



RECORD OF PROCEEDINGS

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

Call to Order: Andrew Stabile, Chair, opened the meeting.

Roll Call: Robert Anton Franken, Andy Held, Jason Lederer, Lina Lesmes, Andy Stabile, Kelsey Withrow.
Donna Skupien was not in attendance.

Minutes: The October 18, 2018 Planning Commission meeting minutes were approved unanimously.
Franken, Withrow

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

Agenda Items:

1. At 4 p.m. the Planning Commission conducted a Site Visit of the Mary Ruth Place Affordable Housing Development, 306 Galena Street, Frisco, Colorado. Those in attendance were: Robert Franken, Andy Held, Jason Lederer, Lina Lesmes, Andy Stabile, and Kelsey Withrow.
2. **Planning File No. 225-18-MAJ:** A review of the Sketch Plan step of the Major Site Plan Application for a proposed addition to an existing multi-family residential project, located at 219 Pitkin Street / Lots 22-24, Block 37, Frisco Townsite. Applicant: Melissa Cummings

Planner Katie Kent presented an overview of the staff report noting that the property contains three dwelling units and is an existing legal nonconforming use and structure. Existing nonconformities include density, lot coverage, setbacks, multi-unit dwelling, driveway access and dimensional standards for three or more units in the RL District. A deck and stairs is proposed for the upper level duplex unit which encroaches in the east setback; this shall be brought into compliance at time of full site plan review. Planning staff and Public Works request that the applicant remove a section of the driveway from Pitkin Street that connects to South 3rd Avenue which would reduce the nonconforming access and bring the lot coverage into conformance. Staff is seeking Commissioner feedback on access and proposed exterior finishes.

Commission questions for staff included:

- Is there any variance allowed for the proposed deck and stairs? Kent replied the applicant would need to meet the criteria for a variance which would be difficult.

- Is it acceptable that they are using the north side for boat storage? Kent responded that they are allowed to park their boat on the lot.
- Could the north driveway have been made narrower to be in compliance? Kent replied yes technically it could be narrower if the design worked with access into the garage. Joyce Allgaier noted gravel counts towards lot coverage.
- Why did Public Works say they did not want new access off the alley? Kent replied since it would be an additional access coming into the property and more nonconforming.
- On the color chart is the staff happy with the blue? Staff responded yes, it is not a bright blue.

The Architect and Owner's representative, Peter Ewers, Ewers Architecture, described the project. Ewers noted that the goal is to turn this into a net zero energy residence and that the proposed improvements to the property make it look better, function better, and make it more energy efficient. Ewers noted that eliminating part of the drive-through would make it difficult pulling in/backing out of the garage since they need a turnaround area. Ewers addressed the exterior materials and stated they will move the deck on front of duplex to be within the setback.

Commission questions for the Applicant included:

- It was noted that HC3 can work with the owner on rebates towards their net zero goal.
- Does the homeowner have intentions for the duplex? Applicant responded that the owner would likely not be interested in short term rental but has contacted an attorney to draft a condominium agreement for the duplex.
- Clarification that there isn't a garage facing Pitkin Street currently.
- Did the applicant consider locating the garage where they could just pull out onto Pitkin Street? The Applicant noted that there was not enough space for a 2 car garage there due to setbacks.
- Is the lower level layout remaining the same? Applicant replied yes, they tried to change as little as possible on the lower floor. There are three bedrooms now but the owners took out one bedroom for a laundry/mud room.
- Is there a cantilever on the South side? Applicant responded two and they are existing.
- Regarding the materials being used on the duplex, is that going to all be corrugated metal? The Applicant responded yes.
- Is all the metal corrugated? Applicant noted yes. They wanted it to look like two different buildings instead of one huge building.
- Can you paint the lifetime stained wood? Applicant responded yes, if they wanted to in the future they could.
- Is the interior all being remodeled? Applicant said that nothing was being done to the interior of the duplex but the home is being 100% remodeled.
- Clarification on condominiumization? Kent replied that this is one property; they would have to submit a Condo Plat application to make it legally condos.
- If they condominiumized, would the codes still abide? Kent responded, yes. Applicant noted that they are creating a 1-hour fire separation between home and duplex. There would be an HOA for the entire property.
- Are you putting any solar on this property? Applicant responded yes in order to get to net zero.
- Where is the solar going to go? Applicant apologized that it is not on the renderings. The solar would be on the East upper roof. Kent noted that this needs to be included on the full Site Plan Application and shall be no more than 50% of the roof façade and no more than 18" above roof. This will be looked at on the full Site Plan Review.
- Request for what exactly is being remodeled inside. Applicant described the remodel noting the first and second floor remodel areas and the third floor is just a small loft area that is new.

