

**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
WEDNESDAY, June 28, 2017
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, June 28, 2017, at Dillon Town Hall. Chairman Nathan Nosari called the meeting to order at 5:38p.m. Commissioners present were: Amy Gaddis, Jerry Peterson, and Teresa England. Commissioner Charlotte Jacobsen was absent. Staff members present were Dan Burroughs, Town Engineer; Kerstin Anderson, Town Marketing & Events Director; Corrie Woloshan, Recording Secretary.

APPROVAL OF THE MINUTES OF JUNE 7, 2017 REGULAR MEETING

Commissioner Jerry Peterson moved to approve the minutes from the June 7, 2017 regular meeting. Commissioner Teresa England seconded the motion which passed unanimously.

PUBLIC COMMENTS

Chairman Nathan Nosari read a letter to Jerry Peterson from Edwin Baker complaining about a structure on the corner of Gold Run and Tenderfoot Street where a spray foam insulation business is being run out of the home.

Alex Strickland, 71 Lookout Ridge Drive, said that just off of Lookout Ridge Drive there's an area that's been approved for construction, rocks, and whatever's going on over there for a short time. We've been told by the engineer that the short time has been exceeded. Chairman Nathan Nosari said he thought this was a permitting issue and not associated with the resolution, to bring up with the Town during business hours.

CONSIDERATION OF RESOLUTION NO. PZ 07-17, SERIES OF 2017; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE APPROVAL OF A LEVEL IV DEVELOPMENT APPLICATION FOR AN AMENDMENT TO BLOCK 6 OF THE EXISTING DILLON RIDGE MARKETPLACE PLANNED UNIT DEVELOPMENT FOR THE APPROVAL OF 3 APARTMENT BUILDINGS WITH A TOTAL OF 36 APARTMENT UNITS LOCATED ON LOT 6 OF THE DILLON RIDGE MARKETPLACE PLANNED UNIT DEVELOPMENT, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

SUMMARY:

The Town of Dillon has received a Level IV Development Application for a an amendment to Block 6 of the existing Dillon Ridge Marketplace Planned Unit Development consisting of 36 apartment units located on Block 6, Dillon Ridge Marketplace Planned Unit Developed, Dillon, Colorado. The proposed Dillon Vistas Apartment Complex consists of three buildings with twelve (12) 2 bedroom units each for a total of 36 units. 18 of the units (50% of the units) will be set aside for workforce housing.

Block 6 is essentially a lot that was created with the approval of the Original Dillon Ridge Marketplace Planned Unit Development (P.U.D.). Block 6 sits along the north side of Lookout Ridge between the Skyline Cinemas parking lot to the west and the Lookout Ridge Townhome development along the east side of the property. The addresses for these apartment buildings have not yet been assigned by Summit County Government.

A Level IV application requires a public hearing between both the Planning and Zoning Commission and the Dillon Town Council for approval.

Public Notice:

The Town posted a sign of the public hearing on the site on Monday June 19, 2017. A newspaper ad was ran in the Summit Daily Journal on Friday June 16, 2017, and a mailing noticing the public hearing time and date was sent out on Friday June 16, 2017 to property owners within 300’ of the proposed development. These dates are all within the required 7-14 day notice period before the Public hearing on June 28, 2017.

Zoning:

The proposed project is located within the Mixed Use (MU) Zone District.

Proposed Planned Unit Development Changes to the Underlying Mixed-Use Zoning District:

The developer is proposing the following dimensional changes which are allowed to be varied by the Town Municipal Code through a Planned Unit Development Process.

- A. The front yard setback along Lookout Ridge Road shall not be less than twelve feet (12’). The Code typically requires 25’ in the Mixed Use Zone.
- B. Allow a 100% residential development without a commercial or retail component.

Workforce Housing:

The Developer is proposing that 50% of the units (18 units total) will be reserved for workforce housing and will be rented to people who can demonstrate that they work within Summit County a Minimum of 30 hours per week. The lease term shall be for a minimum of 180 days or 6 months. The maximum rental rate for each of these units shall be set by the current Summit Combined Housing Authority policies for a 2 bed (3 person) rental unit set at 100% AMI (Area Median Income) at the time the lease is executed.

