

**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
WEDNESDAY, FEBRUARY 1, 2023
5:30 p.m.**

**VIRTUAL MEETING VIA MICROSOFT TEAMS
CONFERENCE ID: 230 260 226 153**

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, February 1, 2023, by electronic participation through the Microsoft Teams application. Vice Chair Michael Parsons, called the meeting to order at 5:31 p.m. Commissioners present were Suzanne Pugsley, Tom Karpowich, and Mark Cribbet. Staff members present were Ned West, AICP, Sr. Town Planner and Michelle Haynes, Recording Secretary.

APPROVAL OF THE MINUTES OF JANUARY 18, 2023, SPECIAL MEETING

Commissioner Cribbet moved to approve the minutes from the January 18, 2023, special meeting. Commissioner Karpowich seconded the motion, which passed unanimously.

PUBLIC COMMENTS

Lu Cordova, the Governor’s Advisor on Efficiencies and Digital Transformation, previously the Executive Director of the Department of Revenue, addressed the Commissioners. Ms. Cordova would like to meet with Planning and Zoning or Town Council to discuss a grant that could make a Lake Front walk of Shops much more feasible. The Commission recommended she start by speaking to the Economic Development Advisory Committee (EDAC).

CONSIDERATION OF RESOLUTION PZ 02-23, SERIES OF 2023

A RESOLUTION APPROVING AN APPLICATION FOR A CONDITIONAL USE PERMIT TO OPERATE A SCHOOL IN THE CORE AREA ZONE DISTRICT AT 124 MAIN STREET.

PUBLIC NOTICE:

Level III Applications require a public hearing before the Planning and Zoning Commission. The Town posted signs of the Public Hearing on site on Tuesday, January 24, 2023. A newspaper legal notice ran in the Summit Daily (Journal) on Friday, January 20, 2023, and a mailing noticing the public hearing time and date was postmarked on Wednesday, January 25, 2023, to property owners within 300’ of the subject property. Notices were also placed in the Town of Dillon public posting locations. These dates and notification distributions are all within the required 7-day minimum and 14-day maximum notice period required by the Dillon Municipal Code (the “Code” or “DMC”).

SUMMARY:

The Town has received a Level III Development Permit Application for a Conditional Use Permit for a school proposed to be located on the second floor of the building located at 124 Main Street, more specifically described as Lot A, Block M, New Town of Dillon Subdivision.

The Applicants are Erica Bull and Jim Dexter. The school is named Mountain House Academy. The Dillon Municipal Code requires a Conditional Use Permit for a school use in the Core Area Zone district. Although a previous Conditional Use Permit was approved for the subject building, the scope of the school, the number of students and faculty, the number of the units they intend to occupy, and the ages of the students have changed to such a degree that it is determined that a new Conditional Use Permit application review is warranted.

The application proposes a three (3) classroom school occupying a total of five (5) units on the second floor of the building. The Code requires two (2) parking spaces per classroom for a school use (DMC § 16-6-40). The Code therefore requires four (6) parking spaces for the proposed school as currently conceived. Also, per the Code, a commercial use is assessed one (1) parking space per every four hundred (400) gross square feet of commercial space, and parking space determinations are always rounded up. The proposed three (3) classrooms occupy three (3) commercial units in the building equaling 1,155 square feet. Based on the Code, the three (3) commercial units in the building would thus have three (3) parking spaces accounted for as the parking provided for their use. The Applicant will need to enter into an Agreement with the Town and pay a fee for the deficient spaces.

PUBLIC COMMENT:

There were four members of the public present for public comment and a few written letters that were provided to the Commission for review before the meeting. The consensus on the public comments were all the same, very much in support of the expansion of the Mountain House Academy and adding more education options to the Town of Dillon.

COMMISSIONER QUESTIONS:

The Commission had a few follow up questions referencing the previous application that was approved. They wanted to know the original number of students approved, parking issues, and the effect on other business in the building. Ned informed the group that the number of students would be going from 20 to 45 students if approved. There is not sufficient parking for the school based on the previous office use versus the school use which has led to the requirement to pay fees. There is anticipated to be no major impact to adject businesses in the building or surrounding buildings given the general density and uses in the Core Area similar to other small urban centers. Staff recommended approval of the application.

RECORD OF PLANNING COMMISSION ACTION:

Commissioner Tom Karpowich moved to approve Resolution No. PZ 02-23 Series of 2023. Commissioner Suzanne Pugsley seconded the motion, which passed unanimously.

DISCUSSION: SIGN REGULATIONS AND CONSTITUTIONAL UPDATES

SUMMARY:

Town staff has been presenting the Planning Commission and Town Council with several discussion items relating to the Dillon Municipal Code (“DMC”) Sign Regulations including proposed Sign Zone Map Changes and a proposal for two new Sign Zones: Town Center Sign Zone and a Park & Waterfront Sign Zone. These concepts have been well received by the Planning Commission and the Town Council.

