



RECORD OF PROCEEDINGS

AGENDA

**Meeting of the Planning Commission for the Town of Frisco
Town Hall, 1 East Main Street
Thursday, January 18, 2018 at 5:00 P.M.**

Call to Order: Melissa Sherburne, Chair

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

Minutes: Approval of the January 4, 2018 Planning Commission meeting minutes

Public Comment (non-agenda items):

Citizens making comments during Public Comments on items not on the agenda shall state their names and addresses for the record, be topic-specific, and limit comments to no longer than three minutes. No Planning Commission action is taken on public comments. The Commission will take all comments under advisement and if a response is appropriate the individual making the comment will receive a formal response from the town at a later date.

Agenda Items:

1. **This item will not be heard and be continued to March 1, 2018: Planning File No. 300-17-RZ:** A final public hearing for a rezoning application to remove the Historic Overlay District designation located at 113 Granite Street / Lots 18-20 & Pt 21, Block 3, King Solomon Subdivision #1.
Applicant: Town of Frisco
2. **Work Session:** Discussion of potential code revisions

Staff and Commissioner Updates

Adjournment



RECORD OF PROCEEDINGS

MINUTES

**Meeting of the Planning Commission for the Town of Frisco
Town Hall, 1 East Main Street
Thursday, January 4, 2018 at 5:00 P.M.**

Call to Order: Andy Stabile, Vice Chair

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

Minutes: Approval of the December 7, 2017 Planning Commission meeting minutes

Public Comment (non-agenda items): There were no public comments.

Agenda Items:

1. **Adoption of the Planning Commission Resolution 18-01:** A Resolution Naming the Public Place for Posting Notices of Planning Commission Meetings for the Town of Frisco, Colorado in Compliance with the Colorado Sunshine Act of 1972.

Assistant Community Development Director Bill Gibson stated that Section 24-6-402 CRS requires a public body to annually designate the public place for posting timely notice of public meetings at the Planning Commission's first regular meeting each calendar year. The Planning Commission confirmed the location is the same as last year (bulletin board outside the east vestibule at Frisco Town Hall and the Frisco Post Office).

COMMISSIONER WAHL MOVED THAT THE PLANNING COMMISSION APPROVE RESOLUTION NO. 18-01. THE MOTION WAS SECONDED BY SKUPIEN AND PASSED BY A UNANIMOUS VOTE.

VOTE:

BIRENBACH	ABSENT
LEDERER	ABSENT
SHERBURNE	ABSENT
SKUPIEN	YEA
STABILE	YEA
WAHL	YEA
WITHROW	YEA

MOTION CARRIED

2. **Planning File No. 307-17-MAJ:** A review of the sketch plan step of the Major Site Plan Application for the proposed Rainbow Court East Building mixed-use project, located at 310 E. Main Street / Lots 3-5, Block 9, Frisco Townsite. Applicant: MM Properties LLC

Assistant Community Development Director Bill Gibson presented the staff report noting that the east side of the existing Rainbow Court is being proposed for a mixed use redevelopment. The west portion of the property is not proposed for change. Gibson noted that the project meets the development standards, including parking for all uses including the three residential units proposed. Some of the site design is not yet finalized, including landscaping.

Highlights of the staff report included:

- Snow storage, landscaping, and lighting will be further defined at final site plan
- Refuse and recycling needs to be further determined with neighbors and verified by staff
- The bulk plane on the side property lines exceed the allowable, however staff thinks that the amount of encroachment is within what is allowed under today's code.

Upon a question about process, staff clarified the process of the Commission's handling of an exemption to the bulk plane. The Commission may allow a bulk plane encroachment if the Commission finds that the encroachment does not exceed the maximum building height and provides substantial architectural relief. Staff will soon bring a code amendment to the Commission regarding bulk plane requirements on internal lot lines in the Central Core (likely at the January 18, 2018 meeting) as it was an oversight when the UDC amendments were performed.

Questions for staff included:

Commissioners asked for clarification of the Commission's authority granting of the side bulk plane encroachment without the code amendment. Mr. Gibson indicated that the current code allow the Commission to make a determination based on if they think the bulk plane encroachment does not exceed the maximum building height and provides substantial architectural relief.