The Developer will enter into a Workforce Housing Restrictive Covenant (“Restrictive Covenant”) with the Town of Dillon, this agreement will be approved by the Town Council at a future date.

COMPLIANCE WITH DILLON COMPREHENSIVE PLAN:

The Developer believes that their proposal for a 100% residential project within the Mixed-Use Zone meets the Towns objectives for development by providing 36 rental units in Summit County to provide work force housing opportunities within the Town of Dillon and Summit County.

Open Space:

The developer is providing a 10’x6’ Deck for each unit which is 60 square feet. The mixed use zoning district requires that each unit have a minimum of 100 square feet of open space which can be constructed as individual open spaces or combined into a common community area.

The developer is proposing to construct a 1,440 square foot community space between buildings 2 and 3 as shown on the site plan. This accounts for the additional 40 square feet of open space required for

each of the two-bedroom units. The Developer shall submit final construction plans for the 1,440 public community open space prior to the Town Council public hearing for this project.

Off-Street Parking Lot Considerations:

The proposed thirty-six (36) two-bedroom units require 2 parking spaces per unit. The Town code therefore requires a minimum of 72 parking spaces. The developer is providing 73 parking spaces including three accessible parking spaces per Federal Accessibility rules.

Condition (F) of Section 2 of Resolution PZ 07-17, Series of 2017 will require the developer to redistribute the accessible parking so that at least one accessible parking space is close to each of the three buildings.

The maximum grade of the parking lot is at 4% which is in conformance with Town Code.

The applicant is proposing parking spaces that are 9’x18’ with 20’ drive aisles. Prior to review at the Town Council public hearing, the applicant will be required to widen the driveways to 24’ to meet the requirements of Section 16-6-60 of the Town Municipal Code. This means Buildings 2 and 3 will most likely be pushed 8’ closer to the east property line which will still meet code.

BUILDING HEIGHT:

The proposed height of each building from the finished floor of each building to the top of the ridge line is 37’-9 ¾” (37.81’). As measured by the Town of Dillon zoning code the building height for each building is as shown in the table below:

| Building Identification | 1 | 2 | 3 |
|---|----------|----------|----------|
| High Existing Ground Elevation @ Building | 9052.0’ | 9055.0’ | 9050.5’ |
| Low Existing Ground Elevation @ Building | 9039.5’ | 9046.5’ | 9040.5’ |
| Base Elevation | 9045.75’ | 9050.75’ | 9045.5’ |
| Allowable Building Height per Code (at 35’) | 9080.75’ | 9085.75’ | 9080.5’ |
| USGS Finished Floor Elevation | 9041.50’ | 9041.80’ | 9041.50’ |
| USGS Top of Building Elevation (37’ 9.75”) | 9079.31’ | 9079.61’ | 9079.31’ |
| | Complies | Complies | Complies |

The buildings therefore are actually below the maximum building height allowed of 35’ as measured by Town Code.

SIDE YARDS (SETBACKS):

The Town Code requires the following setbacks in the Mixed Use Zone:

- Front Yard: 25’ Minimum
- Side Yard: 10’ Minimum
- Rear Yard: 20’ Minimum

The proposed buildings meet the setbacks required by code except Building 3. Building 3’s front yard will be approved at 12’ instead of the 25’ minimum required by Town Code. The reduced setback is allowed by the Town of Dillon PUD process.

Lot Coverage:

The proposed development will be under the 40% maximum allowable footprint allowed by Town Code.

UTILITIES:

The proposed project is within the original Dillon Ridge Marketplace Planned Unit Development, so water and sewer services have already been stubbed into the property. A new fire hydrant will be installed and individual building water and sewer services will be constructed to each of the buildings.

DRAINAGE:

As part of the original PUD a storm sewer pipe was stubbed into Block 6 to accept the drainage from the development and pipe the storm water to the regional detention ponds for Dillon Ridge Marketplace constructed on the south side of U.S. Highway 6 between the Dillon Dam Road and East Anemone Trail.

SITE RETAINING WALLS:

The proposed project has a significant retaining wall complex located behind the buildings along the north and east sides of the buildings. The developer was trying to minimize the height of the development and chose to grade the site from street level at Lookout ridge up to the north.

