



**PLANNING COMMISSION  
STAFF REPORT**

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July 20, 2017

**AGENDA ITEM:** Planning File 092-17-DA/CU: a development application and conditional use request for the Library Lofts multi-family residential project

**LOCATION:** 90 South Madison Avenue / "Summit County Library Tract" (TR 5-78, Sec 34, Qtr 1, Pt of Flora Placer Cont.) and Lot E-4, Frisco West Filing 1

**ZONING:** Mixed Use (MU) District / Main Street Overlay District

**OWNER:** Madison Avenue Properties, LLC  
73 Kendrick Court  
Golden, CO 80401

**APPLICANT & ARCHITECT:** Crowe Architects  
12700 Willow Lane  
Lakewood, CO 80215  
croweworks@att.net (303) 462-4636

**ENGINEER:** Gray Pearson, PC  
PO Box 1508  
Frisco, CO 80443

**LANDSCAPE ARCHITECT:** Neils Lunceford, Inc.  
P.O. Box 2130  
Silverthorne, CO 80498

**NOTICING:** Published in the Summit County Journal: 7/14/17  
Mailed to adjacent property owners: 7/06/17  
Posted at the Post Office: 7/06/17  
Posted at the Site: 7/06/17

**TOWN STAFF:** Katie Kent (970) 668-9131  
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**PROJECT DESCRIPTION**

The applicant, Todd Crowe, Crowe Architects, is proposing to construct the Library Lofts multi-family residential project containing seven (7) dwelling units at 90 South Madison Avenue. The proposed project entails:

- Repurpose existing building to create one (1) ~3,000 sq. ft. two-bedroom residential unit and ~3,000 sq. ft. common area with lounge, ski lockers, bar, spa and restrooms
- Expand existing building to create six (6) additional ~2,029 sq. ft. two-bedroom residential dwelling units
- Fifteen (15) enclosed parking spaces
- Exterior building materials include hard coat stucco, colored concrete, dry stacked stone, glass block, glulam beam, and slate roofing

All permitted uses in the MU District must consist of a mixture of residential and commercial uses, with each such sort of use making up not less than twenty percent (20%) of the total floor area of all uses within a single zone lot. Since the applicant is proposing to remove the existing office use, the property will contain 100% residential use. A conditional use application for the proposed seven (7) residential dwelling units has also been submitted for the Planning Commission to make a decision on.

For a more complete description of this project, please refer to the attached application materials.

## BACKGROUND

The subject property, 90 South Madison Avenue, fronts along South Madison Avenue and Mount Royal Drive (CR 1010). An existing one-story commercial structure, approximately 6,300 sq. ft. of floor area, exists on the east side of the property with unenclosed off-street parking spaces provided on the western portion of the lot. According to the Summit County Assessor's data, the existing structure was constructed in 1975. The existing building previously housed the Summit County Library and currently contains the offices of accounting firm Harker Neumaier Associates.

Formerly in Summit County jurisdiction, in 1998, Town of Frisco Ordinance 98-2 approved the annexation of the subject parcel, known as the County Library Parcel. This was followed by Ordinance 98-3 which rezoned the parcel from Summit County R-2 to the Frisco Mixed Use District with the Main Street Overlay. This is still the zoning which applies to the property.

Madison Avenue Properties LLC granted an easement to the Town of Frisco in July 1998 to provide a non-motorized multi-use pathway along the east property line. This easement remains in place today.

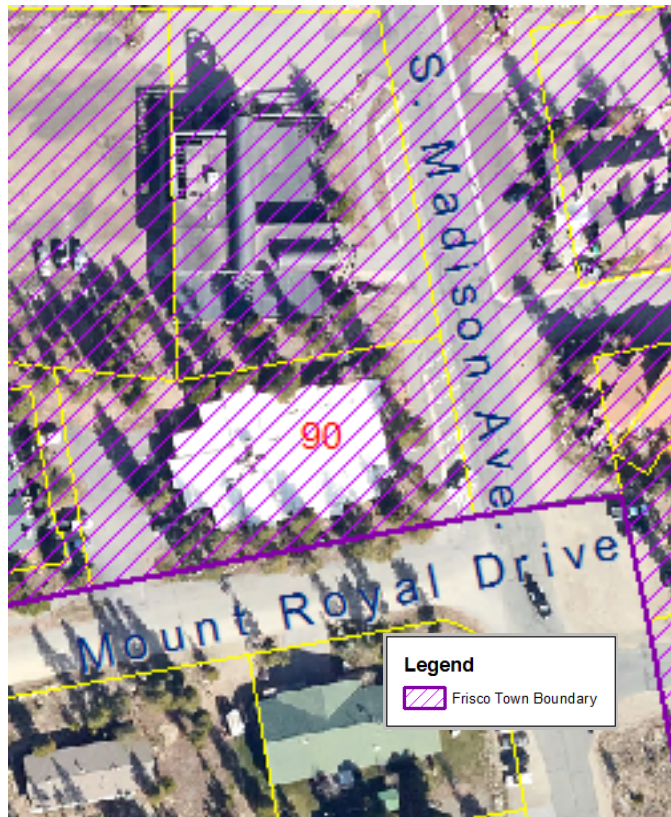
On May 4, 2017, the Planning Commission reviewed a sketch plan application for this proposed project. Minutes from the Planning Commission meeting reflected final Commissioner comments to the applicant included:

- *Refreshing and strong support for the project*
- *The design is a bit heavy on the glass*
- *Appreciation for the breaks in the structures and balconies*
- *The common lounge was an interesting feature*
- *If the angled stone columns were straightened it would appear less bottom-heavy*
- *Appreciation for the sustainable approach by keeping the existing building and having parking in the back with space around the buildings and neighboring lot*

Below is a vicinity map of the subject property. The location of the property lines shown on this map vary in accuracy and should only be used for reference purposes. Also included for reference are photographs of the subject property.



Vicinity Map



Town of Frisco Boundary



View from southeast corner (04/20/2017)



View from northeast corner (April 20, 2017)



View from southwest corner (Google Earth, August 2008)

#### REQUIRED ACTION

Planning Commission: Approval, approval with conditions, or denial of the proposed development application and conditional use application

#### ANALYSIS - FRISCO COMMUNITY PLAN

The following elements of the Frisco Community Plan are applicable to the review of this application:

##### Plan Overview (excerpt)

*The Frisco Town Charter requires that the Town's master plan be updated every five years in order to respond to changing times. The 2011 master plan update is titled the 'Frisco Community Plan.' Periodically updating the Frisco master plan is a critical step in the process to maintain a vibrant mountain town, balance the town's reputation as a great destination, ensure a strong yet diverse economic base, and preserve our quality of life. The community realizes intentional planning for the future is necessary to ensure that the Town of Frisco continues to evolve as a resilient community.*

*Purpose ~ The Frisco Community Plan's purpose is to identify common values and guide direction to connect, sustain and create the future of the Town of Frisco over the next 5 years.*

*Connect ~ Connections are a core tenet of the Frisco Community Plan; they reflect the way people, organizations and neighbors relate to each other in the Frisco community. Connections help to address needs of the community.*

*Sustain ~ Everything is interrelated. Sustainability is the fundamental approach of the Frisco Community Plan; it recognizes the social, environmental and economic influences on the community, and aims over the long-term to balance these influences to support community success.*