Applicants Presentation:

The Applicant, Tom Connolly, presented an overview of the redevelopment of the east side of the Rainbow Court building. He noted that the structure is in disrepair from water damage and aging and they have a goal to bring it back to life with additional space and new uses. Some highlights include:

- Uses may include restaurant, retail, office, and residential.
- Keeping eclectic nature of the building and site
- Providing solar panels desirable
- Adding an new elevator shaft for accessibility
- Enhancing courtyard aesthetics with new finish materials and sitting area
- The applicant described the parking spaces provided.
- Vinnie's Restaurant will increase in size by ~330 sq. ft.
- Partial basement is proposed.
- 3rd floor residential contains two units; offices on 2nd floor
- The east exterior wall and roof encroaches into the bulk plane.
- A portion of the mid-section roof encroaches in height
- Materials are natural wood, board and batten, vertical siding and a variety of metal balconies and rails.

Questions for the applicant included:

- Is elevator shaft in same location? Connolly explained yes but extended to accommodate modern day elevator size.
- Vinnie's to be closed? Connolly replied to the smallest extent possible and they will try to minimize impact.

- Regarding access via alley and where are the parking spaces? Connolly described the parking alignment with one outside space and two inside in a tandem layout.
- Where does drainage go? Connolly explained the drainage to the alley.
- Commissioners questioned the Main Street elevation and how the building steps back and on what plane? Connolly described the elevation changes and that the elevator shaft is set furthest back on the site. Commissioners asked if the applicant could try to define the Main Street 2-story element so that the building is better defined with a 2-story “feel” with a step back to the 3rd story. Expect to see 3-D modeling at full site plan.
- Would like to better understand the colors and where the proposed colors will be used on the building. Would like greater clarification regarding material transitions on the alley and back corner. Requested applicant to relook at the architecture in that area.

Public Comment

No comments were made by the public. Chairperson Stabile closed the public input section of the meeting.

Final Commissioner Comments:

- Would like 3-D rendering in order to better understand the redevelopment components along with connection to the existing building.
- Provide better cohesion between the old and the new sections of the structure. This could be achieved with design and possibly color. Would like a greater sense of entrance to make the building more inviting and have a front statement. Make sure that drainage is well-handled to avoid future damage.
- Likes architecture and “rainbow” element.
- Like the project and likens it to Uptown on Main. The relaxed architecture is complementary to Bagalis. Strive to relate the color of the existing real estate office to some portion of the new building.
- Okay with elevator height encroachment. Would like to have front door larger to give a greater sense of entry and “pop”.
- Commissioners had differing opinions regarding the eastern portion of the Main Street elevation 2nd and 3rd floor bump-outs and if they caused too much bulk. The Commission wanted better modeling so that the fluxuations in the building frontage could be more easily discerned in terms of its impact on the overall building massing and design.
- Under the previous Main Street Overlay bulk plane requirement, the bulk plane would have been approvable. Commissioners prefer not to have to approve of the bulk plane encroachment without the code revision as they do not see it as meeting the criteria for exceptions for bulk plane encroachments.
- Likes long frontage of the building along with the Bagalis building. Building is a “little on the big side”.
- Likes the center core of the building and think it will stand on its own. Stair tower encroachment is okay. Not comfortable with the bulk plane encroachment under the current code.
- Requested appropriate signage plan that serves all of the occupants, including Vinnies.

3. **Planning File No. 300-17-RZ:** A preliminary hearing for a rezoning application to remove the Historic Overlay District designation located at 113 Granite Street / Lots 18-20 & Pt 21, Block 3, King Solomon Subdivision #1. Applicant: Town of Frisco

Planner Katie Kent presented, noting that this is a preliminary hearing to be followed by a final public hearing before the Planning Commission at which time the Commission shall make a recommendation to the Town Council. Ms. Kent reviewed the staff report noting that pursuant to §180-4.2.4 of the Frisco Town Code, for historic structures or properties that have not utilized any of the incentives outlined, the

owner shall be entitled to revocation of designation. The property has not utilized any of the incentives outlined, therefore, the Town of Frisco is entitled to revocation of the Historic Overlay designation.

