

RECORD OF PROCEEDINGS

TOWN OF DILLON PLANNING AND ZONING COMMISSION

REGULAR MEETING WEDNESDAY, May 6, 2015 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, May 6, 2015, at Dillon Town Hall. Vice Chairman Nathan Nosari called the meeting to order at 5:35 p.m. Commissioners present were: Jerry Peterson, and Jeff Shibley. Commissioners absent were Chairman Brad Baily, and Amy Gaddis. Staff members present were Dan Burroughs, Town Engineer; Scott O'Brien, Public Works Director, Ned West, Town Planner, and Debbie Wilkerson secretary to the commission.

APPROVAL OF THE MINUTES OF APRIL 1, 2015 REGULAR MEETING

Commissioner Shibley moved to table the meeting minutes for April 1, 2015 till the next meeting which is in June 3, 2015. Commissioner Peterson seconded the motion,

PUBLIC COMMENTS NO PUBLIC COMMENT

CONSIDERATION OF RESOLUTION PZ 05-15, SERIES OF 2015; Public Hearing

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL III DEVELOPMENT APPLICATION FOR A NEW 1.5 MILLION GALLON TOWN OF DILLON MUNICIPAL WATER TANK TO REPLACE THE EXISTING TANK AT 640 COUNTY ROAD 51, DILLON, COLORADO ; AND, SETTING FORTH DETAILS IN RELATION THERETO.

SUMMARY:

The Town is planning the construction of a new 1.5 million gallon municipal water tank to replace the existing 400,000 gallon tank located at the water plant at 640 County Road 51. There are several compelling reasons the Town seeks to replace the existing tank:

1. The service life of the existing tank has been exceeded.
2. The new, larger tank will provide the storage required to aid in the firefighting efforts should a large building in Dillon catch fire, such as a condominium.
3. The larger tank will provide additional storage that will help to provide municipal water should there be a source water contamination requiring that source water not be drawn for some period of time.
4. The additional storage also provides for additional municipal water should there be a water plant outage.
5. Finally, the old tank design does not provide for the proper chlorine exposure time. The configuration of the inlet and outlet of the new tank provides for a longer exposure time that the currently configured tank does not allow for.

STAFF RECOMMENDATION:

RECORD OF PROCEEDINGS

Staff recommends approval of Resolution PZ 05-15, Series of 2015.

ACTION REQUESTED:

Public Hearing.

Motion, Second, Roll Call Vote.

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

STAFF MEMBER RESPONSIBLE: Ned West, Town Planner

Scott O'Brien, Public Works Director, the project is going out to bid in May, with the start date tentatively June 3, 2015 with completion in Dec 2015, if delays are experienced will be complete Spring 2016.

This will give us 2 million gallons of water storage, including buried tanks.

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. Vice Chairman Nosari opened the public hearing at 5:38 p.m. There were no public comments and at 5:39 p.m. Vice Chairman Nosari closed the public hearing.

Commissioner Shebley moved to approved Resolution PZ 05-15, Series of 2015. Commissioner Peterson seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION PZ 06-15, SERIES OF 2015: Public Hearing

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING APPROVAL OF A LEVEL III DEVELOPMENT APPLICATION FOR A CONDITIONAL USE PERMIT FOR AN ACCESSORY APARTMENT AT 104 THREE RIVERS STREET, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

SUMMARY:

The Town received an application for a Conditional Use Permit for an accessory Apartment at 104 Three Rivers Street, Dillon, Colorado. The proposed project would include the construction of a new, two car detached garage, with a small accessory apartment above it. The application demonstrates conformance to the Code Sections pertaining to Conditional Use Permits and Accessory Apartments, Section 16-5-220 and Section 16-4-40, respectively.

The following staff conditions are attached to the Conditional Use Permit for the Accessory Apartment:

1. The applicant shall re-vegetate the existing gravel driveway by planting a native grass seed mix and maintaining vegetative cover. The continued, limited use of said gravel driveway may continue, so long as grass cover is maintained. This condition is in response to the property owner's statement that the existing limited access gravel driveway is necessary for access to the primary structure, and there is no way to achieve the access otherwise given the location of the primary structure on the parcel. The access is not for daily access, but for waste removal and other tasks requiring closer access. Town staff is satisfied with this so long as the existing gravel driveway is maintained with a vegetative cover.
2. All site soil disturbed during the project shall be stabilized and re-vegetated.

RECORD OF PROCEEDINGS

3. The applicant shall pay the required water and sewer tap fees in the amount of \$9,727.90.
4. The applicant shall file with the Town the required restrictive covenant
Preventing subdividing into separate ownership.
5. The applicant shall file with the Town a deed restriction that prevents short term rentals of the accessory apartment.

Commissioner Peterson stated the garage looks pretty close to set back, is the overhang over the setback?

Ned West, Town Planner stated that the roof overhang can go in the setback up to 2 feet, and that residents on each side have apartments in there basement.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution PZ 06-15, Series of 2015.

ACTION REQUESTED:

Public Hearing.

Motion, Second, Roll Call Vote.

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

STAFF MEMBER RESPONSIBLE: Ned West, Town Planner

This public hearing was published in accordance with public posting requirements as set forth by the Dillon Municipal Code. Vice Chairman Nosari opened the public hearing at 5:45 p.m.

