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TOWN OF DILLON PLANNING AND ZONING COMMISSION

REGULAR MEETING
WEDNESDAY, DECEMBER 2, 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, December 2, 2015, at Dillon Town Hall. Vice Chairman Nosari called the meeting to order at 5:32 p.m. Commissioners present were: Amy Gaddis, Kyle Hendricks, Jerry Peterson. Staff members present were Dan Burroughs, Town Engineer; Ned West, Town Planner/ Inspection Engineer; Scott O'Brien, Public Works Director, Jo-Anne Tyson, Town Clerk and Carri McDonnell, Finance Director.

ELECTION OF NEW CHAIR AND VICE CHAIR

Commissioner Gaddis nominated Commissioner Nosari for Chair, Commissioner Peterson seconded the nomination with all commissioners in favor. Commissioner Nosari nominated Commissioner Peterson as Vice Chair, Commissioner Gaddis seconded the nomination with all commissioners in favor.

APPROVAL OF THE MINUTES OF NOVEMBER 4, 2015 REGULAR MEETING

Commissioner Peterson moved to approve the minutes from the October 7, 2015 meeting. Chairman Nosari seconded the motion, which passed unanimously.

PUBLIC COMMENTS

There were no public comments.

CONSIDERATION OF RESOLUTION PZ 18-15, SERIES OF 2015; A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A LEVEL IV DEVELOPMENT APPLICATION FOR A MODIFICATION TO AN EXISTING CLASS S-3 SUBDIVISION LOCATED AT 401 WEST LABONTE STREET, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

The Town received an application from the Lake Dillon Condominiums, Inc. which is the official legal entity for the homeowners association for the unit owners at the condominium complex located at 401 W. LaBonte Street. This complex was previously approved under the name of Lake Dillon Condotel. The application consists of adopting an updated condominium map for the complex and adopting the new complex name of Lake Dillon Condominiums. The condotel name implies a hotel lodging arrangement which makes it difficult for unit owners to obtain mortgages on their units due to current lending rules; and such a hotel style offering is no longer available on the property. There is no development associated with this application.

Chairman Nosari opened the public hearing at 5:38 pm. There were no public comments and Chairman Nosari closed the public hearing at 5:39 pm.

Commissioner Gaddis made a motion to approve Resolution PZ 18-15, Series of 2015. Commissioner Peterson seconded the motion, which passed unanimously.

CONSIDERATION OF RESOLUTION PZ 19-15, SERIES OF 2015; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE OF A LEVEL IV DEVELOPMENT APPLICATION FOR THE GATEWAY PLANNED UNIT DEVELOPMENT ON LOT IDEF, BLOCK B, NEW TOWN OF DILLON, LOCATED AT 240 LAKE DILLON DRIVE, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

The Town received a development application for a mixed use Planned Unit Development (PUD) to replace the Adriano's restaurant at 240 Lake Dillon Drive. The development will provide 65 residential units of which 17 will be dedicated as apartment rental units for workforce housing, and the rest will be sold as condominiums. The main street level would contain a restaurant and two commercial units facing Lake Dillon Drive.

Ivano Ottoborgo, 240 Lake Dillon Drive, owner of phase I of the Gateway Project reviewed his vision for the project. He explained that the original project was approved several years ago, but the new version has an additional floor. He feels that the project meets the Town's goals of pedestrian friendly and includes much needed workforce housing. He is requesting the additional height to help offset the high cost of the parking structure. The height will help to draw people off Highway 6. He is providing all of the required parking spaces but the parking structure is very expensive so he needed to increase the density by adding another story. The original project was 42 units and the new version includes 65 units. The goal is to provide 17-20 apartments and the rest would be condominiums for sale. Given the proposed building's design and the topography of the area, Mr. Ottoborgo feels that view corridors from surrounding residential properties are not impacted.

The applicant requests the following concessions under the PUD process:

- Building Height
 - Applicant has requested a 60' allowable building height instead of the 50' allowed by Town Code for buildings within the Core Area zoning district.
 - There is a provision in the Code for an additional 8' of architectural features that are uninhabitable.
 - The property drops off 15' along West Buffalo Street, making the lot more difficult to develop under the 50' height restriction.
- Parking Design Considerations
 - Ramp grade in excess of 10% but not more than 20% and must be heated
 - 20' ramp width for the parking garage access to accommodate a wall and vehicular guardrail along the west property line
 - Compact parking spaces along the north side of the building that are 16' in length instead of 18'. They will be heated as they will be in the shade most of the day.
 - The 15 compact spaces will be allowed to back into the 40' right of way that is a dead end along the north side of the property
- Signage Allowances
 - One building identification sign along the Lake Dillon Drive side of the building that shall not exceed 40 sq ft
 - One building identification sign along the West Buffalo Street side of the building that shall not exceed 120 sq ft
 - One sign for each of the two retail units located along Lake Dillon Drive. Each sign shall not exceed 40 sq ft. If the applicant chooses to divide these two units

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- into three or four units, then the maximum size of each tenant sign shall be limited to 32 sq ft
- The restaurant unit shall be allowed 2 sixty (60) square foot signs on the West Buffalo Street side of the restaurant and the other sign shall be allowed on the Lake Dillon Drive side of the restaurant. These signs may be incorporated into an awning design over the restaurant windows.

