



**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
Wednesday, April 4, 2018**

5:30 p.m.

**Dillon Town Hall
275 Lake Dillon Dr.**

AGENDA

1. **Call to Order**
2. **Approval of the minutes** of the [March 7, 2018 regular meeting](#).
3. **Public Comments:** Open comment period for planning and zoning topics not on tonight's agenda.
4. Consideration of Resolution No. PZ-06-18, Series of 2018: **POSTPONED; TO BE RESCHEDULED**
5. [Consideration of Resolution No. PZ-07-18, Series of 2018:](#)

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON RECOMMENDING AMENDING CHAPTER 16, "ZONING," ARTICLE III, "ZONING DISTRICTS," SECTION 16-3-170, "MIXED USE (MU) ZONE," OF THE DILLON MUNICIPAL CODE REGARDING MULTI-FAMILY RESIDENTIAL USES IN THE MIXED USE (MU) ZONE DISTRICT. **PUBLIC HEARING**

6. **Discussion Item:** [Comprehensive Plan Review – Sections 6 & 7](#)
7. **Other Business**
8. **Adjournment**

**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
WEDNESDAY, March 7, 2018
5:30 p.m.
Town Hall**

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, March 7, 2018, at Dillon Town Hall. Vice Chairperson Teresa England called the meeting to order at 5:29 p.m. Commissioners present were: Teresa England, Jerry Peterson, Derek Woodman and Joshua Ryks. Commissioner Amy Gaddis was absent. Staff members present were Dan Burroughs, Town Engineer; Ned West, Town Planner; Kathleen Kelly, Town Attorney; Scott O'Brien, Public Works Director, and Corrie Woloshan, Recording Secretary.

APPROVAL OF THE MINUTES OF FEBRUARY 7, 2018 REGULAR MEETING

Commissioner Jerry Peterson moved to approve the minutes from the February 7, 2018 regular meeting. Commissioner Derek Woodman seconded the motion which passed unanimously.

PUBLIC COMMENTS

There were no public comments.

CONSIDERATION OF RESOLUTION NO. PZ 05-18, SERIES OF 2018; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE APPROVAL OF A LEVEL IV DEVELOPMENT PERMIT APPLICATION FOR A MAJOR PLANNED UNIT DEVELOPMENT AMENDMENT TO THE DILLON GATEWAY PUD PROJECT LOCATED AT 240 LAKE DILLON DRIVE, OR MORE SPECIFICALLY ON LOTS 1DEF AND 1G, BLOCK B, NEW TOWN OF DILLON SUBDIVISION, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

PUBLIC HEARING:

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

Vice Chairperson Teresa England opened the public hearing at 5:30 p.m.

Ned West, Town Engineer presented:

LEVEL IV DEVELOPMENT PERMIT APPLICATION PROCESS:

A Level IV Development Permit Application for a Major PUD Amendment requires public hearings before both the Planning and Zoning Commission and the Dillon Town Council. The Planning and Zoning Commission makes a recommendation to the Town Council for approval if they find the application meets the Dillon Municipal Code requirements.

AMENDMENT TO THE EXISTING DILLON GATEWAY PUD Summary:

- Change the name of the project to Uptown 240.
- Add Lot 1G, Block B, New Town of Dillon subdivision to the PUD for additional on-site parking and landscape buffering. Lot 1G will also contain a proposed subsurface stormwater detention vault under the parking lot, with controlled flow release into the existing storm drainage infrastructure in West Buffalo Street.
- Modified site plan, floor plans and architectural elevations:
 - Increase the number of units to eighty (80) from the previously approved sixty-five (65) units.
 - Relocate the community room and fitness center to West Buffalo Street frontage.
 - New parking garage configuration to split the entrances and traffic entering the building: one off of Lake Dillon Drive and one off of West Buffalo Street without a connecting ramp on the interior.
 - New landscaping plan.
 - Restaurant expansion which absorbed the two (2) proposed retail spaces along Lake Dillon Drive.
- Add parallel parking on West Buffalo Street.
- Add telecommunications antennas (parabolic and whip) to the roof of the stairwell and elevator shaft penthouses to replace the tower and existing antennas on Lot 1G and allow for the purple log building to be demolished.

AMENDMENT OF EXISTING PUD APPROVAL:

Criteria Established Through the PUD	Existing PUD	PUD Amendment
<i>Included Parcel(s):</i>	Lot 1DEF	Lots 1DEF & Add 1G
<i>PUD Area:</i>	1.00 acre	1.18 acres
<i>Building Height:</i>		
Approved Building Height + Non-inhabitable Space	60' + 8' (68')	No Change
Base Elevation	9,091'	9090.25'
Ridge Elevation	9,159'	9,158.25'
<i>Residential Units:</i>		
Total Residential Units	65	80
Workforce Housing Condo Units Provided	None	9
Market Rate Workforce Housing Apartments	17	None
<i>Conditional Use:</i>	1st Floor Residential	Not Required
<i>Commercial Units:</i>		
Retail / Office	2	None
Restaurant	1	1 Expanded
<i>Parking:</i>		
Total Parking Spaces Provided On Site	124	175
Deficient Parking Space	22 spaces	8 spaces
<i>Signage:</i>		
Building Identification Sign - Lake Dillon Drive	40 SF	No Change
Building Identification Sign - W. Buffalo Street	120 SF	No Change
2 Retail Spaces	40 SF each	Removed
Restaurant	Two at 60 SF each	Two at 60 SF each
<i>Landscaping:</i>		
Percent Site Covered by Landscaping	12.8%	19.4%
Trees	15	42
Shrubs	40	14

APPLICATION SUMMARY:

The Town of Dillon has received a Level IV Development Application to amend the previously approved Dillon Gateway Planned Unit Development ("PUD"). The PUD for the proposed project was previously approved under the Dillon Gateway name, and will be amended to the Uptown 240 Planned Unit Development. The applicant is Ivano Ottoborgo ("Developer"). The amended mixed-use development will include 80 condominium units, a private fitness center with a community room, a prominent ground level restaurant, and associated parking and landscaping.

The project will be built on Lots 1DEF and 1G, Block B, New Town of Dillon. Lot 1DEF is currently the Adriano's Bistro restaurant operated by the Ottoborgo family at 240 Lake Dillon Drive. Lot 1G is currently a single building with an existing telecommunications tower and associated antennas located at 186 West Buffalo Street. The two lots together total an area of 1.18 acres (~51,400 square feet).

The existing buildings, landscaping and other improvements on both lots will be demolished prior to construction of the proposed project.

A Level IV Development Permit Application requires Public Hearings before both the Town of Dillon 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 Wednesday, February 21, 2018. A newspaper ad ran in the Summit Daily (Journal) on Friday, February 23, 2018, and a mailing noticing the public hearing time and date was sent out on Wednesday, February 21, 2018 to property owners within 300' of the proposed development. These dates and notification distribution are all within the required 7-14 day notice period before the Public Hearing on March 7, 2018.

