

**STAFF SUMMARY
JUNE 3rd, 2020 PLANNING AND ZONING COMMISSION
REGULAR MEETING**

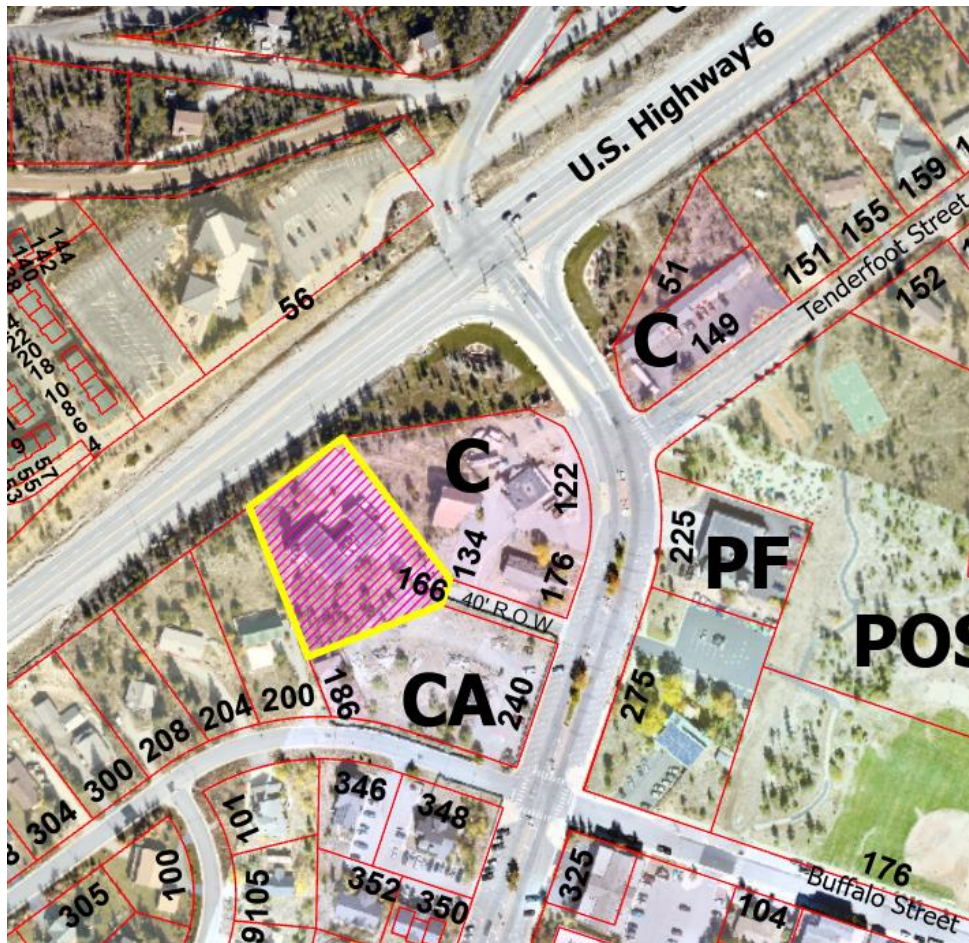
DATE: May 28, 2020

AGENDA ITEM NUMBER: 5

ACTION TO BE CONSIDERED: Consideration of Resolution No. PZ 06-20, Series of 2020:
**A RESOLUTION APPROVING A LEVEL III DEVELOPMENT APPLICATION
FOR AN ACCESSORY STRUCTURE ON A COMMERCIAL ZONED
PROPERTY AT 166 LAKE DILLON DRIVE.**

(PUBLIC HEARING)

TOPIC: An Accessory Structure greater than 200 square feet and those sited on a non-residential property require a Level III Development Permit Application and review and approval by the Planning and Zoning Commission in a Public Hearing.



