



Staff Report

**Panera Bread
PUD Development Plan
An Amendment to a Portion of The Ridge at Dillon Planned Unit
Development**

**Prepared by the
Town of Dillon for the
Planning and Zoning Commission**

March 6, 2019

AGENDA ITEM NO. 4

ACTION TO BE CONSIDERED

A resolution by the Planning and Zoning Commission of the Town of Dillon, Colorado, recommending the approval of a Level IV development application for a major amendment to The Ridge at Dillon PUD and Conditional Use Permit for the approval of a new building, Drive-in Facility and associated parking lot at 257 Dillon Ridge Road, Lot 9-10R, Dillon, Colorado; and, setting forth details in relation thereto.

PROJECT SITE

The proposed development is at 257 Dillon Ridge Road Dillon, Colorado. It is located adjacent to the existing development at The Ridge at Dillon to the east. A Super 8 Wyndham Hotel is to the southwest of the proposed development and an Einstein Brother's Bagels and residential home to the south. The development is located in between Dillon Ridge Road and Little Beaver Trail near the union of Interstate 70 and Highway 6.

SUMMARY

The Town of Dillon has received a Level IV development application for a major amendment The Ridge at Dillon Planned Unit Development for a proposed Panera Bread with Drive-in Facility. A Level IV development application and Conditional Use Permit review for the Drive-in Facility require a public hearing by the Planning and Zoning Commission and Dillon Town Council for approval.

PUBLIC NOTICE

Pursuant to the Town Municipal Code and Development Regulations, proper notification of the public hearings was published.

ZONING

The replat for Panera Bread PUD Development Plan proposes to combine the existing Lot 9R-1 (Commercial (C) zoning) and Lot 10R-1 (Mixed Use (MU) zoning) to one lot, Lot 9-10R. The Panera PUD development plan restricts the combined lots, Lot 9-10R, to Commercial (C) zoning except as modified by the Panera PUD development plan. The replat is running concurrently with this Application. The Panera PUD development plan will overlay the underlying zoning districts in accordance with the Dillon Municipal Code.

PROPOSED BUILDING AND SITE

The proposed development is to consist of a single 4,529 square foot commercial building with drive-in facilities and a drive-through window access. The building is proposed to accommodate one single restaurant: Panera Bread. The site provides parking for 64 vehicles of which 17 are existing. The proposed commercial building will be sited on the northeast end of the site, adjacent to the existing development of The Ridge at Dillon. The parking lot will be constructed on the east and south sides of the proposed commercial building.

BUILDING HEIGHT

The height of the proposed building from the finished floor main floor to the high point of the roof is 30 feet. The Commercial (C) Zone District allows buildings to have a maximum height of 40 feet.

ARCHITECTURAL GUIDELINES

The architect has worked with the Town of Dillon Architectural Guidelines and the Town's architectural consultant and believes his development is in conformance with the intent of the guidelines. The applicant will provide further evidence that the application meets the Town of Dillon Architectural Guidelines with the satisfaction of a number of the Conditions of Approval.

OFF-STREET PARKING LOT

The commercial building consists of 4,529 square feet of restaurant area and drive-thru, which requires a total of 46 parking spaces per Town Municipal Code. The development proposes 47 new parking spaces to provide a total of 64 parking spaces within the lot. 17 of the 64 parking spaces are existing and are shared with the adjacent Ridge at Dillon commercial buildings under a Reciprocal Easement Agreement, allowing the proposed development use of the spaces. 2 of the 17 existing spaces are ADA compliant and 2 of the proposed 47 spaces are also ADA compliant.

SNOW STORAGE

The total area of the proposed parking lot is 19,060 square feet which requires a total of 4,765 square feet of snow storage area, per Town Municipal Code. The project site proposes a total of 5,506 square feet for snow storage area while also providing a snow melt system at the proposed concrete drive-thru and the building's surrounding concrete pedestrian walk.