The lot is 1.05 acres which equates to 62 units per acre. There is no lot density requirement in the Core Area. Dan asked the Commission to consider if this is appropriate density. Ivano is providing 122 parking spaces, which is 3 more than the required 119 parking spaces for the residential component of the proposed structure. The parking spaces will not be allowed for storage. The commercial parking requirement would be 24 spaces but the Town Code allows the applicant to pay a fee in lieu of providing the commercial parking spaces. Ivano will be providing 2 accessible parking spaces and the remaining 22 commercial spaces will be provided with the public parking in the downtown area requiring the applicant to pay a fee in lieu. Snow storage will be provided in the courtyard area, but the area in front of the retail and restaurant units will be heated. The PUD agreement includes landscaping requirements, encroachment license agreements and maintenance agreements and paying the associated fees. The applicant still needs to submit the final grading plans. There are no plans submitted for phase II and that project will be under the Commercial zoning district.

Commissioner Peterson felt that the 8' architectural feature is important or it would look like a parking structure. Commissioner Gaddis would like to see additional architectural articulation. The applicant will be coming back to the Planning and Zoning with the full, complete development application for the project. Commissioner Peterson asked if any infrastructure improvements would need to be made in order to accommodate this project. Dan responded that the utilities are close and appropriately sized to accommodate this project.

Chairman Nosari opened the public hearing at 6:51 pm.

Chairman Nosari read a letter from Elias Hsu, 101 West Buffalo Street in favor of the project but requested that the Commission consider the overall height and the density of 65 units. If the Commission and Town believe that this type of development after consideration of his two issues fits the long term strategy of Dillon development, then he fully supports the Ottoborgo family's commitment and support of the Dillon community.

Chairman Nosari read a letter from Paul Newman, 329 West Buffalo Street stating that the building is too high for the surrounding neighborhood and should be reduced by one level.

Chairman Nosari read a letter from Lisa Hunter, Dillon Commons, Unit 302 stating that she believes that the proposed structure is too high and it does not maintain the current feel of the neighborhood.

David Bittner, 94 Lookout Ridge Drive was concerned that this project will be considered the towers of Dillon (with a reference to a project in Frisco that he indicated the residents complained about) and will not sit well with the community.

Chairman Nosari closed the public hearing at 7:00 pm.

Commissioner Hendricks is concerned that the massing is too flat. Commissioner Gaddis agreed that there needs to be some relief to the flat façade. She suggested that the building be broken up with colors and materials that make the building look like more than one building. Commissioner Gaddis does not

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mind the proposed building height but does want it to be aesthetically pleasing. She also stated that while there is no view obstruction from the residential area, they do have to look at the building. Commissioner Hendricks is concerned about the traffic volume that will be increased from the 65 units. Dan responded that West Buffalo can handle 10,000 trips per day and this would add at a maximum 650 trips per day. He also explained that Tenderfoot Street with single family homes has 1,800-2,000 trips per day. West Buffalo Street sees 200-300 trips per day.

Chairman Nosari made a motion to approve Resolution PZ 19-15, Series of 2015 as presented with the condition that the applicant present and have approved by the Planning and Zoning Commission architectural renderings, elevations and 3D views illustrating the detail of colors, materials and showing façade articulation and fenestrations in plan and elevation.

Commissioner Hendricks seconded the motion with the condition, which passed unanimously.

CONSIDERATION OF RESOLUTION PZ 20-15, SERIES OF 2015; 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 RESIDENTIAL USE ON THE FIRST FLOOR OF A MIXED-USE RETAIL, RESTAURANT AND RESIDENTIAL BUILDING ON LOT 1DEF, BLOCK B, NEW TOWN OF DILLON, LOCATED AT 240 LAKE DILLON DRIVE, DILLON, COLORADO; SETTING FORTH DETAILS IN RELATION THERETO.

The Town received a Level III development application for a conditional use permit for a first floor residential unit in the Core Area in the proposed Planned Unit Development (PUD) mixed use building to be located at 240 Lake Dillon Drive. Residential uses on the first floor are permitted in the Core Area zoning district only when part of a PUD and upon issuance of a conditional use permit.

Chairman Nosari opened the public hearing at 7:50 pm. There were no public comments and Chairman Nosari closed the public hearing at 7:51pm.

Commissioner Peterson made a motion to approve PZ 20-15, Series of 2015. Commissioner Gaddis seconded the motion, which passed unanimously.

OTHER BUSINESS

Staff is currently advertising the vacancy on the Planning and Zoning Commission. The original deadline was November 24, 2015 and no letters of interest were received. The new deadline is December 17, 2015.

ADJOURNMENT

There being no further business, the meeting adjourned at 7:55 p.m.

Respectfully submitted,

Carri McDonnell

Carri McDonnell
Secretary to the Commission