limit. We do provide all of the parking. We meet all of the landscaping requirements. And we've worked with the Town's architectural consultant to ensure it meets the desired architectural appearances of the Town. I believe we're getting a project that meets the Town's goals.

Elena Scott, Norris Design presented about architecture and site planning landscape. We have a small site, it's 4/10th of an acre, trapezoid shape. So not a lot of ways to orient the building. But we did get to orient it so some of the units can get a glimpse between The Lodge and Chateau toward the lake. We have a great view of Town Park and on the East side we have La Riva which is the same height as our building and has a nice landscape buffer. The access to the building and to underground parking comes off Main Street. The main front door is on La Bonte. And an additional entry for residents on the East side. We do meet the parking code. There are 19 spaces remaining in the Town ownership between this lot and the La Riva building. We are meeting our landscape plan. Looked at existing landscaping and will do our best effort especially along Main Street to keep any of the trees that we can. Commissioner Teresa England – isn't there a bus stop somewhere in there? Dan Burroughs, Town Engineer – we're going to move that to Town Park to the northwest corner. Elena Scott – Landscape shows nice pedestrian linkage between Town Park and the commercial areas of the Town Core as well as residences on La Bonte. Conceptually we heard one of the biggest concerns with Lot 17 was height and consideration of views. With the Lot 16 project, because we're directly right next to La Riva that concern is essentially eliminated because the building is the same height as us. The units that look that

way will look right at La Riva. We're fortunate to have a nice landscape buffer and views of Town Park. The length of the building compared to other condo buildings in the Town Core is pretty small. Chateaus Claire have about 160 feet of length, ours is 175 which is basically increasing by 1 parking space. We're in same scale as some of the smaller condos from a length perspective. We think that keeps us in the context of opening up more views around the site as a whole. Which is one of our goals. The Town of Dillon core area vision, in the RFP and the Comprehensive Plan there's a lot of emphasis on commercial density being focused on Lake Dillon Drive. That's been in the works for many years as part of the Town vision with Council and others in the community. There's a transition zone essentially between the Core Area to mixed use, transitioning that into the more residential neighborhood. That's how this fits really well into the overall fabric of the community. Lastly, adding full-time residents into the Core is one of the main goals. Between these 2 sites, 12 full-time residents being able to walk to all the amenities that Dillon offers.

Tim Crane – Our architect is not here. This did go through the Town's architectural consultants to ensure it was consistent with the Town's desire. I think beauty is in the eye of the beholder but we've worked hard to try make to make this building look as attractive as possible. It is an HOA, a single HOA that will be responsible for maintaining this building now and into the future. To ensure it's going to look good now and into the future. Have chosen durable materials. Metal accents, real stone, cementitious siding, it will have natural siding accents. For the most part sustainable materials that will last a long time. Have a building similar to this in Frisco we built in 2002. Hasn't been painted yet and still looks brand new. For the HOA to maintain this building, it should be easy. The parking, we will assign parking spaces. That was a recommendation that came out of the meeting here for Lot 17, we've started to build that into our project documents. We also have assigned storage spaces. Everybody will get an assigned space, they are 10x6 so reasonable size for a couple bikes and whatever. We do have multiple different floor plans. We're going with a contemporary theme on the interior. Clean forms, granite countertops. Lots of glazing which was a big thing for this building. All units will have large amounts of glazing with adds to the exterior appearance and to interior livability of the space. The roofs will match between 16 and 17. Never been keen on having hodge-podge roof design and colors so we're going to keep that consistent. Commissioner Teresa England – how are they going to differ from each other? Tim Crane – the plan was to use siding areas to change colors. We would vary the color pallet between different siding types so the buildings complement each other. Commissioner Teresa England – So they have the same type of siding just different colors? Tim Crane – that's correct. Again, it's a new project in Dillon that provides much needed condo units. We had an open house yesterday and had about 60 people come through. Tremendous amount of interest in new product in the Town of Dillon. The location is fantastic. The views are spectacular. It provides access to Town amenities, bars and restaurants. It creates 6 condo units for locals, for the whole project 12 units. And it's part of the Town revitalization.

Commissioner Teresa England – did you have a community meeting on this one like you did with Phase 1? Tim Crane – We did not. We had a community meeting before we had block 17 and no one came, So we decided no one would come to this, it would go to Town Council.

