

**TOWN OF DILLON
PLANNING AND ZONING COMMISSION**

**REGULAR MEETING
WEDNESDAY, January 3, 2018
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 3, 2018, at Dillon Town Hall. Chairperson Amy Gaddis called the meeting to order at 5:32 p.m. Commissioners present were: Amy Gaddis, Teresa England, Jerry Peterson, Derek Woodman and Joshua Ryks. Staff members present were Dan Burroughs, Town Engineer; and Corrie Woloshan, Recording Secretary.

APPROVAL OF THE MINUTES OF DECEMBER 6, 2017 REGULAR MEETING

Commissioner Derek Woodman moved to approve the minutes from the December 6, 2017 regular meeting. Commissioner Teresa England seconded the motion which passed unanimously.

PUBLIC COMMENTS

James Margolis, lived at 340 La Bonte since 1997. I just want to make some general comments about parking in Dillon as you think about new developments. I've seen what's happened in Frisco & Breckenridge with growth and how tough it is to go to those two towns. Even on a Wednesday morning. I've looking in the past, apparently there's some formula that's applied and being used where there are condos and hotels. Dan Burroughs, Town Engineer commented we have a parking generation table so for a commercial business, a retail store, you need one space for every 400 square feet. Mr. Margolis asked, I'm also aware there's some sort of formula that's being used for developments where it's condos or hotels. Dan Burroughs, Town Engineer replied, in that case it's typically 1.5 spaces for one bedroom, and 2 spaces for 2 and 3 bedroom. Mr. Margolis continued, so my comment is, I ask you to look carefully at those ratios. To really think whether those are adequate for now and in the future. The reason I mention this is, the condo I live in, I think it was built in the 60's. Obviously the folks were trying to do the best they could. But they made big mistakes in terms of making sure the development had enough parking. We want to make sure any new developments have enough parking. Right now I cannot have visitors at my home unless they park in the Green or the Blue lots. Because I'm entitled to one parking space for my condo. So when I have visitors they have to park in the Green and the Blue lots. And it's my understanding we may be losing some of the Green and Blue lot spaces. So my point is, and perhaps I exaggerate, if new developments need to dig a 100-foot deep hole to have sufficient underground parking to support not only the ratios of today but in the future. I can imagine in 20 or 30 years from now when Summit County may be the only place in the nation with skiing in the winter. I know right now we have one-bedroom condos where there might be 4 people living there. They're all adults with their own cars. So 4 parking spaces for 1 bedroom would not be in accordance with your current formula. I think I've made my point that we really need to look carefully at the parking we're going to make available to new developments. Particularly because we're losing a lot of our Green and Blue lot spaces. Do we plow the Marina Parking lot in the Winter? Dan Burroughs, Town Engineer answered, we do not. We can certainly look at that. When we designed that it didn't meet the code for slope. It's called the summer seasonal parking lot. Commissioner Jerry Peterson said, that's more of a homeowners association problem. Mr. Margolis replied, my point was, the well-intentioned folks who did planning and zoning in the 60's. Dan

Burroughs, Town Engineer interjected, let's discuss this under other business. Chairperson Amy Gaddis commented, yes, I'd like to discuss it.

Chairperson Amy Gaddis introduced the new Planning and Zoning Commissioner, Joshua Ryks.

CONSIDERATION OF RESOLUTION NO. PZ 01-18, SERIES OF 2018; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A ONE (1) YEAR EXTENSION OF THE APPROVAL PERIOD FOR THE APPROVED DILLON GATEWAY PLANNED UNIT DEVELOPMENT, LOCATED AT 240 LAKE DILLON DRIVE OR MORE SPECIFICALLY ON LOT 1DEF, BLOCK B, NEW TOWN OF DILLON SUBDIVISION, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Applicant Danilo Ottoborgo, 240 Lake Dillon Drive, presented why the applicant is asking for a 1-year extension. We'd like the 1-year extension because we had fallen behind with our contractors and financing. We continue to work through it, make progress and get things squared away. We want to keep going.

Commissioner Derek Woodman asked, so if this is a 1-year extension and they begin the construction process in 2-months but it's not completed by next year, does the project have to be completed or does it have to go back through getting re-extended. Or is it just as long as the project is begun? Dan Burroughs, Town Engineer clarified, the way the code reads, they have 2 years to get a building permit. Once they get the building permit then they can build the project. So they'll be into that 2nd year, so that gives them an extra year to acquire a building permit. As soon as they get the building permit, then it's good. Mr. Ottoborgo added, we hope to get that before a year. Commissioner Jerry Peterson commented, get after it, start digging.

