



Staff Report

Dillon Urgent Care and Residences

PUD Development Plan

**Prepared by the
Town of Dillon for the
Town Council**

October 2, 2018

AGENDA ITEM NO. 5

ACTION TO BE CONSIDERED

Ordinance No. 08-18, Series of 2018.

AN ORDINANCE ADOPTING AND APPROVING A PUD DEVELOPMENT PLAN FOR DILLON URGENT CARE AND RESIDENCES

An ordinance by the Town Council of the Town of Dillon, Colorado, approving a Level IV development application for the Dillon Urgent Care and Residences PUD Development Plan for a new building and associated parking lot at 956 W Anemone Trail on Lot 45R of the Ptarmigan Trail Estates Subdivision Unit 1, Dillon, Colorado.

PROJECT LOCATION

The proposed development is located at 956 W. Anemone Trail between the Dillon Dam Brewery on the east and the Clearview Townhomes on the west. The Eagle View Estates Townhomes are located behind and topographically above the project to the south, and Sun & Ski Sports is located across W. Anemone Trail to the north.

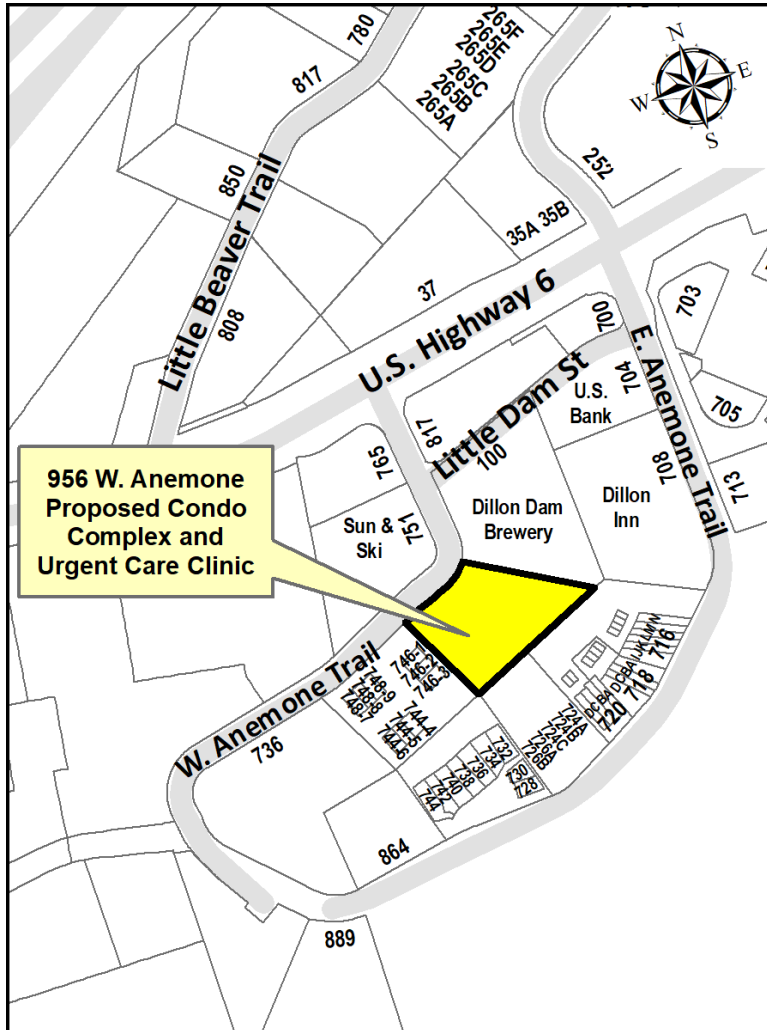


Figure 1: Vicinity Map

SUMMARY

The Town of Dillon has received a Level IV Development application for a proposed Planned Unit Development for the Dillon Urgent Care and Residences. The existing building(s) will be demolished and replaced by a new building and parking lot.