*Create ~ Creation of lasting community relationships is an important aspect of the Frisco Community Plan. The plan creates the community's direction for a preferred future of Frisco.*

## Chapter 2. Community Direction (excerpt)

*The Frisco Community embraces itself as a vibrant mountain town, and seeks opportunities to enhance and maintain vibrancy through art and culture, the built environment, community services, energy, the economy, health and well-being, housing, natural resources, recreation and transportation. ~ Community Plan Quality of Life statement*

### **Art & Culture**

*Frisco is a community that celebrates its history, honors its eclectic influences and promotes artistic and cultural opportunities.*

- *A&C 1. Preserve and enhance the Town's historic resources.*
- ***A&C 2. Enhance Frisco as a cohesive community, which includes full-time residents, second homeowners, businesses and visitors.***
- *A&C 3. Promote public art.*
- *A&C 4. Improve existing community programs and/or explore opportunities to develop new effective programs to benefit Frisco.*
- *A&C 5. Celebrate and highlight Frisco's heritage.*

### **Built Environment**

*Frisco is a community that encourages land uses and architectural styles to fit its mountain town identity, and strives for development with sustainable design, materials and practices.*

- ***BE 1. Encourage eclectic and sustainable designs for new construction and redevelopment to enhance the community's character.***
- *BE 2. Ensure the design of Frisco's public spaces, streets and pathways reflect Frisco's mountain town character.*
- ***BE 3. Preserve and enhance the Main Street area as the heart of the community.***
- *BE 4. Enhance the Summit Boulevard area as a primary gateway and as a functional and efficient economic center of the town.*
- *BE 5. Promote attractive and safe connections between all areas and sections of the town.*

### **Economy**

*Frisco is a community that promotes a diverse, sustainable, year-round economy.*

- *EC 1. Develop economic strategies to encourage a diversity of commercial businesses in town.*
- *EC 2. Continue to promote the town as a year-round destination.*

- **EC 3. Encourage and direct economic growth.**
- EC 4. Allocate public resources to effectively support and encourage cost-effective private investments that enhance the community.
- EC 5. Support the creation and outlet for local markets and support local workforce policies.

**Housing**

*Frisco is a community that recognizes the importance of ensuring a variety of housing opportunities are available for people to live and work here.*

- HS 1. Encourage a mixture of housing unit sizes and types within new residential developments.
- **HS 2. Ensure new housing is compatible with adjacent properties and compliments existing neighborhoods.**
- HS 3. Provide a variety of affordable housing opportunities, regulations and/or programs that meet the needs of the Frisco residents.
- HS 4. Promote and encourage public/private partnerships for the development of affordable housing to achieve the highest quality housing possible.
- HS 5. Implement strategies that complement existing housing programs to ensure a diverse community.

The proposed application appears to further the quality of life statements above in bold. The application conforms to the recommendations of the Frisco Community Plan.

**ANALYSIS – MIXED USE (MU) ZONE DISTRICT [§180-15]**

**Purpose:** The purpose of the MU District is as follows:

*To increase the efficiency of land use, the number of residents and the diversity of commercial activities in those transition areas between the core commercial districts and residential districts, and to emphasize and encourage pedestrian and bicycle circulation.*

**Permitted and Conditional Uses:** “Residential Dwelling Units for properties not along Main Street” such as this proposal is a permitted use in this district. However, all permitted uses in the MU District must consist of a mixture of residential and commercial uses, with each such sort of use making up not less than twenty percent (20%) of the total floor area of all uses within a single zone lot. Since the applicant is proposing to remove the existing office use, the property will contain 100% residential use requiring a conditional use from the Planning Commission.

**Minimum Lot Area:** None required. This standard does not apply to this application.

**Minimum Lot Frontage:** None required. This standard does not apply to this application.

**Setbacks:** Pursuant to §180-5, Definitions, Frisco Town Code:

*“Lot Line, Front – On an interior lot, the line separating the lot from the street. On lots fronting upon two (2) streets, the owner may select which line shall be considered the fronting line.”*

The applicant has selected Madison Avenue as the front lot line and the twenty (20) foot front yard setback has been applied to that side of the lot. The ten (10) foot side and rear setbacks

have been applied to the remaining sides of this lot. The structure, including roof overhangs or any projections such as decks, shall not encroach into any setback.

The minimum required setbacks for properties within the MU District and not on Main Street are as follows:

	Minimum Setback	Proposed Setback
Front Yard (Madison Ave.)	20 feet	20 ft
Side Yard	10 feet	North: 10 ft & South: 10 ft
Rear Yard	10 feet	10 ft.

The applicant has proposed a terrace composed of permeable pavers on the south side of the building. The Town of Frisco has historically interpreted the zoning ordinance to allow permeable pavers to encroach within the setback. The application complies with these standards.

**Lot Coverage:** Lot coverage shall not exceed sixty percent (60%) of the total lot area. Lot coverage for the property is stated to be 59% with the proposed new development. The applicant is proposing permeable pavers for terraces and has submitted technical specifications for these. The Town of Frisco has historically interpreted the zoning ordinance that permeable pavers do not count towards lot coverage as proposed for the terraces. The application meets this standard.

**Open Space:** Open space shall be provided in the amount of ten (10) percent of the gross floor area. The application materials note the gross floor area as 18,303 sq. ft. requiring 1,830 sq. ft. of open space. 8,289 sq. ft. of open space is provided. The application meets this standard.

**Maximum Building Height:** The maximum building height is forty-five (45) feet for pitched roofs and thirty-five (35) feet for flat roofs in this zone district. The proposed sloped roofs are approximately forty-four (44) feet in height. The applicant will be responsible for ensuring compliance with building height requirements prior to and at the time of building permit submittal and a roof ILC will be required during construction. The application meets this standard.

The first floor ceiling height shall be a minimum of ten (10) feet in height. The submitted plans show a first floor ceiling height of greater than ten (10) feet. The application meets this standard.

**Density:** Maximum density in the MU District is fourteen (14) units per developable acre. This site is 21,187 square feet in size (~0.48 acres), so a maximum of seven (7) dwelling units are allowed. The application proposes seven (7) new dwelling units in conformance with the MU District standards. The applicant is not proposing to construct any deed-restricted accessory housing units, and the affordable housing exemption/density bonus exemption provisions of the Frisco Zoning Ordinance are not being requested.

**ANALYSIS – CONDITIONAL USES [§180-30]**

The property is zoned Mixed Use (MU). The Frisco Town Code (Code) states that all permitted uses in the MU District must consist of a mixture of residential and commercial uses, with each such sort of use making up not less than twenty percent (20%) of the total floor area of all uses within a single zone lot. Since the applicant is proposing to remove the existing office use, the property will contain 100% residential use. A conditional use application to allow one-hundred percent (100%) of the property to be residential use with the proposed seven (7) residential



dwelling units shall be reviewed by the Planning Commission. It shall be noted that the existing structure contains 100% commercial use and is nonconforming today.

The property has numerous residential dwelling units in the vicinity including Royal Glen Condos to the west of the property, Spruce Point townhomes to the east of the property and the Evergreen Subdivision (Summit County jurisdiction) to the south of the property which is composed of mostly single-family homes. The Peak School is located directly to the north of the property.