Commissioner questions to Staff included:

- Why can't the buildings be kept since the town has been trying to encourage historic preservation?
- Would like the Town Council to consider keeping the white clapboard "Wylie House" in conjunction with a development.
- Why not the Sabatini lot right now instead of 113 Granite? Staff explained that the Sabatini lot would hopefully be a partnership with the adjacent parking lot and so it has more planning needed. 113 Granite is a small stand-alone parcel which could be ready for development.
- Can 5A money be used for this project? The applicant, Randy Ready, responded that it is unknown at this point.

Applicant's Presentation:

Randy Ready, Frisco Town Manager, gave an overview of the genesis of identifying potential properties for affordable housing in the town. The subject property rose to the top due to ease of development and being under town control. Mr. Ready indicated that the town has put out an RFP for development on two town lots, this being one of them. Ready stated he is available for further questions.

Commissioner Comments:

- Would like the town to explore opportunities to keep the old white house in place to keep some community character. Requested Town Council seek to keep it on the property and not relocate.
- Town should set a good example of best practices in historic preservation and the white house could serve as a good transition between the new development and the historic park. Would encourage that the Council not make any changes to the site until we know that the white house needs to move for the new development.
- Would like the Town to consider the development site further and try to keep the white house and consider a design around it. Set an example by using the HO incentives and try to develop with the building on site.

Public Comments:

- Sean Andrish, 110 First Avenue. Thinks that this part of town is very indicative of old Frisco and its location downtown makes it special. Additionally, it is a unique location because the property is located near the park and should be kept as "the center of town". Feels that the historic building should stay in place in a central location instead of losing its sense of historic context and significance.
- Craig Petersen. Stated that the Sabatini lot was intended for parking lot or structure in the past. Likely that the 113 Granite property will be built with 9-13 units. Does not think that the historic houses will remain.

Discussion focused on the process for the removal of the HO and staffed explained that when an owner has not taken advantage of any incentive or waiver through the HO, that the designation must be removed, if requested. The Commission decided that in that they offer a recommendation to the town council and that the council will ultimately make a decision, that the Commission would vote what they truly feel about keeping the overlay on the property. Some Commission members felt that it might benefit the development process and program to have the HO on the property in case incentives were desirable.

COMMISSIONER WAHL MOVED THAT THE PLANNING COMMISSION NOT ADOPT, AS PRELIMINARY FINDINGS, THE RECOMMENDED PRELIMINARY FINDINGS SET FORTH IN THE PLANNING COMMISSION

STAFF REPORT DATED JANUARY 4, 2018 AND THAT, BASED ON THOSE PRELIMINARY FINDINGS, THE PLANNING COMMISSION PRELIMINARILY RECOMMENDS THAT THE TOWN COUNCIL NOT APPROVE THE REZONING REQUEST APPLICATION TO REMOVE THE HISTORIC OVERLAY DISTRICT FROM THE PROPERTY LOCATED AT 113 GRANITE STREET.

COMMISSIONER WITHROW SECONDED .

Vote:

BIRENBACH	ABSENT
LEDERER	ABSENT
SHERBURNE	ABSENT
SKUPIEN	YEA
STABILE	YEA
WAHL	YEA
WITHROW	YEA

MOTION CARRIED

Work Session Items:

1. Three Mile Plan

Community Development Director Joyce Allgaier distributed an example of how the Three Mile Plan will be restructured for easier readability and consistency. Ms. Allgaier focused on three items for the Planning Commission to consider and offer input on:

- Page 23 – in area known as Kids Pond and Ski Jump; the schematic shows a triangle which is labeled as “other”. Does the Planning Commission think that area could be an area for affordable housing or is it a significant recreational area? Commissioners agreed they wanted the parcel preserved as is for recreation, wildlife, wildland buffer, and wetland preservation.
- Page 25 – regarding N. Ten Mile Canyon; Should area not be for commercial development? The Commissioners confirmed that the area is best for recreation portal and wildland buffer.
- Allgaier noted that the Lake Hill property is indicated as a place for affordable housing within the current 3 Mile Plan. Is this supported for future land use. Yes. The Lake Hill Master Plan will be mentioned within the Three Mile Plan. Additionally, the County had performed a Master Plan within the past few years for the County Commons which will also be mentioned in the Three Mile Plan to confirm that it is an ideal place for facilities development.