PUBLIC HEARING:

The Planning and Zoning Commission shall open a Public Hearing on the application and hear testimony from Town staff, the applicant, and any public testimony submitted during the Public Hearing.

Chairperson Amy Gaddis opened the public hearing at 5:39 p.m.

Dan Burroughs, Town Engineer presented:

SUMMARY:

The Town of Dillon has received a Level III Development Application for a one (1) year extension of the previous approval of the Planned Unit Development for the Dillon Gateway project located 240 Lake Dillon Drive. The proposed project is a mixed use retail, restaurant, and residential building with a parking garage. The PUD project was approved by the Planning and Zoning Commission by Resolution PZ 19-15, Series of 2015 on December 2nd, 2015, and then by the Town Council by Resolution 02-16, Series of 2016 on February 2nd, 2016. The Town Council approval is the approval date for the project (see the attached Resolution 02-16, Series of 2016 approved February 2, 2016).

Section 16-1-110 of the Dillon Municipal Code stipulates that a Level IV Development Permit approval is valid for two (2) years from the date of approval, and may be extended one (1) year if an extension is applied for and approved prior to the expiration of the approval. The extension requires a Level III Development Permit process review, which requires a Public Hearing before the Planning

and Zoning Commission for consideration of approval. Approval of Resolution PZ 01-18, Series of 2018 during the January 3, 2018 Planning and Zoning Commission meeting will satisfy the time constraint provided by the Code for an extension.

Public Notice:

The Town posted a sign of the Public Hearing on the site. A newspaper ad ran in the Summit Daily Journal on Friday, December 22, 2017, and a mailing noticing the public hearing time and date was sent out on Wednesday, December 20, 2017 to property owners within 300' of the proposed development. The site was posted on Tuesday December 26, 2018. The dates of public notice are all within the required 7-14 day notice period before the Public Hearing on January 3, 2018 (Sec. 16-2-110(e)(2)).

Zoning:

The proposed project is located within the Core Area (CA) Zone District.

PROPOSED BUILDING AND SITE

See the attached previous Planning and Zoning Packets for the Gateway PUD project.

- Resolution PZ 19-15, Series of 2015 Complete P&Z packet – PUD Review
- Resolution PZ 05-16, Series of 2016 Complete P&Z packet – Architectural Review

Staff recommendation:

Town staff recommends approval of the Level III Development Permit Application for a one (1) year extension for the Gateway PUD project.

Chairperson Amy Gaddis closed the public hearing at 5:43 pm.

Chairperson Amy Gaddis – I am fine with it. I have no issues extending it for a year. Commissioner Teresa England asked, it is going forward in the form that we approved originally. Dan Burroughs, Town Engineer replied, there's a potential for it going forward. I can't guarantee you it will go forward. As you've approved it, it just gives an extra year. Commissioner Teresa England noted, missing pages 10 and 11 of the development agreement, need to get that into the record.

Commissioner Jerry Peterson moved to approve Resolution NO. PZ 01-18 Series of 2018.
Commissioner Derek Woodman seconded the motion, which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. PZ 02-18, SERIES OF 2018; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, APPROVING A ONE (1) YEAR EXTENSION OF THE APPROVAL PERIOD FOR THE APPROVED CONDITIONAL USE PERMIT ALLOWING A STREET LEVEL RESIDENTIAL USE AT THE APPROVED DILLON GATEWAY PLANNED UNIT DEVELOPMENT, LOCATED AT 240 LAKE DILLON DRIVE OR MORE SPECIFICALLY ON LOT IDEF, BLOCK B, NEW TOWN OF DILLON SUBDIVISION, DILLON, COLORADO; AND, SETTING FORTH DETAILS IN RELATION THERETO.

PUBLIC HEARING:

The Planning and Zoning Commission shall open a Public Hearing on the application and hear testimony from Town staff, the applicant, and any public testimony submitted during the Public Hearing.

Chairperson Amy Gaddis opened the public hearing at 5:48 p.m.

