

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
JUNE 5, 2018 TOWN COUNCIL MEETING**

DATE: June 1, 2018

AGENDA ITEM NUMBER: 6

ACTION TO BE CONSIDERED:

Consideration of Ordinance 03-18, Series of 2018, (second reading and public hearing) reviewing a Level IV Development Application for the Dillon Homewood Suites PUD Development Plan.

SUMMARY:

PUBLIC HEARING:

A Town Council Public Hearing is required for this Level IV Development Permit Application, and this staff summary and staff presentation shall be a part of the Public Hearing.

PUBLIC NOTICE:

The Town posted signs of the Town Council Public Hearing on the site on Thursday, May 24, 2018. A newspaper ad ran in the Summit Daily (Journal) on Friday, May 25, 2018, and a mailing noticing the public hearing time and date was sent out on Friday, May 25, 2018 to property owners within 300' of the proposed development. These dates and notification distribution are all within the required 7 to 14-day notice period before the Public Hearing on June 5th, 2018.

PLANNED UNIT DEVELOPMENT - LEVEL IV DEVELOPMENT PROCESS:

A Level IV Development Permit Application for a Planned Unit Development (PUD) Development Plan requires Public Hearings before both the Planning and Zoning Commission and the Dillon Town Council. A PUD is a commitment on the part of the developer to construct a project based on a plan approved by the Town Council following review and recommendation by the Planning and Zoning Commission (Commission). The developer shall adhere to applicable Town ordinances and other requirements that may be specified in an approved PUD development plan. All provisions of the underlying zoning district over which the PUD is located shall continue to apply unless varied or waived by the Town Council as part of the approved PUD development plan. Approval of a Planned Unit Development shall result in the creation of an overlay to the base zoning district, with specific requirements and standards that are unique to the planned development.

The Planning and Zoning Commission recommended approval of the Dillon Homewood Suites PUD development Plan with conditions after a Public Hearing which was held at a regularly

scheduled meeting on May 2, 2018.

APPLICATION SUMMARY:

Application: The Dillon Homewood Suites Planned Unit Development ("PUD") Development Plan Applicant submitted a Level IV Development Application to the Town of Dillon. The proposed project is located at the southwestern corner of U.S. Highway 6 and Lake Dillon Drive. The Applicant proposes a 122 room, 4-story hotel building, with a recreational and open space deck, swimming pool, and in hotel dining for hotel guests. All of the required parking is provided on site, and the architectural design elements of the proposed project follow the adopted Town of Dillon Design Guidelines.

The project will be built on Lots 1, 1A, 1B and 1C, Block B, New Town of Dillon. Lot 1 is currently the Conoco gas station located at 122 Lake Dillon Drive and is 0.480 acres. Lot 1A is an undeveloped triangular shaped piece of land between Highway 6 and the Conoco and Rebekah Lodge parcels comprising 0.330 acres. Lot 1B has the Rebekah lodge building on it, and is 0.310 acres. Lot 1C is the Old Town Hall lot which is currently occupied by HC3 and is 0.180 acres. The four lots together total an area of 1.50 acres (65,387 square feet).

PUD Zoning Exceptions: The PUD application seeks the following variations from the underlying Commercial (C) zoning district: density, building height, off-street parking design, signage, setbacks, and landscaping.

Density:

98 rooms per acre (65 typ.)

Building Height:

56.25 feet

Parking:

20' Drive aisle width at garage entrance
Compact parking spaces
Snow removal and haul-off

Signage:

A total of 437 SF of signage (105 SF typical)

Setbacks:

Reduced, with Encroachment Licenses

Landscaping:

Landscaping buffer not provided on the Century Link telecommunications facility on the western side of the project

Prior Application: A previous hotel concept for these four lots was previously reviewed by the Dillon Planning & Zoning Commission in 2017, but the plan was withdrawn on January 12th, 2018 to revise the plan to accommodate the needs of Homewood Suites.