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

The Planning and Zoning Commission held a Public Hearing on the application during their regular meeting on September 5th, 2018 and unanimously recommended the Town Council approve the application with Resolution PZ 13-18, Series of 2018.

PUBLIC NOTICE

Pursuant to the Town Code and Development Regulations, proper notification of the public hearings was published and posted. Mailings were sent out and the site was posted on Wednesday, September 19, 2018 for the October 2, 2018 Town Council public hearing.

ZONING

The proposed project is located within the Mixed Use (MU) Zone District.

PROPOSED BUILDING AND SITE

The proposed building(s) consist of a single-story mixed-use building with a medical office and 3 workforce housing units fronting Anemone Trail and an adjoining three-story multi-family residential building and below grade parking garage. The mixed-use building consists of 3,794 sf of medical office area and 1,182 sf of workforce housing area to encompass a total area of 4,976 sf. The mixed-use building is directly accessible from a parking lot. The mixed-use building is in front of and attached to a three-story multi-family residential building that is approximately 24,336 square feet of living area and consists of 6 three-bedroom and 12 two-bedroom units of between 1,200 and 1,500 square feet and are located above a residential parking garage.

The proposed mixed-use building will be sited on the north end of the site adjacent to W. Anemone Trail. The parking lot will be constructed on the west side of the mixed-use building. The multi-family residential building and associated parking garage will be sited on the south end of the site, behind the mixed-use building and parking lot.

BUILDING HEIGHT

The maximum height of the proposed physical building's elevator tower is calculated at an elevation of 8,929.72 feet above sea level. The mixed Use (MU) Zone District allows buildings to have a maximum height of 35' as measured per Town Code, plus an additional 8 feet for uninhabited structures such as the tops of elevator towers, architectural features, and non-inhabitable space. The base elevation was determined to be 8,889' so the maximum allowable height is 43' (35'+8') higher or 8,932'. See the Figure below to see how the base elevation was calculate.

The proposed building is under the allowable height for the building by 2.28 feet.