Existing PUD Approval Summary:

The existing PUD was approved by the Dillon Town Council on February 2nd, 2016, and was approved for a one (1) year extension on January 3rd, 2018 as the applicant continued to work on finalizing the design. The approved PUD provides for the following:

- Building Height of sixty (60) feet (with an additional eight (8) feet available for non-inhabitable architectural and mechanical height in accordance with the definition of building height in the Dillon Municipal Code). The maximum elevation approved is 9,159 feet.
- Sixty-five (65) residential units, of which seventeen (17) are dedicated workforce housing apartments. The remaining forty-eight (48) are for sale condominium units.
- Parking design considerations: 20' wide parking garage ramp widths, parking garage ramp grades in excess of 10% (up to 20%), fifteen (15) compact parking spaces, backing into the 40' Right of way on the northern side of the building
- Signage allowances: one (1) Building Identification Sign along Lake Dillon Drive not to exceed forty (40) square feet, one (1) Building Identification Sign along W. Buffalo Street not to exceed one-hundred twenty (120) square feet, one (1) sign not to exceed forty (40) square feet for each of the two (2) retail units on Lake Dillon Drive (32 square feet if divided into three (3) units), and two (2) signs not to exceed sixty (60) square feet for the corner unit restaurant with one placed on the Lake Dillon Drive side of the building and the other placed on the W. Buffalo Street side of the building.
- Landscaping provisions: five (5) deciduous or evergreen trees along the property line adjacent to Lot 2, Block B (Century Link), four (4) evergreen and six (6) deciduous trees in the Courtyard area, forty (40) shrubs located on site and within the landscape encroachment easement, and a requirement to submit irrigation plans for those installations in the Town right of way.
- Through the Conditional Use Permit process, one (1) residential unit is approved on the ground level of the building off of the Courtyard area.

Zoning:

The proposed project is located within the Core Area (CA) and Commercial (C) zoning districts. Lot 1DEF is zoned Core Area (CA) and Lot 1G is zoned Commercial (C). The proposed mixed-use, multi-family residential development over ground level commercial and parking on Lot 1DEF is a permitted use in the Core Area (CA) zone. A Conditional Use Permit is not required for the residential use because the units are located above the permitted Core Area (CA) uses of a restaurant and parking. Telecommunications antennas are a permitted accessory use throughout Town (Sec. 16-12-30), and the proposed antennas are an accessory use to the primary use of the mixed-use building. Lot 1G is to be used for parking and project landscaping and screening, which use is a permitted accessory use for the zone. The zoning of the two (2) parcels is to remain unchanged. As a condition of approval of this P.U.D amendment, the Applicant shall submit an application for the elimination of the common boundary between Lot 1DEF and Lot 1G. This shall be done concurrently with the condominium plat, which shall be submitted and approved prior to the Certificate of Occupancy.

Workforce Housing:

Although Workforce Housing is desirable in the community, there are no specific standards requiring a project provide a particular amount of it. The Dillon Comprehensive Plan identifies a priority to provide a mix of housing opportunities, including Workforce Housing, recognizing the Summit County Comprehensive Plan addresses the significant need in the county as a whole.

As a part of the Major PUD Amendment, the Developer is proposing that 11.3% of the eighty (80) units, thus nine (9) units, will be reserved for Workforce Housing and will be sold to people who can demonstrate that they live full time and work a minimum of 30 hours per week within Summit County. The existing Dillon Gateway PUD is approved with sixty-five (65) units, 26.2%, or seventeen (17) of which units are dedicated workforce housing units for lease.

The final unit numbers to be dedicated with the Workforce Housing 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 approval of the proposed development.

COMPLIANCE WITH THE TOWN OF DILLON COMPREHENSIVE PLAN:

The project provides a restaurant use prominently located on Lake Dillon Drive, identified in the Comprehensive Plan as key commercial and retail frontage. The Comprehensive Plan encourages developments in the Town Center that can add Workforce Housing opportunities within the Town of Dillon and Summit County, as well as encouraging vibrant development including restaurant uses on Lake Dillon Drive. The Developer believes that their proposal complies with the Comprehensive Plan of the Town of Dillon.

Off-Street Parking Lot Considerations:

The proposed development requires a total of one-hundred eighty-three (183) parking spaces for the residential and commercial uses. One-hundred seventy-five (175) parking spaces are provided on site. Of the onsite parking spaces, up to twenty percent (20%) may be compact parking spaces, as is permissible through the PUD process. The minimal dimensions for the proposed compact parking spaces are eight feet inches (8’) wide and fifteen feet (15’) in length, and the proposed compact parking spaces are dispersed onsite and in the garage parking. The fifteen (15) parking spaces on the northern side of the building may back out onto the 40’ Right of way alley area which was permitted through the previous PUD approval. All on-site parking spaces are use restricted by the PUD Development Plan in that they may not be used for storage.

An additional ten (10) parking spaces are provided in Town right of way immediately adjacent to the project on Lake Dillon Drive and West Buffalo Street.

Combined Project Parking

Parking Spaces	Residential	Restaurant	Total
Required	143	40	183
Provided On Site	143	32	175
Deficient Commercial Parking Spaces	0	8	8

The Dillon Municipal Code provides the capability for a Developer to pay for deficient commercial parking spaces in the Core Area (CA) zoning district at the current rate of one-hundred dollars (\$100) per deficient parking space.

Residential Parking:

A total of one-hundred forty-three (143) parking spaces are required for the residential uses. In mixed-use developments, residential parking is to be dedicated and separate from commercial parking.

- Fifty-one (51) parking spaces for the thirty-four (34) one-bedroom and studio units at a rate of one point five (1.5) parking spaces per unit;
- Sixty-eight (68) parking spaces for the thirty-four (34) two-bedroom units based on a rate of two (2) parking spaces per unit; and,
- Twenty-four (24) parking spaces for the twelve (12) three-bedroom units based on two (2) parking spaces per unit.
- Residential parking spaces will be dedicated for the use of residents of the building by the installation of signs indicating such, and requiring gated access to dedicated portions of the parking garage levels.

Required Residential Parking

Unit Type	Quantity	Parking Rate	Parking Required	Parking Provided
One-Bedroom	34	1.5 spaces / unit	51	
Two-Bedroom	34	2 spaces / unit	68	
Three-Bedroom	12	2 spaces / unit	24	
TOTAL			143	143

The Developer proposes one-hundred forty-three (143) parking spaces to be dedicated to the residential uses.

Commercial / Restaurant Parking:

The restaurant and associated outdoor seating require an additional forty (40) parking spaces:

- The interior restaurant area is 4,355 SF
- The outdoor seating areas combine to be 1,250 SF
- A restaurant use requires that one (1) parking space be provided for every one-hundred twenty (120) gross square feet. Thirty-six point three (36.3) parking spaces are required for the interior restaurant seating.
- In addition, outdoor seating requires that parking be provided if the outdoor seating area exceeds twenty percent (20%) of the area of the restaurant. The outdoor seating in excess of twenty percent (20%) of the restaurant area is three-hundred seventy-nine (379) square feet, which requires three point two (3.2) parking spaces.
- The total restaurant area considered for the parking is therefore four-thousand seven-hundred thirty-four (4,734) square feet.
- The total number of commercial parking spaces required is forty (40) parking spaces.
- Thirty-two (32) commercial, off-street parking spaces are provided on site, with an additional ten (10) on-street parking spaces in the immediate vicinity.

