

**TOWN COUNCIL ACTION ITEM
STAFF SUMMARY
JUNE 5, 2019 PLANNING & ZONING COMMISSION
REGULAR MEETING**

DATE: May 29, 2019

AGENDA ITEM NUMBER: 5

ACTION TO BE CONSIDERED:

Consideration of Resolution PZ 09-19, Series of 2019,
A RESOLUTION APPROVING A LEVEL III DEVELOPMENT
APPLICATION FOR A MINOR AMENDMENT TO THE DILLON RIDGE
MARKETPLACE PUD RELATING TO SIGNAGE.

(PUBLIC HEARING)

SUMMARY:

APPLICATION:

The Town has received a Level III Development Permit Application from Dillon Ridge Apartments, LLC (the “**Developer**”) for a Minor Amendment to the Dillon Ridge Marketplace PUD Development Plan (“**Application**”). Level III applications are reviewed by the Planning & Zoning Commission (the “**Commission**”) and the Town Council is notified of the Commission’s decision. At their option, the Town Council may call up a Level III Development Application for their own review.

PUBLIC HEARING:

A Level III Development Permit Application for a Minor PUD Amendment requires a Public Hearing before the Commission. This staff summary and staff presentation, the Applicant’s presentation and testimony, and public comments shall all be part of the Public Hearing.

PUBLIC NOTICE:

The Town posted signs of the Public Hearing on the site on Tuesday, May 28th, 2019. A newspaper ad ran in the Summit Daily (Journal) on Friday, May 24, 2019, and a mailing noticing the public hearing time and date was sent out on Friday, May 24, 2019 to property owners within 300’ of the Application. These dates and notification distribution are all within the required 7-day minimum and 14-day maximum notice period required by the Dillon Municipal Code (the “**Code**”).

PLANNED UNIT DEVELOPMENT - LEVEL IIIV DEVELOPMENT PROCESS:

A Level III Development Permit Application for a Minor PUD Amendment to an Approved Planned Unit Development (PUD) Development Plan requires a Public Hearing before the Planning & Zoning Commission. 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 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.

After the Commission reviews the Application during a Public Hearing, the Commission may continue the Public Hearing to review additional testimony, approve the Application, or deny the Application. The Commission's review and recommendation:

➤ *Approval:*

- If the proposed development is in compliance with Town Code and Town goals and policies, the Planning and Zoning Commission may approve the application. In addition, the Planning and Zoning Commission may attach conditions which are reasonable and necessary and relate to impacts created by the proposal.

➤ *Denial:*

- If the proposed development is not in compliance with Town Code and Town goals and policies, the Planning and Zoning Commission may deny the application.

➤ *Continue the Hearing:*

- The Planning and Zoning Commission may also continue the hearing for up to thirty-five (35) calendar days for good cause, or to allow additional information and materials to be submitted that will allow for a comprehensive review. In the event a final hearing is continued, the applicant shall submit any additional materials he or she wishes the Town to consider at least twenty (20) calendar days prior to the continued hearing, unless otherwise specified by the Town.

MINOR PUD AMENDMENT SUMMARY:

Minor Amendment: The Application amends the existing Dillon Ridge Marketplace to allow one (1) freestanding sign to be installed on Block 6, Dillon Ridge Marketplace Replat B ("Block 6"). The current PUD specifically does not allow a freestanding sign on Block 6. The Dillon Ridge Apartments, a three-building apartment complex, is located on Block 6. The apartment buildings are located at 380, 384, and 388 Dillon Ridge Road.

This application is to amend the PUD; a separate application is specific to the sign itself. That

being said, the resolution provides conditions of approval which provide specific details for what freestanding signage is permitted through this Minor PUD Amendment for Block 6.