Commissioner comments on the Three Mile Plan:

- Should the transportation section be modified with regards to Dillon Dam Road since the Summit Stage is now considering a bus route across it? Yes, address in some way in the plan.
- Clarification on the hearing process for the new plan and how the document is adopted by the Town Council with a recommendation by the Planning Commission.
- A chart would be helpful identifying properties and framework for what utilities/services exist for each property.

Staff and Commissioner Updates:

- A question was raised regarding Basecamp new construction occurring after November deadline and it was explained that the moratorium has to do with work in the public right-of-ways due the inability to repair and replace pavement.

Adjournment:

There being no further business, the meeting adjourned at 7:05 pm.

Respectfully submitted,

Community Development Department



PLANNING COMMISSION STAFF REPORT

January 18, 2018

AGENDA ITEM: A work session to discuss amending Chapter 180 of the Code of Ordinances of the Town of Frisco, concerning the Unified Development Code, by amending subsections 2.3.4.F, Simultaneous Processing of Development Applications; 2.7.2, Administrative Adjustments; 4.2.4, Procedures for Nominating and Designating Buildings, Properties, and Historic Districts for Historic Preservation; and 6.23.2, Bulk Plane Envelope

APPLICANT: Town of Frisco
1 Main Street
PO Box 4100
Frisco, CO 80443

STAFF PLANNER: Bill Gibson, Assistant Community Development Director
billg@townoffrisco.com (970) 668-9121

PROJECT DESCRIPTION

The Unified Development Code (UDC) was adopted through Ordinance 17-04 in June of 2017. The purpose of the UDC was to update, consolidate, and reformat the former subdivision and zoning regulations. It was acknowledged at that time that additional corrections and policy amendments to these regulations would be forthcoming in the future. Staff is proposing the following amendments to the UDC at this time:

- Clarifying the procedures for the simultaneous processing of development applications
- Repealing allowances for administrative adjustments to the amount of required parking
- Clarifying the review procedures of the Historic Overlay District
- Repealing the side property line bulk plane requirement for properties on Main Street
- Amending the side bulk plane starting point to correspond to the side setback standards in the Mixed Use Zoning District
- Repealing a bulk plane height limit provision related to a previously repealed building height limit incentive

SIMULTANEOUS PROCESSING OF DEVELOPMENT APPLICATIONS

Staff recommends the following clarification to subsection §180-2.3.4.F, Simultaneous Processing of Development Applications:

F. Simultaneous Processing of Development Applications

Where possible without creating an undue administrative burden on the Town's decision-making bodies and staff, this Chapter intends to accommodate the simultaneous processing of applications for different permits and approvals that may be required for the same development project in order to expedite the overall review process. Review and decision-making bodies considering applications submitted simultaneously shall render separate reports, recommendations, and decisions on each application based on the specific standards applicable to each approval.

- 1. An example of a concurrent filing and processing of applications include, but are not limited to, a site plan, subdivision plan, and conditional use.*
- 2. Generally, no rezoning application shall be accepted or processed while an application for any of the permits or approvals listed in this Chapter is pending for the same property, and vice versa. An exception to this rule is that a rezoning to ~~a~~an HO and/or PUD overlay may be considered concurrently with a site plan and/or subdivision plan.*
- 3. Some forms of approval depend on the applicant having previously received another form of approval, or require the applicant to take particular action within some time period following the approval in order to avoid having the approval lapse. Therefore, even though this Chapter intends to accommodate simultaneous processing, applicants should note that each of the permits and approvals set forth in this Chapter has its own timing and review sequence.*

ADMINISTRATIVE ADJUSTMENTS

The Flexibility and Relief Procedures of the UDC include a new Administrative Adjustment process. As stated in the UDC:

The administrative adjustment procedure is intended to allow minor modifications or deviations from the dimensional or numeric standards of this Chapter with approval by the Director. Administrative adjustments are intended to provide greater flexibility when necessary, without requiring a formal zoning amendment or variance. The administrative adjustment procedure is not a waiver of Chapter standards and shall not be used to circumvent the variance procedure.