At the present time, staff is delaying the adoption of new sign zones to a future date. Important to these new sign zones will be wayfinding sign input from the University of Colorado Denver Technical Assistance Program (UTAP), Comprehensive Plan updates, completion of the 50% design drawings (Mead & Hunt) for Highway 6 traffic improvements at Lake Dillon Drive / Evergreen and County Road 51

(concept of two (2) roundabouts), the walkability work performed by a Town hired consultant (Clark & Enerson), and other long range planning efforts for the Core Area and Dillon Marina.

Staff has been working with the Town Attorney to address content-based sign regulations and the temporary sign provisions currently found in the Code as previously discussed with the Commission. This agenda item furthers the study of the content-based subject matter and temporary signs.

COMMISSIONER QUESTIONS:

The Commission asked if creating more permit procedures for temporary signs would help with enforcement and Ned kindly explained to the group that it is very difficult to enforce with such little staff and getting the public to actually apply for such permits. Nick recommended keeping time limits on certain temporary signage to allow for enforcement it needed. The goal is to make things easier on the business Community by condensing the Sign Regulations. Staff will present the final proposed Code amendments at the next meeting for approval.

DISCUSSION: TOWN CENTER WALKABILITY

SUMMARY:

The Town issued an RFP to study walkability improvements in the Dillon Town Center. The Town received three proposals with varying scopes of work from the three consultants: Clark & Enersen, Galloway & Company, Inc., and Zehren and Associates.

The three proposals were quite different in scope and cost of service and all three design teams were extremely qualified. The interview process became very important in selecting the consultant for this design effort. After the interviews, it was determined that Clark & Enersen had incredible energy and enthusiasm for this project and presented some good solid initial ideas to successfully implement walkability changes in the Town Center.

The proposal from Clark & Enersen (the "*consultant*") was attached for reference. The awarded project amount is \$75,500. The project is funded through the Dillon Urban Renewal Fund in the 2022 budget.

Town staff has met with the consultant on numerous occasions and the consultant recently presented draft concepts to the Dillon Town Council during their work session meeting on January 17, 2023. The consultant aimed to gain some thoughtful feedback during that presentation. The consultant presentation and meeting notes from that work session were presented to the Commission. A reference document for the consultant was the 2019 MSA Town Core Master Plan.

The consultant also intends to gain public feedback and hold stakeholder meetings. Town staff seeks Planning Commission feedback on the draft presentation the consultant discussed with the Town Council during their January 17 meeting. Town staff will relay the Planning Commission's comments back to the consultant and may schedule the consultant to attend a future Commission meeting.

COMMISSIONER QUESTIONS:

The Commission expressed concerns about newly purposed developments in the works and if they will fit into the new walkability and wayfinding projects. Ned informed the group that new developments plan to incorporate walkability into their plans but there may be an area or two conceived by Clark & Enersen that will not be able to fit into potential future development. This will be evaluated during the negotiation of any future potential development agreements. The group asked about the Town's involvement with these future developments. Ned informed them there is no involvement with these projects at this time as no formal applications have been received. High level concept plans are all that

have been discussed during preliminary conversations. The Town may potentially be involved with any adjacent properties owned by the Town of Dillon desired by a prospective developer, resulting in new development partnerships.

The group discussed parking issues and adding more bike racks around Town. This will be included in the separate Consultant's proposal for the Amphitheater's Facilities Improvements project currently being developed. They would also like to see more direction given at the large LED sign directing people to the Town Center, as the sign screams Town Center and causes everyone to turn onto East Anemone Trail and into Ren Mountain Plaza thinking the Town Core is located in that vicinity. The Commission asked about the relocation of the Post Office and if that was possible. Ned informed the group that it is in discussion and Town Staff, other Towns, and the public are looking for the best way to approach the idea. Although it may be desirable, it may be very difficult to relocate them.

PROJECT UPDATES:

- Panera Bread: Spring Opening.
- Urgent Care: Open, phase two will come eventually but no time frame yet. It is approved through the PUD process, so the Town is waiting to review construction documents.
- Uptown 240: In foreclosure. Hope remains that the project will eventually move forward.
- Dillon Medical Center (Vail Heath): Added fencing and adding more lighting in parking area.
- Town Parking paid overnight parking is now being enforced.

OTHER BUSINESS:

No other business discussed.

ADJOURNMENT

There being no further business, Mike Parsons adjourned the meeting at 7:42 p.m.

Respectfully submitted,

Michelle Haynes

Michelle Haynes
Secretary to the Commission