It shall be the duty of the applicant to establish that each of the conditional use criteria has been met. See attached document for the applicant's complete written response to each of the criteria.

a. That the proposed use in its particular location is necessary or desirable to provide a service or facility that will contribute to the general welfare of the community.

**Applicant's Response:** *"Given the proposed Library Lofts development is bordered on three contiguous sides by solely residential developments, with the exception of Peak One School to the north, the proposed conditional use request for residential is consistent and compatible with its residential neighbors and as such does not adversely change the complexion or intent of the masterplan or the integrity/fabric of the neighborhood".*

**Staff's Analysis:** This project provides a desirable residential use in this particular location that will contribute to the general welfare of the community. The conditional use proposal will provide seven (7) new residential housing units within walking distance to Main Street businesses, a Summit Stage bus stop, a school, the Post Office, Town Hall, and the Recpath. We see the location of residences in such a place as being complementary to the existing uses, provides vitality, and has the potential to allow greater use of transit. This criterion is met.

b. That such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community.

**Applicant's Response:** *"The 'Conditional' Residential use is consistent with adjacent properties and the existing sidewalks and bike paths have been built in anticipation of such pedestrian use and flow".*

**Staff's Analysis:** As long as the proposed project meets all applicable zoning and building code requirements, the proposed use does not appear to be detrimental to the health, safety and general welfare of the community. The suggested conditions in the staff report are to assist in addressing health, safety, and welfare. It is not anticipated that the use will create any negative noise, odors, or visual impacts. The project will not be detrimental to the health, safety and welfare to the community if the project is approved pursuant to the proposed conditions referenced below. This criterion is met.

c. That the proposed use will comply with the regulations and conditions specified in the Town Code for such use.

**Applicant's Response:** *"The proposal use will comply and fall within all conditions and regulations for this use per the Town Code".*

**Staff's Analysis:** Conditions of this staff report allow for this criterion to be met.

d. That the proposed use conforms to the goals and objectives of the Master Plan for the Town of Frisco.

**Applicant's Response:** *"In light of the proposed developments context within a predominantly residential environment it will enhance not diminish the peaceful enjoyment of the neighborhood by both reducing traffic and providing a compatible occupancy that is aesthetically congruent and consistent with the Main Street Overlay District's Goals and Objectives, which will in turn serve to expand and enrich the Main Street Corridor"*.

**Staff's Analysis:** Staff has evaluated the current proposal for consistency with the Master Plan and Staff does not feel that the proposal conflicts with any of the policies outlined in the Plan. This conditional use request appears to be supported by the direction in the Frisco Community Plan, specifically:

- *A&C 2. Enhance Frisco as a cohesive community, which includes full-time residents, second homeowners, businesses and visitors.*
- *BE 1. Encourage eclectic and sustainable designs for new construction and redevelopment to enhance the community's character.*
- *BE 3. Preserve and enhance the Main Street area as the heart of the community.*
- *EC 3. Encourage and direct economic growth.*
- *HS 2. Ensure new housing is compatible with adjacent properties and compliments existing neighborhoods.*

This criterion is met.

e. That the proposed use furthers the architectural qualities and character of the community.

**Applicant's Response:** *"In light of the proposed developments context within a predominantly residential environment it will enhance not diminish the peaceful enjoyment of the neighborhood by both reducing traffic and providing a compatible occupancy that is aesthetically congruent and consistent with the Main Street Overlay District's Goals and Objectives, which will in turn serve to expand and enrich the Main Street Corridor"*.

**Staff's Analysis:** The architectural qualities of the proposed building are compatible with the small mountain town character of Frisco. The applicant is proposing a mountain contemporary style architectural design that is complementary to Frisco's eclectic character. This criterion is met.

f. That the proposed use is compatible in function and design with surrounding land uses.

**Applicant's Response:** *"Although the elimination of retail/office may seem to diminish the retail tax base, the addition of residents to the Central Core/Main Street District actually serves to enhance the economic sustainability of the existing businesses via the economic stimulation and vitality these new families/residents will bring to the commerce of Main Street as well as Summit Boulevard. The proposed development will not only enhance the streetscape but is a sustainable solution given the preservation of the existing structure. In the end, people not buildings create economic sustainability; therefore affording the opportunity to bring to fruition*

*fresh new dwellings, will serve to maintain and enhance economic growth which in turn will increase the vitality and vibrancy of the community”.*

**Staff’s Analysis:** Staff finds that the proposed use is compatible to the surrounding land uses. The proposed residential use would be compatible to the residential dwelling units located within adjacent properties. Having residential units in close proximity to Main Street’s retail, restaurants and office uses will be compatible. The nearby transit stop on West Main Street will support the use of public transportation for the residents. The location serves as a transition between Main Street and the low density residential neighborhoods to the south and west. The use is compatible with surrounding land uses and in keeping with the overall intent of the land use designation of the area. This criterion is met.

## ANALYSIS – MAIN STREET OVERLAY DISTRICT [§180-18.1]

### **Purpose:**

*The purpose of the Main Street Overlay District is to conserve and enhance important community qualities by requiring base design standards and providing incentives to help achieve desired attributes. The standards relate to the scale, mass, architecture and overall design character of development which will occur along Main Street in the future. There are already a number of zoning criteria related to site design which will continue to apply to all developments in Town; this overlay district simply adds additional criteria to conserve and enhance these community attributes.*

*This overlay district will require future developments to be designed in a manner that will protect and promote the character and sense of this critical street. The overall appearance and function of the Main Street area should be compatible with the existing structures in the area and the community’s general small mountain town environment.*

### **Goals:**

*The goal of this overlay district is to require new projects to meet basic design standards that will ensure future developments which are compatible with the desired character of the Main Street area. Coupled with these basic standards are incentives to encourage certain design elements that will further preserve and strengthen the architectural character of the area. While these standards and incentives are aimed at preserving and enhancing the area, one of the overriding goals of the community is to allow for a variety of design, with an eclectic effect, while still protecting the character of the area. There is no desire to change the land uses or basic zoning in this area, nor is there any desire to restrict commercial development within this area, other than to guide the architectural and site planning components of future development.*

### **Character:**

*There are three distinct subdistricts within the Main Street Overlay area. This Section has been tailored to meet the specific needs and characteristics of each of these three areas.*

*The Central Core subdistrict contains predominantly commercial land uses with interspersed residential uses, some of which are located above the commercial uses. There are also a number of historic buildings in this area. The central Main Street area represents the focal point of the downtown area and therefore the subdistricts to either side of the core area should appear to “taper” or transition out from this area.*

*The Marina Subdistrict, east of the Central Core, is also predominantly commercial in nature at this time, and is the Town's primary view from Main Street to Lake Dillon. The preservation of this critical view corridor is an important component of the design guidelines established for this particular subdistrict.*

***The third Main Street area is the West End Subdistrict which is made up of a variety of commercial and residential uses located in a linear fashion from the Central Core, west to Interstate Highway 70. This area is characterized by a larger than normal street right of way along West Main Street which separates uses from the street by a greater distance than elsewhere in the Main Street area, and by building styles and architecture that are primarily residential in nature and scale.***

**GOAL #1.**

***Structures should be compatible with existing structures, their surroundings and with Frisco's "Small Mountain Town" character whenever possible. The existing land forms and historic structures on a site should be preserved on-site whenever possible and reinforced by development rather than destroyed or replaced by it.***

***It is not inferred that buildings must look like the existing structures to be compatible. Compatibility can be achieved through proper consideration of scale, design, proportions, site planning, landscaping, materials and colors, and compliance with the standards contained herein.***

This application preserves an existing building while also constructing an addition which is proposed to be distinct but complimentary to the structure. The proposed building is compatible with the scale, design, site planning, landscaping, exterior materials, and the overall eclectic character of Main Street neighborhood. At the sketch plan review meeting the Planning Commission expressed support for the design of the project expressing appreciation for the breaks in the structures and the balconies. Some Commissioners expressed the design was a bit heavy on the glass as a primary material. This application conforms to the recommendations of this goal.