- The Developer will pay the fee for the eight (8) deficient off-street parking spaces.

Required Commercial Restaurant Parking

Seating Type	Area	Parking Rate	Parking Required	Parking Provided
Inside	4,355	1 space / 120 SF	36.3	
Outside Non-exempt	379	1 space / 120 SF	3.2	
TOTAL	4,734	1 space / 120 SF	40	32

Accessible Parking:

Per Town and Federal Code, the Developer is providing six (6) dedicated Accessible Parking spaces, two (2) for the restaurant and four (4) for the residential use. The accessible parking spaces are located in the parking garage.

SIDE YARDS (SETBACKS):

The Dillon Municipal Code does not require any building setbacks in the Core Area (CA) zone, so the building complies with the Code. The setbacks for the Commercially zoned parcel, Lot 1G, are not impacted by the proposed surface parking and landscaping because they are not structures regulated by the setback criteria.

BUILDING HEIGHT:

The currently approved Dillon Gateway Planned Unit Development allows a building height of sixty feet (60') plus an additional eight feet (8') of architectural and non-inhabitable space. This is ten feet (10') higher than the height specified in the Core Area (CA) zoning district.

The current PUD approval provides for a maximum elevation of 9159', and the existing approved height remains unchanged with this major PUD amendment.

The base elevation for the site is determined to be 9090.25 feet above sea level. The proposed project has a maximum elevation of 9158.25' where the fire department roof access stairwell penthouse extends above the flat roof and surrounding parapet walls.

Building Height	Elevation
High Existing Ground Elevation @ Building	9101.1'
Low Existing Ground Elevation @ Building	9079.4'
Base Elevation	9090.25'
Approved PUD Building Ridge Elevation (60' + 8')	9159'
Proposed PUD Building Ridge Elevation	9158.25'

The Core Area (CA) zone allows buildings to be 50' high plus an additional 8' for unoccupied vaulted ceilings areas, non-inhabited architectural elements, mechanical equipment installations, elevator shafts, and stairwell penthouses. The height of a building is calculated with the base elevation determined by averaging the high and low points on the building to the top of the roof.

UTILITIES:

The proposed project is located on parcels that are already served by utilities, and water and sewer mains exist on the adjacent streets. New services will be installed as a part of the proposed project; old services will be deleted. The proposed water service to the building will be fed off the eight inch (8") water main in West Buffalo Street, and the proposed sanitary sewer service will also connect to the existing eight inch (8") sanitary sewer main in West Buffalo Street. Shallow utility services are also proposed to connect on the West Buffalo Street side of the building.

DRAINAGE:

A portion of the site (north and east sides) drains through a proposed storm drainage system that connects to an existing storm drainage infrastructure in Lake Dillon Drive. This storm drainage system ultimately drains to Dillon Reservoir. The remainder of the site and the roof drains feed into the proposed stormwater detention vault on the western side of the building, and ultimately discharges to the West Buffalo Street storm drainage infrastructure. The West Buffalo Street storm drainage ultimately discharges to Straight Creek and the Blue River in Silverthorne. All on-site storm drainage pipes and manholes are private improvements, and will be maintained by the Developer in perpetuity.

LANDSCAPING:

General Requirements:

- Street Trees: one (1) tree for each fifteen lineal feet (15 LF) of street frontage;
- Parking Lot Screening: one (1) tree for each five (5) off street surface parking spaces; provide seven percent (7%) of the parking area in landscaping; parking lot trees shall be fifty percent (50%) evergreens;
- Project Screening: landscaping and trees are required in all required yards; no yards are required in the Core Area (CA) zone;
- Tree Heights: all must be at least six feet (6') high, and not less than twenty-five percent (25%) shall be eight feet (8') high.

Project Requirements:

Street Frontage and Required Street Trees:

- 185 LF Lake Dillon Drive = 12.3
- 274 LF West Buffalo Street = 18.3
- Required Street Trees = 31
- Street Trees Provided = 32

Parking Lot Trees and Landscaping:

- West Parking Lot Area = ~3,258 SF
- 40' ROW Parking Area = ~2,735 SF
- Total Parking Area = ~5,993 SF
- Required Landscape Area (7%) = ~420 SF
- Twenty-Two (22) site parking spaces = 5 trees required
 - The parking area on the northern side of the building does not allow for tree plantings due to the alley configuration of the area, so the required trees are placed in the vicinity of the western site parking lot. Street trees do provide a buffer for the alley parking spaces from Lake Dillon Drive.
- Ten (10) trees, not including street trees, are provided adjacent to parking areas
- Total Landscape Area Provided = 9,979 SF

Proposed Landscaping and Tree Species:

The proposed landscaping and trees provide project buffering and parking lot screening in general conformance with the Code. The alley parking is an atypical situation in the Town, and is not

specifically addressed in the Code. The developer has provided additional trees for the western parking lot to account for the total number of site parking space trees required. The proposed trees meet the Code height and species requirements, and plantings exceed the number required by the Code.

SNOW STORAGE:

The project proposed development has 6,416 SF of outdoor parking and sidewalks requiring snow removal. The Code requires snow storage areas be provided at a rate of 25% of the proposed snow removal areas. The development proposes 1,747 SF of snow stage, which exceeds the 25% requirement (1,604 SF).

ARCHITECTURAL GUIDELINES:

The architect has worked with the Town of Dillon Architectural Guidelines and the Town's architectural consultant, Roth Sheppard Architects, and believes that the development is in conformance with the intent of the guidelines. Roth Sheppard Architects commented that the "project be regarded as a good example of a 'Jewel Building' for the Town of Dillon," and that the "project will be a great reference for future applicants."

PEDESTRIAN CONNECTIVITY:

The proposed project provides a new public sidewalk along the east side of the property along Lake Dillon Drive, a private sidewalk along the 40' Right of way along the northern side of the building, and a new public sidewalk along West Buffalo Street on the southern side of the building. The restaurant is pedestrian accessible from both West Buffalo Street and Lake Dillon Drive, with an ADA accessible route right near the restaurant entrance off of Lake Dillon Drive, as well as a lift served restaurant access point from within the parking garage.

PRIVATE RESIDENTIAL UNIT Open Space:

There is not a specific private open space requirement in the Core Area (CA) zone, but the Mixed Use (MU) zone requires a minimum of fifty (50) square feet of private open space for studio units and one-hundred (100) square feet per two-bedroom for comparison purposes. All but the five (5) studio units are provided with private outdoor space ranging from approximately sixty-one to one-hundred fifty-six (156) square feet. In addition to the private space afforded the majority of the units, the development provides:

- 6,815 SF Exterior Amenity Deck
- 1,336 SF Community Room
- 1,544 SF Fitness Center
- 1,250 SF Outdoor Restaurant Seating

TELECOMMUNICATIONS ANTENNAS:

A component of the PUD Amendment is to include telecommunications antennas on the top of the building. Parabolic antennas and whip antennas shall be installed on the stairwell and elevator shaft penthouses. The Dillon Municipal Code stipulates that antennas shall be architecturally compatible and colored to match the building. The Code also stipulates that roof mounted antennas shall not extend more than twelve feet (12') above the ridge of a stairwell or elevator penthouse. The proposed parabolic roof mounted antennas shall be painted a color to match the building and shall not extend above the roof by more than seven feet (7'). The whip antennas shall not extend to a height greater than twelve feet (12') above the penthouse roof ridge elevation. Roof mounted telecommunications antennas are not part of the Code mandated building height calculation so long as they do not extend to a height greater than twelve feet (12').