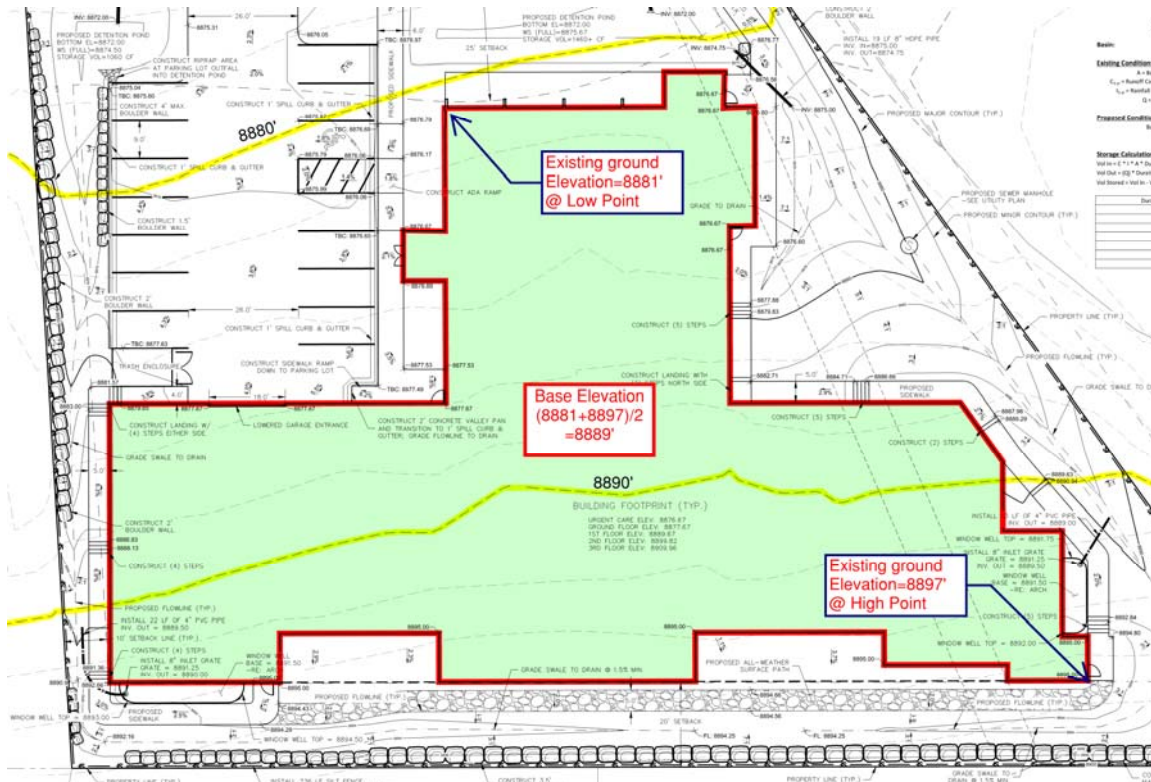


Figure 2: Base Elevation Calculation

ARCHITECTURAL GUIDELINES

The project architect has worked with the Town of Dillon Architectural Guidelines and the Town’s architectural consultant and believes his development is and/or will be in conformance with the intent of the guidelines. The applicant has chosen not to address the comments from the Town’s Architectural consultant at this time and has agreed to bring the revised architecture back to the Planning and Zoning Commission for approval at a future meeting. The applicant will provide further evidence that the application meets the Town of Dillon Architectural Guidelines with the satisfaction of the Conditions of Approval. See the attached checklists for additional information.

OFF-STREET PARKING LOT

The mixed-use building consists of 3,794 sf of medical office area and 3 multi-family residential studio units which requires a total of 10 parking spaces and 5 parking spaces, respectively, per Town Code. The mixed-use building is directly accessible from a parking lot which provides 15 total parking spaces, 5 of which are exclusively designated for the 3 multi-family studio units. The multi-family residential building contains 6 three bedroom and 12 two bedroom units which requires a total of 36 parking spaces, per Town Code. The parking garage located directly below the residential building will provide 36 parking spaces. The total amount of parking provided on the site is 51 parking spaces, which requires three (3) accessible parking spaces. One (1) of the parking spaces in the outdoor parking area is accessible and two additional parking spaces inside the garage are accessible for a total of three (3) accessible spaces.

SNOW STORAGE

The total area of the proposed parking lot is 5,188 sf which requires a total of 1,297 sf of snow storage area, per Town Code. The project site will provide a total of 1,354 sf. (26%).

SIGNAGE

The applicant will provide the required sign submittal at a future date and further evidence that the signage for the building meets the Town of Dillon Municipal Code Sign Regulations.

OPEN SPACE

The project proposes a total of 3 studio units and 18 two (2) bedroom or larger units which requires a total of 1,950 sf of usable open space to be provided, per Town Code (50 SF for studio and 1-bedroom units, and 100 SF for 2-bedroom and larger units). The project site will provide individual decks for the 18 large condominium units, and a roof top deck above the urgent care clinic for the benefit of the residents and the employees.

VEHICULAR AND PEDESTRIAN CIRCULATION

The project proposes adequate internal street circulation designed for the type of traffic generated, safety, convenience and access. The project proposes pedestrian ways throughout the PUD that allow residents and visitors to walk safely and conveniently among areas of the PUD and provide for connections to the PUD from the adjacent neighborhoods. The plans show an accessible sidewalk connection between the front door of the urgent care clinic and the proposed public sidewalk along W. Anemone Trail with a longitudinal slope below 5%.

LANDSCAPING

The total amount of street frontage of the project is approximately 170' which requires a total of 12 street trees to be provided at a rate of 1 tree per 15' of frontage where front yards are required. A total of 12 street trees are provided within the front yard of the site between the building and right-of-way. The total amount of parking spaces is 51 parking spaces which requires a total of 17 trees to be provided per Town Code. A total of twenty-nine (29) trees are required and the project proposes providing a total of forty (40) trees. The PUD development plan may establish landscaping standards that differ from those in the underlying zone or in the Code, provided that the standards further the objectives of the PUD regulations, the Comprehensive Plan, and the specific PUD development plan.