**Standard #1.1.**

***Buildings shall be designed in a manner that is architecturally fitting with Frisco's small mountain town character and:***

- Provides significant variation in all the wall planes.***
- Provides significant variation in all roof lines and roof forms.***
- Groups elements (e.g. windows) to provide balanced facade composition.***
- Provides projecting elements (e.g. turrets, bay windows, decks, etc.).***

The proposed structure is designed to fit with Frisco's small mountain town character. The applicant has proposed significant variations in wall planes, roof lines and roof forms. The application includes second and third floor decks. The application meets this standard.

**Standard # 1.2.**

***Buildings shall be designed to provide deep (at least 24 inches) eaves and overhangs, and other building elements that provide shelter from natural elements and provide visual relief, including the use of porches and patios to add interest along street yards. When a substantial number and variety of building elements are provided the eaves may be less than 24 inches deep in some locations.***

The proposed structures involve roof overhangs at a minimum of two (2) feet adding architectural interest. Second and third floor decks and overhangs are proposed on various

façades of the buildings to add additional architectural interest. A substantial number and variety of building elements are proposed. The application meets this standard.

**GOAL #2.**

***In general, buildings should be designed in a manner that provides elements that relieve the feeling of mass and provides for the graduation of mass as one moves back from the front of a lot, with the smaller elements located near the street, and the larger elements usually located further away from the street.***

The applicant is proposing to relieve the feeling of mass by providing building separation on the second and third floors between units. The proposed visual breaks add visual interest to the project and reduce the overall perceived building mass of the site. The application conforms to the recommendations of this goal.

**Standard # 2.1.**

***c. Within the West End Subdistrict of the Main Street Overlay District the building facades and corresponding roof fascia/eaves shall not exceed 33 feet in length along the same geometric plane, at which time the wall facade shall be broken up with a change in the geometric plane by a minimum of two (2) feet in depth for a distance of not less than six (6) feet, and the roof fascia/eave shall either be indented or projected from the primary geometric plane by a minimum of 2 feet. For buildings that exceed 54 feet in length the change in the geometric plane shall be increased to a minimum of four (4) feet in depth. All buildings with a total facade length of 33 feet or less are exempt from this provision. Upon approval by the Planning Commission, the dimension of 33 feet for the length of a building façade which necessitates a building wall façade break and corresponding roof fascia/eave change may be extended as much as five (5) feet for a total of 38 feet, upon a finding that the design furthers the intent of this section.***

The facades of proposed structure exceed fifty-four (54) feet in length. The applicant has provided required breaks along same geometric planes as required by the Code. As shown on the floor plans and elevation drawings facades are broken up with stone columns, decks, bridge element and covered terraces. The first floor south façade of the existing structure exceeds thirty-three (33) feet in length along the same geometric plane but is considered existing nonconforming. The east and west roof eaves appear to exceed thirty-three (33) feet in length without an indentation or projection as required in Standard 2.1 Staff has suggested a condition that the applicant shall revise the proposed plans to comply with Frisco Town Code, Section 180-18.1, Main Street Overlay District, Standard 2.1, prior to submitting building permit application. With this suggested condition, the application meets this standard.

**Standard # 2.2.**

***Within the Central Core Subdistrict, the Marina Subdistrict and the West End Subdistrict of the Main Street Overlay District no building facade or roof ridgeline facing a front yard or street side yard shall have more than 66% of the length of the wall or roof ridgeline along the same geometric plane, with the exception that buildings with a total facade length of less than 38 feet may generally be located on the same geometric plane.***

The south and east facades are street facing facades. No more than 66% of the length of the wall lines along these facades is proposed to be constructed within the same plane. The east roof ridgeline appears to exceed sixty-six percent (66 %) along the same geometric plane. Staff has suggested a condition that the applicant shall revise the proposed plans to comply with Frisco Town Code, Section 180-18.1, Main Street Overlay District, Standard 2.2, prior to

submitting building permit application. With this suggested condition, the application meets this standard.

**Standard # 2.3.**

***The bulk of a building shall be restricted on any site within the Main Street Overlay District through the use of a bulk plane envelope. The bulk plane envelope within the various subdistricts shall be as follows:***

***c. West End Subdistrict: The bulk of the building shall be restricted on all street and side yard facades by a bulk plane. The bulk plane requirement within this subdistrict shall be in effect for the area located within 100 feet of the West Main Street right of way. The bulk plane shall start from a point 24' feet above the existing grade measured ten (10) feet into the property from all street, front and side yard property lines, and shall extend upward at a 22.5 degree angle, and directly away from the property lines to a point where the envelope intersects with the maximum allowed height for the property based on the underlying zoning district, at which point the bulk plane envelope and the allowed maximum height shall be the same. The maximum height limit of the bulk plane may be increased, if provision 180-23.C.(4) is utilized. In addition, the bulk plane for the rear yard shall start from a point 24 feet above the existing grade measured ten (10) feet into the property from the rear property line, and shall extend upward at a 45 degree angle, and directly away from the property line to a point where the envelope intersects with the maximum allowed height for the property, at which point the bulk plane envelope and the allowed maximum height shall be the same. Where a conflict exists between the allowed height along a rear yard, and a street side yard, the more restrictive measurement shall govern. Building forms may deviate from this standard and project beyond the bulk plane if they receive Planning Commission approval, meet the building height, and provide substantial architectural relief.***

90 South Madison Avenue is located more than 100 feet from the West Main Street right-of-way; therefore no bulk plane requirements apply to this property. The standard is not applicable to the application.

**GOAL #3.**

***Buildings should be designed in a manner and constructed of materials that are compatible, and complementary to the existing historic and surrounding buildings in the area, and should contain a mixture or combination of materials, such as utilizing wood as the primary building material and stone, brick or other similar materials as accents or base materials.***

The primary exterior materials for the proposed include hard coat stucco, colored concrete, dry stacked stone, glass block, glulam beam, and slate roofing. At the May 4, 2017 sketch plan meeting, some Commissioners expressed the design was a bit heavy on the glass as a primary material. The proposed materials appear to be substantially similar to what was reviewed at the time of sketch plan. The proposed mixture of exterior materials is compatible and complementary to the surrounding buildings in the neighborhood. Examples of the strong use of glass can be found in the vicinity of the property. The application conforms to the recommendations of this goal.

