



## RECORD OF PROCEEDINGS

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### MINUTES

**Meeting of the Planning Commission for the Town of Frisco  
Town Hall, 1 East Main Street  
Thursday, August 16, 2018 at 5:00 P.M.**

**Call to Order:** Andy Stabile, Chair, opened the meeting.

**Roll Call:** Andy Held, Jason Lederer, Lina Lesmes, Donna Skupien, Andy Stabile, Kelsey Withrow

Absent: Robert Anton Franken

**Minutes:** Approval of the July 19, 2018 Planning Commission meeting minutes. Minutes were passed unanimously by the Commission.

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

**Agenda Items:**

1. **Planning File No. 144-18-MDA (191-17-DA/RZ):** A public hearing for a modification to a Development Application of the proposed "Foote's Rest Block 11" mixed-use project and a final public hearing for the rezoning of the subject property to Historic Overlay District, located at 502, 510, 512, and 518 East Main Street and 107 South 6th Avenue / Lots 1-12, Block 11, Frisco Townsite. Applicant: Nathaniel Kelly Foote, 512 Main Street, LLC

Assistant Community Development Director Bill Gibson presented the staff report noting that the proposal is for a minor change to the site plan and layout of the project. Specifically, Cabin 3 will be moved from the 5<sup>th</sup> Avenue frontage and be relocated to a place behind the Foote's Rest building. He also noted that the proposal complies with the requirements of the Town Code.

Commission questions for staff included:

- Clarification as to whether there are any restricted uses of Cabin 3? The application shows that the cabin could become storage in conjunction with other permitted uses on the property. Mr. Gibson stated the uses that could be permitted including storage as an accessory use. It was noted that only the Staley Rouse House was specifically restricted (not allowing certain uses), and the Staley Rouse House uses must also abide by the underlying zone district. It was noted that if the "storage" was a rental storage unit that would need to be evaluated based on the Code Use Table.
- Request for additional information about the required distance between Cabin 3 and the Foote's Rest building. Bill Gibson clarified by indicating that there is not zoning requirements for building separation; only setbacks based on property lines. Building separation is through the Building and Fire codes.
- Clarification that the garage addition would be removed. Staff replied yes, garage addition would be removed through this proposal.

The Applicant, Kelly Foote, was represented by Elena Scott. Ms. Scott gave an overview of the goal to preserve the six historic buildings and specifically highlighting the existing approval and the proposed amendment. Ms. Scott noted that the goal of the change was to provide more space between the historic buildings, allow Staley Rouse House to have more space behind it so that the historic back porch could remain, and provide better walk-thru access through the development site.

Commission questions for the applicant included:

- What is changing to the rear side of the Staley Rouse House? Ms. Scott replied that the existing back porch will be restored and will remain. The front porch and chimney will be removed.
- What is the possibility of keeping the Staley Rouse House on the State Historic Register? The applicants responded that they have been working with the State Historic Preservation Office and they have not agreed to a re-designation to the register. The Foote's can request designation again once the building context is established through completion of the project.
- Will the spaces and walkways between the buildings and leading to the main courtyard still be available for the public? Ms. Scott noted pedestrian walkways through the site.
- Clarification on where the historic buildings would be relocated during construction? Staff responded with the various options that Town Council has agreed to.
- Verification on separation between cabin three and the other structures?
- What is the timeline of the project? Mr. Foote noted that construction is planned for October 2018 through October 2020.

There were no public comments.

Commissioner discussion included support for modification. Appreciation that modification would open space up around the historic building and preserve the back porch on the Staley Rouse house.

WITH RESPECT TO FILE NO. 144-18-MDA, COMMISSIONER WITHROW MOVED THAT THE RECOMMENDED FINDINGS SET FORTH IN THE AUGUST 16, 2018, STAFF REPORT BE MADE AND THAT THE RECOMMENDED CONDITIONS SET FORTH THEREIN BE TAKEN AND THAT THE PLANNING COMMISSION **APPROVE** THE MODIFICATIONS TO THE APPROVED DEVELOPMENT APPLICATION FOR THE FOOTE'S REST BLOCK 11 MIXED-USE PROJECT LOCATED AT 502, 510, 512, AND 518 E. MAIN STREET AND 107 S. 6<sup>TH</sup> AVENUE / LOTS 1-12, BLOCK 11 FRISCO TOWNSITE. COMMISSIONER SKUPIEN SECOND.

