



Staff Report

Minor Amendment to Dillon Urgent Care and Residences PUD Development Plan

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

July 3, 2019

ACTION TO BE CONSIDERED

Adoption of Resolution PZ 15-19, Series of 2019

A RESOLUTION APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A MINOR AMENDMENT TO THE DILLON URGENT CARE AND RESIDENCES PUD DEVELOPMENT PLAN.

SUMMARY

The Town of Dillon has received a Level III Development application for a Minor Amendment to the Dillon Urgent Care and Residences PUD Development Plan (**the “PUD”**). The existing single-family residence will be demolished and replaced by two new buildings and a parking lot to be constructed in two phases. The PUD was recommended for approval by the Planning and Zoning Commission on September 5, 2018 by Resolution PZ 13-18, Series of 2018 and approved by the Town Council on October 2, 2018 by Ordinance 08-18, Series of 2018.

Phase I includes the development of a mixed-use Urgent Care building with three attached Work Force Housing apartment units, a parking lot, site improvements, landscaping, a trash and recycling enclosure, all public utilities capable of supporting both phases, and associated private utilities. Phase II includes the residential portion of the development; i.e., “The Summit” multi-family housing building and associated site improvements and residential use over a parking structure.

The project remains very similar to the October 2018 approval of the PUD with the most significant changes being the physical separation of the structure by approximately 16’ to create two separate buildings and the removal of the roof top deck space on top of the Urgent Care building. The minor PUD amendment also adds a PUD Sign Plan to the Development.

A Level III Development Application requires a public hearing by the Planning and Zoning Commission. The Commission then notifies the Town Council of their decision, and the Town Council, at their option, may call up the application for their own review.

PUBLIC NOTICE

Pursuant to the Dillon Municipal Code and Development Regulations (**the “Code”**), proper notification of the public hearings was published and posted.

ZONING

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

PROPOSED BUILDING AND SITE

The proposed development consists of a single-story mixed-use building with a medical office (Urgent Care) and 3 Workforce Housing apartment units fronting E. Anemone Trail (Phase I) and a three-story multi-family residential building and below grade parking garage (Phase II). Phase I consists of 3,407 sf of medical office area and 946 sf of Workforce Housing residential use area to encompass a total area of 4,353 sf. Phase I includes a parking lot which includes dedicated residential parking for the three Workforce Housing apartments.

Phase II, which will be constructed behind the building constructed in Phase I, will consist of a three-story multi-family residential building containing approximately 27,368 sf of living area consisting of 3 one-bedroom units, 5 two-bedroom units, 5 three-

bedroom units, and 5 four-bedroom units of between 930 and 1,989 square feet, to be located above a residential parking garage.

The proposed mixed-use building (Phase I of the PUD), will be sited on the northern portion of the site adjacent to E. Anemone Trail. The parking lot will be constructed on the western side of the building. The multi-family residential building and associated parking garage (Phase II) will be sited on the southern portion of the site, behind the Phase I building and parking lot.

ARCHITECTURAL GUIDELINES

The architect has worked with the Town of Dillon Architectural Guidelines and the Town's architectural consultant and believes the Application is in conformance with the intent of the Guidelines. The Planning and Zoning Commission approved the architectural design of the PUD by Resolution PZ 01-19, Series of 2019 on January 9, 2019.

OFF-STREET PARKING LOT

The Phase I mixed-use building consists of 3,407 sf of medical office area and 3 multi-family residential studio units which requires a total of 9 parking spaces and 5 parking spaces, respectively, per the Code. The mixed-use building will be directly accessible from a parking lot which provides 15 total parking spaces, 5 of which will be exclusively designated for the 3 multi-family studio units. The developer shall install signage dedicating the residential parking spaces in this lot. The multi-family residential building contains 3 one-bedroom, 5 two-bedroom, 5 three-bedroom, and 5 four-bedroom units, which requires a total of 36 parking spaces, per the Code. The parking garage located directly below the residential building will provide 36 parking spaces to meet the Code requirement.

SNOW STORAGE

The total area of the proposed parking lot is 5,014 sf, which requires a total of 1,254 sf of snow storage area, per the Code. The project site will provide a total of 1,313 sf (26%) of snow storage and thus will exceed the Code requirement.