Commissioner Kevin Stout – I'm a little concerned about half of this building facing La Riva. It's on a little bit of an angle but the first couple levels are going to be smack-dab facing into La Riva. I've seen it done in the past, angle the decks a bit so they point towards lake and not directly at building next door. If there's a way of not having that face directly at the building next door, I think you'd make those a lot more appealing. At those lower levels it's a big wall. Second comment, they all have decks. The snow removal off decks, I see parking spaces where people are going to throw snow. I'd be concerned about usability of those spots during the winter. From a parking standpoint, I'm concerned about people using public parking spaces for residences. You have a building that's enclosed, have to

park outside and walk into the building. The farther you put them away from the building the less desirable that's going to be. Why would I walk all the way down here when I have parking right next to the building? I'm trying to avoid impacting the people who are setting up business in La Riva and people not being able to park for retail in La Riva.

Tim Crane – We can provide signage on the La Riva side says for retail only. If there's overnight ticketing then they'll subject themselves to that when they have an assigned space. Commissioner Kevin Stout – right now part of rotating lots. Dan Burroughs, Town Engineer – We haven't evaluated that. As Town, haven't had this discussion with Council yet but we will when the time comes. Commissioner Teresa England – a suggestion that maybe it should be short-term parking at all times for that parking lot. Commissioner Kevin Stout – Other thing, the parking data is old. I see that parking lot a lot more full now than I did 2014-2015. We're standing to lose parking that I think is more utilized than your data shows. Dan Burroughs, Town Engineer – We can evaluate that. Commissioner Kevin Stout – I'd like to see us revisit that data. I think once we lose that lot we need to make sure we keep an eye on other problems. Dan Burroughs, Town Engineer – The whole philosophy with the Town Center redevelopment is that we have a pool of parking that can be shared. Some people are going to have to walk a little farther than they're used to in order to find a parking space. We encourage the other 200 spaces that aren't being used to get used. Commissioner Kevin Stout – If you're including parking spaces down at marina in that pool of parking, that's not viable for a business. Dan Burroughs, Town Engineer – we totally are not. If you'd save that discussion for other business I'd appreciate that. It's not the forum here. We're reviewing an application for a specific project. We can discuss your concerns about the parking in the Town Center as a whole during other business.

Dan Falliaux, Lodge at Lake Dillon Units 220, 222 & 224 – You're aware the last time we were here at Planning & Zoning Commission that your decision stood final at City Council Meeting? They deferred to you guys and they didn't want to call up your vote. My question is, if we have potential parking problems, and as I sit in Unit 220 which looks directly at that parking lot I do see a lot of people using this lot daily. My home office looks out on it and it's full. If we're going to approve this application without truly looking at what it's going to do to the parking, I have a concern there. Let that go on record. Mr. Stout, your questions concerning the units facing the La Riva building, facing North, that orientation. That's simple, that's where the affordable houses go, you're going to discount a home they're not going to get a view. Again, the decision you made here last time was final. The Town's on notice, there's a petition for referendum going around Town to concerned citizens, registered and active voters in the Town of Dillon. It's progressing very well. This is to reverse the 1st decision, take this decision out of the hands and put it to the vote of the people.

Srinivas Cheela, La Riva commercial building owner – Essential the La Riva commercial has 27 unites, 60,000 square feet. I really appreciate the parking studies you've done but that was completely a different time. In 2014-2015 that part of the 60,000 square foot of the commercial space was a ghost town. There was absolutely no business. Since we took over we have really worked hard. We have 20,000 square feet of the bowling alley back in business. We have Tacos & Tequila, we have a couple of churches, we have Elevation Fitness. All kinds of retail. In my opinion I think parking's going to be a huge huge challenge. Essentially this commercial space is reliant on this public parking space. That's the way it's been for 20-30 years. I'm not opposed to the idea as long as you come up with some way to at least keep those 50 parking spaces as in. Come up with same way to provide same parking space to be provided for the public. That's something that's certainly a concern. On top of that, 37 residential units. It's not an old building that needs gutted out. It's a multi-million dollar commercial and residential that's very critical to the whole Town of Dillon, in my opinion. Parking's going to become a huge huge challenge. You guys look at 2014-2015, what was there and what is there currently. Even

if we think of 1 spot for each 400, we are talking 200 parking spaces. We are getting close. If we lose 30-40 parking spaces it's going to be a challenge. Please run the numbers. I think this is going to be a serious issue. Are we so desperate to have this particular lot, don't we have other areas in the Town? I'm furious. Is this so 4/10th of an acre so valuable to bring these 24 condos. That's my concern and question.