FINAL DOCUMENTATION REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE:

- Final Building Construction Document Submittal to the Town
- Final Site and Utility Construction Documents
- Finalization of the Planned Unit Development Agreement
- Payment of Water and Sewer Tap Fees (EQR's)
- Payment of the Affordable Housing Impact Fee
- Execution of an Encroachment and Maintenance Agreement for landscaping located within the right of way
- Obtain a Grading and Excavation Permit from the Town
- Perform asbestos investigation and abatement as necessary prior to demolition, per State requirements
- Prepare documentation and pay associated undertaking fees for activity within the right of way

BUDGET IMPACT:

None

Commissioner Derek Woodman asked, is there an additional floor on this? Ned West, Town Planner responded, it might be best for the architect to answer this question? Kathy Parker with Studio PBA Inc, architect out of Denver started by saying Ned West said everything more concisely and I'll let Danilo present the entire project. The height didn't change but we made the parking more efficient. Sunk it down. The other thing that happened is the unit size went down. The owners have decided it's more marketable to do more and smaller sized units. The fact that the numbers changed is my fault. We gave the numbers a week ago and we kept working. We passed out a packet that has the new information. Really we're just getting started with interior design. We found a few of the parking spaces we were promising we deleted, weren't 100% sure they'd work. We expanded the size of the restaurant which increased the required parking. Dan Burroughs, Town Engineer mentioned, we also handed out a revised resolution which required that language. So the resolution is correct now based on the changes we received.

Applicant Danilo Ottoborgo, 240 Lake Dillon Dr, presented. He is president of the Uptown 240. Wants to hold everyone to a higher standard of development. We've learned a lot over the past 10 years of doing this.

It all started with a minor change based on feedback from Council. The slope of the land created a challenge. If you looked at the functionality of that retail space you'd be walking in, then down and go underground. You wouldn't really have any street frontage. No one's really going to want that retail spot. If you change more than a few parking spaces or the use of that area, it would strike a level 4 amendment. Let's fix this to the highest degree we can. That's why we have the 4 levels now.

A curveball we didn't anticipate since we were originally approved in 2015, the municipal code has brought a new burden on the parking code. It was one parking space for every 250 square feet of restaurant space. The current code over doubled on us, now requiring one parking space for every 120 square feet of restaurant space. We wanted to provide a large restaurant. We are 8 short. It's a work in progress.

Some of the other challenges are apartments. Because of the Colorado Defect Law, that single unit will have to be built to the highest standards. It'll be built to the highest finishes. That was something we didn't expect. The payback schedule is different apartments to condominiums.

The slope has existed on the property for the longest time. Having 2 entrances lessens the impact on the drive and increases pedestrian flow. As we were mentioning, a lot of these changes are based on buildability and Council feedback. We have 9 letters of support. Some of those challenges and feedback, everyone wants to see a restaurant space. No one wants to see a commercial space. We wanted to bring a flagship restaurant space. We are attempting to align our development to the feedback we have heard over the years. Much of what we have heard centers around views and neighborly mindfulness, supply of housing, foot traffic, parking, restaurant space.

Other modification, having those 2 entrances lessens the impact. The restaurant space now, there are 2 elongated patio sections. If you pull up to a new building and see a lot of activity there it's going to add to the hustle and bustle. Lot G, that was a fun challenge. Again, parking, by having the tower and eye-sore, having that transitioned into parking and landscaping buffer would transform that whole section of Dillon. With desire for large restaurant and doubling of the parking requirement.

The amenity deck, having that community room will reduce that amphitheater effect and be a noise buffer for the building. It's a place for people to go, to entertain. I have no doubt there will be some beautiful things in that area. The fitness room will overlook the town and be an attractive feature to everyone in the building. We've come up with a strategy that's being adopted in Silverthorne. You have to prove you work in the County 30 hours or more a week. Rather than being AMI restricted, they'll be able to apply for an FHA loan and grow versus the 1% restriction on AMI. Strategically sized to allow the units to remain at market rate, while remaining below the FHA loan limits of Summit County. Most units under 60% less than the FHA limits. For Summit County that is very attainable. There's an additional strategy for the HOA dues. A .5% transfer of ownership collection. This is a strategy I think will be taken by other people. After 1st sale, .5% will be collected on all sales of units. This .5% will be collected and combined into a capital reserve fund held exclusively to be used to reduce the monthly HOA dues of all units. The HOA Reduction Fund. Around here, HOA dues are rivaling mortgage. This is a fresh approach to local housing, 9 units that are strategically priced.

Kathy Parker with Studio PBA, Inc presented architecture. These guys talked about everything I was going to talk about, so why don't I talk about exterior design and concept. Have been working on the project a couple years. Had something that was similar in look and feel. In this package the Town hired Roth Sheppard to do Design Guidelines for the Town. We took the plans and had a great sit-down meeting with them. In general, they were pretty enthusiastic about it. We designed the 1st building then the Design Guidelines came into play and we ended up meeting them anyway. The concept of the exterior building, looking at mountain town main streets, and what Roth Sheppard defined as a prominent building. We looked at, what does a Main Street want to look like? They kind of grew up organically where lots built up next to each other almost like row homes. They all have their unique character but they all fit into the backdrop. We have a rhythm of vertical elements that march down the street like you would see on a historic Main Street. They do have an overall pattern. The other thing is, they're all mixed use. So that's what we're doing. You have the restaurant on the main floor then the apartments. The concept of base, middle, top. The historic towns had that. Glass front on bottom, residential with smaller windows, and something on top. We have our base with tons of glass activation, then the top has a little flare to give the ceiling some elements. The other nod to historic structure is simple materials. So we have wood beams, wood siding, rusted steel in a couple locations. If you saw a historic mining structure or cabin, it was whatever they could find. To cover it up is a waste of materials when it's doing its job. Those were our design guides. So we feel excited about 2 things that are slightly different from the previously approved plan. 1) is the restaurant space. We want to see this as the heart of Town. People dining day and night. We have south facing and west facing patios. The other thing, 2) is the community room. We want

to be part of the Town. You may be working out in the facility room and looking down on the Town. We think it will create a lot of energy. It's not about going in your condo. Those are the general concepts.

Recording Secretary Corrie Woloshan read a letter sent March 6, 2018 from David Scheuermann, 878 Idlewild Dr, Dillon, CO 80435:

Please understand that having lived in Summit County since 1980 I have some strong feelings about Dillon. Before the Post Office moved we had a business district and a functioning town. We had people walking the streets going from business to business. What happened. The movie theater moved, the Post Office moved to the edge of the business district, the bowling alley was about all that was left in town. No surprise it struggles. The amphitheater and marina are wonderful venues that bring so much to our town. Let's support businesses that will bring back the town we used to have. I believe this project on Adriano's Bistro's land will be a big step in the right direction. People walking through town again. Not just going to the PO or marina and leaving. Let's support what will bring our town back to be the community we want. I feel this project does that.