**Vote:**

FRANKEN	ABSENT
HELD	YEA
LEDERER	YEA
LESMES	YEA
SKUPIEN	YEA
STABILE	YEA
WITHROW	YEA

***MOTION CARRIED***

1. **Planning File No. 110-18-MDA:** A public hearing of modifications to the approved development application and conditional use application for the Library Lofts multi-family residential project, located at 90 South Madison Avenue / Unplatted (TR 5-78, Sec 34, Qtr 1 Sq. Ft. 21,127 Pt of Flora Placer Cont. 0.32 acres and Lot E-4, Frisco West 0.165 acres) also known as the "Summit County Library Tract". Applicant: Library Lofts LLC, represented by Crowe Architects

Planner Katie Kent presented the staff report noting that the applicant is proposing a modification to the development application approved in July 2017 due to structural concerns with the existing structure on-site. The modifications will include removing the existing building on the property and constructing three separate structures; each with three units for a total of nine units. Access is proposed to change from one access point into an underground garage to three separate access points along Mount Royal Drive. Colors and materials are proposed to reflect the architecture of the 2017 approval. The applicant has reduced lot coverage with the proposed modification. Kent raised concerns regarding the roof ridge lines not having required breaks and the large use of stucco. The applicant has still not addressed all of Summit County Road & Bridge and Engineering concerns.

Commission questions for staff included:

- Why was the project reviewed as a modification when the project changes are significant? Ms. Kent noted that the project was first perceived as not being as significant. Ms. Allgaier noted that the Commission still will get to use the same criteria for judging the project. The Commission may review this just as they do final site plan reviews and request amendments as they determine necessary to meet the code.
- What will the AMI for the deed restricted unit be?
- Why are the buildings permitted to be duplicated through Section 5.2 of the Main Street Overlay District? Kent noted that there is vagueness in the way the Section is worded and Staff was unsure if it applied to structures that were proposed on the same property.

The Applicant, Todd Crowe, presented an overview of the project noting that change to the project was driven by complexities in designing with the old library building and the mix of units desired. Mr. Crowe stated that the change of ingress/egress was not very different and that the materials and appearance was the same as what was approved last year. Mr. Crowe discussed the differences between the Town and County with regards to access requirements and reiterated that he was increasing open space on the property.

Commission questions for the applicant included:

- Did the storm water management plan contemplate any best management practices such as bioswales or more natural means to allow infiltration? The applicant's engineer, Gray Pearson, discussed the drainage and filtration galleries that were proposed.
- Why did the project come under the old code? The applicant replied that due to continuity and familiarity with the old code, they felt more comfortable utilizing it rather than starting over learning the new code.
- Was 100% AMI feasible for the deed restricted unit? Staff elaborated that the old Code requires 100% AMI (or less) and so the applicant had to abide by it.
- Why wasn't more attention given to the east facade of the building? The applicant replied that it was the most prominent side in their perspective due to the play of light and the staircases.
- Would the applicant be importing soils? Mr. Crowe replied yes.

Public Comments:

John Tobin, 5 Mount Royal Drive, owns property adjacent to the subject property. Mr. Tobin voiced his concern about the height of the buildings and how the structures would block views and light to the neighboring houses more than the previously approved application would.

Todd Crowe stated that since the buildings were set back further from the property line, there would be more daylighting.

Public Comment closed.

Commissioner discussion included:

- Okay with the aesthetics of the project.
- Appreciation for one and two bedroom units.
- Infiltration component is good but more opportunity can be used to be more successful.
- This should be a sketch plan; the layout of the buildings is different and there is no longer the old library building.
- Dislikes the Madison Avenue façade. Would like to see less stucco.
- Likes the separation of the buildings vs. one large building. Appreciate the way the buildings are broken up.
- Concern regarding the Section 5.2 of the Code regarding duplicity.
- Ok with the stucco, but perhaps the buildings could be clad with different materials.
- Too much stucco and the ridge line is too long and not in compliance with the code.
- Feels that the project does not evoke any harkening back to the old library building and would have liked to see that. The buildings are 3 large structures and would like to see more diversity, even with mixed use. Would like to see more affordable housing units.
- Does not like so much use of stucco. Likes the three separate buildings. What kind of energy efficiency is being used? Encourages the applicant to strive for more sustainable building practices.

Final discussion ensued among Commissioners regarding that this application was not complying with the ridge line and building materials sections of Code. Additionally, more articulation was requested on the east façade and between buildings. Commissioners agreed they want to see all Code requirements complied with, and all Summit County Road & Bridge and Engineering comments satisfied, prior to approving the application.

WITH RESPECT TO FILE NO. 110-18-MDA/CU, COMMISSIONER LEDERER TO CONTINUE THE ITEM TO SEPTEMBER 6, 2018. COMMISSIONER LESMES SECOND.

**Vote:**

FRANKEN	ABSENT
HELD	YEA
LEDERER	YEA
LESMES	YEA
SKUPIEN	YEA
STABILE	YEA
WITHROW	YEA

***MOTION CARRIED***

**Staff and Commissioner Updates**

- The APA Conference is October 3-5, 2018.

**Adjournment**

There being no further business, the meeting adjourned at 6:44 pm. Donna Skupien made a motion to adjourn, seconded by Withrow. unanimous

Respectfully submitted,  
Joyce Allgaier

Community Development Department