COMPREHENSIVE PLAN REVIEW:

Land Use and Economic Development: The project provides a hotel use prominently located at the intersection of U.S. Highway 6 and Lake Dillon Drive; an area identified in the Comprehensive Plan (Plan) as key commercial street frontage for high density commercial development and Town gateway entryway expression. The Plan encourages high density developments along U.S. Highway 6, and development projects that support the economic vitality of the Town. The Plan encourages the development of additional hotels in or near the Town Center to promote human activity and aid in Town Core vibrancy. Short term lodging is identified within the Plan as a key service which the Town provides in support of the nearby ski resorts, and is recognized as an economic driver for retail sales, hospitality and personal services, and entertainment.

Public Private Partnership: The Comprehensive Plan states that the Town should partner with developers and determine Town owned land that might be incorporated into a redevelopment or infill project. According to the Plan, the Town should partner with land owners and developers to create land assemblages that optimize the greatest use of the land under the guidance of the Plan, the Code and the Design Guidelines.

Design Elements: The architectural design reflects elements of the adopted Town of Dillon Design Guidelines, and is defined in those Guidelines as a jewel building location given its location. The site is served by current roadway, bus service and utility infrastructure, and the Town has planned for future water and sewer service demand well in excess of those demands of this proposed development.

BUILDING REVIEW:

SIDE YARDS (SETBACKS):

Setbacks may be reduced through the PUD approval process, and the proposed project proposes reduced setbacks from those provided for in the Code. This project will utilize the following minimum setbacks (yards) from the building foundation to the adjacent right-of-way/property:

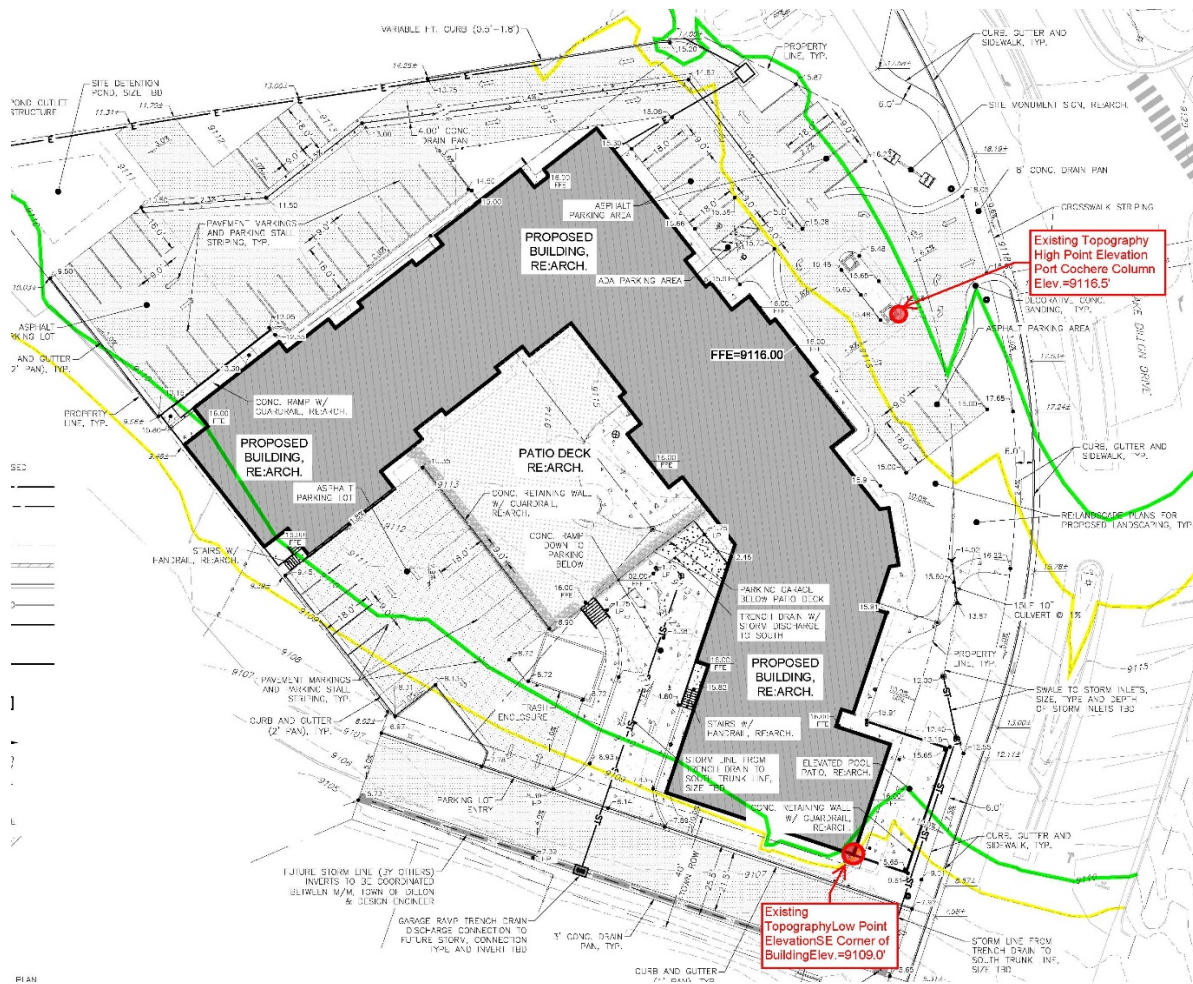
- Lake Dillon Drive: 0' (Zero lot line)
- 40' Right-of-way: 0' (Zero lot line)
- Lot 2 (Century Link): 0' (Zero lot line)
- U.S. Highway 6: 25'