UTILITIES

The proposed project will be served by an existing water main and a sewer main located in W. Anemone Trail. The applicant will rebuild a portion of the existing 6" water main and upsize it to an 8" water main in order to provide the required fire flows to the project.

An existing sanitary sewer main runs through the eastern portion of the site within an existing 10' easement. This application proposes moving the sanitary sewer main to the far eastern side of the lot and dedicating a new 20' utility easement to the Town. The Figure below indicates the location of the existing easement, which will be vacated once the new sanitary sewer is constructed and the new easement created.

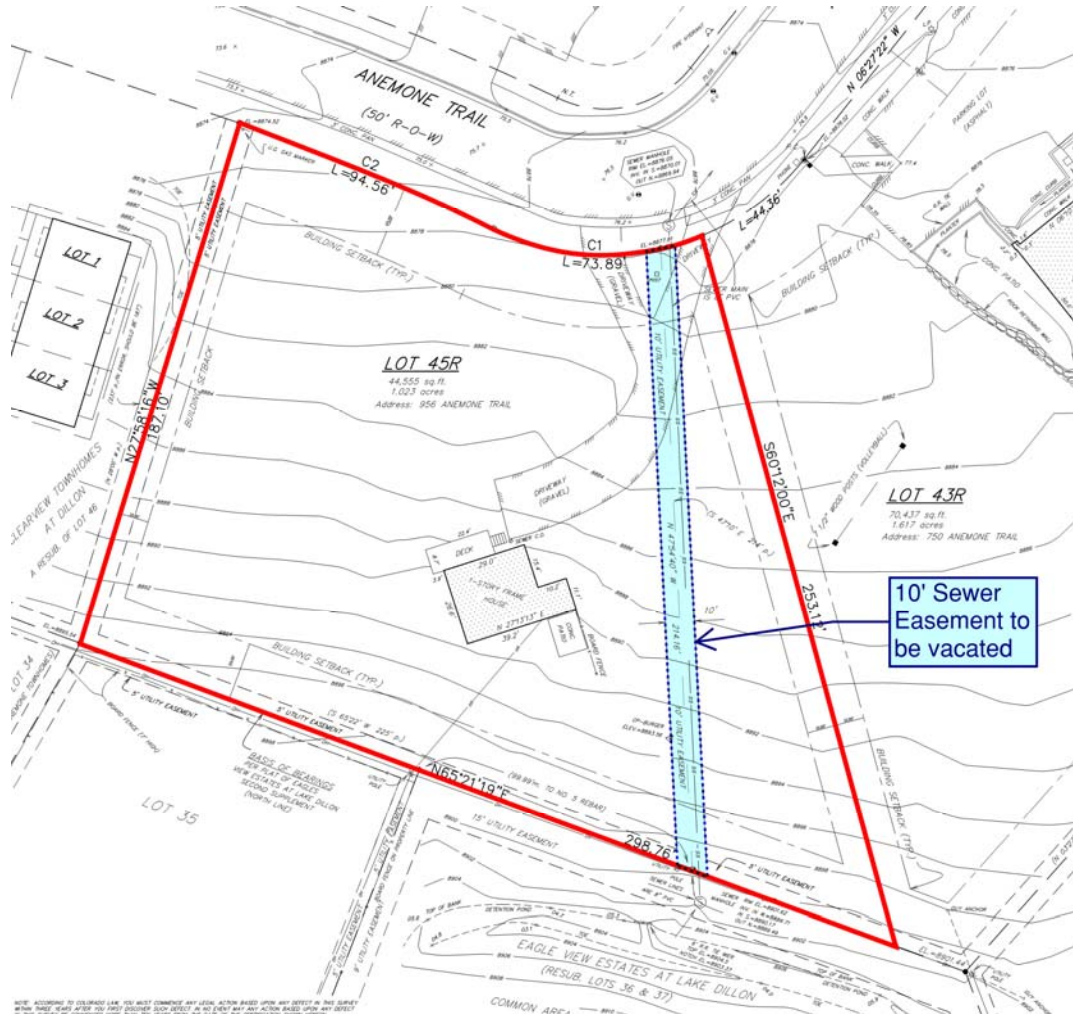


Figure: Existing Sewer Easement to be Vacated

DRAINAGE

The applicant will construct two drainage swales and two detention ponds along the periphery of the building site which will be tied into a new storm sewer main in W. Anemone Trail which will tie into an existing storm sewer system in W. Anemone Trail at Little Dam Street.

