

RECORD OF PROCEEDINGS

TOWN OF DILLON PLANNING AND ZONING COMMISSION

REGULAR MEETING
WEDNESDAY, JANUARY 6, 2016
5:30 p.m.
Town Hall

CALL TO ORDER

The regular meeting of the Planning and Zoning Commission of the Town of Dillon, Colorado, was held on Wednesday, January 6, 2016, at Dillon Town Hall. Chairman Nat Nosari called the meeting to order at 5:34 p.m. Commissioners present were: Amy Gaddis, Kyle Hendricks and Jerry Peterson. Staff members present were Dan Burroughs, Town Engineer; Ned West, Town Planner/Inspection Engineer; Scott O'Brien, Public Works Director and Carri McDonnell, Finance Director.

APPROVAL OF THE MINUTES OF DECEMBER 2, 2015 REGULAR MEETING

Commissioner Peterson moved to approve the minutes from the December 2, 2015 meeting. Commissioner Gaddis seconded the motion, which passed unanimously.

PUBLIC COMMENTS

There were no public comments.

CONSIDERATION OF RESOLUTION PZ 01-16, SERIES OF 2016

PUBLIC HEARING

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A CONDITIONAL USE PERMIT FOR RESIDENTIAL USE IN THE COMMERCIAL ZONING DISTRICT ON LOT 4R, RED MOUNTAIN PLAZA SUBDIVISION, LOCATED AT 707 E ANEMONE TRAIL, DILLON, COLORADO; AAND, SETTING FORTH DETAILS IN RELATION THERETO.

Chairman Nosari opened the public hearing 5:35 p.m.

Ned West presented this resolution that would approve a Level III Development Application for a conditional use permit for an additional residential unit in Unit 3 of the Dillon Courtyard Building in the Red Mountain Plaza Subdivision, located at 707 E Anemone Trail. One upper level residential unit was approved in 1999. The Town code requires a Conditional Use Permit for a residential use in the commercial zoning district.

The parking required for the building would be as follows:

| | |
|-------------------------------|---|
| Main Level | 3,441 square feet commercial = 8.6 parking spaces required |
| Upper Level | 1 studio residence = 1.5 parking spaces required |
| | 1 residence with 2 or more bedrooms = 2 parking spaces required |
| Total parking spaces required | (rounded up) = 13 spaces |

The building is allocated 17 spaces per the original development approval.

Conditional Use Considerations:

- The residential use does not exceed 40% of the square footage of the total project nor does it exceed 50% of the square footage of any one building within the project. Both of these criteria are satisfied with this application.
- The residential use is not located on the first floor or if located on the first floor the use does not occupy the primary building façade, which the unit does not.
- The residential use does have two decks which are accessed from doorways off the upper level, on the back side of the building. The near grade decks provide a combined 250 sq ft of open space on the

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decks, with additional ground level open space on the parcel off to the sides of the deck. This satisfies the 200 sq ft requirement in the Code.

- The parking shall be distinct from the other parking on-site. The Dillon Courtyard building has a total of 17 parking spaces of which 4 are dedicated to the residential use. The residential parking spaces are in a distinct area separate from the main field of parking spaces, thus satisfying the Code requirement.

Conditions:

1. Four (4) dedicated parking spaces shall be established with signage. The dedicated parking spaces shall be those four (4) parking spaces that are adjacent to the norther side of the building, and which are separated from the larger parking field of the parking lot.
2. No residential use may occupy the lower level of Unit 3 of the Dillon Courtyard Building. The entryway/gallery space may be utilized as a component of a Home Occupation wherein retail sales may be displayed and sold from the entry level to Unit 3 of the main level of the Dillon Courtyard Building.
3. An occupant operating a Home Occupation shall obtain a Home Occupation Permit from the Town of Dillon.
4. The issuance of a Conditional Use Permit for a residential use in the upper level of Unit 3 in the Dillon Courtyard Building does not preclude Unit 3 from being used solely as a commercial space in the future.

Applicant Chuck Arnold, 1261 Steele Street, Denver explained that the area on the first floor will only be used as an entryway. The entryway is locked and only accessible to the unit upstairs and mechanical rooms.

There were no public comments. Commissioner Nosari closed the public hearing at 5:56 p.m.

Commissioner Gaddis made a motion to approve Resolution PZ 01-16, Series of 2016 with the change in Condition Number 2 to change retail sales to other approved commercial uses. Commissioner Hendricks seconded the motion which passed unanimously.

OTHER BUSINESS

- Ned updated the commission on the Commission's vacancy. The Town Council interviewed an interested resident on January 5, 2016 and will consider the appointment at their January 19, 2016 regular meeting.
- Staff has received several requests for storage facilities. Ned reminded the Commissioners that they had previously interpreted the Code on this matter and had made a motion that storage facilities shall only be located in the Commercial (C) zoning district. Ultimately this will be brought before the Commission / Town Council as part of Chapter 16 amendments.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:02 p.m.

Respectfully submitted,

Carri McDonnell

Carri McDonnell
Secretary to the Commission