Site Vicinity and Zoning of the CenturyLink building at 166 Lake Dillon Drive

BACKGROUND/TIME FRAME:

- March 27, 2020: Preliminary Submittal
- April 28, 2020: Application for Level III Development Permit and Request for Public Hearing by Electronic Participation
- May 6, 2020: Submittal of Color Palette
- May 28, 2020: Submittal of revised drawings
- June 3, 2020: Public Hearing of Level III Development Permit Application

EXECUTIVE SUMMARY:

The Applicant:

CenturyLink has submitted an application for a Level III Development Permit application for an accessory structure larger than 200 square feet on a commercially zoned property. The accessory structure will provide protected parking for three CenturyLink vehicles: two trucks with man-lifts and a snow cat. A six (6) foot privacy fence is also proposed to contribute to screening the development.

Review process & Public Hearing Notice:

Level III Applications require a public hearing before the Planning and Zoning Commission. Town staff advertised the public hearing in the legal section of newspaper in general circulation in Summit County, posted the site and public notification locations, and sent out a mailing to property owners within three-hundred feet (300') of the property. The Code requires notification of public hearings not more than fourteen (14) days and not less than seven (7) days prior to the hearing date and the notifications met these dates.

Decision:

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.

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.

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 no event may the Planning and Zoning Commission continue a hearing for more than thirty-five (35) days unless agreed to in writing by the applicant. In the event a hearing is continued, the applicant shall submit any additional materials he or she wishes the Town to consider at least ten (10) days prior to the continued hearing, unless otherwise specified by the Town.

Deferral to Town Council. Depending on the nature of the application, the Planning and Zoning Commission may have the option to defer the application to Town Council for their review and action.

Zoning Provisions:

The Dillon Municipal Code (“Code”) requires a Level III Development Permit application for an accessory structure greater than two hundred (200) square feet in a non-residential zoned area. The subject lot (Lot 2, Block B, New Town of Dillon Subdivision) is located in the Commercial zone district.

Required yards in the zone are as follow:

- a. Front yards and street side yards shall be a minimum of twenty-five (25) feet.
- b. Yards abutting a residential zone shall be twenty-five (25) feet.
- c. Side yards shall be ten (10) feet.
- d. Rear yards shall be twenty (20) feet.

Building Height: 40’ in the Commercial zone district

Architectural Compatibility and Design Guidelines: Accessory structures should be architecturally compatible and “harmonious” with primary structures. Natural Earthtone colors are preferred. The Code states that ‘Building materials *should* be predominantly natural, such as wood siding, shingles, native stone and brick.’ Other materials may be considered, especially when contributing to harmony with the primary structure, the use of the accessory structure, and considering the specifics of a particular application.

Existing Structure:

The existing building on site is an industrial appearing building without windows. The building has vertical features on the siding that provide it with dominant ‘texture’ when viewed from a distance.