COMPLIANCE WITH DILLON COMPREHENSIVE PLAN

A medical office, workforce housing, and multi-family residential units are allowed in the Mixed Use (MU) Zone District and are in conformance with the Town of Dillon Comprehensive Plan.

PROPOSED PLANNED UNIT DEVELOPMENT CHANGES TO THE UNDERLYING MIXED-USE ZONING DISTRICT

The developer is proposing the following dimensional changes which can be varied through a Planned Unit Development Process according to the Dillon Municipal Code:

- A. The multi-family residential use encompasses 87% of the total gross square footage which does not meet the Mixed-Use requirement to be less than 80% of the total gross square footage of the buildings on the lot.
- B. The building occupies 43.8% of the lot area which does not meet the Mixed-Use requirement to be less than 40% of the lot area.
- C. The building has a 20' rear yard which does not meet the Mixed-Use requirement for a minimum 25' yard where the property abuts a residential zone district.
- D. The parking lot grading maximum is 4.4% which exceeds the Off-street Parking Requirements of the Code which provide for a maximum 4% grade in any direction for parking spaces and drive aisles.

MULTI-FAMILY SUPPLEMENTAL STANDARDS

The multi-family residential use area (25,518 sf) encompasses 89% of the total building gross square footage (29,312 sf) which does not meet the “use by right” Mixed Use requirement to be less than 80% of the total gross square footage of the buildings on the lot. All provisions of the underlying zone 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.

LOT COVERAGE

The proposed building(s) have a total footprint of 19,520 sf. The total site property area contains a total of 44,555 square feet or 1.023 acres. The proposed building covers 43.8% of the lot. The total allowable lot coverage within a Mixed Use (MU) district is 40%.

SIDE YARDS (SETBACKS)

The Mixed Use (MU) Zone District requires a front yard setback of 25', a side yard setback of 10' and a rear yard setback of 20' except where yards abut a residential district they shall be 25'. The proposed project provides a front yard setback of 25' a side yard setback of 10' on the west side and 20' on the east side and a 20' rear yard setback. A periphery yard adjacent to the exterior boundaries of the PUD shall be at least as deep as those required by the yard regulations of the underlying zoning district unless the Planning and Zoning Commission and the Town Council find that equal protection will be accorded to adjacent parcels through specific features of the approved plan.

PARKING SPACE GRADING

The maximum grade allowed for parking spaces shall not exceed 4% in any direction, per Town Code. The project proposes a maximum grade of 4.4% in a certain amount of the parking spaces provided. Parking lot grades may be increased beyond the maximum requirements if the owner provides a written statement justifying the reasonableness of the grades proposed in the PUD and includes language holding the Town of Dillon, its officers and employees, harmless from any adverse effects and claims arising from the steeper grades.

CONDITIONS OF APPROVAL

The Town Council may recommend conditions of approval that relate to the impacts created by the proposed PUD which may include, but are not limited to, the following:

- a. Increasing the required setbacks.
- b. Limiting the height of the buildings.
- c. Controlling the location and number of vehicular access points.
- d. Establishing new streets, increasing the rights-of-way or roadway width of existing streets, requiring curbs and sidewalks and, in general, improving the traffic circulation system.
- e. Requiring additional improvements for utilities or storm drainage facilities.
- f. Increasing the number of parking spaces and improving design standards for parking areas.
- g. Limiting the number, size, location and lighting of signs.
- h. Designating sites for open space and recreation.
- i. Requiring additional view-obscuring screening or fencing.
- j. Establishing any special time limits for completion of all or any portion of the project, including but not limited to utilities, drainage facilities, streets, curbs, gutters, sidewalks, parking areas, landscaping, fencing, screening, recreation areas or community buildings.
- k. Requiring a special contractual agreement with the Town to ensure development of streets, sidewalks, drainage facilities, utilities and other improvements to standards which are acceptable to the Town.
- l. Requiring the placement of building and roadways in such a manner that: (i) would provide for utilization of the solar potential of the site and protect the solar access of adjacent sites, and ii) would buffer and minimize any adverse noise impacts.

PLANNING COMMISSION AND TOWN COUNCIL ACTION (PROCEDURE)

The Planning and Zoning Commission, after review of the PUD development plan and program under the Level IV development review process (Sections 16-2-100 through 16-2-120 of the Dillon Municipal Code) and any accompanying subdivision application, shall either recommend approval of the application, with or without modifications and conditions, continue the public hearing to a future meeting or recommend denial. A recommendation for approval of a PUD shall be based on the following findings:

- a. The proposed development and PUD plan are in substantial conformance with the Comprehensive Plan.
- b. The PUD as set forth in the PUD development plan will not have an adverse impact on the surrounding area. The PUD is compatible with the scale, intensity, and type of land uses located on adjacent property.
- c. The proposed benefits offset the proposed exceptions to the underlying zoning district and the subdivision regulations and such exceptions are in the best interest of the public health, safety and welfare.
- d. Streets are adequate to support the anticipated traffic and the development will not overload the streets outside the planned area.
- e. The proposed utility and drainage facilities are adequate for the population densities and type of development proposed and will not create a drainage or pollution problem. The timing of installation of utility and drainage facilities will be closely coordinated with development construction and will not create a hardship on residents either within or outside the planned area.
- f. The density in the proposed development will not result in the inability on the part of the Town or utility providers to provide public utilities or services to the project. The applicant must furnish to the Town such additional water rights, storage right and treatment capacity in the Joint Sewer Authority wastewater treatment plant as

found necessary by the Town to serve the development following build out. The Town shall determine the quantity and quality of water rights required.

The Planning and Zoning Commission reviewed the application during the regular meeting and public hearing held on September 5th, 2018. The Commission voted unanimously to recommend approval of the application with Resolution PZ 13-18, Series of 2018.

Once the recommendation has been received from the Planning and Zoning Commission, the Town Council shall hold a public hearing and may either approve, approve with conditions or deny the PUD development plan. If the proposed PUD is accompanied by a subdivision application, a subdivision preliminary plan, in accordance with the procedures established under Article II of Chapter 16 for Level IV applications and the requirements in the subdivision regulations (Chapter 17), may be reviewed concurrently.

- (1) Upon approval of a PUD development plan, the Town Council shall find that the PUD is in general conformity with the adopted Comprehensive Plan.
- (2) The PUD development plan shall be adopted by ordinance and duly recorded at the County Clerk and Recorder's office. Any associated subdivision plan will be adopted by resolution and duly recorded. Final subdivision plats may be processed in stages if so approved in the PUD development plan.
- (3) The Town Council may require development improvement agreements, maintenance agreements, encroachment agreements and any other agreements the Town may deem applicable or necessary for implementation of the PUD development plan and program, protection of the Town or fulfillment of the conditions of approval of the PUD.
- (4) Revisions to the Zoning District Map. An approved PUD development plan shall be recorded on the Official Town Zoning Map filed in the Planning Department as soon as practicable after the PUD becomes effective.

ACTION REQUESTED: Motion, Second, Roll Call Vote for Approval.

Recommended motion language: "I move to approve Ordinance 08-18, Series of 2018, approving the PUD Development Plan for the Dillon Urgent Care and Residences."

Ordinances require the affirmative vote of a majority of the members present.

STAFF MEMBER RESPONSIBLE: Dan Burroughs, Town of Dillon