

**TOWN OF DILLON  
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING  
WEDNESDAY, JULY 7, 2021  
5:30 p.m.  
DILLON TOWN HALL**

**CALL TO ORDER**

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, July 7, 2021, at Dillon Town Hall. Chair Alison Johnston, called the meeting to order at 5:33 p.m. Commissioner's present were Michael Parsons, and Tom Karpowich. Staff members present were Ned West, Town Planner; Scott O'Brien, Public Works Director and Michelle Haynes, Recording Secretary.

**APPROVAL OF THE MINUTES OF JUNE 2, 2021, REGULAR MEETING**

Commissioner Karpowich moved to approve the minutes from the June 2, 2021, regular meeting. Commissioner Parsons seconded the motion, which passed unanimously.

**PUBLIC COMMENTS**

There were no public comments.

**CONSIDERATION OF RESOLUTION PZ 11-21, SERIES OF 2021 (Public Hearing)**

**A RESOLUTION EXEMPTING 780 LITTLE BEAVER TRAIL FROM CERTAIN PROVISIONS OF THE DILLON LAND DEVELOPMENT CODE PURSUANT TO § 31-23-301, C.R.S.**

**PUBLIC HEARING:**

A Public Hearing is required for this application. The Planning and Zoning Commission shall open a Public Hearing on the application and hear testimony from Town staff, the applicant, and any public testimony submitted during the Public Hearing.

Chair Alison Johnston opened the public hearing at 5:36 p.m.

Toby Weiner, Summit County Government, presented the applicant summary.

Ned West, Town Planner, presented the staff summary.

**PROJECT LOCATION:**

780 Little Beaver Trail, more specifically know as Lot 3, Ptarmigan Trail Estates Subdivision #1.

**SUMMARY:**

Summit County Government (the "County") is under contract to purchase real property located at 780 Little Beaver Trail, more specifically know as Lot 3, Ptarmigan Trail Estates Subdivision #1, (the "Property") and the three-unit building located thereon (the "Building"). The County desires to use the building in its current three-unit configuration as housing for employees of Summit Stage, the County, and, when appropriate, the Town of Dillon. Multi-family residential use is permitted in the Mixed Use (MU) zone district if developed in conjunction with a commercial use and does not exceed 80% of a building on a lot at any one time. Noteworthy is that at one point in time, a portion of the building was occupied by a commercial, service-oriented business.

The current MU zoning of the Property does not permit the County’s proposed one hundred percent (100%) residential use. In accordance with (Colorado Revised Statutes) § 31-23-301, C.R.S. (the “Statute”), requires that municipalities exempt from the operation of zoning ordinances “any building or structure as to which satisfactory proof is presented to the board of adjustment that the present or proposed situation of such building or structure is reasonably necessary for the convenience or welfare of the public”. Pursuant to Chapter 16, Article X of the Dillon Municipal Code, the Planning and Zoning Commission for the Town of Dillon (the “Planning Commission”) serves as the Board of Adjustment for the Town.

**COMMISSIONER QUESTIONS:**

Alison asked Mr. Weiner if they would add a bus stop in the facility for the employee to use. Mr. Weiner said that it was not in the plans, as of now the nearest bus stop would be located on HWY 6 and Little Beaver Trail.

Commissioner Karpowich asked the applicant if the units would be deed restricted and was informed the property and all units will need to follow all employee housing regulations.

**PUBLIC COMMENTS:**

Sheryl Epperson, current resident at 780 Little Beaver Trail, stepped up in front of the Commission to express her concerns about the new property owner. She feels that the property should not be sold as it is already housing Summit County employees. She also stated that she is not being afforded the opportunity to apply with the County to continue her residency there and may be forced to leave the area due to a lack of available housing.

**PUBLIC HEARING CLOSED:**

Chair Alison Johnston closed the public hearing at 5:53 pm.