The allowable administrative adjustments are identified in Table 2-3 of the UDC; however, these procedures do not apply to modification or deviations that result in:

- a. An increase in the overall project density;*
- b. A change in permitted uses or mix of uses;*
- c. A deviation from the use-specific standards in Article 5;*
- d. A change to a development standard already modified through a separate administrative adjustment or variance;*
- e. Building materials or aesthetic elements; or*
- f. Requirements for public roadways, utilities, or other public infrastructure or facilities.*

Town Staff may only handle administrative adjustments that are associated with an administratively reviewed site plan or plat, but not those applications that proceed to the Planning Commission or Town Council. All administrative adjustment must meet the following criteria:

1. Is consistent with the purpose statement set forth in this Chapter for the applicable zoning district(s);
2. Meets all other applicable building and safety codes; and
3. The requested modification is necessary to either: (a) compensate for some practical difficulty or some unusual aspect of the site of the proposed development not shared by landowners in general; or (b) accommodate an alternative or innovative design practice that achieves to the same or better degree the objective of the existing design standard to be modified. In determining if “practical difficulty” exists, consideration shall be given to any unique circumstances of the property.

Recent discussions by the Town Council and the Planning Commission regarding parking acknowledge that at this time there is concern about the demand on current parking. Staff anticipates taking on a major parking study and feels it is prudent to remove this administrative adjustment option until such time as the parking study has been completed and evaluated.

The new administrative adjustment provisions of the UDC created an opportunity for developers to request a reduction in the amount of required parking. To date, no development project has obtained a reduction in required parking through this new code provision. Staff recommends Table 2-3 be amended as follows and repeal Administrative Adjustments for parking amounts: §180-2.7.2, Administrative Adjustments

TABLE 2-3: ALLOWABLE ADMINISTRATIVE ADJUSTMENTS	
Chapter Standard	Allowable Administrative Adjustment (maximum percentage)
SITE STANDARDS	
Lot area, minimum	10
Lot coverage, maximum	10
LOT DIMENSIONAL STANDARDS	
Front yard setback, minimum	10
Side yard setback, minimum	10
Rear yard setback, minimum	10
Encroachment into setback, maximum	10
BUILDING STANDARDS	
Building height, maximum	10
DEVELOPMENT STANDARDS	
Number of required parking spaces, maximum or minimum	30
Lighting height, maximum	10
Sign height, maximum	10
Fence or wall height, maximum	10 (1 foot maximum)
Minimum landscaping requirements	10
Maximum length of geometric plane	10

HISTORIC OVERLAY (HO) DISTRICT

Staff recommends the following clarifications to the HO procedures:

4.2.3. DESIGNATION OF HISTORIC OVERLAY DISTRICT

Pursuant to the procedures and criteria of this section, the Town Council may, by ordinance:

- A. Designate properties that have special historical value as being within the Historic Overlay District. The designation must be accomplished through the amendment

procedures as described in Section 2.4, Amendments, with the exception of Subsection 2.4.1.C, Area Required. Each ordinance shall designate a historic overlay, shall include a description of the characteristics of the historic site that justify its designation, and shall include a legal description of the location and boundaries of the historic site. Any designation shall be in compliance with the purposes and criteria of this section. The property included in any designation shall be subject to the controls and standards of this section.

B. The criteria for designating properties within the Historic Overlay District are as follows:

1. That the structure(s) is at least 50 years old; and
2. That the structure(s) or lot(s) has unique historical significance; and
3. That remodeling has not covered the original significant features of the structure(s), or that the structure(s) has been or is in the process of being rehabilitated to its original configuration and design.

4.2.4. PROCEDURES FOR NOMINATING AND DESIGNATING BUILDINGS, PROPERTIES, AND HISTORIC DISTRICTS FOR HISTORIC PRESERVATION

An application for designation may be made by the owner or by 100 percent of owners for a historic district, or the Town, at the owner's or owners' request(s). The Community Development Department shall review the proposal to ensure that the proposed designation conforms with Town policies and plans.