SIGNAGE

The development is proposing 4 building signs, 1 on each elevation of the building, with a total of 116.68 square feet. Also proposed is two menu signs at 56.95 square feet total, 1 window sign at 5.80 square feet, and 4 directional signs at 16.59 square feet total. The development also proposes 1 Tenant Sign on Sign 2 of the Ridge at Dillon Business Area Directory sign (located on the proposed lot 9-10R) with a total of 7.40 square feet. The applicant is not proposing a new Tenant Sign at Sign 1 of the Ridge at Dillon Business Area Directory sign (located at the entrance to the Ridge at Dillon subdivision). The development is allowed 75 square feet of signage to be used as 1 or 2 signs and an additional sign which does not exceed 30 square feet in size. No sign is to exceed 20 feet in length. The applicant is applying for a variance for the quantity and square footage of signage.

OPEN SPACE

There is no open space requirement for the Commercial (C) Zone District.

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 walkways within the PUD that allow pedestrians to walk safely and conveniently among areas of the PUD. The proposed development will provide a "public path access" easement that grants the public a permanent, perpetual, non-exclusive, public path and sidewalk easement for use by the general public. In the future, an additional easement will be granted to the Town of Dillon by the property owner to allow public access from this easement and through Lot 9-10R to a connection point location to be determined at a later date by the Town of Dillon. The future public access easement will be secured through the Panera PUD development plan Development Agreement.

LANDSCAPING

The street frontage along Little Beaver Trail is approximately 294 linear feet which requires a total of 20 street trees. The development proposes 31 trees along the north side of the property to enhance the building elevation view. The number of required parking spaces (46) requires 10 trees be placed within the parking lot area. The development has proposed 15 trees to accommodate the parking space tree requirement.

SANITARY SEWER SERVICE

The proposed development will include a large exterior grease trap which will drain into the sanitary sewer service from the building restrooms. These sanitary sewer lines will connect to an existing private Sanitary Sewer service that connects the Lot 8R-1 building with the public sanitary sewer in Little Beaver Trail.

Prior to issuance of a building permit, the applicant will provide written permission from the Lot 8R-1 property owner to use the private sanitary sewer lines on Lot 8R-1 to convey the sewage from the Panera development to the public sewer system in Little Beaver trail.

WATER SERVICE

An existing private 8" water main runs through the project site and connects the public water main in Little Beaver Trail with the private water main located on Lot 8R-1. These existing water mains will remain private and the proposed fire hydrant will also be private. The property owner is responsible for constructing, maintaining and operating these private improvements in perpetuity. The property owner will allow the Town of Dillon to convey water through these private lines and operate the valves when needed to operate the Town's water system.

DRAINAGE

The applicant proposes to fill in the existing rock channel and temporary sediment pond from previous construction. The grading provides the storm water collected on site to sheet drain into storm water drainage inlets and be moved to large, 54 inch storm water pipes to hold the excess storm water from a storm.

Prior to issuance of a building permit, the applicant will provide written permission from the Lot 8R-1 property owner to use the private storm sewer lines on Lot 8R-1 to convey the storm drainage from the Panera development to the public storm system in Little Beaver trail.

As a condition of approval, the applicant will design an overflow channel/pipe from the parking lot to the ditch in Little Beaver trail.

TRAFFIC STUDY

One of the Town's major concerns was the impact of the proposed development on the intersection of The Ridge at Dillon subdivision with Dillon Ridge Road. To further understand this impact, an evaluation was performed by the applicant on the current and proposed traffic patterns for the Panera Bread restaurant. Existing peak hour traffic was analyzed on July 10, 2018 during the weekday morning and afternoon peak hours and on September 1, 2018 during the weekend midday peak hour. The project is expected to generate a total of approximately 2,120 daily weekday trips with 181 of these trips occurring during the morning peak hour and 147 new trips during the afternoon peak hour. The Saturday peak hour of generator includes 247 total trips with 126 trips entering and

121 trips exiting. The traffic study recommends the following to successfully incorporate the proposed development into the existing roadway network:

- The full movement project access intersection should be improved to include an All-Way stop control
- Add striping to the north leg of the Dillon Ridge Road access intersection to designate a separate left turn lane. The existing driveway is wide enough to designate three lanes with one entering lane and two exiting lanes.
- The 65 foot eastbound left turn lane at the Dillon Ridge Road access intersection be restriped to include 100 feet of storage length. The existing 25 foot depth may be exceeded during peak hours of use.