The existing CenturyLink building as seen from the US Highway 6



The existing CenturyLink building as seen from the 40' Right-of-way

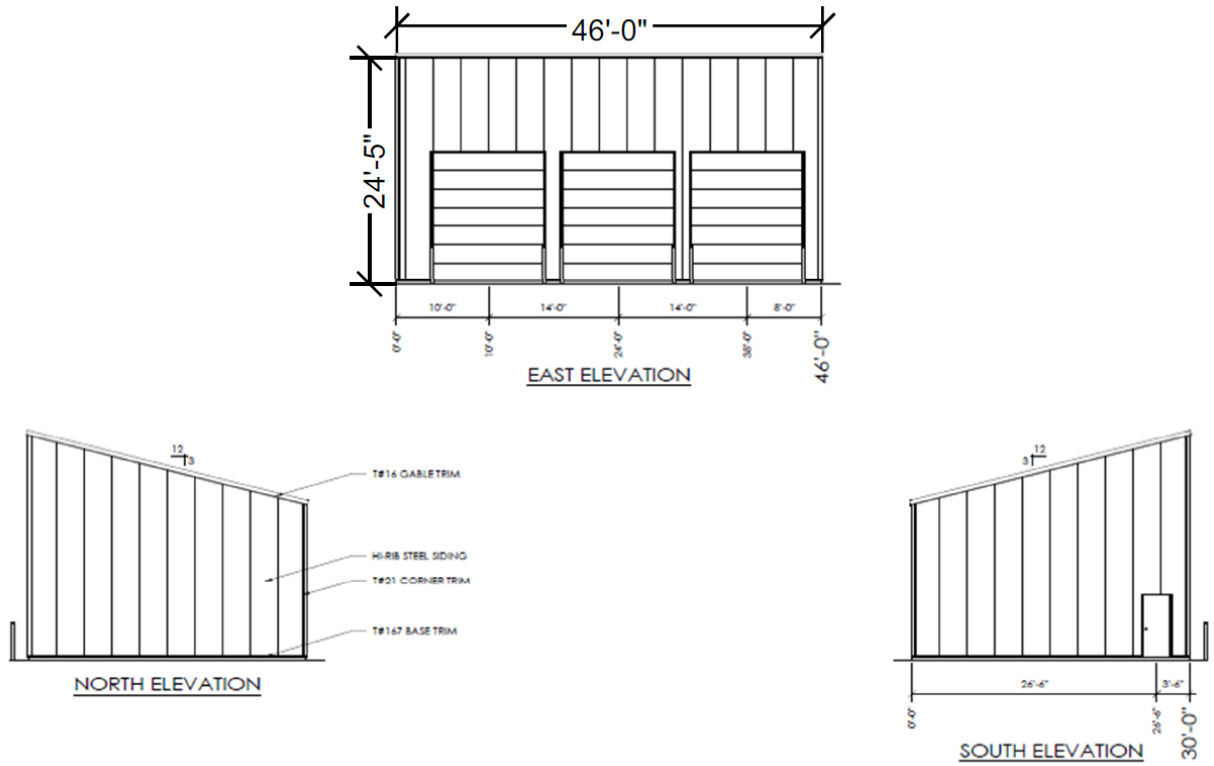


The existing CenturyLink building and the proposed accessory structure location

Application Summary:

The proposed accessory structure is a wood frame building with painted steel vertical seam siding panels, painted steel trim and painted steel roof materials. It has three garage doors and a roof that sheds away from the door openings. The equipment to be parked in the structure includes two trucks

with booms or lifts and a snow cat. CenturyLink needs the equipment to be parked inside a protective structure such that they can immediately respond to customer needs and outages. The trucks have a parked height of 10'-11" and could be higher depending on how configured.