**RECORD OF PLANNING COMMISSION ACTION:**

Commissioner Tom Karpowich moved to approve Resolution No. PZ 11-21 Series of 2021.  
Commissioner Michael Parsons seconded the motion, which passed unanimously.

**CONSIDERATION OF RESOLUTION PZ 13-21, SERIES OF 2021 (PUBLIC HEARING)**

A RESOLUTION APPROVING A VARIANCE FROM THE GENERAL PARKING REQUIREMENTS AND DESIGN STANDARDS FOR THE SUMMIT HISTORICAL SOCIETY 1883 DILLON SCHOOL HOUSE MUSEUM LOCATED AT 403 E. LABONTE STREET.

**PUBLIC HEARING:**

A Public Hearing is required for this application. The Planning and Zoning Commission shall open a Public Hearing on the application and hear testimony from Town staff, the applicant, and any public testimony submitted during the Public Hearing.

Chair Alison Johnston opened the hearing at 5:53 p.m.

Ned West, Town Planner, presented the staff summary.

**PROJECT LOCATION:**

The Summit Historical Society 1883 Dillon School House Museum located at 403 E. LaBonte Street.

**SUMMARY:**

The Town of Dillon is the landowner on which the 1883 Dillon Schoolhouse Museum is sited through a long-term lease agreement with the Summit Historical Society.

With the design development for the E. La Bonte Street roadway improvements project and the ongoing effort for the Town to upgrade properties under its control for ADA compliance, Town staff worked with the Summit Historical Society Board representative to design potential site improvements for the 1883 Dillon Schoolhouse Museum site. Town staff was initially contacted by the Historical Society to see if parking similar to the new configuration at the tennis courts might work on the museum site.

Identified issues with the current parking configuration:

- Complete lack of ADA accessibility in parking, accessible route, and building access
- Gravel parking lot surface
- Difficult site for snow removal and maintenance (performed by the Town)
- Parking lot dimensions do not meet the minimum criteria in the Code for parking lot and drive aisle dimensions

In accordance with provisions of the Dillon Municipal Code (“DMC” or “Code”), Town staff requested the Planning and Zoning Commission make a determination of the required off-street parking for a museum use in Dillon since the Code did not provide for such a use.

- The Code states, “The number of parking spaces required for uses not listed within this Section shall be determined by the Planning and Zoning Commission, after review and recommendation by the Town Manager, based on the impacts anticipated by the proposed use, and shall relate to the anticipated demand created by each proposed use.” (DMC § 16-6-40 “General parking requirements”)
- The Commission determined that the most correlative parking use identified in the Code is “Retail sales, commercial, general office, medical office, [&] dental office,” which require one off-street parking space per 400 gross square feet and is the standard amount of required parking for most uses in Town. (DMC § 16-6-40)

Staff applied the one off-street parking space per 400 gross square feet to the 2,300 square foot building (per the Summit County Assessor’s Office) to determine the required number of spaces for the off-street parking:

- $5.75 = 6$  Off-street Parking Spaces Required

The Code requires:

- “Parking facilities shall be designed and constructed with accessible parking and accessible access routes in conformance with the federal 2010 ADA Standards for Accessible Design.
- Parking facilities shall provide the minimum number of required accessible parking spaces per Section 208 of the federal 2010 ADA Standards for Accessible Design.
- At least one (1) van-accessible parking space is required for every six (6) or fraction of six (6) accessible parking spaces required...

- The width of an accessible parking space may be reduced to a minimum of eight (8) feet wide when adjacent to an access aisle that is a minimum of eight (8) feet wide.” (DMC § 16-6-60 (10) (a-d) “Design standards for off-street parking spaces and facilities – Accessible parking”)
- The Code prohibits backing onto a public street:
  - Except for single-family and duplex parking areas, all other parking stalls and spaces shall be so designed, located and served by maneuvering lanes so their use will under no circumstances require a backing movement onto any public street. (DMC § 16-6-60 (7) (a) “Design standards for off-street parking spaces and facilities – Backing onto public street”)

Staff worked on several iterations of off-street parking lot design for Code compliant site improvements. It was quickly determined that the site could not support the parking lot configuration similar to that of the Town Park parking area near the tennis courts as initially desired by the Historical Society.