BUILDING HEIGHT:

The height of a building is calculated with the base elevation determined by averaging the high and low points along the building foundation. The Height of a building is the difference between the highest point on a building and the calculated base elevation. Additional building height, beyond the underlying zone district limits, may be approved through PUD approvals.

The Commercial (C) zoning district provides for a building height of forty feet (40') plus an additional eight feet (8') of architectural and non-inhabitable rooftop mechanical space. 48' Total.

The Town Council previously challenged the applicant to bring a development project that did not exceed the allowable height of the neighboring Core Area Zoning District. The Core Area (CA), to which this site is immediately adjacent, provides for a building height of fifty feet (50') plus eight feet (8'). 58' Total.



The base elevation for the site is determined to be 9,112.75' feet above sea level. The proposed project has a maximum peak elevation of 9,169' (Arch: 153'-0" See Plan Sheet A5.0). The building Height for this application is 56.25' as determined by Town Code.

Building Height	Elevation
High Exist. Ground Elevation	9116.5'
Low Exist. Ground Elevation	9109.0'
Base Elevation	9112.75'
Max. Peak Elevation of Building	9169.0'
Calculated Building Height	56.25'

OPEN SPACE:

The back patio / deck will provide open space for enjoyment with recreation, a fire pit, seating, and grills situated in a manner as to afford some views of the surrounding mountains. The pool patio offers outdoor space for seating and engagement with pedestrian traffic on Lake Dillon Drive. The restaurant deck offers outdoor seating and views of the mountains.

OFF-STREET PARKING LOT CONSIDERATIONS:

The proposed development requires a total of one-hundred twenty-six (126) parking spaces for the hotel and meeting space uses. Because the restaurant is an amenity purposed for the hotel guests, additional parking is not required.

Location	Number of Hotel Rooms	SF Area	Parking Requirement	Parking Required	Parking Provided
Level 1	25		1 Space / Room	25	25
Level 2	34		1 Space / Room	34	34
Level 3	37		1 Space / Room	37	37
Level 4	26		1 Space / Room	26	26
Meeting Room		855	1 Space / 250 SF	4	4
TOTAL:				126	126

Accessible Parking:

Per Town and Federal Code, the Developer is providing five (5) dedicated Accessible Parking spaces, two (2) of which are van accessible. The accessible parking spaces are located in the parking garage and near the front entrance to the hotel.

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 the 40' Right of way, and the proposed sanitary sewer service will connect to the existing six inch (6") sanitary sewer line in the 40' Right of way, with an alternate location with connection to the eight inch (8") sanitary sewer main in Lake Dillon Drive.