MUNICIPAL CODE & COMPREHENSIVE PLAN REVIEW:

Sign Code Regulations: The Dillon Municipal Code (the “Code”) identifies the subject property as being located in Sign Zone ‘B’. Sign Zone ‘B’ allows for residential complex signage to be up to a maximum total of 75 sq. ft. as one or two signs. Freestanding signs are allowed in Sign Zone ‘B’ and may be up to eighteen (18) feet high. Only one freestanding sign per lot is permitted. Since the previously approved Dillon Ridge Marketplace PUD Development Plan specifically does not allow a freestanding sign on Block 6, the Applicant is going through the Minor PUD Amendment process to allow for one freestanding sign as is generally provided for in the Code.

Land Use and the Comprehensive Plan: If this Resolution and Resolution PZ10-19 were approved, the sign would provide for greater visibility and recognition of the Dillon Ridge Apartments, which provide 50% workforce housing and another 50% market rate housing. The Town recognizes that signs are a necessary means of useful communication for the convenience of the public, and the Comprehensive Plan recognizes the value signs have in informing the public and defining a place.

MOTION FOR APPROVAL:

I move that we approve Resolution PZ09-19, Series of 2019, A RESOLUTION APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A MINOR AMENDMENT TO THE DILLON RIDGE MARKETPLACE PUD RELATING TO SIGNAGE.

**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



Town of Dillon

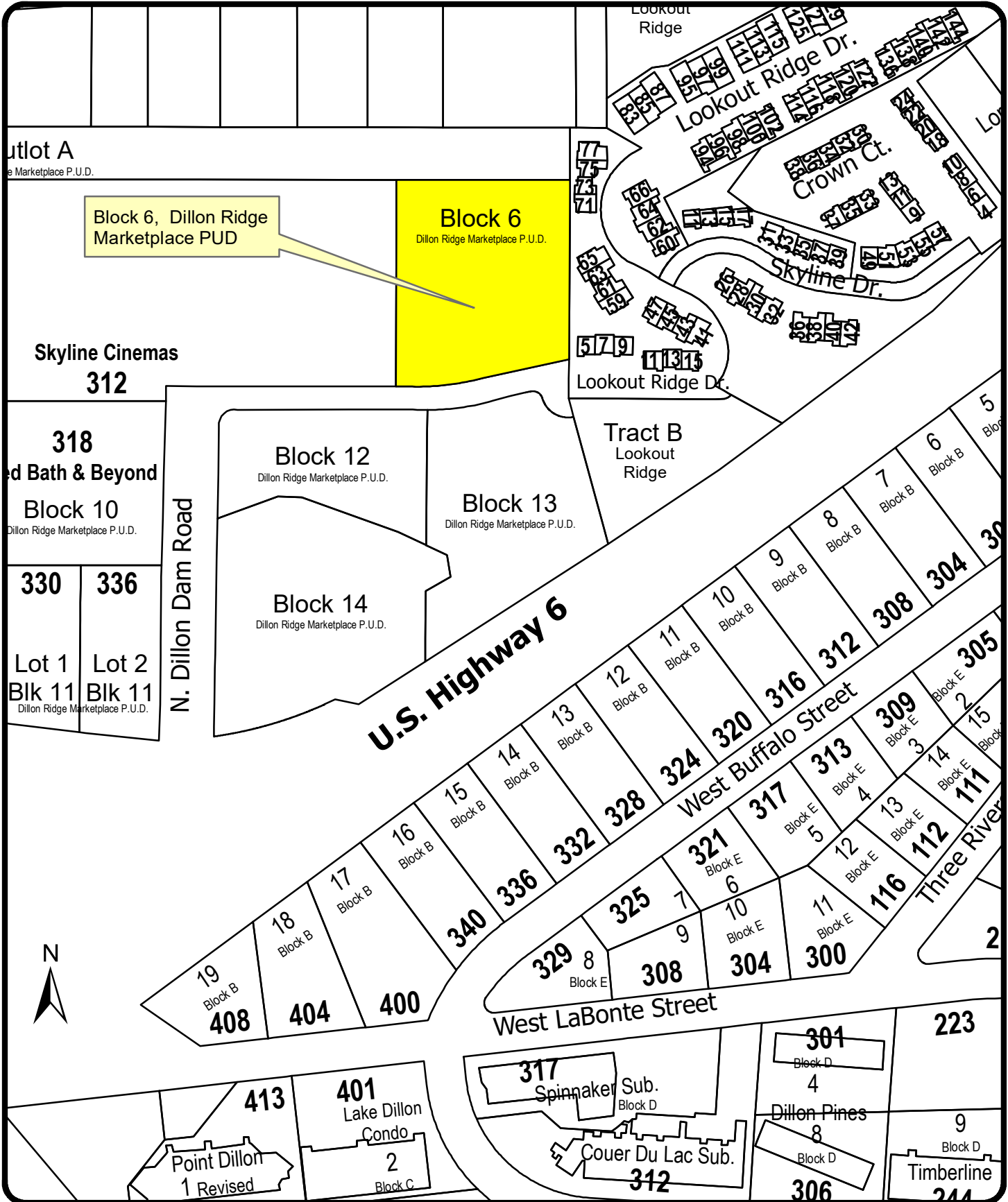
275 Lake Dillon Drive
Dillon, Colorado 80435