Given site constraints of building location and lot dimensions, various iterations of proposed parking lot concepts failed to meet all of the Code criteria while also acknowledging the importance of respecting the historical nature of the schoolhouse museum and maintain a semblance of its historic charm by preventing modern vehicles from parking directly in front of it.

- During the June 15, 2021, Town Council Work Session, Town staff was advised of certain characteristics the Town Council really wanted to see with any proposed parking improvements. Town staff was tasked with returning to the next Works Session with a concept plan that best fit this vision. The key elements of the vision were:
  1. Six (6) onsite parking spaces, one of which is accessible per ADA
  2. The parking is to be away from the 1883 School House, head in toward the adjacent church property to the south
  3. The six-foot (6’) sidewalk from the E. La Bonte Street Right-of-way is to follow the current alignment of the existing sidewalk coming from the Right of way – without impacting the existing mature Aspen tree and historic displays.
  4. Remnant parking area is to be converted to a landscape area
  5. Final alignment of sidewalk to rear of building is not determined, as there is a concept of a breezeway between the School House and the annex building through a structural modification, thus the six-foot (6’) walk alignment as proposed.
  6. From the six-foot (6’) sidewalk, there is a desire to have an accessible sidewalk / ramp to the front entrance to the School House.

Based on this feedback, Town staff developed a concept parking exhibit for review by the Town Council during their July 6, 2021, Works Session. It was determined that any parking lot configuration on the site designed to protect the historical nature of the museum would at the very least require a variance from the standard off-street parking design criteria, most specifically the drive aisle width. Due to the historical preservation concerns, the Town Council approved the revised plan for the off-street parking lot with a drive aisle width of twenty (20) feet and approved the six (6) parking spaces, one of which is ADA compliant should be constructed.

Town Code requires off-street parking lor drive widths of twenty-four (24) feet but given site constraints and the desire to limit site improvements to be similar to the current site configuration, the achievable drive aisle width is twenty (20) feet. This is the primary purpose of this Variance request.

The Town Engineer has reviewed a twenty (20) foot drive aisle width, and in consideration of the fact that the drive aisle is not a through-way, the lot is currently configured with a similar such drive aisle, and due to the interest of preserving the historic aesthetic of the site, finds that the twenty (20) foot width is acceptable.

**COMMISSIONER QUESTIONS:**

The Commissioners had no questions and are all in favor of this great improvement.

**PUBLIC COMMENTS:**

Jackie Christiansen, 420 LaBonte St. gave her recommendation to approve the enhancement.

**HEARING CLOSED:**

Chair Alison Johnston closed the public hearing at 5:57 p.m.

**RECORD OF PLANNING COMMISSION ACTION:**

Commissioner Tom Karpowich moved to approve Resolution No. PZ 13-21 Series of 2021.  
Commissioner Michael Parsons seconded the motion, which passed unanimously.

**CONSIDERATION OF RESOLUTION PZ 14-21, SERIES OF 2021**

**A RESOLUTION RECOMMENDING THE ADOPTION OF AN AMENDED THREE-MILE PLAN FOR THE TOWN OF DILLON**

Chair Alison Johnston opened the hearing at 5:58 p.m.

Ned West, Town Planner, presented the staff summary.

**SUMMARY:**

The purpose of the Three-Mile plan is to address the specific statutory requirements of Colorado Revised Statutes (C.R.S.) § 31-12-105, which requires that a municipality adopt an annexation plan prior to the annexation of any land into the municipality, and that it provides direction to the municipality and landowners concerning land use issues and infrastructure improvements needed upon annexation into the Town of Dillon. The statutes stipulate that the Three-Mile Plan be reviewed annually.