SIGNAGE

The Application for the minor amendment to the PUD includes a PUD Sign Plan. The PUD Sign Plan provides for PUD specific design criteria for the signage, setting forth the total allowed square foot area of the signage, PUD signage standards for the two phases, and permits the location of signage above the second floor of the residential, Phase II, portion of the PUD. The PUD Sign Plan sets forth the following dimensional standards:

- Urgent Care Sign on Western Building Face: 95 Square Feet
- Urgent Care Entry Sign on Southern Building Face: 36 Square Feet
- Multi-family Tower Sign: 80 Square Feet
- Multi-family Entry Sign: 36 Square Feet

Total PUD Sign Plan Area: 247 Square Feet

One sign exceeds the twenty foot (20') maximum length set forth in the Code.

The Code provisions for sign area in the subject location without a PUD Sign Plan approval would allow for 75 Square Feet of signage per building, totaling 150 Square Feet.

OPEN SPACE

The project proposes a total of 3 studio Workforce Housing units and 18 two-bedroom or larger units which requires a total of 1,950 sf of usable open space to be provided, per the Town Code. The Application proposes ground level landscaped areas for both phases and balconies in the Phase II portion of the Development to meet the Code requirement. The open space plan sheet will need to be revised prior to the recording of the PUD Development Plan to remove snow storage areas from the calculated area of open space provided in accordance with Section 16-3-170(8) of the Code. This has been included as a condition in the draft resolution for approval.

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 would allow residents and visitors to walk safely and conveniently among areas of the PUD and provide for connections to the site from the adjacent neighborhoods.

UTILITIES

The proposed project will be served by an existing water main and a sewer main located in W. Anemone Trail.

DRAINAGE

The applicant will construct two detention ponds along the front of the building site which will be tied into an existing storm sewer system in W. Anemone Trail.

COMPLIANCE WITH DILLON ZONING REGULATIONS AND COMPREHENSIVE PLAN

A medical office, workforce housing, and multi-family residential units are allowed in the Mixed Use (MU) Zone District and are in general 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 changes which are allowed to be varied by the Town Municipal Code through a Planned Unit Development Process.

- A.** The Application proposes development of the site in two phases. Phase I will be constructed initially and include the mixed-use one story building including a medical office, three workforce housing apartment units, off street parking, public utilities, a trash enclosure and associated private utilities. Phase II will be constructed at a later date and will include the 27,368 sf multi-family housing building with subsurface parking, approximately 16 feet away from Phase I building. Each phase will be developed as an independent unit.
- B.** The Application proposes a total of 247 sf of signage, one sign greater than twenty (20) feet in length, and signage on the multi-family building, Phase II, that

is located above the second floor. These dimensions deviate from the standard provisions of the Code but are permissible through a PUD Sign Plan approval.

PHASING

Under the Code, Phasing of construction within a PUD may be permitted, provided that each individual phase is designed and developed to exist as an independent unit, and that the construction and improvement of common open space and site amenities shown on the development plan proceed at the same rate as the construction of dwellings and other permitted land uses. All public improvements shall be completed during Phase I.

SIGNAGE

The Town shall evaluate the relationship of the PUD to its surroundings in order to consider adverse effects. The Planning Commission may consider proposed signage as part of such evaluation.

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.

The draft resolution contains conditions of approval.

PLANNING COMMISSION AND TOWN COUNCIL ACTION

The Planning and Zoning Commission, after review of the minor amendment to the previously approved PUD Development Plan under the Level III development review process (Sections 16-2-200 through 16-2-260 of Chapter 16 of the Dillon Municipal Code) shall either recommend approval of the application, with or without modifications

and conditions, recommend denial, or continue the hearing. A recommendation for approval of a minor PUD amendment shall be based on the following findings:

- a. The proposed development and minor PUD amendment are in substantial conformance with the Comprehensive Plan.
- b. The PUD as set forth in the PUD development plan as amended 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 Town Council receives notification from the Planning and Zoning Commission of their decision, the Town Council shall accept the Commission's decision, or shall call up the Application for their own review. If called up, the Council will set a future public hearing date.

RECOMMENDATION

The Town Staff recommends the Planning and Zoning Commission approve the application with a few conditions that will be provided in the form of a draft resolution prior to the Planning and Zoning Commission public hearing.