The Town Engineer is comfortable with the four way stop approach at the intersection and believes that this should greatly help with allowing the business cross traffic to get a fair opportunity to move through the intersection. The left turn lanes on Dillon Ridge Road should be maintained, to allow two cars at a time to move through the intersection. The vehicle stacking distance between U.S. 6 and the intersection is 360 feet. At 20 feet per vehicle this will easily accommodate a minimum of 18 cars and the Town believes this will be more than adequate on most days.



Figure 1. Dillon Ridge Road Stacking Distance Exhibit

COMPLIANCE WITH DILLON COMPREHENSIVE PLAN

A restaurant and drive-thru building is allowed in the Commercial (C) Zone District and is in conformance with Town Municipal Code.

PROPOSED PLANNED UNIT DEVELOPMENT CHANGES TO THE UNDERLYING COMMERCIAL ZONE DISTRICT

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

- A. The development is proposing 8 building signs with a total of 217.5 square feet, of which 4 signs exceed 20 feet in length. Also proposed is 2 menu signs at 61 square feet, 1 window sign at 5.8 square feet, and 3 directional signs at 12 square feet. The quantity, length and square footage of the proposed signage exceeds the total allowed within the Commercial (C) Zone District.
- B. The proposed maximum grade of 8.5% within the parking lot exceeds the Commercial (C) Zone requirement of 4% maximum slope in any direction within the parking lot.
- C. The proposed retaining wall height of a maximum 14.8 feet exceeds the 8 foot tall maximum allowance and does not provide terracing.

LOT COVERAGE

The proposed development has a footprint of 28,930 square feet. The total lot size is 87,509 square feet or 2.0 acres. The proposed building covers 33% of the total lot. There is no maximum lot coverage for the Commercial (C) Zone District.

SIDE YARDS (SETBACKS)

The Commercial (C) Zone District requires a front yard setback of 25 feet, a side yard setback of 10 feet and a rear yard setback of 20 feet except where yards abut a residential district they shall be 25 feet. The proposed project provides a front yard setback of 83 feet, a side yard setback of 149 feet on the west side and 105 feet on the east side, and a 90 feet rear yard setback.

PARKING SPACE GRADING

The maximum grade allowed for parking spaces shall not exceed 4% in any direction, per Town Municipal Code. The project proposes a maximum grade of 8.5% 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 proposal and includes language holding the Town of Dillon, its officers and employees, harmless from any adverse effects and claims arising from the steeper grades.

SUPPORTING REVIEW DOCUMENTS

The following supplemental information documents are attached to this Application and are incorporated into this staff report:

Exhibit A – Applicant’s Project Narrative

Exhibit B – Development Review Checklist

Exhibit C – Sign Plan Checklist

Exhibit D – Architectural Review Packet

Exhibit E – Summit Fire & EMS Preliminary Site Plan Review

Exhibit F – Concurrent Final Plat

Exhibit G – Traffic Impact Study

CONDITIONS OF APPROVAL

The Planning and Zoning Commission 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

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 this Chapter) and any accompanying subdivision application, shall either recommend approval of the application, with or without modifications and conditions 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.

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 this Chapter for Level IV applications and the requirements in the subdivision regulations, 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.

RECOMMENDATION

The Town Staff recommends the Planning Commission recommend approval of the application with a few conditions that are provided in the form of the draft resolution for this Planning Commission public hearing.

ACTION REQUESTED: Motion, Second, Roll Call, Vote. Resolutions require the affirmative vote of a majority of the member present.

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