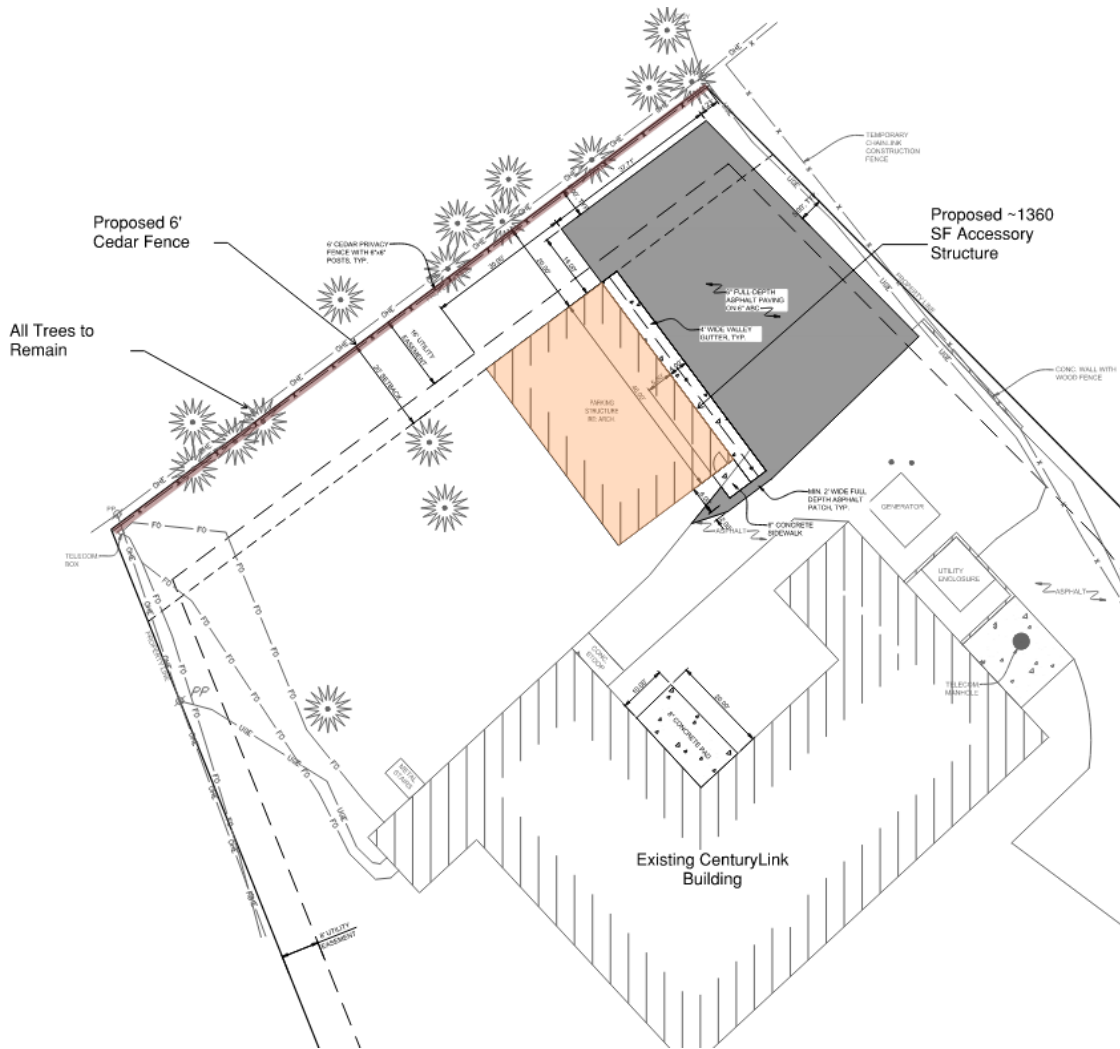


Proposed Accessory Structure

The accessory structure meets the 20' rear yard setback and maximum building height of the commercial zone district and is architecturally compatible with the existing improvements on the site. The vertical siding has a similar texture as the primary structure and has an Earthtone color similar to the primary structure.



Natural Earthtone Colors: Beige building material and Brown trim and doors.



The existing CenturyLink building and the proposed accessory structure and fence



Applicant prepared perspective view of the proposed improvements on the site overlaid on a photograph taken from westbound US Highway 6. NOTE: the fence will actually be behind the trees, all of which are to remain.

The Applicant believes the following about their application:

- The proposed accessory structure is architecturally compatible with the primary structure on the site. The site is industrial in nature and the proposed accessory structure is fitting with the character of the site as developed.
- The proposed accessory structure is vital to them in providing timely emergency and customer response for the communications services they provide.
- The building height is dictated by the height of the vehicles needing to park inside the accessory structure and the need for the roof to effectively shed snow.
- The proposed privacy fence and existing vegetation provide substantial screening for the project and only a portion of the building will be visible from US Highway 6. The existing trees along the US Highway 6 property line are to be preserved.

BUDGET IMPACT: None

MOTION FOR APPROVAL:

I move we approve Resolution no. PZ 06-20, Series of 2020.

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

Resolutions require affirmative votes from majority of the members present

STAFF MEMBER RESPONSIBLE:

Ned West, Town Planner