Public Works - GIS

Contents:

Dillon Ridge Apartments

1 inch = 200 feet
50 25 0 50 100 150 200
Feet



RESOLUTION NO. PZ 09-19
Series of 2019

A RESOLUTION APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A MINOR AMENDMENT TO THE DILLON RIDGE MARKETPLACE PUD RELATING TO SIGNAGE.

WHEREAS, the Planning and Zoning Commission of the Town of Dillon (“**Planning Commission**”) has received a Level III Development Application from Dillon Ridge Apartments, LLC (the “**Applicant**”) for a minor amendment to the Dillon Ridge Marketplace PUD relating to signage; and

WHEREAS, the Planning Commission has determined that the Application is complete; and

WHEREAS, following the required notice, a public hearing on the Application was held on June 5th, 2019, before the Planning Commission; and

WHEREAS, following the public hearing the Planning Commission has made certain findings of fact regarding the Application and has determined that certain conditions which are reasonable and necessary to and relate to impacts created by the development should attach to the approval of the Application.

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

Section 1. That the Planning Commission, following the required notice, held a public hearing on June 5th, 2019 on the Application, and following said public hearing makes the following findings of fact:

- A. That the Application is complete.
- B. That the Application meets the applicable Town of Dillon Municipal Code (“**Code**”) requirements.
- C. That the Application is compatible with the Mixed Use (MU) Zone District and is compatible with surrounding uses.
- D. That the Application is in general compliance with the Town of Dillon Comprehensive Plan.
- E. That the existing Dillon Ridge Marketplace PUD specifically does not allow a freestanding sign to be located on Block 6, Dillon Ridge Marketplace Replat B.
- F. That the Applicant wishes to install a freestanding sign on Block 6, Dillon Ridge Marketplace Replat B.

Section 2. That the Planning Commission hereby approves the Application for a minor amendment to the Dillon Ridge Marketplace PUD relating to signage, with the following conditions:

- A. The Town Manager may approve additional minor changes to the Application that do not change the character or intent of the Application as approved by this resolution.
- B. One (1) freestanding sign may be installed on Block 6, Dillon Ridge Marketplace Replat B.
- C. The height of the freestanding sign shall be limited to eight (8) feet.
- D. The Applicant shall maintain a minimum of two (2) square feet of landscaping for each square foot of sign area, in accordance with Section 16-11-260 of the Dillon Municipal Code.

APPROVED AND ADOPTED THIS 5th DAY OF JUNE, 2019 BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO.

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

By: _____
Teresa England, Chairperson

ATTEST:

By: _____
Michelle Haynes, Secretary to the Commission