Dan Burroughs, Town Engineer presented:

SUMMARY:

The Town of Dillon has received a Level III Development Application for a one (1) year extension of the previous approval of the Conditional Use Permit associated with the approved Planned Unit Development for the Dillon Gateway project located 240 Lake Dillon Drive. The Conditional Use Permit was granted to allow for a residential use on the ground floor of the proposed building. A Conditional Use Permit is required for a ground level residential use in the Core Area (CA) zone. The Conditional Use Permit was approved by the Planning and Zoning Commission by Resolution PZ 20-15, Series of 2015 on December 2nd, 2015, and then by the Town Council by Resolution 03-16, Series of 2016 on February 2nd, 2016. The Town Council approval is the approval date for the Conditional Use Permit (see the attached Resolution 03-16, Series of 2016 approved February 2, 2016). The Conditional Use Permit is tied to the PUD approval, therefore, the Conditional Use Permit requires an extension along with the requested PUD extension.

Section 16-1-110 of the Dillon Municipal Code stipulates that a Level III Development Permit approval is valid for two (2) years from the date of approval, and may be extended one (1) year if an extension is applied for and approved prior to the expiration of the approval. The extension requires a Level III Development Permit process review. A Level III application requires a Public Hearing before the Planning and Zoning Commission for consideration of approval. Approval of Resolution PZ 02-18, Series of 2018 during the January 3, 2018 Planning and Zoning Commission meeting will satisfy the time constraint provided by the Code for an extension.

Public Notice:

The Town posted a sign of the Public Hearing on the site. A newspaper ad ran in the Summit Daily Journal on Friday, December 22, 2017, and a mailing noticing the Public Hearing time and date was sent out on Wednesday, December 20, 2017 to property owners within 300' of the proposed development. The property was posted on Tuesday, December 26, 2017. The dates of public notice are all within the required 7-14 day notice period before the Public Hearing on January 3, 2018 (Sec. 16-2-110(e)(2)).

Zoning:

The proposed project is located within the Core Area (CA) Zone District.

PROPOSED GROUND LEVEL RESIDENTIAL USE:

See the attached previous Planning and Zoning Packets for the Gateway PUD project.

- Resolution PZ 20-15, Series of 2015 Complete P&Z packet – Conditional Use Permit Review

Staff recommendation:

Town staff recommends approval of the Level III Development Permit Application for a one (1) year extension for the Gateway PUD Conditional Use Permit for a residential use on the ground floor in the Core Area zone.

Applicant Danilo Ottoborgo, 240 Lake Dillon Drive. The is the same conditional use permit that's running along with our PUD. With the one-year extension we'd also like to have this extended. Commissioner Teresa England asked, just remind me, was that for management or was that a for-sale unit? I can't remember exactly what the purpose of that unit was supposed to be? Mr. Ottoborgo replied, originally it was like a trade barter unit. We'd like to keep the option. It's really important. Especially in calculating the 1st floors. That's what it was originally designed for. Dan Burroughs,

Town Engineer added, in this PUD as approved there were 17 apartments that were deed restricted. Commissioner Jerry Peterson asked, if we build this thing we're going to have to close one lane of the road. Wonder where you're going to store the building materials and machinery. Dan – most likely we'll have to do something. Until we work with the developer and their contractor we don't understand how that's going to go yet. Commissioner Jerry Peterson asked, it seems like these things are taking up an awful lot of the footprint. I wonder where you're going to store building materials and machinery and all that? Dan Burroughs, Town Engineer clarified, until we have a contractor on board I can't really answer that question. The answer is we'll most likely do something but we won't close Lake Dillon Drive. Until we work with a developer and a contractor we don't really understand how that's going to happen. Commissioner Jerry Peterson asked, going to have to replace a water main? Have enough capacity there? Dan Burroughs, Town Engineer replied, we have plenty of capacity.

Chairperson Amy Gaddis closed the public hearing at 5:51 pm.

Commissioner Teresa England noted definition issues. In the 3rd Whereas the defined term Permit should be amended to read "Conditional Use Permit", and in the 4th whereas the term Permit should be amended to read "Conditional use Permit."

Commissioner Derek Woodman moved to approve Resolution NO. PZ 02-18 Series of 2018. Commissioner Teresa England seconded the motion, which passed unanimously upon roll call vote.