The proposed retaining walls are proposed to be constructed with a Redi-Rock Ledge Stone Textured segmental block wall system. The color will be an earthtone as shown in the attachments.

At the top of the retaining walls the Developer is proposing to build a buck and rail fence which is characteristic in this mountain environment.

PEDESTRIAN CONNECTIVITY:

The proposed project provides a sidewalk connection between the onsite sidewalks and the sidewalk along the north side of Lookout Ridge in conformance with the code.

ARCHITECTURAL GUIDELINES:

The architect has worked with the Town of Dillon Architectural Guidelines and the Town's architectural consultant and believes his development is in conformance with the intent of the guidelines.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution PZ 07-17, Series of 2017.

PUBLIC HEARING:

A **Public Hearing** is required for this resolution.

Tim Crane of Summit Homes Construction presented. They are developing a concept for open space elements to present to Council on July 18. Believe project provides needed housing for the community. Commissioner Jerry Peterson asked if the wetlands were affected. Tim Crane corrected that there aren't wetlands on their area.

Commissioner Teresa England asked where is snow storage? Summit Homes Construction explained it's on perimeter of parking lot. Trying not to use open spaces for snow storage.

Summit Homes Construction engineer explained retaining walls are 15 feet. Behind building two it's 6-7 feet tall. Dan Burroughs, Town Engineer explained how heights are calculated. Commissioner Jerry Peterson asked what the base elevation is for Dillon Ridge. Dan Burroughs, Town Engineer said

they would have to calculate it. This project meets height requirements because they're really digging into the hillside, trying to fit it in there and accommodate a lot of different viewpoints.

Commissioner Amy Gaddis asked where metal will be used in the project. Tim Crane showed where metal siding will be used. Commissioner Teresa England asked if this could be included in the proposal. And also if staff was concerned with the 3 "no's" on the checklist. Dan Burroughs, Town Engineer said it's really a judgement call from you. There are certain things that don't apply. A lot of the architectural standard are creating a nice business storefront downtown, and this is a residential project so those don't apply. This is really the first test of the architectural guidelines. It's up to you to tell us if you think this meets the Mountain Lakestyle vision. Tim Crane explained the flatter the roof the better because the snow will stay on the roof. With a 3-story building you don't want to have snow shed because of it falling. We've tried to design to eliminate gutters. The simpler the better, I think we've found a good balance.

Commissioner Amy Gaddis commented, parking may have to shift to the east to expand drive aisle. Dan Burroughs, Town Engineer said we make this a condition of approval. We're working through that issue to see if there's a way to address this without moving the buildings. The height of the buildings wouldn't change, it would push them into the hills more and make the walls a little taller.

Commissioner Teresa England asked, does this meet firetruck access? Dan Burroughs, Town Engineer replied, Yes. Commissioner Teresa England questioned, will there be landscaping on the Lookout Ridge side? Tim Crane answered, no. Commissioner Amy Gaddis inquired, are you doing landscaping along the theater islands? As a resident, the last thing I want to see is a big parking lot, is there a buffer being created to prevent that? Tim Crane said, yes per Town code. They will be re-landscaping that whole area. Creating buffers around the perimeter on their property to help with that.

Commissioner Teresa England asked, is there only one dumpster on the property? Tim Crane replied, yes and that's enough for the property. Commissioner Teresa England continued, is there any way to give Dillon residents a preference? Dan Burroughs, Town Engineer explained, this never really came up with Council but it's something we can pass along. Danny Teodoru is their attorney and addressed that Town's preference was for people employed by business in the Town of Dillon.

Chairman Nathan Nosari clarified, so we have 18 units that are deed restricted, the rest will be rentals right? They can't be condomized? Dan Burroughs, Town Engineer corrected, not unless they submit an application to change it. The other 18 would be set.