Chairperson Amy Gaddis – Really, the discussion regarding taking up the parking was decided in 2015 and we're not here to say this is a lot that can be developed. Dan Burroughs, Town Engineer – On some level. This is a public hearing so everyone gets to get up and say what they're thinking. So you need to take that into account. Chairperson Amy Gaddis – But the decision was already made that this is a lot that's available for development. Dan Burroughs, Town Engineer – Correct.

Danny Teodoru – Want to address the parking issue from our perspective and the way it works. What Dan is saying the decision to put those lots out for RFP, as to selling those lots, is a separate decision from this development application. From our perspective, the parking issue here is the parking requirements of the code for the Core Area zone. We can't speak to that larger issue. It certainly seems like a salient issue that there's going to be some conversations about and we support that. But in terms of our parking, I want to make it clear that it's not a criteria for this particular application. We're here to be partners to solve the broader issue. Commissioner Kevin Stout – I don't want public parking to become a factor here. One thing you did after the last meeting which I really appreciate is going to assigned parking. I think that helps tremendously. My issue is not the lack of available parking but the impact on surrounding business which I do think is a factor here.

Chairperson Amy Gaddis closed the public hearing at 7:32 p.m.

Commissioner Teresa England – There's nothing in the resolution that connects them to assigned parking. Dan Burroughs, Town Engineer – You are correct. It can be added as a condition of approval that they have to provide assigned parking. From a parking standpoint, are you asking for 1-space per unit? There's also handicapped parking. Commissioner Teresa England – I'm not particular as much as making certain that the unit owners know where their relative parking spot is. Tim Crane – Most likely we'd assign an indoor and an outdoor parking spot to a unit. Then we have 2 handicapped spots.

Commissioner Teresa England moved to approve Resolution NO. PZ 11-17 Series of 2017 subject to modification of section 2 subpart C to reflect that the parking spaces will be assigned to condominium unit owners or designated as a common element on a unit by unit basis. Chairperson Amy Gaddis seconded the motion, which passed unanimously upon roll call vote.

OTHER BUSINESS

Chairperson Amy Gaddis – we talked about moving zoning notice to other business. Commissioner Teresa England – how do our requirements compare to other mountain communities? Dan Burroughs, Town Engineer – We can prepare a report. I think they're reflective of state statutes. We'll look into that and work with the Town Attorney. Commissioner Teresa England – there's a balance between notifying the public and not delaying a project. Dan Burroughs, Town Engineer – We'll talk to Town attorneys about what we can do. Instead of changing code we could do something earlier. Part of it might be advancing our communications system. We typically know a month before that we have an application coming. We could send an email blast once a month saying what's going on in Dillon, what we have coming. Would need to talk to Town Attorney.

Dan Burroughs, Town Engineer -- We don't have any applications for the October meeting. We could meet and discuss some of these parking issues or not meet until November. Commissioner Kevin Stout -- Are we still talking about having a working session with Council. Dan Burroughs, Town Engineer -- Yes. Tom Acre, Town Manager -- We haven't found a date yet for joint work session with Town Council. I do encourage you meet regularly, we have plenty of things you can discuss. I think that would help you all.

Commissioner Teresa England -- What's going to happen with the Farmers Market when all of this happens? Dan Burroughs, Town Engineer -- We're moving the location.

Dan Burroughs, Town Engineer -- We are going to advertise and interview for another PNZ commissioner. Charlotte told the Mayor she's stepping down. Put on agenda for October.

Chairperson Amy Gaddis -- Is there land coming up from other entities that we could acquire? Dan Burroughs, Town Engineer -- Yes & no. We also have the 3-mile plan. We could go over annexation law. We're kind of locked in. We can somewhat annex within our 3-mile boundary. Basically Denver Water owns everything between us and Forest Service. Denver Water just doesn't want to give up land right now. This would be the time to do it. All those parcels are identified in the 3-mile Annexation Plan. We can review that too.

Corrie Woloshan, Recording Secretary to email and print off 3-Mile Plan and Comprehensive Plans.

Commissioner Teresa England -- Where are we with Town Attorney? Dan Burroughs, Town Engineer -- We're interviewing. Tom Acre, Town Manager -- Down to 2 potentials.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:16 p.m.

Respectfully submitted,

Corrie Woloshan

Corrie Woloshan
Secretary to the Commission