CONSIDERATION OF RESOLUTION NO. PZ 03-18, SERIES OF 2018; A RESOLUTION BY THE PLANNING AND ZONING COMMISSION OF THE TOWN OF DILLON, COLORADO, RECOMMENDING THE APPROVAL OF A LEVEL IV DEVELOPMENT APPLICATION FOR A CLASS S-2 SUBDIVISION REPLAT OF LOTS 41R & 42R, PTARMIGAN TRAIL ESTATES, UNIT 1 FOR THE PURPOSES OF MATCHING EXISTING PROPERTY PIN LOCATIONS, TO ESTABLISH A SNOW STORAGE EASEMENT, AND TO DEDICATE NEW RIGHT-OF-WAY; AND, SETTING FORTH DETAILS IN RELATION THERETO.

Dan Burroughs, Town Engineer presented.

SUMMARY:

The Town of Dillon is the owner of real property located at 700 U.S. Highway 6, Dillon, Colorado and more specifically described as Lot 41R, Ptarmigan Trail Estates Unit 1 ("**Lot 41R**"), according to the Replat of Lots 41 & 42 Ptarmigan Trail Estates, Unit 1 recorded December 10, 1996 as Reception No. 529981, County of Summit, State of Colorado.

817 Dillon Road, L.L.C. is the owner of real property located at 817 U.S. Highway 6, Dillon, Colorado and more specifically described as Lot 42R, Ptarmigan Trail Estates Unit 1 ("**Lot 42R**"), according to the Replat of Lots 41 & 42 Ptarmigan Trail Estates, Unit 1 recorded December 10, 1996 as Reception No. 529981, County of Summit, State of Colorado. Christy Sports currently has a building on this lot.

The Town of Dillon has received a Level IV Development Application to replat lots 41R (Town Led Sign) and 42R (Christy Sports) of the Ptarmigan Trail Estates Unit 1, for the purposes of matching existing property pin locations, to establish a snow storage easement, and to dedicate new right-of-way. The new lots will be named 41S and 42S.

The application has been submitted jointly by the Town of Dillon and 817 Dillon Road LLC.

The problem with the existing plat that created these two lots, is that the lots don't close within acceptable surveyor tolerances. Lot 41R doesn't close by 5' for example. Closure is the process by which a surveyor computes the boundary of each lot by laying out the direction and length of each property line segment to determine if the start and end points match. In the new plat, both lots close in under 0.01', which is a very good work.

Aztec Consultants, Inc. also reviewed how the Little Dam Street Connector road was created and found a few discrepancies that can best be solved by dedicating a small sliver of land to the Town of Dillon as right-of-way.

As part of the approved Christy Sports PUD, the Town also requested that the developer dedicate a 4' snow storage easement along the sidewalks on the west and south side of Lot 42S. There is already a recreation path along the north side of Lot 42S.

An additional ROW section was also created at the northeast corner of Lot 41S to put the Town's sidewalk and accessible ramp in the E. Anemone Trail Right-of-Way.

Public Notice:

The Town posted a sign of the public hearing on the site on Tuesday, December 26, 2017. A newspaper ad was ran in the Summit Daily Journal on Friday December 22, 2017, and a mailing noticing the public hearing time and date was sent out on Wednesday, December 20, 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 January 3, 2018.

Zoning:

The proposed lots are located within the Commercial (C) Zone District.

COMPLIANCE WITH DILLON COMPREHENSIVE PLAN:

A minor replat of two existing lots to clean up the math and dimensions is in conformance with the goals of the Town of Dillon Comprehensive Plan.

EFFECT ON THE CHRISTY SPORTS p.u.D.:

A Planned Unit Development (PUD) for the Christy Sports store located on Lot 42R was previously approved in October 2017 by the Dillon Town Council. The proposed PUD was contemplated based on the existing property pin locations and measured boundary lengths, so there will not be any dimensional changes to the PUD.

After the lots are replatted into Lots 41S and 42S by the formal subdivision action of the Town Council, a minor PUD amendment will adjust the property description from Lot 42R to Lot 42S.

Staff recommendation:

Town staff recommends approval of the Level IV Development Application for a Class S-2 Subdivision replat of lots 41R & 42R, Ptarmigan Trail Estates, Unit 1.