Recording Secretary Corrie Woloshan read a letter sent March 6, 2018 from Jim Doyle, 332 W Buffalo, Dillon, CO 80435:

This letter is to lend support for Ivano Ottoborgo's project to provide additional housing and condominiums in the town of Dillon.

The town of Dillon and Summit County are truly in need of all types of housing and the Uptown 240 Project, formerly Dillon Gateway PUD Project located at 240 Lake Dillon Drive would add needed units.

Recording Secretary Corrie Woloshan read a letter sent March 5, 2018 from Dale & Becky Hill, 114A Ensign Dr, Dillon, CO 80435:

I am writing this letter to express my support for the Condo construction project proposed by the Ottoborgo family to be located on Lake Dillon Drive. We have been both full and part time residents of Dillon for over ten years and have known the Ottoborgo family for most of that time. We have watched them take the current building in which Adriano's Restaurant is located and build that into a very thriving business not only from the standpoint of the quality of food and service but by remodeling a rundown building into an attractive business establishment. Over the years, the restaurant has become our "Cheers" due to the friendliness of the Ottoborgo family. To me, the success of a man is the quality evidenced by the quality of his family and it has been an inspiration to see how each family member of Ottoborgo family has enthusiastically interjected themselves into the success of the restaurant. That tells me that they will be equally energized in the proposed construction project. As each of you reviewing this project know, the Town of Dillon has limited real estate for the construction of new housing leaving expansion to the surrounding ski resorts. This proposed lot is one of the few left in the area for expansion and thus providing a much needed expanded tax base. As a citizen of Dillon, I would like to respectfully request that you give this proposed project the highest priority in your review process.

Recording Secretary Corrie Woloshan read a letter from George Richard, Dillon, CO 80435:

I have lived in Dillon for 19 years, I have seen the many projects and changes in the town over the many years. I am finally excited to see a well thought out development step up to the plate. I believe that the Dillon Gateway Project formed by Ivano Ottoborgo is a development that I can stand behind because the proposed project would be setting a new standard for building in Dillon while providing much needed living space for new residents. In total I believe that the town would be missing a huge opportunity if they did not follow through with this development.

Recording Secretary Corrie Woloshan read a letter from Jill & Jamal AlAwadi, 93 / 333B / 293 Ensign Dr, Dillon, CO 80435:

We are full time residents of Dillon since 2012 but have owned properties since 1998. We are not only residents but also investors and did some developments in Dillon since the 2000. We still plan to develop small projects in the near future mostly single family and duplexes and always felt Dillon needed an infusion of new development to add charm to the small town and put it on the map as an attractive destination for families and which in return will attract small businesses. We noticed a new development headed by the Ottoborgo family is in the works and could start as early as this summer taking place at Lake Dillon Drive replacing Adriano's restaurant and we saw the color pictures of the final plans. The project is absolutely beautiful and will be an eye pleasing building giving the town a fresh new look along Lake Dillon Drive. It is a win win situation for Dillon adding much needed new development and giving back to the community deed restricted condos and affordable housing. Dillon in our opinion has a huge asset because of its location and panoramic unique views which many towns would love to have but need new developments to attract full time property owners and hence will attract small business adding charm and tax revenues. Please keep encouraging much needed new developments to make the town of Dillon a very attractive place to live and visit. Thank you to the Ottoborgo family for executing such development for the community and we are grateful to the Dillon council for approving such an attractive project.

Recording Secretary Corrie Woloshan read a letter sent March 4, 2018 from Richard Pajot, 384 Ensign Dr, Dillon, CO 80435:

I am writing this letter as I am strongly in favor of and fully support the Ottoborgo Family's proposed development project, Uptown 240, at Lake Dillon Drive.

We have owned our home site in Dillon since 1997. We finished construction of our home and have lived in it six months a year since January 1999. We consider ourselves extraordinarily lucky to have selected Dillon and to have had the opportunity to enjoy the benefits of the Town of Dillon and Summit County for the last 20 years. Some of that appeal has certainly been the small quaint feel of our Town, however we need to avoid allowing ourselves to become complacent hence allowing our town to become old and tired and forgoing the opportunity for sensible development which will attract tourists, residents and the tax dollars so necessary for a progressive and viable community.

Ventures such as the Ice Castle, the enlarges and renovated amphitheater, and the many other programs the town provides are good draws and tremendous for all the peoples who enjoy our community. We need to continue such activities and also ensure we afford our residents and guests more opportunities to enjoy our town and spend money and generate tax dollars to ensure the continued health and wellbeing of our community. Pedestrian friendly downtowns with a variety of restaurant and entertainment options have seen much success in cities across the country.

Uptown 240 will be another very positive step in making our community more attractive for all the people who enjoy the mountain lifestyle. The Ottoborgo's have been a positive influence in our community for literally decades. They have proven to be trustworthy in all their activities and have worked with our town to ensure their project will enhance our community.

This will be a major step forward in the progress of our town, as it will improve the availability of services, the appearance of Lake Dillon Drive, our gateway, and the overall image we are striving to create.

I respectfully and strongly recommend that the city council approve the project Uptown 240.

Recording Secretary Corrie Woloshan read a letter sent February 26, 2018 from Susan & Jay Weinstein, 354 Ensign Dr, Dillon, CO 80435:

We have been residents of Dillon since 1993. Jay is a registered voter in Summit County as well as Dillon since 1993.

The purpose of this letter is to recommend and strongly support the Ottoborgo Family's proposed development project, Uptown 240 at 240 Lake Dillon Drive. We have known the family since 1986 and have watched the three generations for the past thirty plus years in their continued support of the Town of Dillon in many different ways. This project, "Uptown 240" will be a major focal point for the "new" town of Dillon as it begins its renaissance.

Since we have lived here we have watched the Town stay in a static mode, while other surrounding mountain communities have blossomed into strong destination points for tourists and part time residents, not to mention successful economic engines for local businesses and sales tax revenue for the communities they serve. With Uptown, the Town of Dillon will have a very attractive entrance to the Town and will be a strong economic impetus for other developers to take notice and will have an interest in taking part of for their projects as the Town shows forward movement in supporting development.

You all did a very good job in contracting the Ice Castle to our town. With this venture, you proved that bringing venues to town help support our local businesses and introduces people to the Town, who maybe would not have come to Dillon.

With Uptown 240, it will be a very strong magnet for new dwellers and for other businesses who have thought about coming into the town but felt there was no interest in moving the town forward. The Town has been in the pause mode for the last several decades. Now you have this great opportunity to push the restart button and demonstrate that the Town of Dillon is in forward and is supportive of change.

We urge Council to approve the Ottoborgo Family Uptown 240 project. Take this opportunity that has been put in front of you and create what Dillon is all about, "the place where you always wanted to be." Uptown will be a show place and a project you all will be proud of for many years in the future.