Paul Fretz, lives north of the property, not against the addition but wanted to check on the easements, building codes for snow storage, the drainage of snow storage and roof drainage. Depending on the drainage direction if would flow across his lot.

Kenny Van Howe Jr, had questions of utilities, if they would all tie into the houses existing lines or would they have to have new sewer and water lines brought in. Also concerned about Drainage problems.

Dan Burroughs, we had an outside engineer firm give us plans for improving drainage on Three Rivers.

Vice Chairman Nosari closed the public hearing 6:15pm.

Dan Burroughs, Town Engineer stated you can only have one rental apartment per property and several houses in this area already have this type of set up with separate garages with an apartment or apartments in the basement. Lots in this area do have a size and height limit. Your house and garage can only be 40% of your lot size.

Commissioner Nosari moved to approved Resolution PZ 06-15, Series of 2015 with the additional conditions:

RECORD OF PROCEEDINGS

6. The applicant shall resubmit the plans relocating the proposed structure five (5) feet closer to the primary residence, and thus five (5) additional feet from the shared property line with Lot 14, Block E, New Town of Dillon.
7. The applicant shall resubmit the plans showing the location of all existing and proposed rain gutter downspouts.
8. The applicant shall resubmit the plans showing the location of the proposed water and sewer services for the proposed garage with the accessory apartment.
9. The applicant shall submit an engineered drainage drawing detailing how the proposed project will mitigate developed runoff from the driveway and roof to prevent flow onto neighboring properties.

Commissioner Shebley seconded the motion which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION PZ 07-15, SERIES OF 2015: Public Hearing

A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A MASTER SIGN PLAN FOR 850 LITTLE BEAVER TRAIL, DILLON, COLORADO.

SUMMARY:

The Town received an application for a new Master Sign Plan for 850 Little Beaver Trail. The application is complete and found to conform to the standards set forth in the Dillon Municipal Code, Chapter 16 “Zoning”, Article XI “Sign Regulations”.

The Master Sign Plan does present an option for the location of the freestanding sign. The location for Option ‘A’, the “preferred option” by the applicant, is constrained by wetlands vegetation along Straight Creek. The applicant has been advised to obtain a wetlands survey to delineate the wetlands boundaries. The Dillon Municipal Code requires a 75’ buffer between wetlands along principal water bodies because of their role as habitat (Appendix 17-C “Wetland Regulations”). The removal of soil, and the construction of structures, is prohibited within the wetland buffer area. The option ‘A’ location could be approved if the condition of the wetland buffer is clearly noted in said approval. The applicant would need to provide the wetlands boundary survey prior to the approval of the installation of the freestanding sign in the Option ‘A’ location.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution PZ 07-15, Series of 2015.

ACTION REQUESTED:

Motion, Second, Roll Call Vote.

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

STAFF MEMBER RESPONSIBLE: Ned West, Town Planner

Commissioner Peterson moved to approved Resolution PZ 07-15, Series of 2015. With stated conditions:

- A. The Master Sign Plan for 850 Little Beaver Trail shall be implemented in conformance with the Dillon Municipal Code of the Town of Dillon, Colorado.

RECORD OF PROCEEDINGS

- B. The property owner, or its designee, shall be the manager of the master sign plan and ensure signs conform to the Dillon Municipal Code and the Master Sign Plan for the building.
- C. The signs shall conform to the Master Sign Plan submitted with the application on April 18, 2015 attached hereto as Exhibit A.
- D. Illuminated signs shall be turned off when the business is closed.
- E. Sign raceways, if utilized, shall match the building siding color immediately adjacent to the sign.
- F. The Freestanding Sign location described as Option 'A' shall only be approved with approval of a wetland delineation map along with a site plan that clearly indicates the required 75' buffer.
- G. All signage within a Master Sign Plan, including the freestanding sign, require individual permits issued under separate application.

Commissioner Shebley seconded the motion which passed unanimously upon roll call vote.

PROJECT AND APPLICATION UPDATE:

- a) The Town issued a Level I Development Permit for a minor remodel in the Lookout Ridge Townhomes.
- b) The Town issued a Level II Development Permit for a home addition and remodel at 163 Tenderfoot Street.
- c) The Town issued a Level I Development Permit for a minor remodel in the Marina Place Condominiums.
- d) The Town issued a Grading and Excavation Permit for sewer line repairs at 513 Oro Grande Street.
- e) The Town has received an application for a tenant finish for a retail marijuana store at 850 Little Beaver Trail. The Town reviewed the plans, issued comments, and is reviewing the resubmitted plans.
- f) The Town will be repairing cracks on the nearly two mile stretch of Recreation Path between Tenderfoot Street and the Summerwood Subdivision between May 6th and May 20th. Later in

RECORD OF PROCEEDINGS

the summer, when warmer temperatures will permit, the Town will slurry seal the section of pathway.

- g) The Town has resumed Marina Park landscaping construction work with the donor brick paver path construction, the completion of concrete flat work, and starting the landscape plantings.

OTHER BUSINESS NO OTHER BUSINESS

Wed 13th Planning Commission Summit, rsvp by Monday

Waiting till June for legal training.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:33 p.m.

Respectfully submitted,

Debbie Wilkerson

Debbie Wilkerson,
Secretary to the Commission