



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, September 21, 2017 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

**Absent:** Kelsey Withrow

**Minutes:** There were no approval of previous Planning Commission meeting minutes.

**Public Comment (non-agenda items):** None

**Agenda Items:**

1. **Planning File No. 188-16-DA:** Review and Adoption of Findings and Action. A Development Application for the Kum & Go commercial project (gas station and convenience store) located at 55 Lusher Court / Lot 2B, Block A, Discovery Interchange West Subdivision. Applicant: Ryan Halder, Kum & Go LC

Assistant Community Director Bill Gibson noted that a procedural oversight required the Commission to make a formal action for a motion of denial to follow up the failed motion for approval in the last meeting. A draft motion of denial and proposed findings was given to the Commission. The findings need to be specific to evidence in the record and the language in the recommendations references the WSP letters from June and September and their September report. Specifically, the two items used for denial were access issues and the pedestrian/non-vehicular access and safety.

Discussion between Commissioners and staff regarding the procedural motion followed.

WITH RESPECT TO FILE NO. 188-16-DA, COMMISSIONER STABILE MOVED THAT THE RECOMMENDED FINDINGS SET FORTH IN THE SEPTEMBER 21, 2017, STAFF REPORT BE MADE AND THAT THE PLANNING COMMISSION HEREBY DENIES THE DEVELOPMENT APPLICATION FOR THE PROPOSED KUM & GO COMMERCIAL PROJECT (GAS STATION AND CONVENIENCE STORE), LOCATED AT 55 LUSHER COURT / LOT 2B, BLOCK A, DISCOVERY INTERCHANGE WEST SUBDIVISION. COMMISSIONER LEDERER SECOND.

**VOTE:**

BIRENBACH	ABSTAIN
LEDERER	YEA

SHERBURNE	YEA
SKUPIEN	NO
STABILE	YEA
WAHL	YEA
WITHROW	ABSENT

**MOTION CARRIED 4-2**

Community Development Director Joyce Allgaier noted that in the event of a tie, that would translate as a denial of a motion.

2. **Planning File No. 189-17-DA/CU:** A public hearing for the sketch plan step of the major site plan application and a conditional use request to allow residential units on the ground floor for the proposed West Main Lofts mixed-use project located at 101 W. Main Street / Lot B-1 West Frisco 70 Sub #2. Applicant: West Main Professional Building LLLP represented by Robert Philippe

Planner Katie Kent presented, noting this application is being reviewed under the new code. Ms. Kent noted that the Planning Commission would open the public hearing for both the sketch plan portion of the major site plan and the Conditional Use to offer feedback on the proposed building design and use. The Conditional Use request was to allow residential uses on the ground floor in the Mixed-Use district. The Applicant proposed seven residential units and two commercial spaces. Four of the residential units include rooftop decks and one commercial space was proposed as a two-floor restaurant with a roof top deck. The second commercial space was being proposed as a restaurant or retail space; neither use requiring parking spaces. Staff noted that a sketch plan was previously brought before the Commission and was redesigned to come into greater code compliance; the changes were significant enough to require a new sketch plan. Ms. Kent noted that the proposed structure exceeds the maximum height requirement and that a room layout was required to verify parking (with the current summary provided, they appear to meet parking requirements). Staff noted that the applicant referenced lock-off units but would need to demonstrate compliance with the definition as stated in the Uniform Development Code. Through the non-residential development standards, a community space would be required on the property and if changes to the existing structure are made in the future, three community spaces would be required.

**Questions for staff included:**

- Clarification on defining existing grade.
- Clarification of ridgeline and façade requirements and if there was any flexibility.
- Clarification on the definition of height and architectural features.

The applicant, Robert Philippe, presented noting the colors and materials proposed along with the architectural style and its reflection of historic Frisco. The applicant stated that whereas there is enough parking to meet Code, there is not enough for the feasibility of a restaurant and he is asking the Town Council to stripe spaces on W. Main Street. The applicant expressed concern that more enforcement may be needed so the existing public spaces are not utilized for all day skier parking.

**Questions for the applicant included:**

- Why the change from three buildings into one larger building?
- Clarification on the venting location for the restaurant and why the proposed chimney is so tall
- What community spaces are being proposed?
- Clarification of ground level access between restaurant patrons and the residential units
- Why the applicant is not applying for both phases of the project as it seems some of the calculations shown on the submitted plans rely on the relation to the existing building on the property.

- Where will current tenants in the existing building have customers park during construction?
- With regards to the Conditional Use request; why are the ground floor residential units important to the project?
- What is the applicant's position on the roofline on the west end?
- Has the applicant considered any deed restricted units?
- Clarification on the restaurant space as it seemed too small for a kitchen.
- Clarification on if the tandem parking had a fully covered roof.

The applicant responded to Commissioner questions and requests for clarifications. Staff clarified that a deed restricted unit is not required and the applicant can propose and construct one, but they are not required to.

There were no public comments.

**Final Commissioner comments:**

- No problem with bulkplane encroachments except for the east third floor covered balconies.
- The ridgeline needs to be brought down for the entire height to meet code, the chimney is a bit out of proportion. Okay with residential units on ground level.
- Appreciate the design style and working with staff to bring into better code compliance.
- Does not feel the conditional use is appropriate.
- Snow dumping may be a concern on the upper floor decks and should be reevaluated.
- Good looking building; ok with conditional use.
- Need to see the roofline altered to meet code.
- Would like to see a deed restricted unit in the building to continue the vibrancy of downtown Frisco to W. Main Street.
- The conditional use is okay as there is currently not enough foot traffic drawn down to W. Main Street.
- Great looking building on an important street corner in Frisco but the design is a little complicated, particularly with the triple shed roofs.
- Okay with the conditional use proposal.
- If the existing building becomes all residential in the future, it displaces the offices there, and the applicant should consider an option to house some businesses within the proposed building.

**Staff and Commissioner Updates:**

- Joyce Allgaier asked to create a small work group of Commissioners to work on the update of the Three Mile Plan.
- The Town will also be updating the community plan starting in January.
- A parking inventory has been conducted to identify all of the public parking in Frisco and analyze possible future parking locations. Commissioners asked if an advisory committee was needed for this project and a suggestion was made to re-conduct the analysis during the winter was made. Staff clarified that there is a larger transportation discussion and this was only a piece of the conversation.

**Adjournment:**

There being no further business, the meeting was adjourned at 6:04 pm.

Respectfully submitted,  
 Sarah Hoffman  
 Community Development Department