Commissioner Amy Gaddis asked, is it fair to give cheaper units? Tim Crane explained, when Breckenridge looking at AMI's (area median income), it dictates where the unit is. Even with affordable housing, they've used AMI. Deed restricted units will be 30% less than those charged rent. The unit square footage is the same even though they might not have as many windows. Kerstin Anderson, Town Marketing & Events Director interjected, it's absolutely typical, we worked really closely with the housing authority. Tim Crane continued, from the exterior the entrances and look & feel is the same, there are no differences. The fit and finish inside the unit will be different. We're asking the rental units to subsidize the workforce units. These should be very quiet units, something a local wants to live in.

Chairman Nathan Nosari said, in summary the only 2 variance items are setback on road and 100% residents vs the other ratio of 70/30. Dan Burroughs, Town Engineer clarified, what you're doing tonight is making a recommendation to Council.

Summit Homes Construction explained, we don't want more site disturbance than we already have. By doing 24 foot drive aisles it would increase parking by 7%. The smaller we can make the parking lot the more sustainable it is. Commissioner Teresa England suggested, could we strike this? Dan Burroughs, Town Engineer said, yes it is a recommendation to Council.

Commissioner Jerry Peterson asked, how wide are the driveways coming into the parking lot? Dan Burroughs, Town Engineer replied, 20 feet. The fire department does a pretty good job with that.

Chairman Nathan Nosari opened the public hearing at 6:43 p.m.

Jan Bittner, 94 Lookout Ridge Dr. Question: A lot of these buildings are very nice when built but because of occupancy overload they can deteriorate. Does the Town have a limit on how many people can occupy a unit? Dan Burroughs, Town Engineer summarized, it's no more than 3 unrelated people. So, we don't have anything specific to that. Kerstin Anderson, Town Marketing & Events Manager said, she is director of project and we are looking at documents, the purchase and sale agreements. Danny Teodora attorney for Summit Homes Construction said, there are several ways to address this. All of the affordable AMI units set on the number of residents for units. It's addressed in the Town Code. Commissioner Teresa England questioned, don't those residents also enter into a lease with you, and won't that lease say you can't exceed? Danny Teodora, yes. All those things will be in place.

Jeff Kistler, 34 Crown Ct: Is there any guest parking accommodated for? Chairman Nathan Nosari, the answer currently is they have 73 spots, one spot extra, so that's 2 spaces per unit. I do not think there is guest parking. Unknown Person continued, that's a concern because we do have guest parking and I fear they will use out guest parking. And are there sidewalks because they are going to be cutting through Lookout Ridge. Dan Burroughs, Town Engineer, that's their property.

Commissioner Nathan Nosari, are you entering into an agreement with the theater to have overflow parking. Tim Crane, not something we had thought of but something we can consider. We met code by providing 2 spaces. It's something we could look at but haven't thought of. Our intention is to meet Town Code.

Scott Gelman, Lookout Ridge Attorney, 73 Lookout Ridge. One of the main concerns of the HOA is that our community is most impacted by this development. Movie theater is probably very happy about it. Having not been contacted or consulted by the developer we have a lot of issues we'd like to address. First, what I understood developer is that he has experience with landscape buffering but a lot of trees get cut down because they get too large. We have a lot of area with a lot of views, there's no way for the HOA to understand where view sites will be. We have no information regarding the effect of lighting on the units. We have no information on what possible landscape buffer could be built. We're not suggesting anything because we don't know what the side lines are. It's hard for us to see what the impact of this development will be. The whole concept of the landscaping above the fence has not been addressed. We'd like a better understanding of what this could be. We also have a concern about overflow parking. Historically if there's a great movie there is overflow parking going all the way up our road. We are very concerned about the amount of traffic for people looking for parking and their being no guest parking. Our community is significantly impacted. We just think if something's going to be built it should be considerate of our property. We would like an ability to understand how this whole project will impact Lookout Ridge. We don't have any depictions of what it will look like from the top of the ridge looking down, and everything else that's part of the parcel and being their neighbor. We'd like a chance to work with the developer and have our concerns addressed and have something that works for both sides.