**Standard #3.1.**

***Primary exterior building materials shall be predominantly natural, including, but not limited to wood siding, wood shakes, logs, stone, brick or similar materials. Other materials that have proven durability in the Town of Frisco's climate and imitate natural***

***materials may be used only if their texture, shape, and size are substantially similar to the natural materials they are simulating and are not obviously artificial materials.***

The primary exterior materials for the proposed structure are glulam beams, glass and stone. With the combination of materials as proposed, the application meets this standard.

**Standard #3.2.**

***Stucco or metal shall not be used as the primary exterior building material, but may be used as an accent, or in combination with other acceptable materials. Where metal is utilized it shall have a matte finish or a finish proven to fade and not be reflective. Untreated or unpainted galvanized sheet metal is prohibited. Concrete block shall not be used as the primary exterior finish, and when used as an accent shall be a split block, which is textured and painted a color that is compatible with the building.***

Stucco, colored concrete and metal railings are proposed as accent materials. The applicant has stated that the proposed stucco will visually integrate the existing structure with the new additions. Proposed metal accents will not be reflective. Proposed concrete will be colored and utilized as an accent material. The application meets this standard.

**Standard #3.3.**

***Aluminum and plastic exterior siding shall not be used as an exterior building material, except as allowed in Standard #3.1.***

No aluminum or plastic exterior siding is proposed. The application meets this standard.

**Standard #3.4.**

***The same or substantially similar building materials shall be used on main structures and any accessory structures located on the same site, unless an alternative design is provided that will complement the project and meet the remaining standards.***

No accessory structures are provided with this application. This standard is not applicable to this application.

**GOAL # 4.**

***Roof elements, including materials and colors, should be of a design that is compatible with, and complementary to the historic and surrounding roofs found in the area, and should provide pitched (sloped) roof elements, or facades with pitched element, which can be seen from public rights of ways and places.***

The proposed structure includes three distinct pitched roofs, separated by lower flat roof elements, that add visual interest to the project. The application conforms to the recommendations of this goal.

**Standard #4.1.**

***Steep pitched roofs are encouraged, but in those instances where flat roof construction is proposed, it shall be augmented with pitched roof elements, including but not limited to: peaked or sloped facade elements or parapets facing all street sides. Pitched roof elements shall vary by a minimum of two (2) feet, up or down and are encouraged to change in relationship to changes that occur in the wall plane as required in Standard #2.1, #2.2 and elsewhere in the overlay district. Mansard roofs are not appropriate and shall not be allowed.***

The proposed structure contains a pitched roof with breaks in plans and architectural elements included. The proposed sloping roof elements have a 5:12 pitches. The ridge lines of the entire building (existing building combined with the new addition) vary more than 2 feet up and down, and they change in relationship with the changes in the wall planes. There are no proposed mansard roofs. The application meets this standard.

**Standard # 4.2.**

***Where pitched roofs are utilized, the use of dormers (shed, peaked, etc.) shall be used to break up large expanses of roof, to enhance the usability of attic spaces, and to add architectural interest to the roofscape. A pitched roof shall have a minimum pitch of 6/12 in the Central Core Subdistrict and the Marina Subdistrict and a minimum pitch of 5/12 in the West End Subdistrict. A shed roof with a minimum pitch of 3/12 may be used if that element is below the primary roof level and terminates into the roof or wall of the structure.***

The proposed structure provides the appearance of three individual roofs to add architectural interest and prevent a large expanse of roof. The proposed roof elements have 5:12 pitches. The proposed three separate roof elements break up the continuous ridge line appearance of the structure and add architectural interest. The application meets this standard.

**Standard #4.3.**

***Ridge lines shall change by a minimum of two (2) feet, up or down, and are encouraged to change in relationship to changes that occur in the wall plane as required elsewhere in this overlay district.***

The ridge lines of the entire building vary more than 2 feet up and down, and they change in relationship with the changes in the wall planes. The application meets this standard.

**Standard # 4.4.**

***Roof lines shall be designed in a manner in which they do not deposit snow onto required parking areas, sidewalks, trash storage areas, stairways, decks, balconies or entryways.***

The new roofs proposed do not appear to deposit snow onto parking areas, sidewalks, trash storage areas, stairways, decks, balconies or entryways. The need for snow clips, snow fences, and other similar rooftop snow management techniques on both the existing and proposed roof elements will be reviewed with the building permit application. The application meets this standard.

**Standard # 4.5.**

***If metal roofs are used, they shall be surfaced with a low-gloss finish or shall be of a material which shall, within a reasonable period, weather to a dull finish in order not to be reflective.***

Slate roofing is proposed. This standard is not applicable to the application.

**Standard # 4.6.**

***Metal roofs shall have a standing seam or be of a design that provides relief and shadow to the roof surface. Asphalt and fiberglass shingles shall be permitted provided that they are of heavy material so as to provide relief and shadow, and are of a design and color so as to be compatible with the building.***



Slate roofing in a dark grey color is proposed. The application meets this standard.

**Standard # 4.7.**

***Bright colored roofs, which exceed a chroma of four (4) on the Munsell Color chart shall not be allowed.***

Slate roofing is proposed. The color of the proposed slate roofing is a dark grey which does not exceed a chroma of 4. The application complies with this standard.

**Standard # 4.8.**

***All rooftop mechanical, electrical, and electronic equipment shall be screened in a manner that is compatible and substantially similar with the colors and materials of the building or the roof.***

The applicant has stated that fireplace and plumbing vents will be clustered on the interior face of the roof away from public view. Staff has suggested a special condition ensuring that if at the time of final Planning Division inspection the proposed rooftop mechanical equipment screening does not adequately obscure the view of the installed mechanical equipment, as determined by Town Staff, the applicant shall modify the screening to meet the standards of the §180-18.1, Main Street Corridor Overlay District, Frisco Zoning Ordinance. The application meets this standard.

**GOAL #5.**

***Development should create a variety of designs while still being compatible with the desired character of the area.***

The proposed structure has a more contemporary mountain architecture character that is compatible and complimentary to the older architectural character of the existing building. The building design is unique and appears compatible with the existing eclectic character of the area. The application conforms to the recommendations of this goal.

**Standard # 5.2.**

***Building designs that duplicate, or are significantly similar in design to existing or proposed structures within the Main Street Overlay District and the Granite Street and Galena Street Overlay District shall not be allowed, with the exception that accessory structures on the same lot or parcel as the primary structure shall be similar in design as the primary structure.***

The proposed structure does not appear to duplicate another building in this overlay district. The application meets this standard.

**GOAL # 6.**

***Building colors should be compatible with the existing characteristics of the area and not conflict with the goals of the community to provide a “small mountain town” feel. Exterior wall colors should be compatible with the site and surrounding buildings. Natural colors (earth tones found within the Frisco area) and stains on wood should be utilized. Darker colors are recommended for roofs.***

The application proposes the use of dark brown stucco, grey stone, sage window cladding, dark grey slate roof, natural color timbered posts, corten steel metal deck railing and glass block as

an accent material on the elevator/stair tower that is consistent with the existing character of the neighborhood and Frisco's small mountain town feel. The application conforms to the recommendations of this goal.

**Standard # 6.1.**

***No color may be used as the primary color of the building that exceeds a chroma of four (4) on the Munsell Color chart.***

The proposed primary exterior building colors are natural tones that meet this standard.