Commissioner Derek Woodman asked, why out of the replat did you leave the sliver at the top? Dan Burroughs, Town Engineer replied, I have no clue. Commissioner Derek Woodman commented, it's a historical issue. Seems like out of all this renegotiation why not take out the lot line between the 2 lots? Dan Burroughs, Town Engineer said, I don't really have an answer. If they took over that property they'd have to pay more taxes. Commissioner Teresa England said, if you're replatting someone else's

property the owner needs to sign the plat. Dan Burroughs, Town Engineer showed commissioners where the owner will sign and commented, we're trying to keep it simple. Commissioner Teresa England asked, is this going to remain an easement? Isn't it treated like a public street? Dan Burroughs, Town Engineer explained, oh yes. It's a right-of-way easement. That's the way it's always been setup. Commissioner Teresa England commented, it gives the feeling of a public street. It's not like in a neighborhood, condominiums. I used to do this for a living and these historical subdivisions are so screwed up. Dan Burroughs, Town Engineer added, we were trying to keep things safe and simple. The only reason we can claim this right-of-way is because it's past the property boundary of this lot. It's just sitting out there in no man's land.

Chairperson Amy Gaddis opened the public hearing at 6:03 p.m.

Chairperson Amy Gaddis closed the public hearing at 6:03 pm.

Commissioner Jerry Peterson moved to approve Resolution NO. PZ 03-18 Series of 2018.
Commissioner Teresa England seconded the motion, which passed unanimously upon roll call vote.

REVIEW: TOWN OF DILLON COMPREHENSIVE PLAN

Postponed until February meeting.

OTHER BUSINESS

March meeting is important. We have a big application. Can't tell you anything about it until you see it.

Chairperson Amy Gaddis said, when you do look at Breckenridge, Vail, Beaver Creek, there's no place to park. Right now we don't have that issue. How do you safeguard that for the future, that there is some reserved parking as we continue to grow? Commissioner Teresa England noted, let's point out that all of those are ski resorts and we are not. Dan Burroughs, Town Engineer replied, unfortunately we do have the same problem. One simple thing would be to say, if you have a residential complex, we could make a 3 bedroom require 3 cars. Kind of a carryover from different days. What's happened in this county, the rules were setup 30 years ago. It favored the developers a lot. So developers especially in Breckenridge, developed all this stuff with inadequate parking. The Town now has to pay to build these huge parking structures and mitigate that issue. They basically got out of paying the money and the Town had to pay it later. One thing as we move forward we can change the parking generation tables simply to say you need an additional 10% for visitor parking. So, if a condo complex came to you and said they needed 50 spaces based on these ratios you could say you need another 5 visitor spaces. Chairperson Amy Gaddis asked, right now, do we have any visitor spaces? Dan Burroughs, Town Engineer answered, no, it's certainly something we could look at. Silverthorne did that with the hotel, I think in their code they had to have an additional 10%. That was an interesting thing. Bamboo Garden is also in the same subdivision as the Hampton Inn and Mountain Sports Outlet. Those three buildings are in the same subdivision so they had a cross parking agreement. That worked out well for the hotel because the hotel needs the parking at night, not during the day. The restaurants and sporting goods store need parking during the day. So that's how they dealt with that issue. They actually had more than the 10%. They Commissioner Teresa England asked, they built underground parking too didn't they? Dan Burroughs, Town Engineer answered, Hampton Inn, yes. Chairperson Amy Gaddis continued, so Silverthorne did visitor parking both on residential and the hotel? Dan Burroughs, Town Engineer replied, I don't know if they do it on residential. That's the first time I've seen that. After the last couple of condo projects we've approved, I do think it's an important issue. It's just not an

