



RECORD OF PROCEEDINGS

MINUTES

**Meeting of the Planning Commission for the Town of Frisco
Town Hall, 1 East Main Street
Thursday, November 2, 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

Minutes: Approval of the October 19, 2017 Planning Commission meeting minutes

Public Comment (non-agenda items):

There were no public comments.

Agenda Items:

- 1. Planning File No. 205-17-CU:** A public hearing of a conditional use request for the renewal of the expired August 12, 2014, conditional use approval of the Building A, Watertower Place Condominiums mixed use development project, (Planning File #035-14 DA/CU/SD), located at 25 Watertower Way / Tract A, Watertower Place Condominiums. Applicant: Michael Bosma, Rubicon Development represented by Provino Architecture

Assistant Community Development Director Bill Gibson presented the staff report explaining that under the old code, a Conditional Use (CU) was only valid for one year and a Development Application (DA) was valid for three years; the DA for this project had not yet expired. Mr. Gibson gave an overview of the history of the property and project, noting the existing residential Buildings B and C and that the CU applied to the third and final phase of the project, a mixed-use building for which revisions were submitted in 2014. Within the Mixed-Use (MU) Zoning District, any use that has less than 20% of the floor area needs a CU. Commission and Council approval for the CU was obtained in 2014 with a few conditions for the development in conjunction with the Town's vacation of the South 8th Avenue Right-of-Way (ROW).

This meeting would only focus on the CU renewal and the Applicant had not proposed any design changes to the DA. If they were not asking for a CU, the required commercial element would require a 17,000 square-foot space which is larger than Natural Grocers.

Commission questions for staff included:

- The design of the commercial space
- Clarification of the expiration of the CU

- Clarification of the labelled detention pond in relation to the Vacation requirement of developing a public interest use in the same location
- Is the Commission able to ask for more commercial space?
- Are the ROW landscaping and other requirements still valid?
- Clarification of the exact location of the vacated ROW
- Where do the underground driveways connect with the street?
- Has the applicant indicated any timelines?

The Applicant, Mark Provino, did not present and made himself available for questions.

Commission questions for the Applicant included:

- Have any changes to the project been considered with regards to the new neighboring developments?
- Would the Applicant consider additional commercial space?
- Clarification on the size of the lot

Public comments included a neighboring property owner who expressed concern with the project coordinating with CDOT changing the Summit Boulevard and 8th Ave intersection, particularly regarding access and egress. Another citizen expressed concern with the lack of commercial space in the approved DA as there is an increasing demand for commercial space. He also noted the loss of potential tax revenue that would come with the lack of commercial space in town and, moving forward, encouraged the Commission to consider a balance of commercial space and dwelling units in applications.

Lastly, a citizen noted that commercial space is at a premium which appears to indicate a need for commercial space. A project this size could accommodate a few workforce housing units and a suggestion was made for the Applicant to consider incorporating affordable units. A question posed to the Commission was if the CU ran concurrently with the DA approval or if they were separate processes. As they are separate, the CU could be denied which would then require an alteration to the DA and it was suggested that the Commission consider the current demands of the community and to give the DA a chance to be re-worked to meet them.

Mr. Gibson clarified that there are three existing affordable units and the remaining eight deed restricted units required were integrated with the future Building A.

Commission discussion proceeded as follows:

- There is still retail space available in Frisco and this project wouldn't contribute to a bedroom community. Due to the project's size, however, incorporating a little more commercial space would be appreciated.
- Vacant commercial space is still available and wondered if the price of rent contributes to the vacancies. It would be good to activate this corner of town and hoped that the proposed CDOT plans would improve the walkability in this area. The traffic is connected to the DA rather than the CU.
- Two Commissioners didn't feel a need to change their original votes of approval
- If the project had come to the Commission today, the design may very well have been different. A desire was expressed for the project to be smaller with workforce units and slightly more commercial square footage but the Commission was deciding on the CU.
- If the project was new, Commission requests would have likely influenced a different design and requirements but the project is fine as previously approved.

- A clarifying question on bonus unit calculations was asked. The Commissioner noted a few office spaces for rent that have remained vacant and doesn't consider a lack of commercial space at this time an issue. Expressed favor for the project and appreciated the eight affordable units.

WITH RESPECT TO FILE NO. 205-17-CU, COMMISSIONER SKUPIEN MOVED THAT THE RECOMMENDED FINDINGS SET FORTH IN THE NOVEMBER 2, 2017, STAFF REPORT BE MADE AND THAT THE RECOMMENDED ACTION SET FORTH THEREIN BE TAKEN AND THAT THE PLANNING COMMISSION RECOMMENDS APPROVAL TO TOWN COUNCIL FOR THE THE RENEWAL OF THE EXPIRED AUGUST 12, 2014, CONDITIONAL USE APPROVAL OF THE BUILDING A, WATERTOWER PLACE CONDOMINIUMS MIXED-USE DEVELOPMENT PROJECT (PLANNING FILE #035-14 DA/CU/SD), LOCATED AT 25 WATERTOWER WAY/TRACT A, WATERTOWER PLACE CONDOMINIUMS. COMMISSIONER BIRENBACH SECOND.

VOTE:

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

MOTION CARRIED

Staff and Commissioner Updates:

- The next Commission meeting will be November 16th for the Foote's Rest Project. A Commissioner asked to get the materials for this meeting as early as possible to allow ample time for review.
- The Town's Christmas party will take place on Friday, December 1st
- Clarification was requested on the CDOT project mentioned in public comment. Staff identified this as the Gap Project and brief Commission discussion followed.

Adjournment:

There being no further business, the meeting adjourned at 5:29 pm.

Respectfully submitted,

Sarah Hoffman
Community Development Department