Alex Strickland, 71 lookout Ridge. I have a number of concerns. I was looking at the elevations. My wish would be that 9039 be the height of all the buildings to minimize our impact and our views. The elevations

are very nice, but I haven't seen what any elevations will be from the back of this. What is the back of this going to look like? The back is what I'm going to look at. Our property used to have No Parking on the street, that was all for fire access. None of us in the development has been able to park on the street but the theater overflows. The reason they want to go to our development is because it's nearly flat. No sidewalks in our development. If these are workforce people, how are they going to get to the Town of Dillon? My concern is they're going to cut through our property. My concern is if you put big Ponderosa Pines in landscaping those are going to grow and impact our views. The South landscaping element I'd wish for it to be something lower. On the east side, shrubbery or something in there 5-10 feet high that could be managed. Are we doing anything to increase the width of Lookout Ridge Drive, to me it seems that could become a real bottleneck. I don't know if underground parking is a possibility. Commissioner Amy Gaddis asked how many units are in Lookout Ridge? Alex Strickland replied, 90. Commissioner Amy Gaddis asked, and how many parking spaces? Alex Strickland replied, Garages plus parking. Reality is I think there are going to be a lot more people than the 144 they're allocating. 72 bedrooms with 2 in each is how I got to 144, and they're going to have friends that come visit. They're going to overflow to Theater or our development. How are we going to address this? It's going to force us all to have parking tags.

Gail Shears, 75 Lookout Ridge Dr, Are pets allowed in rental situations. Do we have dogs barking with owners away all day? Another comment, with 90 units in Lookout Ridge we have 3 dumpsters. After one week these dumpsters are full beyond capacity, and a lot of our owners are 2nd home owners. If we have a development with workforce housing, that's a lot of full time units. One dumpster is not going to be enough.

Jim Whiteley, 30 Skyline. I looked at the drawing, I have a concern with snow removal. What I saw I.D.'d as potential snow storage is also landscaping. Snow and landscaping do not mix, it will eventually kill your landscaping. There need to be at least 3 dumpsters. They will get rid of large items and it will be sitting on the side. Parking, there is no guest parking and you need to identify handicapped parking and who that's accessible for. Teresa, it's a private property, so the accessible act only applies to public. Tim Crane, they have provided 3 ADA parking spots, there are 12 ADA units.

Priscilla Ledbury, 39 Skyline Dr. Safety questions. Concerned that building #3, talking about it being only 12 feet from the road. That nice looking design of the building has a lot more than 12 feet from the curb. Any of the people who are there are going to be coming out of their houses, and they're only 12 feet away from the road. If Dillon has a zoning law that requires 25 feet I don't see why that building can't be moved and you can have zoning the way it should be. Children, a dog running out, while people are going by. Also concerned there will be 2 exits, one going into Theater, and one going into Lookout Ridge. I see a lot more people going into Lookout Ridge than the other way. From a safety perspective you could block off that drive like Lookout Ridge has done between the Church. As far as workforce housing, you're talking about a 2 bedroom apartment with 3 people who are working in the County. Or is that 1 adult out of 3 adults who could live there that actually have to be working in the County. Does one person get the permit, and then how many children? There are a lot of things that haven't been considered.

Bob Kinder, unit 64, also face the Gore Mountain Range. It seems to me low income housing is needed everywhere but it seems this site is overdeveloped for its size. You're being asked so many variables to the code I don't know how you keep this all straight. There is no answer to your snow removal. Are you going to push it in the street or take up parking spaces? Why 3 units not 2 so you can lower walls and increase parking. You're trying to improve a development that's already overdeveloped. What about kids going around fences and jumping off retaining walls? I have same concern as others, overcrowding. People are going to stuff as many people in there as possible. I just think it's overdeveloped for what you're trying to do.

Chairman Nathan Nosari, what's the size of the lot? Dan Burroughs, Town Engineer, 1.8 acres. Chairman Nathan Nosari, What does our zoning allow for, if it was in the Core area, how many condos? Dan Burroughs, Town Engineer replied, Town Center is a completely different animal.