Proposed amendments for the Three-Mile Plan relate to the workforce housing project planning effort for the U.S. Forest Service Dillon Ranger District Administration Site. Summit County, the Town of Dillon, and the U.S. Forest Service have recently completed a workforce housing concept planning effort to assess a potential density and configuration for potential redevelopment of the Admin. Site off of County Road 51. The Forest Service is very interested in moving the project concept forward to contribute to the community’s workforce housing needs as well as meeting the needs of their workforce.

The proposed amendments to the Three-Mile Plan are limited to the area identified as Area 3 “Dillon Water Treatment Plant Area, adjacent to County Road 51” and include the following:

- Proper identification of the U.S. Forest Service Dillon Ranger District Administration Site

- Reference to the Town owned transitional employee housing two-unit house
- Clarification that the three identified parcels in the area are not heavily timbered forested areas, but are instead managed forested sites, one of which is already developed with the Admin. Site
- Two of the parcels, owned by Denver Water, have slopes of around 18-20%. This refinement was added to the Plan, and they remain as being identified as potential low to medium density residential or areas of potential expansion of public works facilities as was already in the Plan.
- The US Forest Service Admin. Site has slopes of 4.5-5% over much of the site which is made clearer in the Plan.
- A higher density workforce housing development is recognized as a potential for the Forest Service parcel due to its current use, sparse and dispersed trees, and relatively gentle slopes compared to the adjacent Denver Water parcels. Any high-density development would be limited to community workforce housing.

**COMMISSIONER QUESTIONS:**

The Commissioners asked a few vague questions about the process of Annexations and rezoning. Ned gave the Commission a detailed explanation of the process and rezoning.

**HEARING CLOSED:**

Chair Alison Johnston closed the public hearing at 6:04 pm.

**RECORD OF PLANNING COMMISSION ACTION:**

Commissioner Michael Parsons moved to approve Resolution No. PZ 14-21 Series of 2021. Commissioner Tom Karpowich seconded the motion, which passed unanimously.

**CONSIDERATION OF RESOLUTION PZ 15-21, SERIES OF 2021**

A RESOLUTION APPROVING AN APPLICATION FOR TWO CLASS 1 SIGN PERMITS FOR THE INSTALLATION OF TWO PERMANENT WALL SIGNS AT 270 DILLON RIDGE WAY.

Chair Alison Johnston opened the hearing at 6:05 p.m.

Ned West, Town Planner, presented the staff summary.

**SUMMARY:**

The Application is located in the Mixed Use (MU) Zone district which is within Sign Zone B. The Application is also within the Dillon Ridge Marketplace PUD which has its own PUD Sign Plan criteria (“PUD Sign Plan”).

The application proposes two (2) building, wall mounted signs. Each building sign is thirty-four (34) Square Feet (SF). Per the Dillon Municipal Code, single tenant buildings located in Sign Zone B are permitted two (2) building identification signs totaling seventy-five (75) SF, and one (1) additional sign that may not exceed thirty (30) SF. That being said, the Dillon Ridge Marketplace PUD Sign Plan further restricts signage and for the subject property, Block 8, Dillon Ridge Marketplace PUD, the building may have up to sixty-eight (68) SF of signage in one or two wall mounted signs. The PUD Sign Plan specifically does not allow a freestanding sign for the subject parcel. See Figure 4 for the specific PUD Sign Plan criteria.

Sign Zone B allows internally illuminated pan channel letters as proposed. The PUD Sign Plan provides for a maximum letter height of twenty-four (24) inches, and the Application proposes a maximum of twenty-one (21) inches. Additional sign criteria considered for the application are:

- No sign shall exceed twenty (20) feet in length (§16-11-200); the maximum width of the signs is ten and one-half (10.5) feet.
- Wall signs shall not be mounted higher than the eave line or parapet wall of the principal building, and no portions of such wall signs, including cut-out letters, shall project more than six (6) inches from the building (§16-11-290); the signs are mounted on the wall of the one-story building and the letters project five (5) inches from the wall.