A. Proceedings by the Planning Commission

The Commission shall review the designation through the amendment procedures as listed in Section 2.4, Amendments, with the exception of Subsection 2.4.1.C, Area Required, and through the public notice procedures listed in Section 2.3.5.

~~1. Criterion for Designation~~

The Commission shall review the application for conformance with the ~~following criterion~~criteria in Section 4.2.3.B for designation, and shall recommend either approval, approval with conditions, or denial, and shall refer the proposal with a recommendation to the Town Council:

- ~~a. The application conforms to the purposes of the Town Code and the Master Plan.~~

B. Proceedings by the Town Council

Such designation must be accomplished by Town Council through amendment procedures as listed in Section 2.4, Amendments, with the exception of Subsection 2.4.1.C, Area Required, and through the public notice procedures listed in Section 2.3.5. The Council shall approve, approve with conditions, or deny the proposal for designation. Once a historic property or historic district has been designated by the Town Council as provided above, the Community Development Department shall reflect the designation on the Frisco Zoning Map. After approval, any structural alterations to the designated property(s) shall follow the procedure described in Section 4.2.6.

BULK PLANE STANDARDS

Side Bulk Planes in the Central Core Zoning District

In 2017, the Town of Frisco adopted the UDC. In part, the UDC repealed the former zoning overlay districts which were geographically based and consolidated the design standards of those various overlay districts into residential development standards and non-residential standards. The bulk plane standards from those various overlay districts were consolidated and reformatted into a separate subsection of the code and summarized in a table format (Table 6-K). The intent of Table 6-K was to consolidate the existing bulk plane standards into a more readable format.

In the previous zoning ordinance, the Central Core Zoning District was divided into two geographic overlay districts. Properties located between Main Street and the alleys were regulated by the Main Street Overlay District. Properties located between Granite Street and the Granite Street Alley and properties located between Galena Street and the Galena Street Alley were regulated by the Granite Street and Galena Street Overlay District.

Table 6-K accurately reflects the bulk plane standards previously found in the Granite Street and Galena Street Overlay District. However, Table 6-K does not accurately reflect that a side bulk plane was not required for properties located in the former Main Street Overlay District. This was an oversight in the drafting of Table 6-K and was not intended as a deliberate policy change. To correct this situation, Staff recommends adding a note in Table 6-K of the UDC that clarifies that the side bulk plane in the Central Core Zoning District does not apply to properties located on Main Street.

This issue was briefly discussed at the Planning Commission's January 4, 2018 meeting during the Sketch Plan review of the proposed renovations to the Rainbow Court Building. Staff has initiated this proposed amendment at this time to prevent the unintended impacts of the standards currently outlined in Table 6-K from affecting the final site plan review of that project. To date, no other development application has been impacted by this matter; however, Staff has had pre-application discussions with other developers and property owners concerning other development projects on Main Street that are anticipated in the near future.

Side Bulk Planes in the Mixed Use Zoning District

As noted above, the bulk plane standards from the various overlay districts were consolidated and reformatted into a separate subsection of the code and summarized in a table format (Table 6-K). The intent of Table 6-K was to consolidate the existing bulk plane standards into a more readable format. In the previous zoning ordinance there was an inconsistency between the front setback requirement and the front bulk plane starting point in the Mixed Use District. This inconsistency was corrected by Table 6-K; however, a new discrepancy appears to have been created between the side setback requirement for residential properties in the Mixed Use District and the bulk plane starting point of fifteen (15) from the side property line identified in Table 6-K. Staff proposes correcting Table 6-K to require that the side bulk plane start point begin at ten (10) feet from the side property line to be consistent with the required side setback.

Bulk Plane Height Limits

This proposed amendment to bulk plane height limits is intended to address what Staff has identified as a previous oversight in the zoning regulations. In 1995, the Town of Frisco adopted Ordinance 95-7. This ordinance established the following provision to subsection 180-23.C of the parking regulations:

4. To encourage parking under a structure, the height requirement within a District may be increased for a particular structure or portion thereof by 15% for commercial structures and 25% for multi-family residential structures that contain a bottom level that is used primarily (at least 80% of GFA) for parking. In the Central Core no parking under a structure shall be accessible or visible from Main Street. Technical specifications for underground or parking structures may be found in the Town of Frisco Street Design Criteria.