Janet Kinder 64 Lookout Ridge. The 20 to 24 difference in parking aisles, we're talking SUV's. I can't imagine having just 20 foot for SUV's and trucks. I see it as a major problem and a concern. I was also wondering what AMI refers to. Dan Burroughs, Town Engineer explained, Area Media Income. Janet Kinder asked, are you aware of any other units. I read it was each city's charge to provide percentage of housing based on population. Dan Burroughs, Town Engineer answered, we are building for all of Summit County not necessarily our percentage. Janet asked, how is this impacting that vs what Keystone and Breckenridge are doing. Chairman Nathan Nosari said, I work in Breckenridge and they are very proud of their efforts. From perception Breckenridge is outperforming. Commissioner Teresa England added, the County can't impose restrictions. Janet continued, will the storage accommodate bikes and larger items? Things will go out on the deck if not. Also, the height of the fence on the retaining walls, what are the materials. Dan Burroughs, Town Engineer explained, Buck & Rail. Janet, is there any enforcement code like we have in our HOA rules? Dan Burroughs, Town Engineer said, there are municipal codes in place, if you're asking for a specific covenant, state it. They can come up with their own covenants but the Town laws would work. Make a list of good neighbor things you'd like. Janet expressed, unless very strictly maintained it's going to be very negative.

Commissioner Amy Gaddis asked Tim Crane and his team, in terms of storage and skis and all of that, are their storage units, size, or how are you handling that? Tim Crane said, in your plans there is an entry storage closet right inside the door. The entry closet is 4x4. There's a separate linen closet and there are individual closets 5x3 in each room. We will restrict no storage on decks. Chairman Nathan Nosari asked, where are bikes, this is a biking community. Tim Crane's Team responded: Community storage area.

Commissioner Amy Gaddis asked, in regards to side setback, is it just the end of the building that's impeding? Tim Crane explained, it's the deck and back portion that's impeding. That's why we're asking for a modification on this PUD. Commissioner Amy Gaddis clarified, so really the last unit is the only unit we're talking about. Dan Burroughs, Town Engineer replied, yes. Tim Crane said, one of the things I've always been proud of, it's uncanny how the finished project turns out according to the design. It is an accurate representation of what we're doing. Chairman Nathan Nosari requested, Could we get a 360° view? Tim Crane answered, that is something we could provide.

Commissioner Teresa England, what's the traffic study? Dan Burroughs, Town Engineer, there wasn't one. Lookout Ridge Road exceeds the Town standard and there's no real traffic on it now. There are 90 units in Lookout Ridge and there's not a traffic problem other than when a really big movie gets out. Typically we don't allow parking on the streets overnight. The existing road between Block 6 and the movie theater is 30 feet wide. Town code allows for 24. I believe Dillon Ridge is extra large too. The sidewalk goes right up to the property line.

Commissioner Teresa England asked, are you opposed to putting landscape along the side. Tim Crane answered, no. Commissioner Amy Gaddis asked, are you opposed to adding more parking. Tim Crane's Team replied, no, that's part of snow storage. Commissioner Teresa England continued, could it be guest parking then snow storage as needed, marked as such? You're a developer, do you have a management company that will actively manage this. Tim Crane said, yes, we're better setup than most management companies to maintain. Chairman Nathan Nosari inquired, do you currently have any apartment complexes that you manage? Tim Crane said, we have 6 units in Dillon Valley and 4 units in Frisco. On the dumpster we'll have multiple pickups, Wednesday and Friday. This is something we do regularly in other neighborhoods we've built.

Chairman Nathan Nosari read an email received 06/24/2017 from Cora & Donald Hankins, owners of 45 Lookout Ridge Dr expressing concern that the proposed apartment complex will affect their view and have a negative impact on their property value. Perhaps the height of the buildings needs reduced to two stories instead of three on the two buildings that are closest to Dillon Ridge Road.

Chairman Nathan Nosari read an email received 06/26/2017 from Jim Whitely, full time resident Lookout Ridge questioning 1) size of the units – it appears there is insufficient parking, 2) is there designated snow storage or are they hauling away, 3) the designated trash doesn't appear to have room for 2 dumpsters – they will fill one in less than a week, 4) will the height block the current view, 5) what will be done to control noise and traffic, 6) what is the overall building schedule for the complex?

Chairman Nathan Nosari closed the public hearing at 7:47 p.m.

Commissioner Teresa England asked, was public notice met and was the HOA itself notified? Corrie Woloshan, Recording Secretary confirmed, yes it was sent to the HOA and individual owners. Dan Burroughs, Town Engineer replied, yes, it was mailed, posted, published according to 7-14 day criteria. We sent notice to everyone within 300 feet. Chairman Nathan Nosari asked, are there any other properties that are impacted? Dan Burroughs, Town Engineer said, yes, some on the North side of the property and we sent notice out to everyone.