Recording Secretary Corrie Woloshan read a letter sent March 5, 2018 from Mike Dugan, 36 James Ct, Dillon, CO 80435:

My wife, Grace, and I have been property owners in Dillon since 1991 and full-time residents since 1999. We have appreciated and enjoyed our community, our neighbors and the many amenities available to visitors and residents in the Town of Dillon. We were fans of Ristorante al Lago in our early days here and now find the current version, Adriano's Bistro, a town landmark, a valuable town resource and great place to dine and to take visitors.

I have had ample opportunities to consider the proposed "Uptown 240" project and to examine the project site, at the intersection of Buffalo and Lake Dillon Drive. In my view the project will be a positive addition to Town development vector and compatible with existing properties. I believe it will have an immensely helpful impact on the visual and esthetic development of Dillon and will be supportive of future business improvements in the Town cores.

I urge the Dillon Town Council to act favorably on the proposed Uptown 240 project now.

Recording Secretary Corrie Woloshan read a letter sent March 1, 2018 from Tom Pulkrabek, 353B Ensign Dr, Dillon, CO 80435:

The redevelopment project proposed by Dillon Gateway Development has my complete endorsement. As a full-time resident of Dillon, I appreciate the efforts of the town council to attract services vital to the community as well as supporting the revitalization of the marina and amphitheater areas. Therefore, this project fits well within the vision of Dillon and future economic growth.

I believe, however, that more attention should be focused on our central core and, more specifically Lake Dillon Drive. From the intersection of US Highway 6 to La Bonte Street, our main thoroughfare in the central core of town is pretty much lifeless after dark. Other than Adriano's Bistro and Pug Ryan's Brewery, there is no draw for anyone to stroll the street and enjoy our wonderful mountain evenings. The primary reason for this, is the lack of significant residential facilities in this area. The entrance to our town should be inviting and draw our visitors into our community boasting the best views in the county.

The proposed private redevelopment of the site currently owned and operated by the proprietors of Adriano's Bistro will not only bring life back to Lake Dillon Drive but also provide increased tax revenue for the Town of Dillon. Economic development and redevelopment will allow Dillon to grow, strengthen, and revitalize our beautiful town that we are fortunate enough to call home.

Last but not least, the family that is "Adriano's" is a local business that has been a part of the community for many years. Adriano's Bistro offers a very warm and special dining experience not found elsewhere in Summit County. I sincerely hope the Town of Dillon endorses the proposed redevelopment project as I do.

Dave Bittner, 94 Lookout Ridge Dr. He has been there almost 3 years and has lived in Summit County since 1979. Have watched the Town of Dillon struggle with its fatally flawed Core Area. Going to take that property and re-do it. I'm sure you've talked through more hours of fine tuning details. The end result is turning out pretty good. I look forward to ground breaking before building costs go up even further. I still think it's good.

Vice Chairperson Teresa England closed the public hearing at 6:27 pm.

Ned West, Town Planner, pointed out the change to the resolution that was different from the packet, parking. We did change the total number of space on site. Total deficient is 8. We also added the developer will pay.

Vice Chairperson Teresa England asked, who owns Lot 1G. Dan Burroughs, Town Engineer said, there's a gentleman that owns the telecommunications company. Vice Chairperson Teresa England asked, don't they have to be part of the application? Dan Burroughs, Town Engineer replied, they are, they've agreed to let the Ottoborgo's represent them. Vice Chairperson Teresa England said, we have to formalize something. Is there going to be an acquisition of real estate? It needs to be in the resolution. This is really a telecommunication business being operated? So a commercial satellite. Dan Burroughs, Town Engineer said, it's a cell phone. Commissioner Jerry Peterson added, there was nothing here. We were running on tin cans and string when I moved here. Applicant Danilo Ottoborgo pointed out, we'll have a lease agreement for select areas of the roof. Kathy Parker, Studio PBA Inc showed that there are five, three-foot satellites. Dan Burroughs, Town Engineer explained, whip antennas can stick up 12 feet. Applicant Danilo Ottoborgo added, we're trying to eliminate that. Kathy Parker, Studio PBA Inc added, it's going to sit next to the stair run. Hidden behind the penthouse area.

Vice Chairperson Teresa England I'm also concerned about the business growing. There's no limit in the resolution and I think there should be some specifics beyond, they can do this.

Commissioner Jerry Peterson asked what about Century Link and the fire department? Vice Chairperson Teresa England commented, the licensing agreement will have to include access for maintenance. Again, I'd like to get some parameters around a number or size. Commissioner Derek Woodman asked, like 6 or 7 could be max? Dan Burroughs, Town Engineer said, so this is considered in lieu of a tower structure. Applicant Danilo Ottoborgo said, the way I understand it, the satellite dishes need to be facing down the valley. The other ones are the broad-based, if you can spread it a little more. Would we prefer verbiage about the numbers? Commissioner Derek Woodman asked, wouldn't the business if they wanted to increase the numbers, have to go before council? Dan Burroughs, Town Engineer replied, I think I'd give them a little room to grow. They can always come back and do a PUD amendment to allow more. Dave Bittner commented, might I suggest you limit the footprint. Commissioner Jerry Peterson said, pretty tough Dave. If they want more antennas they can come and ask. Dan Burroughs, Town Engineer clarified, it's really up to you how you want to regulate.

Dan Burroughs, Town Engineer said, in the past we got a traffic study. I have one and I'm more than happy to go through it. It's changed now that they've made the restaurant bigger. Dan Burroughs, Town Engineer presented traffic study.

Vice Chairperson Teresa England asked about snow storage. Dan Burroughs, Town Engineer answered, in big storms it would be hauled off. Commissioner Teresa England asked, how are delivery trucks going to be handled? Kathy Parker, Studio PBA Inc replied, Buffalo then turn down.

Chair Person Teresa England stated, I don't understand how the 2 resolutions work together. It's a little confusing as to what stays applicable versus this amendment. Dan Burroughs, Town Engineer answered, the way we've approached this amendment, the design they've presented we have that PUD language. We would adopt a new set of plans. We'd have to go back and revisit that. Vice Chairperson Teresa England asked, do we need to vacate and amend in its entirety? Kathleen Kelly, Town Attorney said, this resolution will replace because this is an amendment to the PUD. Anything you want to carry forward we should put in this resolution. We can certainly add. Vice Chairperson Teresa England stated, I wasn't here for the original approval process. Commissioner Derek Woodman said, but they

don't need to be part of the conditions if they're part of the code. Dan Burroughs, Town Engineer suggested, backing into the right-of-way is another we should add.

Dan Burroughs, Town Engineer mentioned, in Core Area zoning they have the ability to buy parking spaces. In other zoning districts that wouldn't be something we would consider. Here it fits.

Vice Chairperson Teresa England asked applicant to explain the outdoor atrium wall. I calculate to be 23 feet in height, I can't figure out is that going to be the rock? Kathy Parker, Studio PBA Inc explained that wall is 2-stories tall. One of their ideas was banding and stone. The bands will carry all the way around the base of the building. The landscape architect did an amazing job. There's not a lot of open space for trees.