DRAINAGE:

A majority of the site and the entire roof area drain to a detention pond in the northwestern corner of the site. This detention facility ultimately discharges to the U.S. Highway 6 Right-of-way. This drainage flows to the W. Buffalo Street drainage system, which ultimately discharges to Straight Creek and the Blue River in Silverthorne. The remainder of the site will discharge to Lake Dillon Drive by connecting to the existing storm drainage system at the Lake Dillon Drive and Buffalo Street intersection. This storm drainage system ultimately drains to Dillon Reservoir after passing through numerous sediment retention vaults. 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;
- 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 Specific Landscaping Guidelines and Landscaping Provided:

Street Frontage and Required Street Trees:

- 338 LF Lake Dillon Drive = 23
- 175 LF 40' Right of Way / Alley = 12
- Required Street Trees = 35
- Street Trees Provided = 23 on Lake Dillon Drive and 12 on the 40' ROW

Parking Lot Trees and Landscaping:

- Total Parking Area = ~24,689 SF
- Required Landscape Area (7%) = ~1,728 SF
- Landscape Area Provided = ~6,000 SF of landscape area is provided on site with grass, shrubs and trees
- Fifty-three (53) site parking spaces = 11 trees required
- Twelve (12) trees, not including street trees, are provided adjacent to parking areas

Proposed Landscaping and Tree Species:

See the Dillon Homewood Suites PUD Landscape Plan for details for the proposed landscaping. The proposed landscaping and trees provide project buffering and parking lot screening in general conformance with the Code. The western side of the building has little to no landscape

buffering due to the limited setback along that side of the building. This side of the site abuts the Century Link commercial telecommunications facility. The proposed trees meet the Code height and species requirements.

SNOW STORAGE:

The northern and eastern parking lots have snow storage capacities adjacent to the parking spaces that provide for at least 25% of the paved surface. The southwestern parking lot and driveway entrance to the parking structure have limited snow storage areas which do not provided for 25% of the removal area in snow storage. As part of this PUD development Plan approval, the Developer will be required to haul off snow from the south side of the building including the ramp to the parking garage.

Additionally, the Town has recommended that the Developer provided a heated pavement surface for the garage ramp.

SIGNAGE:

The PUD application requests that the signage be increased from that permitted in the underlying zone. The subject property is located in Sign Zone B, and single tenant buildings are allowed seventy-five (75) square feet of signage which may be used for one or two signs for building identification. In addition, there is a provision for another sign up to thirty (30) square feet. Since the building are is approximately 110,000 square feet, the developer requests additional signage. Refer to the attached Dillon Homewood Suites PUD signage plans.

- 1 - Monument Entry = 54 sq.ft.
- 2 - Main Entry (Level 1) = 45 sq.ft.
- 3 - Main Entry (High) = 55 sq.ft.
- 4 - Stair Core Sign = 123 sq.ft.
- 5 - Highway 6 = 160 sq.ft.

Total = 437 sq.ft.

ARCHITECTURAL GUIDELINES:

The project 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 ‘Jewel Building’ for the Town of Dillon”. See the attached checklists and design guideline review comments for additional information.

TRAFFIC STUDY:

The applicant hired Aldridge Transportation Consultants to study the trip generation from the proposed project and how that would affect the traffic on Lake Dillon Drive and associated intersections. They prepared a Traffic Impact Study for the project dated March 18, 2018 which is included in the packet materials for this application.

In Section 6 of the report the consultant concluded that *“Based on the analysis herein it is my professional opinion that the traffic generated by the proposed Crossroads at Lake Dillon hotel can be integrated harmoniously into the traffic flow on the adjacent streets and intersections and maintain an acceptable level of service and safety.”*

REQUIREMENTS PRIOR TO BUILDING PERMIT:

FINAL DOCUMENTATION REQUIRED PRIOR TO BUILDING PERMIT ISSUANCE:

- Address all Summit Fire & EMS requirements
- Final Building Construction Document Submittal to the Town
- Final Site, Landscaping, 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. An encroachment license is also required for a portion of the parking, roof and restaurant deck supports and pool patio.
- Obtain a Grading and Excavation Permit from the Town
- Perform asbestos investigation and abatement as necessary prior to demolition, per State requirements. Remove underground fuel storage tanks in conformance with state and federal laws.
- Prepare documentation and pay associated undertaking fees for activity within the right of way
- Prepare replat materials for review and approval to eliminate the boundary line between Lots 1, 1A, 1B, and 1C.