**Standard # 6.2.**

***Colors that exceed a chroma of four (4) but do not exceed a chroma of eight (8) on the Munsell Color chart may be used only as accents and then sparingly, such as upon trim or railing, and in no instance shall luminescent, fluorescent, or reflective colors be utilized on any exterior portion of the building.***

The application does not include the use of luminescent, fluorescent, or reflective colors. The proposed trim and accent colors are corten steel for the metal deck railings and sage for the window cladding. The application meets this standard.

**Standard # 6.3.**

***The same, or substantially similar colors shall be used on the main structure and on any accessory structures upon the site.***

The applicant has stated that they will ensure the dumpster enclosure screen walls and doors match the structure. The application meets this standard.

**Standard # 6.4.**

***A color board shall be submitted and reviewed showing all proposed primary and accent colors and intensities for the exterior walls of the building.***

The applicant has stated they will bring this to the Planning Commission meeting in compliance with this standard.

**ANALYSIS - DEVELOPMENT STANDARDS [180-20]**

**Drainage Plan:** A drainage plan for the site has been submitted by the applicant and reviewed by the Town of Frisco Public Works Department and the Town Engineer. Refer to applicable comments of the Town Engineer. The applicant's civil engineer, Gray Pearson, has been in communication with the Town Engineer and they are working toward resolution of the review comments concerning the drainage plan and civil engineering drawings. Staff recommends the Planning Commission impose a special condition that the applicant shall satisfy the review comments of the Town Engineer.

**Water Quality Protection:** These standards are intended to maintain natural buffers, protect riparian habitat and the visual appearance of the Town's waterways, lakeshores, and wetlands. This standard does not apply to this application.

**Snow Storage and Snow Shedding:** One-hundred (100) square feet of snow storage is required for every 350 square feet of paving. The application involves 700 sq.ft. of proposed unenclosed paving, so 200 sq.ft. of snow storage is required. The application proposes 362 sq.ft. of snow storage. The application meets this standard.

Additionally, snow does not appear to shed onto outward swinging doors or windows and snow does not shed onto the public way. The application meets this standard.

**Road Construction and Maintenance Standards:** No new public or private roads are proposed in associations with the project. This standard does not apply to this application.

**Vehicular Access:** All vehicular access must comply with the standards set forth in Chapter 155, Street Design Criteria, Frisco Town Code. The Public Works Department has reviewed and approved the proposed driveway and parking configurations for this project. Summit County Government was also offered the opportunity to comment on the proposed access off Mount Royal Drive. No comments were received by Summit County. The application meets this standard.

**Non-vehicular Access:** The purpose of this section is to promote the use of non-vehicular modes of transportation through a town-wide network of connecting non-vehicular pathways and provide safe access year-around. All site plans must provide for and show non-vehicular access in accordance with the standards set forth in Chapter 155, Street Design Criteria, Frisco Town Code. Every principal structure must provide safe and convenient non-vehicular access to a public street or road year-around. Madison Avenue Properties LLC granted an easement to the Town of Frisco in July 1998 to provide a non-motorized multi-use pathway along the east property line. This easement remains in place today and the existing bike path is noted on the submitted site plan. The application meets this standard.

**Traffic Studies:** The traffic study prepared by Felsburg Holt & Ullevig dated May 30, 2017, concludes that:

*...The Library Lofts is anticipated to generate about 80 vehicle-trips per day which makes this development a low generate of traffic. In fact, given the propensity of Summit County residents to utilize transit and non-motorized methods of travel this trip generation estimate is likely lower. In terms of parking, the 15 on-site parking spaces and the availability of visitor parking on Madison Avenue should be sufficient to accommodate the resident and visitor parking demands and any additional parking demands if office space is included in The Library Lofts development."*

The traffic report has been reviewed and approved by the Town of Frisco Engineer. The application meets this standard.

**Bicycle Racks:** All commercial development shall provide bicycle racks, in an appropriate location, with bicycle stalls in the amount of no less than twenty percent of the total number of parking spaces required for the project, with a minimum of five bicycle stalls. Commercial development is not proposed with this application. This standard does not apply to this application.

**Stream Crossings by Roads and Utilities:** The application does not involve a stream crossing. This standard does not apply to this application.

**Joint Use Restrictions:** This application does not involve the joint use of any yard, open space, or portion of a lot, so this standard does not apply to this application.

**Buildings Occupying More Than One Lot:** This standard does not apply to this application.

**Development on Steep Slopes:** All development in areas with steep slopes between 15% and 30%, the net site disturbance shall not exceed 50% of the total area within this range of slopes. There are no steep slopes on this site, so this standard does not apply to this application.

**Grading Permit:** The developer will be subject to the standards regulating grading permits.

**Construction Trailers:** The developer will be subject to the standards regulating the use and placement of construction trailers.

**Nuisances (performance standards):** The developer will be subject to the nuisance standards prescribed by this section.

**Air Quality Protection:** There are no solid fuel (wood) burning fireplaces or appliances proposed with this project. The proposed fireplaces are gas appliances. This standard does not apply to this application.

**Refuse Management:** All commercial, mixed-use, and multi-family residential development projects shall provide adequate space for the collection and storage of refuse and recyclable materials. Dumpsters are required for commercial and mixed-uses projects, but only suggested for multi-family residential projects. The applicant has noted a dumpster enclosure on the southwest corner of the parking structure and stated it will comply with the Code.

A letter from Timberline Disposal Inc., dated June 2, 2017, regarding the proposed Library Lofts project states:

*I have reviewed the site plans and Timberline Disposal can provide weekly or biweekly service for the dumpster and recycling totes. Dumpsters and Totes can be provided in various sizes to accommodate different areas of storage. We can also provide Bear dumpsters and totes if needed. Dumpsters with wheels will allow us to service this account as needed.*

The application meets these standards.

**Use of Town Right of Way:** The applicant will be required to apply for an access permit and meet Summit County standards for the new driveway access. The application meets this standard.

## ANALYSIS – LANDSCAPING AND REVEGETATION [180-20.1]

**Landscaping Requirements by Project Type:** This proposal is subject to the landscaping requirements for a Residential Development.

**Required Vegetation:** A minimum of one (1) tree must be planted on the site for every 875 sq.ft. of lot area, and one (1) shrub is required for every 1,500 square ft. of lot area. The property contains 21,187 sq. ft. Therefore, twenty-four (24) trees and fourteen (14) shrubs are required. The application includes forty-eight (48) trees and a total of twenty-two (22) shrubs. The application meets this standard.

**Parking Area Landscaping:** Parking area landscaping is required to reduce the visual impacts created by parking areas in multi-family residential, mixed-use and commercial projects. Any parking lot providing (20) or more parking spaces shall have an area equal to at least six percent (6%) of the total paved area landscaped. The proposed development does not contain a

unenclosed parking area with more than twenty parking spaces. This standard is not applicable to the application.

**Plant Sizes:** Plant materials must meet the following size requirements:

Required Planting Sizes
Deciduous trees 50% min. 3- inch diameter
Deciduous trees 50% min. 2-inch diameter
Coniferous trees 25% min. 10' height
Coniferous trees 25% min. 6' height
Shrubs minimum five gallon

The applicant has specified the diameter of proposed and existing trees under the plant schedule on the submitted landscape plan. The application meets this standard.