Vice Chairperson Teresa England asked, is one dumpster going to be enough for 80 units? Kathy Parker, Studio PBA Inc answered, we have 2 trash areas. One for the restaurant. There are two 4-yard dumpsters. Vice Chairperson Teresa England said, you're still going to have it emptied 3 times a week. Kathy Parker, Studio PBA Inc commented, what I would do, today we researched a compactor. They're a small sized compactor and attached to a small sized roll-off. They smooch the trash into a little cube so you don't have to pick it up so often. We're putting 2 of those min-macs in that room. Vice Chairperson Teresa England commented, many of these rooms don't have a place to sit down and eat. Kathy Parker, Studio PBA Inc replied, 2 comments on that. These are more the size of an apartment than the size of a condominium. They all have a bar. Typically, people will be there as a single or a couple. So they'll put a little 2-top table or no table at all. We often don't put furniture in the plans. Most of the units have place for a table. Vice Chairperson Teresa England said, from a marketing standpoint I want it to be successful. Has the fire department looked at this? Dan Burroughs, Town Engineer stated, yes. Vice Chairperson Teresa England said, I'm confused on our workforce housing. Are we not partnering with the Summit Workforce Housing? Dan Burroughs, Town Engineer said, yes, what they're proposing with this application are 9 units. We've developed a Town restrictive covenant and Housing Authority has approved it. It's in-line with what they're doing. They'll hold a lottery for those who are in Town. We don't have criteria in our code for you to evaluate. Applicant Danilo Ottoborgo added, instead of AMI restriction, it's size. It's a new idea. Dan Burroughs, Town Engineer mentioned, they'll still be working with Town Council on the particulars of that. We haven't done anything below 90%.

Commissioner Jerry Peterson asked, the way I read workforce housing, I think you need an escape clause in there. The economy can turn to crap up here in no time at all. What I'm worried about is, you're so locked in with these 17 or 19 units that they have to be workforce housing, what happens if there aren't enough applicants? Applicant Danilo Ottoborgo said, there should be a line out the door. Commissioner Jerry Peterson stated, right now. Vice Chairperson Teresa England added, I agree with Jerry. Applicant Danilo Ottoborgo commented, I agree there should be some sort of escape clause. I think it makes a lot of sense. Vice Chairperson Teresa England continued, it affects the financing for your building too. Dan Burroughs, Town Engineer said, the restrictive covenant has a clause that says the Town and owner of that unit can renegotiate that covenant in the future. Kathleen Kelly, Town Attorney clarified, the deed restriction is between the Town and the property owner. It's the Town that makes the decision to amend and provide an escape clause.

Commissioner Jerry Peterson moved to approve Resolution NO. PZ 05-18 Series of 2018 with the following additional conditions:

- Approve the parking lot design standards allowances set forth in Section 16-5-120(n) including 20' ramp widths, 20% compact parking spaces, and backing into the 40' Right of way

- The applicant shall provide a title commitment or other evidence of title satisfactory to the Town attorney reflecting ownership of the entire property subject to the PUD prior to issuance a development permit
- Limitations on parking lot spaces – cannot be used for storage

Vice Chairperson Teresa England seconded the motion, which passed unanimously upon roll call vote.

DISCUSSION ITEM: MULTI-FAMILY AND RESTAURANT SUMMIT COUNTY MUNICIPALITY PARKING REQUIREMENTS COMPARISON

Dan Burroughs, Town Engineer presented. At last meeting you requested parking comparison. With relation to multi-family residential, only Silverthorne addresses the guest parking issue. Frisco does as well. Both require additional guest parking. For every 5 units there'd be an additional requirement for 1 parking space. Breckenridge is hard to equate with. They are different. I did what I could to compare apples-to-apples. I went ahead and pulled the restaurant info. We aren't the highest. Silverthorne is higher requiring 10 per 1000 square feet. Vice Chairperson Teresa England said, the thing that struck me, I think we're fine on 3 and 4 bedroom. You're going to assume one of those is child. Should we add a guest requirement? Commissioner Joshua Ryks said, I looked at some other towns like Granby & Durango. They were pretty similar. Ned West, Town Planner commented, that might be a common thing in resort communities. Commissioner Derek Woodman continued, some of the other towns don't have the free parking that Dillon currently has. Ned West, Town Planner suggested, if you'd like us to consider putting together a resolution, we'll put that before Council at work session and see if they're interested in pursuing that. Vice Chairperson Teresa England said, a lot of us are hearing from the public that our parking isn't adequate. Guest parking is the only thing we might be a little short on. Currently we have opportunities that a lot of the other municipalities don't have. It's one space per 5 units. Commissioner Joshua Ryks said, look at a 3 bedroom unit. They're going to pack 6 people in there. Commissioner Derek Woodman said, I think there are more guests that show up. Not at one time and not spending the night. I could see that being consumed in an evening. Vice Chairperson Teresa England asked, do you make someone build for the occasional purpose? Commissioner Derek Woodman commented, they'll break the law. We are creating an illegal situation. Scott O'Brien, Public Works Director said, we are the only town that has the rotating lots. Commissioner Joshua Ryks said, those lots are filling up. I live in the Core Area. There are some nights I struggle to find a parking spot. Dan Burroughs, Town Engineer said, if there really is a problem in the Town Center we need to look at a permit process. Scott O'Brien, Public Works Director added, there literally are no other options in the County for overnight parking. Commissioner Jerry Peterson commented, the developers are going to scream bloody murder. That's the size of one unit. Commissioner Derek Woodman asked, could they buy those back? Ned West, Town Planner responded, only commercial, not residential. Scott O'Brien, Public Works Director said, the Council is reviewing the fee for taking out parking spaces. More than \$100 but probably not \$35000. At some point there will need to be a parking garage. Dan Burroughs, Town Engineer said, having a parking program for residents would keep the people that are just here to ski and sleep in their car overnight. Keystone is starting to have problems too. Is there a number we can agree on tonight? Vice Chairperson Teresa England suggested, I'd like a property managers perspective. Dan Burroughs, Town Engineer commented, a property managers perspective is, we need as much parking as we can get. From the building owner, they want as many units as possible. Commissioner Derek Woodman added, it's going to have a negative impact on developers. Ned West, Town Planner said, which in my mind is why to follow closely in line with others. Commissioner Joshua Ryks offered, I could see going up to 3. Dan Burroughs, Town Engineer continued, next thing we need to do is take this to Town Council. Vice Chairperson Teresa England said, I think what we heard from the voters is guest parking is the issue. Scott O'Brien, Public Works Director spoke, the one thing we have that's not utilized is the marina lot. At some point in the future that might turn into an

overnight scenario. Commissioner Derek Woodman asked, isn't the marina lot too steep? Scott O'Brien, Public Works Director replied, it's flatter on the upper end. Certainly the neighboring condos might not be happy they're being used for overnight lots. Vice Chairperson Teresa England said, I'd like to get Amy's input. Dan Burroughs, Town Engineer said, we'll get with the Town Manager and see if we can get that on the next work session.

