



RECORD OF PROCEEDINGS

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**RECORD OF PROCEEDINGS  
MINUTES OF THE REGULAR MEETING  
OF THE PLANNING COMMISSION OF THE TOWN OF FRISCO  
OCTOBER 20, 2016**

**Call to Order:** Melissa Sherburne, Chair called to order at 5:01 p.m.

**Roll Call:** Brian Birenbach, Jason Lederer, Melissa Sherburne, Donna Skupien, Andy Stabile, Steve Wahl, Kelsey Withrow

**Public Comment (non-agenda items):** No public comments were received.

**Public Hearing Items:**

1. Planning File 182.16.DA: A development application for the remodel of an existing dwelling and the construction of three (3) new detached/stand-alone townhomes located at 2 Miners Creek Road / Lot 7, West Frisco 70 Filing 1. Applicant: Harris Properties LLC, represented by Michael Caistor, Architectural Innovators

Assistant Community Development Director Bill Gibson presented the staff report noting that the project is in compliance with RL zoning including density, setbacks, height, lot coverage, lot size and frontage. Frisco Town Code requires the units to be detached and the project includes a preliminary plat for four building footprints with remaining land as common element. The project conforms with the Community Plan including the provisions on built environment and housing. The staff report addresses the Residential Overlay District including building materials, design and roof elements. The drainage plan has been reviewed by the Town Engineer who has requested minor modifications prior to applying for a building permit. A traffic study was submitted which shown no significant impact. Parking, lighting, snow storage are in compliance with the Town Code as addressed in the staff report. Interagency comments and public comments are noted in the staff report through October 13, 2016. Public comments received after October 13, 2016 were read into the record and provided to Commissioners prior to the meeting.

Community Development Director Joyce Allgaier presented a brief review of the project regarding the neighborhood character and how it is a diverse neighborhood which includes single family, apartments, triplex, townhouse and duplexes within the vicinity of the project. Pictures were shown of adjacent properties to show character of neighborhood.

Questions posed to staff included separation of driveways, drainage, the history of Wiborg Park, and the overlay district adoption. Assistant Community Development Director Bill Gibson clarified that many structures in area pre-date the overlay district so may not conform to today's standards. Mr. Gibson also clarified that goals are intended to be achieved through the

application of standards. Also clarified was the difference between permissive and prescriptive standards.

Michael Castor, architect for the project, presented an overview stating the design was given a historic base to fit into the neighborhood with minor modern flairs. The applicant addressed Commissioner's comments on the sketch plan review and removed encroachment into the bulk plane, added another façade color and addressed snow falling in front of garages. Mr. Castor submitted updated renderings showing colored side and rear elevations.

Questions for the applicant included clarification on the landscape plan, parking and traffic in correlation to the use of the property, maintenance of drainage and what the properties would be sold at. Mr. Castor responded that landscaping chosen was deciduous trees to not block view but also allow for screening and chose from the limited native selection of trees and shrubs. The structures will be higher end costs. Maintenance of drainage has not been addressed at this point in time.

Public comments expressed opposition to the project. Concerns regarding the neighborhood character, no yard, increased traffic, addressing, reduced bicycle visibility and too much density were raised.

Terry Smith, 4 Miners Creek. Opposed to project and disagrees with Community Development's report. Collected signatures on a petition. Thinks that the project does not meet the Master Plan and does not fit into existing neighborhood. The existing house was built as a single-family home in 1977 and it should stay that way.

Charles Harris, tenant at 2 Miners Creek. Project will detract from views from the existing house and will not fit into the neighborhood character.

Rich Nell, 101 E. Main Street and 179 Willow Lane. Agree with what already spoken in public comment and the project does not match characteristics to neighborhood. GIS comments about addressing should be reevaluated with street numbers correlated to streets driveways take access from.

Marc Rinehart, 48 Willow Lane. Residential Overlay District not given enough attention in the application review. Solicited 139 signatures on a petition stating they do not think project conforms to neighborhood. One additional single-family home would be more appropriate. The majority of homes on Miners Creek and Wiborg Park are single-family homes and duplexes with yards.

Alan Whitlock, 204D Miners Creek Road. Will be closing on purchased house across street in next few weeks. This area contains a lot of locals and this development will create investment properties renting units leading towards more traffic issues.

Clark Schoehecker, tenant at 2 Miners Creek. Putting four units into one area will take away community feel that has existing yards and small town atmosphere.

Pete Campbell, builder for the project and Frisco resident. The existing house is on two lots, was placed in middle of two lots and four units are allowed. Proud to be a part of this project and will make it an attractive project. Harris Properties is developer of other properties in Frisco and willing to spend money to make nice. The developer would be willing to provide more landscaping as buffer and a fence with contribution from the neighbors. Distributed photos of examples of other projects.

Marc Rinehart, 48 Willow Lane would like to clarify that the property is stated as one lot on County Records.

Terry Smith, 4 Miners Creek stated that this area has become a bicycle thoroughfare for road bikers and this development would minimize visibility between vehicles and bicyclists.

Peter Dunn, 34 Highwood Terrace stated that too much density is proposed and the development does not conform to lots across street or behind properties.

Planning Commissioner final comments expressed general favor of the project, design and appreciation for the incorporation of initial sketch plan comments for this application. Commissioners agreed that the density is allowed by Code and the developer has a right to four units on the one-half acre lot. Concerns over drainage maintenance and additional landscaping were expressed. Commissioners discussed adding a condition requiring the applicant to submit a revised landscaping plan to add more evergreens on the site and to use a conservation mix which is more sustainable. Commissioners discussed adding a condition that a storm water management maintenance plan be submitted prior to submittal of a building permit.