**Species Diversity:** To prevent uniformity and insect or disease susceptibility, species diversity is required and extensive monocultures of trees are prohibited. For projects required to provide 20 to 39 trees 33% diversity is required. The applicant has stated on their landscape plan that no variety of tree exceeds a 33% total tree count. The application meets this standard.

**Water Conservation:** All landscaping plans should be designed to incorporate water conservation materials and techniques. Sod lawn areas shall not exceed 10% of the undeveloped area of the site. Sod and/or lawn area is not proposed for the property. The application meets this standard.

**Revegetation of Disturbed Land:** All areas disturbed by grading or construction, not being formally landscaped, shall be revegetated. The applicant has included a note on the submitted landscape plan stating that all areas of disturbance, not formally landscaped with other ground cover shall be revegetated with 3" topsoil and mulch or short dry grass seed, depending on location. The application meets this standard.

**Credit for Preservation of Existing Trees:** The use of existing healthy vegetation is encouraged and existing trees may be substituted for up to 50% of the required tree number. The applicant is showing on their landscaping plan numerous aspen and spruce trees to remain on the property. The applicant is proposing to seek credit for sixteen (16) of the existing thirty-two (32) trees that will remain as noted on the submitted landscape plan. The application meets this standard.

**Protection of Existing Vegetation:** The Zoning Ordinance allows existing trees to be removed from a site without replacement when those trees are located on land to be occupied by buildings, parking, and paving plus an adjacent clearance strip. The applicant has included a landscape note stating that existing vegetation including tree and shrubs shall receive a four (4) foot high visibility fence located no closer to the plant than the drip line. The application meets this standard.

**Irrigation System Requirements:** Landscape plantings must be properly irrigated during periods of time necessary to establish and maintain the landscape in good health and condition. The applicant has stated that all new trees and shrubs shall be drip irrigated upon installation as required. The application meets this standard.

**Landscape Maintenance:** Landscaping shall be maintained in good health and condition perpetually. If any vegetative landscaping required by this chapter shall die, it shall be replaced within one year. The applicant has added a note to the landscaping plan noting compliance. The application meets this standard.

#### ANALYSIS – OUTDOOR LIGHTING [180-20.2]

**Exterior Fixtures:** Exterior light fixtures on multi-family properties shall conform with the Illuminating Engineer Society of North America (IESNA) criteria for full cut-off fixtures, that is, no significant amount of the fixture's total output may be emitted above a vertical cutoff angle of 90 degrees. Any structural part of the fixture providing this cutoff angle must be permanently affixed. The applicant has stated that all exterior lighting will be within soffits. The proposed light fixtures meet the intent of these regulations. The application meets this standard.

**Height:** Wall mounted light fixture shall not exceed the height of the wall to which it is mounted. The application meets this standard.

**Light Emissions:** Outdoor light fixtures must be placed so there are no direct light emissions onto adjacent properties. The proposed exterior lights are recessed can lights which will not emit light past the property lines. The application meets this standard.

**Design:** It is required that light fixture designs reflect the small mountain town character of Frisco. The application proposes recessed can lights that are keeping with the small mountain town character of Frisco. The application meets this standard.

**Energy Savings:** Wherever practicable, it is encouraged (not required) that lighting installations include timers, dimmers, and/or sensors to reduce overall energy consumption and unnecessary lighting. The application meets this standard.

#### ANALYSIS – PARKING AND LOADING [180-23]

**Purpose:** The intent of the parking and loading regulations is to require parking be provided relative to the impacts created and proposed by new development, while promoting a pedestrian oriented commercial area.

**On-Premise Parking Requirements:** For properties that contain multi-family residential units, one (1) parking space is required per bedroom with a maximum of four (4) parking spaces per unit.

Seven (7) two-bedroom units are proposed requiring fourteen (14) parking spaces with the addition of one (1) for visitor parking. The application notes fifteen (15) parking spaces. Fourteen spaces (14) are proposed in the garage on the west of the lot and one (1) garage space is provided in the south central part of the structure. The application meets this standard.

**Visitor Parking:** Visitor parking is required for multi-family residential developments at a rate of one (1) parking space for every five (5) units. One (1) visitor parking spaces is required and provided within the enclosed parking garage. The application meets this standard.

**On-Street Parking Credits:** Parking requirements for non-overnight uses may be reduced within the Mixed Use District for properties that front on West Main Street. For every twenty-five (25) feet of linear frontage abutting a public right-of-way on which legal on-street parking exists

within 300 feet of the property, one (1) parking space reduction. The applicant complies with the required parking provisions and is not requesting on-street parking credits.

**Multi-use Shared Parking Provisions:** Within the MU zoning district, parking reductions for multi-use developments may be allowed of up to twenty (20) percent of the required parking upon approval by the Planning Commission. Since the applicant is only proposing residential dwelling units, the multi-use shared parking provisions are not applicable.

**Understructure Parking Facility Provisions:** For purposes of this provision, understructure parking shall mean that the parking will be located in a Parking Facility which is substantially underground or substantially below the average existing grade or located at grade under a structure. All understructure parking must meet the following criteria:

- a. That above grade parking for the project be significantly screened from adjacent public rights-of-way; and,*
- b. That the understructure Parking Facility is significantly screened from any public rights-of-way; and,*
- c. That vehicular access to and from the understructure Parking Facility is not provided from Main Street or Summit Boulevard, unless no other access point exists.*

The proposed parking garage will be located under a structure. The design of the structure will allow it to be screened from public rights-of-way so it will not appear to be a parking structure. Vehicle access is not provided to the understructure parking facility from Main Street. The application complies with this standard.

**Parking Dimensions and Design:** Required parking spaces shall be a minimum of 9 feet by 18.5 feet in size. The application meets this standard.

**Accessible Parking:** All facilities, commercial and multi-family projects with seven (7) attached units or more must provide accessible parking. Two (2) accessible parking spaces are required for parking lots with 26 to 50 spaces. The accessible space must be van accessible. Van accessible parking spaces shall be 8 feet by 18.5 feet in size plus an aisle area of 8 feet. This application proposes one (1) van accessible parking space with the appropriate dimensions. The application meets this standard.

**Off-Site Parking Allowances:** Overnight uses shall provide parking on premise. Up to one-hundred percent (100%) of required non overnight parking, excluding required accessible spaces, in the Central Core (CC) and West Main (MU) Districts may be met off-site if approved by the Planning Commission. The applicant complies with the required parking provisions and is not requesting off-site parking allowances.

**Tandem Parking:** For multi-family residential projects, two spaces stacked (tandem) may be permitted by the Planning Commission. The applicant is not proposing tandem parking so this standard is not applicable.

**Snow Storage Areas:** One-hundred (100) square feet of snow storage is required for every 350 square feet of paving. The application involves 700 sq. ft. of uncovered paved area requiring 200 sq.ft. of snow storage. The applicant proposes 362 sq.ft. of snow storage. The application meets this standard.

Snow storage areas shall be located adjacent to the applicable paved areas and shall be a minimum of 8 feet in depth. Proposed snow storage to the west of the individual driveway space is not a minimum of eight (8) feet in depth. There is enough remaining snow storage to meet the required 200 square feet. The application meets this standard.