MOTION FOR APPROVAL:

I move the approval of Ordinance 03-18, Series of 2018 with conditions as presented.

**ACTION REQUESTED:
MOTION, SECOND, ROLL-CALL VOTE**

At least five (5) affirmative votes will be required for the approval of this ordinance.

DEPARTMENT HEAD RESPONSIBLE: Scott O’Brien, Public Works Director

ORDINANCE NO. 03 - 18
Series of 2018

**AN ORDINANCE ADOPTING AND APPROVING A PUD
DEVELOPMENT PLAN FOR DILLON HOMEWOOD SUITES**

WHEREAS, there has been submitted to the Town Council a request for approval of a PUD development plan titled “Dillon Homewood Suites,” a Level IV development as defined in Dillon Municipal Code (“DMC”) Section 16-1-50; and

WHEREAS, all materials related to the Dillon Homewood Suites PUD development plan have been reviewed by Town staff and found, with conditions, to be in compliance with Town of Dillon zoning ordinances and related Town ordinances, regulations, and policies; and

WHEREAS, pursuant to DMC §§ 16-2-110 and 16-5-130(d), the Planning and Zoning Commission held a properly noticed public hearing on the application, at which public hearing the applicant and other interested persons presented testimony to the Commission and a number of documents were made a part of the record, and following which public hearing recommended approval of the application with conditions; and

WHEREAS, pursuant to DMC §§ 16-2-120 and 16-5-130(e), the Town Council has held a public hearing on the application, after which public hearing the Council has found the applicant demonstrated the application, with conditions, meets the applicable criteria set forth in Town of Dillon zoning ordinances and related Town ordinances, goals, and policies, and found the PUD development plan is in general conformity with the adopted Comprehensive Plan; and

WHEREAS, the Town Council finds the Dillon Homewood Suites PUD development plan should be approved, subject to certain conditions.

NOW, THEREFORE, BE IT ORDAINED, BY THE TOWN COUNCIL OF THE TOWN OF DILLON, COLORADO, AS FOLLOWS:

Section 1. The Town Council for the Town of Dillon hereby adopts and approves the proposed Dillon Homewood Suites PUD development plan, the legal description of which property is set forth in Exhibit A attached hereto, subject to the conditions set forth in Exhibit B attached hereto.

Section 2. Upon satisfaction of the conditions of approval set forth in Exhibit B, and upon this ordinance becoming effective pursuant to Section 3-8 of the Town of Dillon Home Rule Charter and as set forth herein, this ordinance and the final PUD development plan shall be recorded with the Summit County Clerk and Recorder pursuant to Section 16-5-130(e)(2) of the Dillon Municipal Code; the approved PUD development plan shall be recorded on the Official Town Zoning Map pursuant to DMC § 16-5-130(e)(4); and pursuant to DMC § 16-2-130, Town staff is authorized to issue a Level IV development permit with such conditions as may be

appropriate to ensure construction and use of the property in accordance with the approved PUD development plan, including but not limited to the following:

A. The Applicant shall pay all fees required by the Dillon Municipal Code prior to issuance of a building permit. Those fees include but are not limited to water tap fees, sewer tap fees, encroachment license fees, development impact fees, “per deficient space” for commercial parking space fees, grading permit fees, right-of-way undertaking fees and outstanding legal fees associated with the review of the application and its’ associated licenses and agreements.

B. The Applicant shall enter into an Encroachment License Agreement with the Town by separate instrument for any concrete stairways, retaining walls and associated handrails and guardrail fences that are constructed into Town rights-of-way.

C. The Applicant shall enter into an Encroachment License Agreement and a Maintenance Agreement with the Town by separate instrument for any landscaping elements and irrigation systems that are constructed within the Town rights-of-way.

D. During construction, the Applicant shall provide traffic control plans, devices, advanced warning signs, and flaggers in conformance with the latest Manual of Uniform Traffic Control Devices (MUTCD) and per Town requirements for any work in Town rights-of way, and for hauling operations into and out of the Development site. Applicant shall maintain one fourteen-foot (14’) wide southbound traffic lane in Lake Dillon Drive for use by the public at all times during construction. Applicant shall further provide a construction fencing plan that describes the construction area and separation of the construction area from the public. Such plan shall be presented to the Town prior to issuance of any building permit for the Development.