industry standard to expect to have 4 cars for 1 bedroom. Chairperson Amy Gaddis added, agreed. We can't change that. Commissioner Derek Woodman commented, I certainly think that some of these projects that've been approved already certainly encroach. As an example, the one that's going on the east end of the La Riva building. So it's a 24 unit condo building with 24 spaces. Dan Burroughs, Town Engineer said, it's more than that. Commissioner Derek Woodman continued, but the 2nd amount of spaces are remote. They're not there. Dan Burroughs, Town Engineer added, there are 6 spaces that are actually on the lot to the south. So 16R is the one at the end of La Riva. 17A & B are the lots on the south side of Main Street. They needed 47 spaces. Lot 16R they had 41. Lot 17A, it's the same development as far as the condo rules and everything go. They were allowed to put those other 6 spaces on the other property because they have a permanent parking agreement to put those spaces there. The way we designed that there will be 18 to 19 spaces of public parking along the La Riva Del Lago building at the end of the day. Commissioner Teresa England added, plus the new parking that's going to be across the street when the Town Park gets rebuilt. Dan Burroughs, Town Engineer said, right. We have a lot of parking that we can leverage as we develop right now. Someday we'll cross that line and we have to keep monitoring it. Every project will probably come with a residential component. We can make people provide more visitor spaces. How do you feel about making 2 spaces per. Commissioner Teresa England said, to me that's kind of overkill without some sort of a knowledge base. Chairperson Amy Gaddis added, I think last time we ended up looking at some of the local area requirements. Dan Burroughs, Town Engineer replied, yes, we can put an agenda item and revisit that. Chairperson Amy Gaddis said, I feel like we did up the parking requirement for the residential? Dan Burroughs, Town Engineer clarified, mainly what we did was consolidate town-wide. We got rid of the generous commercial, retail, restaurant parking for the Town Center and made it what the rest of the Town is. We changed the restaurant rule. We know from experience especially with the Qdoba, Noodles and thing building what a disaster that is. They got out of 16 spaces through a PUD when that went in. They built those 16 spaces on the lot next door because they own that too. That was a mistake to give them a parking reduction. It was originally sold as 1 quick-serve restaurant and the rest retail. That's another thing we need to think about. Chairperson Amy Gaddis asked, couldn't you do that by occupancy vs square footage? Dan Burroughs, Town Engineer replied, it's always going to be tricky because businesses come and go. You could say only this particular unit can be a restaurant, period. Which is typically what we do with tap fees and things like that. They could have just said no to the request to get out of 16 spaces. That project may not have moved forward but something else would have. Up there they also have a cross parking agreement with Walgreens and the other undeveloped lots. Chairperson Amy Gaddis asked, how many spots does Walgreens have because it seems like it's over? Dan Burroughs, Town Engineer explained, it's based on square footage of the store. Bottom line is, it works pretty well. Chairperson Amy Gaddis asked, so we can look at an agenda item looking at parking? Commissioner Derek Woodman said, I think overall it's crucial because we don't know what's going to come in the future so we have to prepare a lot for it. I think a prime example of it is what's going on as we speak outside this building with the Ice Castles. You can't find a parking spot within I don't know how many blocks. It's seriously affecting businesses that are not food service. Dan Burroughs, Town Engineer replied, so that's a whole different problem. The other problem is should the Town be doing events in the Town Center. It's a philosophical thing. The Farmers Market is crazy. It's a zoo. You can't find a parking space anywhere. Which really hurts businesses in the Town Center that need parking right next door to run their businesses. Luckily for us the Town Center has basically been an office park. Most people get here before the Farmers Market and get their parking spaces reserved. But, when you have a business where people are coming at all different times of day like a gym, even bowling, events definitely get in the way. With the farmers market, we use up spaces to have it. It's still just so busy and popular. I think the business community tolerates it but there's not a lot of retail, restaurants that benefit from the Farmers Market. The dentist isn't getting more business because there's foot traffic. Commissioner Derek Woodman interjected, conversely, the event that's taking place right now, all the businesses are benefitting. Dan Burroughs,

Town Engineer replied, that's always going to be that philosophical thing. It's good for the condo owners too. They would book up most of the condo inventory. That's why we do events, to bring people to Town. There's a good and a bad part of that. Commissioner Teresa England commented, the Ice Castles, it got on Channel 9 News, it got into the Denver papers. It went beyond anyone's expectations. Maybe in the future if we have something we think is going to do something like that, they have to provide busing service, off-site parking. Maybe they can help the logistics of that. Bringing small groups of people over in a bus as opposed to everybody parking their cars individually. Dan Burroughs, Town Engineer responded, one of the problems we had this year was the Amphitheater parking lot is under construction so that's not available. But something like that could be something that we provide a shuttle to get more people to park down that way. Commissioner Teresa England said, I think the event person provides the shuttle, we just help coordinate. Dan Burroughs, Town Engineer replied, right. That's what I mean. That's part of the event. If you want to do it you're going to have to provide a shuttle. The other problem we've had is people have been parking in front of the garages in front of La Riva Del Lago on Buffalo Street. So people can't get in and out of their garages. We've been trying to keep on top of that so it's not a big deal. La Riva Del Lago has been pretty patient with this whole thing but at the end of every event there's a discussion whether it's a good thing for the community or not. After every event, they have a post-event meeting to talk about all the problems and discuss how it went. Chairperson Amy Gaddis added, I think it's really cool. You want people talking your Town. Commissioner Jerry Peterson added, it's a big event, you have to expect to walk some distance. Dan Burroughs said, It should be better next year because we'll have the additional parking on Buffalo Street.