Commissioner Amy Gaddis, the zoning of this area, has it changed recently? Dan Burroughs, Town Engineer explained, no this is mixed use. Commissioner Amy Gaddis clarified, so when everyone bought they were aware.

Commissioner Teresa England, I'm ok with the resolution other than the colors and materials. There's a clarification on the metal. Chairman Nathan Nosari asked, do you want to add view sites? Commissioner Teresa England, If a level 4 development application doesn't require that I don't think we can request that. Commissioner Amy Gaddis said, I don't see a need, that it was an obstruction. Commissioner Teresa England expressed: thought, should we suggest that the developer should listen to the good neighbor comments. Commissioner Amy Gaddis asked, could we recommend that they look at a parking option? The setback in that area is not as significant as I'd thought. Chairman Nathan Nosari asked Tim Crane what kind of community outreach did they have? Tim Crane, We reached out to the Lookout Ridge Community and the Board. I feel remiss not trying harder. I presented my information and they declined. I'd be willing to meet with the HOA board.

Commissioner Amy Gaddis mentioned, looking at topography plan and elevation of the roof, is it not clear that there's not an issue? Is it a fair request that we put elevation tags along that fence, and then a couple of elevation tags along the roofs to present to Council? Dan Burroughs, Town Engineer said, yes, that's a fair condition.

Commissioner Teresa England moved to approve Resolution NO. PZ 07-17 Series of 2017 with the following conditions.

- 1) That the developer use best efforts to meet with Lookout Ridge HOA to discuss mitigation for good neighbor purposes.
- 2) That C be modified to have a re-submittal of the materials and colors to correctly identify the location of the metal elements on the buildings.

- 3) That the site plan be modified before it goes to Town Council to identify the elevation from sea level for the top of the property line and the top of each building along five (5), 100 foot increments of the property line adjacent to the town homes and roofs.

Commissioner Jerry Peterson seconded the motion, which passed unanimously upon roll call vote.

ELECTION OF CHAIRMAN OF THE PLANNING AND ZONING COMMISSION

Commissioner Teresa England nominated Commissioner Amy Gaddis as Chairman of the Planning and Zoning Commission. Commissioner Nathan Nosari seconded the nomination, which passed unanimously upon roll call vote.

Commissioner Teresa England volunteered as Vice Chairman of the Planning and Zoning Commission which passed unanimously upon roll call vote.

DISCUSSION ITEM

Dan Burroughs, Town Engineer asked: Do you have any more comments or feels, do you believe in an absolute height? Commissioner Jerry Peterson commented, it's a matter of occupancy. Commissioner Amy Gaddis expressed, I worry if we set a number everyone's going to refer to it, that's what they're going to build their case on. Dan Burroughs, Town Engineer, That's what we have right now. What we're trying to do is have more communication with a developer. If someone wants to build something that's 4x the height I'm going to say it's not compatible with our Comprehensive Plan. As a staff we're struggling with this because Council doesn't want us to turn away applications, but at the same time they don't want us to make decisions for them. After the last issue with the hotel they don't want to see something like that again. We're looking for a framework. Would you support the previous proposal that we would cap it at 40% if they met all the criteria? Commissioner Teresa England stated, absolutes bother me. I'm ok with the 40%, it's based on the underlying zoning restrictions.

OTHER BUSINESS

Chairman Nathan Nosari introduced Kevin Stout, the new Planning and Zoning Commissioner.

Commissioners thanked Nathan Nosari for all his hard work. We have a formal proclamation from the Mayor on July 18th.

Corrie Woloshan, Secretary to the Commission to contact Tom Breslin, Town Manager regarding how best to handle Commissioner Charlotte Jacobsen's lack of presence and participation in Planning and Zoning, does she want to continue?

ADJOURNMENT

There being no further business, the meeting adjourned at 8:38 p.m.

Respectfully submitted,

Corrie Woloshan

Corrie Woloshan
Secretary to the Commission