Section 3. Pursuant to Section 16-5-130(f)(3) of the Dillon Municipal Code, the Town Manager is authorized to approve corrections and adjustments to the PUD Development Plan, including but not limited to the following:

A. Amount and location of final landscaping elements including fences, trees and shrubs.

B. Final layout and configuration of the site plan and right-of-way improvements, streetscaping, utility service locations and utility infrastructure improvements.

C. Final configuration and dimensions of the outdoor amenity deck.

D. Additional minor changes that don’t change the character or intent of the Planned Unit Development as approved by this resolution.

E. Confirmation that the final mechanical design conceals rooftop mechanical and satellite dishes behind parapets per Town of Dillon standards.

Section 4. Severance Clause. If an article, section, paragraph, sentence, clause or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Town Council hereby declares that it would have passed this Ordinance and each part or parts thereof, irrespective of the fact that any one part or parts may be declared invalid or unconstitutional.

Section 5. Effective Date. This Ordinance shall take effect five days after publication following final passage.

INTRODUCED, READ AND ORDERED PUBLISHED BY TITLE ONLY THIS 15th DAY OF MAY 2018.

PASSED, ADOPTED AND APPROVED AND ORDERED PUBLISHED BY TITLE ONLY THIS 5th DAY OF JUNE, 2018.

TOWN OF DILLON,
a Colorado municipal corporation

By: _____
Carolyn Skowyra, Mayor

ATTEST:

By: _____
Jo-Anne Tyson, MMC, Town Clerk

EXHIBIT A
(Legal Description)

Lots 1, 1A, 1B and 1C, Block B, New Town of Dillon Subdivision, as recorded with the Summit County Clerk & Recorder on March 19, 1962 at Reception No. 94749, Town of Dillon, County of Summit, State of Colorado

EXHIBIT B
Dillon Homestead Suites PUD Development Plan
Conditions of Approval

1. The PUD Development Plan shall be updated once all conditions have been met and recorded along with the subdivision plat prior to issuance of a building permit.
2. The Applicant shall enter into a development agreement with the Town of Dillon prior to issuance of a building permit.
3. The Applicant shall complete the purchase of Lots 1A and 1C from the Town of Dillon prior to recording the PUD Development Plan and update the legal description and owner on the PUD Development Plan.
4. The Applicant shall consolidate the four lots into one lot. The applicant shall obtain a Level IV development permit for a resubdivision of the four lots from the Town of Dillon prior to recording the PUD development plan. The revised plat shall show the existing easement(s) to be vacated and the new utility and fire department access easement(s) to be dedicated to the Town of Dillon.
5. The Applicant shall execute a right-of-way encroachment agreement with the Town of Dillon for the monument sign located in the Lake Dillon Drive right-of-way, the parking lot encroachment in Lake Dillon Drive Right-of-Way, the roof encroachment into the 40' Right-of-Way, the roof and column supports encroachment in the Lake Dillon Drive Right-of-Way, and the concrete patio and retaining wall encroachment into the Lake Dillon Drive Right-of-Way.
6. The Applicant shall submit final site plan, landscape plans, civil and right-of-way construction plans, final architectural floorplans and elevations to the Town Engineer for review and approval. The applicant shall address all comments from the Summit Fire & EMS prior to submittal of the final drawing set.
7. The Applicant shall submit a final drainage study and storm sewer construction plans and profiles for the detention pond and drainage conveyances to the Town Engineer for review and approval.
8. The Applicant shall underground the existing overhead powerlines and communications cables along the north side of the property line.
9. The retaining wall and patio encroachment in Lake Dillon Drive shall be designed so that the edge of these elements is a minimum of 6' away from the outside edge of the fiber optic duct bank or vault in Lake Dillon Drive.
10. A storm sewer collection system shall be designed and constructed between the south parking lot and the existing Type 'R' Inlet at the northwest corner of the Lake Dillon Drive Intersection.