Dan Burroughs, Town Engineer continued, back about the parking. Is there a percentage you'd like to look at for visitor parking? Chairperson Amy Gaddis replied, I'd like to see what precedents are. Weren't we going to talk about a mobility plan? Dan Burroughs, Town Engineer replied, Jerry was just asking about that. If you feel strongly about putting a sidewalk on Tenderfoot, that's something we can work towards. One of the ideas we always had at Public Works was it would be nice to ring the whole park with a sidewalk. Get rid of the ditches on the side. It would be nice to get people on the sidewalk at least around the Town Center. So upper Tenderfoot Street, we're going to borrow more money using the sales tax. So we have 1/2% sales tax we collect that goes to the street fund to rebuild roads. Tenderfoot Street will get rebuilt here in the next 3 years. That's when the sidewalk will probably go in. That would be a worthwhile thing. We'll work with your neighborhood to figure out exactly where the sidewalk should be. Commissioner Jerry Peterson commented, I was watching it the other day and the sun shines on the north side believe it or not. Dan Burroughs, Town Engineer responded, I do believe that. We get accused on some streets of plowing all the snow to one side of the street. And it's because the one side of the street is all shady so the snow stays there are winter. The other side's in the sun so it melts right away. No we didn't do that, but it's hard to convince people of that. So visitor parking, that's the way you can handle it. You can say you need X number per development or you can say do a percentage which I think is the most rational. Commissioner Joshua Ryks commented, I'd like to look at the information. A lot of people there might be local workers where it's just one guy per bedroom. Or is it families, or who's staying here. That kind of information. Dan Burroughs, Town Engineer commented, that would be the reason to at least bump the 3 bedrooms up to 3 spaces. And the reason is, one of the main problems we have up here, the condos have evolved. Originally, they were meant to be condos, people come use it for a weekend and go back to wherever they came from. Now they've become permanent housing. And that's the biggest problem we have now. You can easily get 4 people in a 2 bedroom. But that's really up to the HOA to control that. And they do that by assigning one spot.

Chairperson Amy Gaddis said, if we can review again the parking count and look at the visitor. Dan Burroughs, Town Engineer commented, the other part of that is, at some point because of the Green

and Blue lots, we've always said the Town needs to build a parking structure with a certain amount of underground parking. That could be used for overnight parking for the condos and different structures in the town. You could get a permit for a certain period of time. We went through that whole lot suit with Lower Yacht Club over that very parking issue. Because they have less than one parking space per unit. I think when they built Upper Yacht Club it was the same developer. That's why it was done that way. When they did Lower Yacht Club the US Supreme Court ruled that municipalities can't require developer to provide on-site parking. So that was the context they were arguing. Within 2 years that was overturned by the Supreme Court that said no, Town's can require developers to provide on-street parking. That's why they argued they didn't have to provide it. They were doing tandem parking. As we understand it some of the units were sold with lock-offs. There weren't any additional units created. It's just one of those things, it's how that property evolved. We went through 6-years of legal stuff. We went to the Colorado Supreme Court and they ruled in our favor. They said you don't have to provide these condos that don't have enough parking, parking on the streets. They can figure it out. So the Town, we still have our Blue and Green rotating lots. So we provide upwards of 100 parking spaces every night for overflow parking. That's one of those things that will have to be evaluated as we move forward. Like the new parking lot that's going to be in the park here, that 40 spaces, I imagine that will become one of the rotating lots. So that's what will help offset what got lost in lot 16R. It didn't really get lost, we basically moved around. The plan we developed, we still have almost 500 parking spaces with all the new development to support that. The residential, having extra parking, I do agree we need to add something to the code to provide visitor spaces to some extent. A lot of townhome projects have some visitor spaces. Chairperson Amy Gaddis commented, yah, people want to have visitors. Commissioner Derek Woodman said, it just seems if you have a 1-bedroom unit, chances are pretty high that you're going to have 2 vehicles in that one-bedroom unit. Dan Burroughs, Town Engineer added, I think if it's a rental it's less likely. If it's full time people where you're renting it to the workforce then it's very likely you're going to have a lot more cars than you anticipated. Chairperson Amy Gaddis added, but even rentals, like 8 people down in Denver will rent this one condo. Dan Burroughs, Town Engineer stated, that can get regulated through the HOA rules and whether or not the Town provides extra parking. The Town could decide as a policy not to provide any additional parking. That would change the landscape of things greatly. Part of the problem with the Town Center is we've been kind of a dumping ground for the other Towns. The cars that we've ticketed and towed and go from lot to lot are actually people from Silverthorne and Frisco. We had that problem with trailers and we cleaned that up. You had to have a permit. There were people storing their RV's there all summer because the other Towns don't allow for it. We have the same problem with recycling. Silverthorne closed their recycling, they didn't see the value in it. So everyone from Silverthorne comes to our recycling center, so it's always full. There are a lot of interesting things communities can do to each other with their policies. For us, I think there's no reason why the Town wouldn't provide overflow parking just to keep supporting the rental nature of the condos and everything over time. How much could be disputed.