The dimensional criteria of the Code and the PUD Sign Plan are met with this application.

### **COMMISSIONER QUESTIONS:**

Commissioners asked questions which addressed total square footage, background lighting, and time of illumination. Ned West informed the Commission that the square footage is 68 ft and meets the standards. The sign will have internal LED lighting. There was a discussion of whether there should be an additional condition of approval that the signage be turned off after the business closes. The Commission asked if that is required everywhere, and staff responded that only in some locations where neighboring residential impacts have been clearly identified prior to approval, such as Skyline Cinema. Mr. West stated that the Code does provide a standard that lights shall not be glaring, may not be noticeably brighter than lighting in the area, and may only be as bright as necessary to make the sign visible from an adjacent roadway. The Commission felt that they would not require an additional sign lighting condition for this building and would leave it up to the property owner as a business decision. They felt that even when closed, illuminated signage might provide public awareness of the restaurant that could help business.

### **HEARING CLOSED:**

Chair Alison Johnston closed the public hearing at 6:13 p.m.

### **RECORD OF PLANNING COMMISSION ACTION:**

Commissioner Michael Parsons moved to approve Resolution No. PZ 15-21 Series of 2021. Commissioner Tom Karpowich seconded the motion, which passed unanimously.

### **DISCUSSION: TOWN OF DILLON COMPREHENSIVE PLAN**

#### **SUMMARY:**

Ned West and Scott O'Brien gave the commission an explanation and review of the Dillon Comprehensive Plan.

The Dillon Comprehensive Plan is intended to be general, which means the policies and proposals adopted within the Plan are broad in nature and do not necessarily indicate specific locations of activity or use, or specific actions. As used in this document, Comprehensive Plan means a generalized, coordinated land use map and policy plan for the Town of Dillon, Colorado. The Plan is also comprehensive in nature, meaning all-inclusive, both in terms of the geographical areas, and the activities, systems, and issues addressed by the Plan. In general, the Comprehensive Plan:

- Is an expression of public policy in the form of policy statements, generalized maps, standards and guidelines.

- Will be used as the basis for future Town decisions dealing with capital improvements, Town projects, open space acquisitions, urban design projects, and the evaluation of annexations and development proposals.
- Will be used as the basis for more specific rules, regulations, and ordinances that implement the policies expressed through the Comprehensive Plan.
- Has been prepared to help assure that public actions are consistent and coordinated with the policies expressed through the Comprehensive Plan.

**COMMISSIONER QUESTIONS:**

The Commission reviewed multiple areas of the Comprehensive Plan. Areas discussed were walkability, work force housing, potential redevelopment within the Town Core, parking, Core Area vacancies, vibrancy, shops, and the Core Area vs. Main Street.

The Town Planner, Ned West, gave the Plan to the Commission for further review and will discuss at the next meeting.

**CONFIRM REGULAR PLANNING & ZONING MEETING ON AUGUST 4, 2021.**

All following commissioners confirmed they will attend the August 4, 2021, regular meeting; Alison Johnston, Michael Parsons, and Tom Karpowich

**PROJECT UPDATES:**

- Homewood Suites: Finishing up, having some interior supply issues.
- Panera Bread: Starting Tenant Finish
- Town Park: Supply issues.
- Urgent Care: Working on right of way and utilities
- Uptown 240: on hold.
- Vail Health: opening this fall.

**OTHER BUSINESS:**

Need to schedule time for a Workshop with Council.

**ADJOURNMENT**

There being no further business, Alison Johnston adjourned the meeting at 6:47 p.m.

Respectfully submitted,

*Michelle Haynes*

Michelle Haynes  
Secretary to the Commission