OTHER BUSINESS

Commissioner Jerry Peterson stated, we need to revisit the view corridor. I was up at the theater and they've destroyed the resale value of some of those townhouses. Dan Burroughs, Town Engineer replied, if you come over the Dam Road there are balconies that still look over and have a view. Commissioner Jerry Peterson added, then we went into 5 floors over here at the Sail Lofts. Vice Chairperson Teresa England stated, let's be clear, people don't have view corridor rights. Frankly, people have to accept that if you buy something and people build around you. Commissioner Jerry Peterson said, originally view corridors were guaranteed. Dan Burroughs, Town Engineer added, we're working with University of Colorado. She's doing some visualization of the Town Core zoning. She'll present all of that. The idea as I understand it is to see if the 50-foot building height stands the test of time or if the Town should lower the height. It'll be interesting to see what that looks like and if we're going to change the height after that.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:04 p.m.

Respectfully submitted,

Corrie Woloshan

Corrie Woloshan
Secretary to the Commission

RESOLUTION PZ 07-18
Series of 2018

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON RECOMMENDING AMENDING CHAPTER 16, “ZONING,” ARTICLE III, “ZONING DISTRICTS,” SECTION 16-3-170, “MIXED USE (MU) ZONE,” OF THE DILLON MUNICIPAL CODE REGARDING MULTI-FAMILY RESIDENTIAL USES IN THE MIXED USE (MU) ZONE DISTRICT

WHEREAS, the Planning and Zoning Commission of the Town of Dillon, desires to amend Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-170 “Mixed Use (MU) Zone,” Subsection (5) “Multi-family supplemental standards within the MU Zoning” to authorize any amount of multi-family residential use pursuant to the PUD process, criteria, and requirements; and

WHEREAS, following the required notice, a public hearing was held on April 4th, 2018, before the Planning and Zoning Commission of the Town of Dillon on amending Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-170 “Mixed Use (MU) Zone,” Subsection (5) “Multi-family supplemental standards within the MU Zoning” to authorize any amount of multi-family residential use pursuant to the PUD process, criteria, and requirements; and

WHEREAS, following the public hearing the Planning and Zoning Commission of the Town of Dillon has determined that it is in the best interest of the Town to make a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, “Zoning,” Article III, “Zoning Districts,” Section 16-3-170 “Mixed Use (MU) Zone,” Subsection (5) “Multi-family supplemental standards within the MU Zoning” to authorize any amount of multi-family residential use pursuant to the PUD process, criteria, and requirements, as set forth herein below.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. That the Planning and Zoning Commission of the Town of Dillon hereby makes a recommendation to the Town Council of the Town of Dillon to amend Chapter 16, “Zoning,” Section 16-3-170(5) of the Dillon Municipal Code to read as follows (words to be added underlined; words to be deleted ~~stricken~~):

Sec. 16-3-170. Mixed Use (MU) Zone.

- (5) *Multi-family supplemental standards within the MU Zoning:*
- a. Single-family uses: not allowed in any situation.
 - b. Duplex uses: not allowed in any situation.

c. Multi-family residential standards:

1. Residential uses in the Mixed Use zone shall be reviewed through the Level IV Development Permit process as set forth in this Code.

2. Except as provided in subsection 3, below, Multi multi-family residential uses are only allowed as a permitted use if developed in conjunction with a retail store, entertainment use, medical or dental clinic, restaurant or office use, or similar use. The multi-family residential use shall not exceed eighty percent (80%) of the total gross square footage of a building, or a combination of buildings on any one (1) lot at any one (1) time, except as provided in subsection 3, below.

3. A project developed through the PUD process with up to one-hundred percent (100%) multi-family residential use may be considered approved, provided that the PUD development standards plan furthers the objectives of the Town, is supported by the PUD is in general conformity with the adopted Comprehensive Plan, and is designed to complement the surrounding areas, blend into the architectural character of the community, and meet the criteria set forth in Article V of this Chapter and the multi-family residential standards of this Section.

4. Parking for the multifamily residential uses shall be distinct from any other parking on-site, shall be in a separate area (separate from the retail/office/etc. parking) whenever possible and shall be signed for the exclusive use of the residents.

5. The multi-family residential uses are provided with private yards or common outdoor open space. This standard may be met by providing an area either on-grade, or through the use of decks and/or balconies.

6. The commercial component of a project should occupy a primary commercial street frontage.

7. The project provides pedestrian and vehicle connectivity between the residential and commercial uses of the project and surrounding areas.

8. The relationships of scale and connectivity with the community and the surrounding developments are appropriately addressed in the design of the project.

9. Residential use projects in the Mixed Use Zone shall provide units for year-round workforce housing incorporated into the project, and the applicant for the residential use shall execute such agreements with the Town as required by the Town to preserve the workforce housing component of the project in perpetuity, including, but not limited to, a Restrictive Covenant and Agreement for Workforce Housing.

RECOMMENDED FOR ADOPTION THIS 4th DAY OF APRIL, 2018 BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.

**PLANNING AND ZONING COMMISSION,
TOWN OF DILLON**

By: _____
Amy Gaddis, Chairperson

ATTEST:

By: _____
Corrie Woloshan, Secretary to the Commission

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
APRIL 4, 2018 PLANNING AND ZONING COMMISSION MEETING**

DATE: MARCH 29, 2018

AGENDA ITEM NUMBER: 5

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 07-18, Series of 2018;

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON RECOMMENDING AMENDING CHAPTER 16, "ZONING," ARTICLE III, "ZONING DISTRICTS," SECTION 16-3-170, "MIXED USE (MU) ZONE," OF THE DILLON MUNICIPAL CODE REGARDING MULTI-FAMILY RESIDENTIAL USES IN THE MIXED USE (MU) ZONE DISTRICT.

PUBLIC HEARING

PUBLIC HEARING AND ADOPTION PROCESS:

A Public Hearing is required for Chapter 16 "Zoning" code amendments. The Town provided public notice of the public hearing by postings and running legal ads on March 23rd and 30th.

The Planning and Zoning Commission makes a recommendation to Town Council to adopt zoning Code amendments, and the Council adopts such amendments by Ordinance following a Town Council Public Hearing.

SUMMARY:

The purpose of this Code amendment is to provide increased flexibility when considering applications for multi-family projects in mixed-use buildings in the Mixed Use (MU) zoning district. The Code amendment adds the words "up to" to the Code language that speaks to the percentage of multi-family residential use in the Mixed Use (MU) zone. The amendment allows for up to 100% multi-family residential through the PUD review process. The current Code reads that a project may be 100% multi-family residential use through the PUD. This change allows for a range between that percentage allowed as a use by right, eighty percent (80%), and that potentially available through the PUD process, one-hundred percent (100%). This change will allow a mixed-use project to propose an eighty-eight percent (88%) multifamily residential project, for instance, which still keeps some commercial aspect to the project.

BUDGET IMPACT:

None

MOTION FOR APPROVAL:

I move the approval of Resolution 05-18, Series of 2018

ACTION REQUESTED:

MOTION, SECOND, ROLL-CALL VOTE

Resolutions require affirmative votes from majority of members present

DEPARTMENT HEAD RESPONSIBLE:

Scott O'Brien, Public Works Director