Commissioner Teresa England asked, you touched on both Summit County and Vail are adopting short term rental policies. Dan Burroughs, Town Engineer replied, the county is working on policies that we're all participating in. Commissioner Teresa England questioned, so will cities have to adopt that as well? We're not part of the County. Dan Burroughs, Town Engineer continued, what we'd like to do is have everyone adopt the same regulations. So the Board of County Commissioners met December 12th and discussed that very issue with their planning staff. The Town Manager went to that and the other Towns were there. We would like to come up with a uniform policy. Commissioner Teresa England commented, parking should be part of that process. That's part of the problem. Everything's turned into short term rentals with 8 people. Chairperson Amy Gaddis said, but parking isn't a part of what they've done in Vail. Dan Burroughs, Town Engineer replied, I don't know what they did in Vail. I know what they did in Aspen and Durango. Chairperson Amy Gaddis continued, it's a tax, it has

nothing to do with parking. Commissioner Teresa England said, but it's a process. You have to get a permit, you have to talk to your neighbors. Dan Burroughs, Town Engineer said, those rules will be coming. I imagine there will be some zoning rules that you'll see before they go into effect. The goal is to come up with a more comprehensive county-wide regulation system so that it's very similar. So the vendors like Airbnb and VRBO so they can know the rules everywhere. Airbnb is especially is a little weird. They'll tell us how much money they're making and pay lodging tax but they won't tell us where the units are. Then with parking we don't allow on-street parking. We kind of control that from the residential single family areas to some extent. We get a lot of complaints from people on Oro Grande where houses are rented and they might have 10 or 12 cars. How do you enforce that? Do you say you can only have 2 cars outside your garage Commissioner Teresa England asked, isn't there an occupancy level? How can you have 20 people in one house? Dan Burroughs, Town Engineer replied, those kind of things take a long time to resolve. Once a complaint is made then we have to investigate. Have to get the police department involved. But, one of the things we will change that's not supported by federal law anymore is defining a family. Because it's so vague. So our code right now says you can't have more than 3 non-family members living with you. It says non-related individuals. Especially in this rental area, you can't really define what a family is anymore. As to whether or not 20 for a single family home, a lot of the single family homes are pretty big, I wouldn't say it's uncommon to have a family of 8-10 people living in Corinthian Hills. It doesn't happen here but people share living situations.

Chairperson Amy Gaddis continued, so we're going to look at parking coming up. We're going to look at the mobility study. The short term rentals is something that's being done by the county so we're not doing anything with that. On sustainability initiatives, is there anything that the Town has talked about in terms of sustainability? Dan Burroughs, Town Engineer answered, nothing official. Chairperson Amy Gaddis clarified, you know how Denver came out with, if it's over 5,000 sqft it has to be LEAP certified? Which I don't agree with but I didn't know if the Town had any sort of? Dan Burroughs, Town Engineer said, no. We haven't gone down that path yet. We haven't had direction from Council to pursue that. There is a Summit County energy code that all the developers have to adhere to when they get their building permit. So those two things are in place but anything additional, I think that's why the Town's been supporting the High Country Conservation Center. Which they're going to be moving out in a couple of months because of the proposed hotel. They've been trying to keep in touch with them because they can provide some of those green initiatives. I didn't know this until a couple weeks ago, but we're building a community garden. It's going to be on the other side of the fire station. Chairperson Amy Gaddis finished, I was just curious other initiatives going on in terms of sustainable buildings and all of that.

ADJOURNMENT

There being no further business, the meeting adjourned at 6:39 p.m.

Respectfully submitted,

Corrie Woloshan

Corrie Woloshan

Secretary to the Commission