- When you look at the plan does it feel like the duplex is a ‘step-child’? Applicant responded that holistically it works together but there is a separation with the duplex looking plainer and the house more the main event. They were limited in what they could do but feel it is appropriate.
- Is the whole project net zero or just the house? Applicant responded just the house.
- If condominiumized would they sell units individually and consider deed restrictions? Applicant responded that if they condominiumized it, they may sell units and they had not considered deed restricting. Kent added that the Town cannot require them to deed-restrict these units. Allgaier added that the Town would be happy to talk to their client about deed restricted units if they are interested.
- Did they consider water infiltration galleries? Applicant responded that they have not due to cost and with existing soils on site they did not think were needed.
- With all of the flying sheds, the one place that they need one is over the hot tub, why not add one there? The Applicant responded they would look into it.
- For the duplex, we would probably be happier with delineation between the big brown wall towards the alley – could be rock, metal, etc. Applicant responded that they will look into it.

Public comments:

- Charlie Payne, 215A Pitkin (next door neighbor to the west side). Supportive of the project would like to see the driveway as the renderings currently show it; otherwise, it would look odd. Even like the duplex.

Commissioner discussion included:

- Supportive of the project but would like to see more green space.
- Would like to see the duplex complimentary to the house by breaking up the materials.
- Concern over the driveways as proposed. Why do you have to have the three driveways? Would like to see the third reduced to one cut.
- Excited over the “rehab” project that desperately needs to happen. Doesn’t have a problem with the duplex, there’s enough continuity between the structures. The driveway is not a problem. Huge improvement. Love the idea that they want to go net zero. Appreciate all of the applicant’s efforts.
- Would like to see the duplex more like the single family home and a break in materials.
- Look at the North driveway and see if it could be shrunk any more. Less concrete the better. Would like to see if there is another way to eliminate one of the cuts to minimize the potential of getting hit on South 3rd Avenue.
- Will want to see where the solar goes and what it will look like.
- Anything more the applicant can do to improve the infiltration would be helpful.
- Would like to see if client will consider deed-restriction on duplex – no requirement but would go a long way.
- Blue color looks good.
- Would like to see the duplex elevation broken up, a little too monotonous. Maybe adding a little porch over the entry stair on the duplex could add street appeal and function.
- Would be okay with 51% lot coverage if the applicant could reduce a cut.
- Would like to see existing vs. remodel renderings at next meeting.

3. **Planning File 078-18-MAJ:** A public hearing of the Major Site Plan Application for the Frisco Bay Marina new office building project, located at 290 Marina Road / Unplatted (Lease Area on Denver Municipal Water Works land; TR 5-78, Sec 35, QTR 1). Applicant: Town of Frisco, represented by Matthew Stais Architects

Community Development Director Joyce Allgaier presented an overview of the staff report. Allgaier noted that a number of changes since May have been made based on Planning Commission comments and suggestions and the applicants have worked hard on those revisions. Allgaier reviewed the Marina Master Plan adopted by Town Council in June and that whereas there are still some moving parts, it is likely the Big Dig should start this winter while the water level is low and this will lay the groundwork for the rest of the park.

Allgaier reviewed the Staff report noting that at sketch plan the Planning Commission had asked for clarification of grading, dredging materials, concrete slab and design for additional footings and piers, sustainability and requested that the building be reflective of the community with a little more splash. Allgaier described changes made including shed roofs , similar kinds of siding, grander feel with more windows to maximize views, deck seating to water and mountains, as well as a lot of good spatial changes inside that improve function.

Allgaier noted that the maximum building height in the zoning district is twenty-five feet; however, the Planning Commission can approve additional height up to thirty-five feet. The building is proposed at just over thirty-four feet. The Planning Commission can approve some additional heights if the change provides substantial architectural relief of mass and provides recreational use and function and is supported by our Master Plan. The Marina Office building is a unique and desirable amenity, the upper level is smaller than lower level to relieve the fact that it is a 35' building.

Allgaier addressed water quality protection and drainage. The Town has hired a landscape architecture firm, Logan Simpson, who did the Marina Master Plan to come up with the final grade for the entire project after the big dig project. Due to the big dig, eventually the building will be set back further from the water than the twenty-five feet that is allowed through the water quality setback.

