



TOWN OF DILLON
Planning and Zoning Commission
Special Meeting
Council Chambers
Dillon Town Hall | 275 Lake Dillon Drive | Dillon, Colorado
Wednesday, July 10, 2024 | 5:30 p.m.
STAFF SUMMARY

DATE: July 3, 2024

AGENDA ITEM NUMBER: 5.a.

ACTION TO BE CONSIDERED:

Consideration of Resolution No. PZ 03-24, Series of 2024 (PUBLIC HEARING)

A RESOLUTION APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR COMMERCIAL DECKS AT 135 MAIN STREET.

PROJECT ADDRESS & LOCATION:

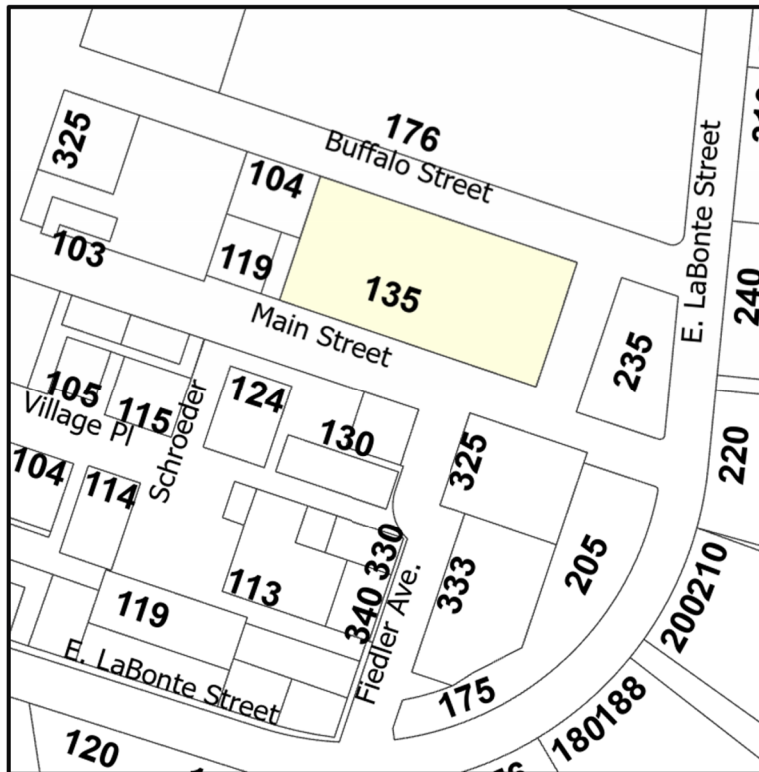


Figure 1. 135 Main Street

APPLICATION:

KenJo, LLC submitted a Level III Development Permit application for new Commercial Decks on February 15, 2024. The application representatives are German Pallares and Bobby Craig, Arapahoe Architects.

FEE:

An application fee of \$350 was paid for a Level III Commercial Decks development application in accordance with the Schedule of Fees set forth in Appendix 19-A of the Dillon Municipal Code (“DMC” or “Code”) on May 1, 2024.

PROJECT NAME:

La Riva Del Lago Commercial Decks and Remodel Project.

EXISTING CONDITIONS:

The existing building was extensively remodeled in the mid-1990s, remodeling the existing indoor mall and also adding residential condominium units above the mall. At the time, the project developed fully focused on interior space without creating outdoor seating to support restaurant spaces. One interior sunroom space was created, but fails to capture the outdoor seating desires of today’s customers.



Figure 2. Existing Site Conditions as Viewed in Front of 135 Main Street (Source: Google)

NOTE: The existing sunroom to the west of the main entrance will be replaced with outdoor seating on a deck. A new deck will be added to the east side of the main entrance and that tenant space will be converted to a proposed coffee shop.



Figure 3. Proposed New Restaurant Deck



Figure 4. Proposed New Coffee Shop Deck



Figure 5. Proposed New Coffee Shop East Entrance

PROJECT DESCRIPTION:

- Two outdoor seating decks and exterior remodel to connect the decks with exterior doors.
- Refer to **Exhibit 'A'** of Resolution PZ 03-24. Series of 2024 for the complete PUD Sign Plan.

Figure 5. Sign Area Matrix. Note that the sign dimensions for Sign-01 & Sign-02 are reversed.

MUNICIPAL CODE REVIEW:

Hearing Process:

A Level III Development Application for a Commercial Deck requires a public hearing before both the Planning and Zoning. Hearing notices are mailed to residents within 300 feet of the boundary of the application, posted on site, posted at Town Hall, and published in the legal section of the paper of general circulation. Said notices are constrained to a time frame of not less than seven (7) days and not more than fourteen (14) days.

The public hearing is opened after the agenda item is introduced. During the public hearing, the Applicant is afforded the opportunity to present the application to the Commission. Town staff then presents a municipal code and zoning review of the application. The Commission may ask questions of the Applicant and staff and discuss the evidence presented. Written comments

received prior to the hearing are provided to the Commission and are read into the record, or incorporated into the record by a motion, second, and vote to do so. The Commission will then open the public hearing to those in attendance who wish to provide public comments under sworn testimony which they would like to be entered into the record. A sign-in sheet is used to track those who wish to speak. The Commission may ask questions of anyone providing testimony. Prior to closing the public hearing, the Commission shall come to a determination if the meeting needs to be continued to a future date such that additional evidence may be gathered and presented to the Commission. Upon closing the public hearing, the Commission may recommend the Town Council approve or deny the application. They may also ultimately determine that they do need additional information and may continue the meeting to a future date. In the case of a continuance with the hearing closed, a new series of public notification is required. An approval by the Commission means that they recommend the Council approve it.

Hearing Notice:

The mailing was postmarked and mailed on Friday, June 28, 2024; the legal notice ran in the paper on Friday, June 28, 2024; the notice was posted at Town Hall and the site was posted on Friday, June 28, 2024. These posting dates conform to the Code requirement of not less than seven (7) days and not greater than fourteen (14) days prior to the public hearing for the hearing notices to be posted, mailed, and published (DMC § 16-2-300).

Current Zoning:

The property is zoned Core Area (CA) which is located in Sign Zone A. The standard sign provisions in the Code permit the following in Sign Zone 'A':
-“Outside patio or deck associated with any commercial, office, industrial, or multi-family residential building” Is processed as a Level III Development Application ensuring the Planning and Zonign Commission has an opportunity to review the application in a public hearing (DMC § 16-2-30)

Adjacent Uses: The property is adjacent to multi-family residential developments to the east and southeast, Town Park to the north, and commercial developments to the west and south.

SUMMARY:

The Applicant requests the following site-specific considerations through the Level III Development Application review process:

1. Commercial Decks on the Main Street side of the building and partially within the Main Street Right of Way. The Town has entered into an Encroachment License Agreement for this purpose.
2. Suggested conditions of approval may be reviewed in the Resolution approving the Application.

BUDGET IMPACT:

Net positive with the economic development potential with the updated signs.

STAFF RECOMMENDATION:

Town staff recommends approval of Resolution No. PZ 03-24, Series of 2024

MOTION FOR APPROVAL:

I move we approve Resolution PZ No. 03-24, Series of 2024 as presented.

ACTION REQUESTED: Motion, Second, Roll Call Vote.

Resolutions require the affirmative vote of a majority of the members present.

DEPARTMENT HEAD RESPONSIBLE: Ned West, AICP, Sr. Town Planner