In 1997, the Town of Frisco adopted Ordinance 97-24 which amended the Main Street Overlay District. In part, the amendments to this overlay district included the following adjustment to the bulk plane heights to accommodate projects utilizing the increased building height incentive adopted in 1995:

The maximum height limit of the bulk plane may be increased, if provision 180-23.C.(4) is utilized.

In 2004, the Town of Frisco adopted Ordinance 04-01. In part, this ordinance established parking requirements specifically for the Central Core District. The ordinance adopted these new provisions as §180-23.C.2. This ordinance had the effect of renumbering the subsequent provisions of this chapter, so the existing multi-use shared parking provisions became §180-23.C.4 and the building height incentive associated with understructure parking became §180-23.C.5. The Main Street Overlay provision for increased bulk plane heights referencing 180-23.C.4 was not updated to reflect this renumber of the parking regulations and the overlay inadvertently began referencing the multi-use shared parking provisions. Staff believes this was an oversight at that time and not intended as a deliberate policy change.

In 2006, the Town of Frisco adopted Ordinance 06-19. This ordinance repealed the allowance for additional building height for projects with understructure parking. The Main Street Overlay District provision allowing an increased bulk plane height for projects utilizing this building height incentive was not repealed at the same time. Staff believes this was an oversight at that time and not intended as a deliberate action. To correct this situation, Staff recommends repealing the note in Table 6-K of the UDC that states: "The maximum height limit of the bulk plane may be increased by 10 feet, if provision 6.13.3.F is utilized", which erroneously references the Multi-Use Shared Parking provisions.

To Staff's knowledge, this bulk plane height provision has not been applied to any development projects since the repeal of the building height incentive in 2006.

Staff recommends the following amendments to the bulk plane standards:

§180-6.23.2, Bulk Plane Envelope

**TABLE 6-K
BULK PLANE STANDARDS**

DIMENSION ON FIGURE 1-1	Applicability (District or Development Type)	Central Core District		Residential Districts			Residential Development in MU District		Other Locations			
		Height ≤ 28' [1]	Height > 28' [1]	RS/RL	RM/RH, Height ≤ 28'	RM/RH, Height > 28'	Height ≤ 38'	Height > 38'	Summit Boulevard [12]	Marina [23]	West End of Main Street [34]	
STREET / FRONT PROPERTY LINE												
A	Feet inside property line	0 ft.		20 ft.				10 ft.	25 ft.	5 ft.		
B	Starting height above grade	24 ft.	20 ft.						24 ft.			
C	Extend at angle	45°						22.5°				
SIDE PROPERTY LINE												
A	Feet inside property line	0 ft.		15 ft.	10 ft.		15-10 ft.		--	25 ft.	5 ft.	
B	Starting height above grade	24 ft.	20 ft.	25 ft.		20 ft.	25 ft.	20 ft.	--	24 ft.		
C	Extend at angle	45°						--	22.5°			
REAR PROPERTY LINE												
A	Feet inside property line	--		10 ft.						--	10 ft.	
B	Starting height above grade	--		25 ft.				24 ft.	--	24 ft.		
C	Extend at angle	--		45°				45°	--	45°		
MAXIMUM HEIGHT												
D	Maximum height	28 ft.	35 ft. flat 40 ft. pitched	30 ft.	28 ft.	35 ft.	38 ft.	45 ft.	Underlying District Maximum	Underlying District Maximum [4]	Underlying District Maximum [4]	
<p>[1] Side Property Line Bulk Plane does not apply to properties located between Main Street and the Granite Street Alley and properties located between Main Street and the Galena Street Alley.</p> <p>[12] Applies to Mixed Use District properties fronting on Summit Boulevard.</p> <p>[23] Applies to properties within 100 feet of Main Street right-of-way, east of Summit Boulevard.</p> <p>[34] Applies to properties fronting on Main Street, west of Madison Avenue.</p> <p>[4] The maximum height limit of the bulk plane may be increased by 10 feet, if provision 6.13.3.F is utilized.</p>												

NEXT STEPS

The Planning Commission will formally review the proposed UDC amendments at a future public hearing and forward a recommendation to the Town Council.