Allgaier reviewed parking stating that there are presently 187 existing parking spaces; 25 for trailers. The Master Plan proposes an increase to 346 spaces at a time in the future, with 30 trailer spaces. The current application before the Commission proposes no parking changes be made at this time. Planning Staff is comfortable with the parking as it stands and the applicant meets the bike parking requirements. In terms of non-residential development standards, those standards are met with the exception of some eaves and walls with a section length over 27 feet. This could potentially be a condition and staff can look at it again before issuance of the building permit. Allgaier stated that Staff recommends approval with conditions as noted in the staff report.

Commission questions for staff included:

- Is there no new parking proposed for this building? Allgaier responded that existing parking is not changed; this building will utilize existing parking.
- Clarification on how many town employees would utilize this building? Applicant will address.
- Will it be open to the public for the retail portion? Allgaier responded yes.
- This building does not include a restaurant? Allgaier responded that is correct; the existing restaurant is going to stay but the master plan shows it moving closer to the office.
- There are 187 parking spaces but eventually 346? Allgaier responded yes.
- Please clarify what didn't meet code at 27 feet? Allgaier responded some wall and eave lengths.
- Is the applicant proposing Solar? Allgaier requested the applicant respond during their presentation.
- Commissioner comment: Strongly suggest that we begin the Big Dig this year.
- Staff requested that the Applicant provide an overview of the various phases of the project and how this project fits into the phasing of the Marina Master Plan. As soil is moved with the Big Dig, the soil will be

strategically placed on the site to allow for use of the park and marina operations to the greatest extent possible. The new boat ramp is planned to be installed with the Big Dig.

Applicant Matt Stais with Matthew Stais Architects introduced others on the team including: Dan Chapman, Matthew Stais Project Architect; Kim Kramer, Landscape Designer Norris Design; Jenn Shimp, TOF Marina Guest Services Manager; Diane McBride, TOF Interim Town Manager/Director, Recreation and Culture; and Tom Hogeman, TOF Marina Manager. The Applicant stated that they took the feedback received from the Planning Commission and addressed concerns. Stais stated they designed the building to be more iconic. The Applicant reviewed the renderings and noted that they spent time at the Marina getting to know the operations. Stais stated that the hexagonal plan was proposed with a commanding view of the water and over the boat ramp with the front of the building designed to face the water and the deck designed to be triangular and bigger than originally planned.

Stais addressed exterior materials and renderings including the twenty-seven foot length referred to earlier in the roof overhang; the wall is twenty-four feet, the roofs are a little bit bigger and they didn't catch that. Current staff is at 35-40 people (part and full time, seasonal) with 28 staff lockers. Stais further described the architectural details of the building. Kramer described the proposed landscaping for the site.

Commission questions for the Applicant included:

- Since the project is to begin in 2020, why reviewing this application now? Allgaier responded that the approval is good for three years and if they waited over 180 days from sketch plan, they would have to go back to the sketch plan.
- Where do things stand with the Army Corps of Engineers? Applicant responded that they have permit and are looking for modifications on the permit.
- Are the soils being dredged suitable for fill? Applicant noted that testing was done and yes, the testing revealed this to be the case.
- Is there any space for the sheriff's department in the structure? Applicant noted that this is a good idea but was not in the plan.
- Assuming the Big Dig happens, how much of the lakefront will be different than what is shown on your drawings? Applicant reviewed artist's rendering noting changes.
- How much further out is the office building going to come out? Applicant responded that they are working on different ideas with Logan Simpson and noted redline on rendering.
- Why are we moving forward with this now? Wouldn't it be better if we waited until we started the Big Dig and know what it's going to look like and approve the plans as it sits that way? Applicant noted that they didn't want to go back through the Sketch Plan process.
- Has the lease with Denver Water been renewed? Applicant replied, yes. How long? Applicant noted that the lease is a long-term lease, possibly 20 years and renewed last year or year prior.
- Is the future food and beverage building going to be lower than the office building and not inhibit views? Allgaier responded that the master plan is conceptual but that would be the goal. Applicant responded that marine operations and public safety is going to be priority number one.
- Please elaborate on the height issue. Do you know how much fill? Applicant noted that yes, it's 27' from the floor to roof but floor has to be 6' above the floodplain – that's why it's almost 35'. That is the highest point of the roof; most of it is lower than that, in the 20' range.
- This is budgeted to a certain point? Applicant responded that budgeting exercises were done over the summer and they want the building to be this size, more iconic, more detailed and the pricing came in, as you would expect the pricing to come in 2018, quite expensive. But it also included a transformer, sewer line, sewer lift station, and other things.