Pete Campbell addressed the suggested conditions stating that a storm water management maintenance plan makes sense to ensure the HOA maintains the infrastructure. The developer would be receptive to adding conifers and using a conservation mix. Michael Castor stated that conifers could be added between driveways so screening of vehicle and bicycle traffic on right-of-way is not affected.

WITH RESPECT TO **PLANNING FILE NO. 182-16-DA**, COMMISSIONER STABILE MOVED THAT THE RECOMMENDED FINDINGS SET FORTH IN THE OCTOBER 20, 2016 STAFF REPORT BE MADE AND THAT THE RECOMMENDED ACTION SET FORTH THEREIN BE TAKEN WITH THE ADDITION OF TWO CONDITIONS AND THAT THE PLANNING COMMISSION APPROVES THE DEVELOPMENT APPLICATION AND PRELIMINARY PLAT APPLICATION FOR THE REMODEL OF AN EXISTING RESIDENTIAL DWELLING AND THE CONSTRUCTION OF THREE (3) NEW DETACHED/STAND-ALONE TOWNHOMES LOCATED AT 2 MINERS CREEK ROAD / LOT 7, WEST FRISCO 70 FILING 1. COMMISSIONER LEDERER SECOND.

1. THE APPLICANT SHALL SUBMIT A STORMWATER MANAGEMENT AND MAINTENANCE PLAN TO THE COMMUNITY DEVELOPMENT DEPARTMENT PRIOR TO THE SUBMITTAL OF A BUILDING PERMIT APPLICATION. SUCH PLAN SHALL MEET WITH THE APPROVAL OF THE TOWN ENGINEER, AND SHALL BE INCORPORATED INTO THE HOMEOWNERS ASSOCIATION CONDITIONS, COVENANTS, AND RESTRICTIONS.
2. THE APPLICANT SHALL SUBMIT A REVISED LANDSCAPING PLAN TO THE COMMUNITY DEVELOPMENT DEPARTMENT FOR REVIEW SHOWING ADDITIONAL EVERGREEN TREES ALONG THE LOT FRONTAGE (TO HELP THE PROJECT BLEND INTO THE EXISTING NEIGHBORHOOD) AND SHOWING A CONSERVATION GRASS MIX THAT HAS A MORE NATURAL CHARACTERISTIC AND USES LESS WATER.

**VOTE:**

**BIRENBACH  
LEDERER  
WAHL  
WITHROW**

**YEA  
YEA  
YEA  
YEA**

**SKUPIEN  
SHERBURNE  
STABILE**

**YEA  
YEA  
YEA**

**MOTION CARRIED**

- 2. Planning File No. 091.16.DA: A Development Application for a proposed detached garage with an upper story accessory housing unit, located at 310C Creekside Drive / Lot 3C, Provost Townhomes. Applicant: Susanne Johnston, represented by Patrick Heise

Assistant Community Development Director Bill Gibson presented an overview of the project describing the development site containing four lots without common area and the history of units within the site including the existing legal nonconformities. Density and wetlands on the property have been evaluated which allows eight units of density within the project site. The application appears to comply with the Community Plan, Residential Overlay, RH District, landscaping and parking requirements. Referral agency comments are located within staff report. Mr. Gibson recommended approval with conditions.

Questions posed to staff included parking, drainage, density and the potential for future accessory unit.

The Applicant, Susanne Johnston, reiterated what has been said stating it is a smaller project than what proposed in the sketch plan. The proposed unit will be full time employee housing rentals for Frisco residents.

Questions for the Applicant included if a deed restriction to preserve employee rental in future was being considered. Owner is not favorable of that at this time.

Gavin Keiner, 310B Creekside. Objected to application due to utility access across his lot without a utility easement. Run off from roof will shed on mutual property line and gutters not depicted on submitted site plan. Maintenance plan not addressed for drainage. Snow storage and shedding not addressed. Snow is plowed within water quality setback today. Discrepancy between submitted documents with regards to snow storage and paved area. Objection to reversing vehicles through easement on his property.

Planning Commission discussed that the public concerns were not raised previously to give Community Development staff time to research the issues. The Commission determined that more clarification on utility easements and other points brought up by Mr. Keiner is needed and the item should be continued to a later date to allow staff and the applicant time to address points raised by Mr. Keiner.

WITH RESPECT TO **PLANNING FILE NO. 091-16-DA**, COMMISSIONER BIRENBACH MOVED TO TABLE THE DEVELOPMENT APPLICATION REQUEST FOR THE CONSTRUCTION OF A DETACHED GARAGE WITH AN UPPER STORY RESIDENTIAL DWELLING UNIT, LOCATED AT 310C CREEKSIDE DRIVE / LOT 3C, PROVOST TOWNHOMES TO THE NOVEMBER 17, 2016 PLANNING COMMISSION MEETING. COMMISSIONER STABILE SECOND.

**VOTE:**

<b>BIRENBACH</b>	<b>YEA</b>	<b>SKUPIEN</b>	<b>YEA</b>
<b>LEDERER</b>	<b>YEA</b>	<b>SHERBURNE</b>	<b>YEA</b>
<b>WAHL</b>	<b>YEA</b>	<b>STABILE</b>	<b>YEA</b>
<b>WITHROW</b>	<b>YEA</b>		

**MOTION CARRIED**

**Staff and Commissioner Updates:**

Community Development Director Joyce Allgaier informed the Commissioners about passes to the Frisco Nordic Center and distributed sign-up sheets.

**Adjournment:**

There being no further business, the meeting was adjourned at 7:02 pm.

Respectfully Submitted,

Katie Kent  
Community Development Planner