- If the budget changes significantly, i.e., material costs higher, etc. what happens? Allgaier responded that the Applicant would come back for an amendment.
- If you were to give police department presence this would be Town of Frisco Police Department, correct? Applicant noted that this wasn't part of the original discussion but is a possibility.
- Since the office building is designed prior to the big dig, has there been any discussion of using the new data as existing grade? Applicant responded that this is to be determined.
- Will the applicant fix the 27' length and could that change the architecture? The Applicant responded that yes, it is a big deal. It would necessitate some redesign and they could step it three feet. Allgaier stated that the Town is considering changing the code and giving the Planning Commission some leeway to make decisions when it is appropriate.
- Could the Commission make an exception now? Allgaier replied no, the Planning Commission is not authorized to make an exception now. They could make a condition.
- Could the Commission table this? Allgaier responded, yes, they could ask that the Applicant come back. The Town could make the code change within four months and the Applicant could come back with a Minor Site Plan Review.

Public comments:

- There were no public comments.

Commissioner discussion included:

- Still feels that the building has a residential look. Perhaps window walls instead of casement windows but that would affect the budget.
- The 27' could not be changed easily. To be iconic – would have liked to see something sharper but this is a vast improvement over the Sketch Plan.
- Strongly suggests a coffee shop be added. Definitely a miss that the office deck is not accessible to public but is being used for employees.
- Would like to see police/sheriff space in this building and master plan overall.
- Like the building, great addition. Hope the huge desk in front gets used, seems huge.
- Concerned about no additional parking but if staff is comfortable waiting until master plan gets implemented we'll have additional parking then.
- Not concerned with height and okay with adding the condition.
- The functionality of such a large space is very exciting.
- Hope the food and beverage does not take away views.
- Love the look, porch will be utilized.
- Applicant has come a long way. Great project.
- The 27' height is not an issue. Don't think you need to alter the project based on that as architecturally it would change the whole feel.
- Loves the building, everything about it, it's iconic for the town, love the changes, worry about where the restaurant goes and if it will impede views.
- Supportive in leaving the plans as is and would support the condition.
- Appreciate work put in, even the wood but a bit off-balance.
- Building looks great right now; I think we should make this happen with the condition.
- Fine with height, parking. Curious to see what the bike racks come out like.

WITH RESPECT TO FILE NO. 078-18-MAJ, COMMISSIONER FRANKEN MOVED THAT THE RECOMMENDED FINDINGS SET FORTH IN THE NOVEMBER 1, 2018, STAFF REPORT BE MADE AND THAT THE RECOMMENDED CONDITIONS SET FORTH THEREIN BE TAKEN AND THAT THE PLANNING COMMISSION HEREBY APPROVES THE

REQUEST FOR A MAJOR SITE PLAN APPLICATION FOR THE FRISCO BAY MARINA NEW OFFICE BUILDING PROJECT, LOCATED, AT 290 MARINA ROAD / UNPLATTED (LEASE AREA ON DENVER MUNICIPAL WATER WORKS LAND; TR 5-78, SEC 35, QTR 1) WITH THE SUGGESTED CONDITIONS PROVIDED BY STAFF.

Condition No. 7 shall be revised to:

“Prior to application for a building permit, the applicant shall revise the building facades and/or eaves as necessary to comply with the articulation standards of Section 180-6.21.3.B.3 and gain approval for a site plan amendment from the Planning Commission. It is noted that an amendment for the code may take place allowing the Planning Commission to waive the requirements of the noted section.”

SECONDED BY LESMES

Vote:

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

MOTION CARRIED

Staff and Commissioner Updates:

- November 7, 2018, 5:00 p.m. – 6:30 p.m. – Community Plan update open house on parks at the Frisco Adventure Park Day Lodge
- November 14, 2018, 5:30 p.m. – 7:00 p.m. –Outreach meeting for the Climate Action Plan Collaborative Open House at the Frisco Adventure Park Day Lodge
- November 15, 2018 Planning Commission attendance for quorum.

Adjournment:

There being no further business, Commissioner Withrow made a motion to adjourn, seconded by Lederer and was unanimous. The meeting adjourned at 7:36 p.m.

Respectfully submitted,

Cheryl Mattka, Community Development Department