Snow storage may be combined with landscaping areas if the landscaping is designed to be compatible with large amounts of snow. A note is stated on the landscape plan stating:

*The plant materials in the snow storage area have been selected by their hardiness, growth habit and ability to shed snow. Both shrub varieties shown in the snow storage area have these qualities either by limber branching structure or caning habit in growth. Plant materials shown within the snow storage areas can withstand heavy snow load and snow stacking.*

The application also meets this standard.

## ANALYSIS – AGENCY REVIEWS

### **TOWN OF FRISCO PUBLIC WORKS DEPARTMENT**

*No comments received.*

### **TOWN OF FRISCO ENGINEER**

- *Show driveway grades and widths on plans. Provide spot elevations where necessary to verify grades.*
- *ADA access to the building will need to be brought up to code. Reconstruction of the access may be required. Show existing slopes and proposed slopes that meet ADA requirements.*
- *The drainage report will require a full blown report with drainage basins, percolation rates, dry well sizing, weir sizing, pond sizing verification, etc.. Historic runoff will need to be calculated for weir and any other runoff from the site not captured by the drywells or detention basins. Take into account existing building discharge locations. Both existing and proposed structures are required to meet the code and brought up to standards. The western property line drainage from the roof is not swaled to any drainage feature. More detailed grading will be required to show how this is accomplished.*
- *Coordinate basins with landscape plans, there potential could be conflicts with swales, basins, and detention ponds. There is one clear conflict at the outlet weir and landscape plan.*
- *There is question as to the elevations of the drywells and if they will capture flow. Arrows depict intended flow paths but some may be impeded by vegetation, existing trees etc. This needs to be shown and coordinated.*
- *It is unclear how the dumpster enclosure will be accessed. This can not widen the driveway over 24' in width. More detail is required.*

L. Mark Luna, P.E., Associate, Martin/Martin, Inc.



## **LAKE DILLON FIRE DISTRICT**

*Thank you for the opportunity to review and comment on the above proposed site plan. The fire department has the following comments and concerns regarding the proposed project plans:*

- 1. A construction permit through the fire department is required for this project. Please advise the developer/contractor to contact the fire department for details.*
- 2. Based on the size and type of occupancy, this project will require an approved fire sprinkler system for the building. Please advise the developer to size the waterline into the building accordingly.*
- 3. An approved fire alarm system is required for the building.*
- 4. An approved standpipe system is required for the building.*
- 5. Advise the developer/contractor to contact the fire department for details on permits required for all fire protection systems.*
- 6. The fire department access distance around the perimeter of the building exceeds 300 feet. Provide an approved fire apparatus access road to shorten that distance.*
- 7. I believe there is a basement in the existing building. What are the developer's plans for this portion of the building?*
- 8. What is proposed for addressing of this building?*

Steven Skulski  
Assistant Chief/Fire Marshal  
Lake Dillon Fire District

## **SUMMIT COUNTY GIS**

*Comments: The physical address assigned for the multi-unit building '90 S Madison Avenue' is acceptable. Unit designations are necessary for the individual units (units not identified on plans).*

*Potential Unit Number that would fit nicely would be:*

UNIT 101  
UNIT 201  
UNIT 202  
UNIT 203  
UNIT 301  
UNIT 302  
UNIT 303

*Please note the physical address of '90' must be posted on the multi-unit building AND needs to be visible from S Madison Ave.*

Sally Nowak, GIS Analyst

## **FRISCO SANITATION DISTRICT**

- 1. Tap fees are due prior to the issuance of the Building Permit*
- 2. All service lines and sewer mains must be constructed in accordance with the Frisco Sanitation's Design Standards and Specifications for Sewer Construction*
- 3. Sewer line installation must be inspected by a representative of the Frisco Sanitation District*

4. Sanitation District Standards are available upon request.
5. Any shared service lines will require a single payable entity, such as an HOA or similar.
6. There is currently one (1) EQR associated with this property, additional EQRs will need to be purchased.
7. Is the Lounge/Bar area open to the public?

Matt Smith, Manager

**XCEL ENERGY**

- No safe metering locations identified
  - Under gable – no drip edges
  - Cannot cross under drip to location
  - Needs safe access for our technicians and emergency personal
  - Cannot be inside
  - Will this be master metered (1) or will each unit need their own?
- Will need to know what type of power 3PH (120/208 or 277/480) vs 1PH 120/240 and full loads/demand to determine where/what their transformer will be located. (See brochure for clearance specs)
  - 3PH power would come from the Madison
  - 1PH would come from Mount Royal
- Gas tie-in is available on both Mount Royal and Madison (may depend on load where we would tie-in)
- Existing Gas service line to lot will need to be cut off. It cannot be utilized for new building. Not large enough
- Existing Electric Service line to lot will need to be cut off once pole is moved
- Once the pole is moved there will not be power available to lot for temp power. They will have to have perm power plans in place before temp power can be pulled.

*Please note – this is not a final assessment of what the OH to UG request will entail. There may be additional things in the field I cannot see. Once an application has been submitted to XCEL we can start the full design process and identify the scope of work that will need to be done for this request.*

Amy Lagace, Designer, Mountain Division, Xcel Energy

**PUBLIC COMMENT**

The Community Development Department has not received any public comments as of July 14, 2017.

**STAFF RECOMMENDATIONS**

**Recommended Findings**

The Community Development Department recommends the following findings pertaining to Planning File 092-17-DA/CU: a development application and conditional use request for the Library Lofts multi-family residential project located at 90 South Madison Avenue / “Summit

County Library Tract" (TR 5-78, Sec 34, Qtr 1, Pt of Flora Placer Cont.) and Lot E-4, Frisco West Filing 1

*Based upon the review of the Staff Report dated July 20, 2017 and the evidence and testimony presented, the Planning Commission finds:*

- 1. The proposed development application and conditional use are in general conformance with the principals and policies of the Frisco Community Plan, specifically, the quality of life statements and associated criteria related to the built environment, economy, and housing. All of the applicable requirements have been met by the submittal and the recommended conditions of approval; including providing a land use and architectural style that fits Frisco's small mountain town identity.*
- 2. The proposed development application and conditional use are in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-15, Mixed Use District, since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including: permitted uses, lot area, lot frontage, building height, setbacks, lot coverage, building height, and density.*
- 3. The proposed development application and conditional use are in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-18.18.1, Main Street Overlay District, since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including: that the development is designed in a manner compatible with the neighborhood and the small mountain town character of Frisco; the development includes shelter from natural elements and provides visual relief, the building is designed to relieve the feeling of mass, building façade and roof lines are broken up, compliance with bulk plane envelopes, exterior materials and colors are compatible with the surrounds and meet specific standards, roof forms and design are compatible with the surrounding area and a variety of standards, and the other recommendations and standards of the Main Street Overlay District.*
- 4. The proposed development application and conditional use are in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-20, Development Standards since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including: drainage plan, snow storage and snow shedding, vehicular access, non-vehicular access, traffic studies, and refuse management.*
- 5. The proposed development application and conditional use are in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-20.1 Landscaping since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including: required vegetation, water conservation, irrigation system, and landscaping maintenance.*
- 6. The proposed development application and conditional use are in general conformance with the Town of Frisco Zoning Regulations, specifically 180-20.2 Outdoor Lighting since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including: exterior light fixtures, light emissions, design, and energy savings.*
- 7. The proposed development application and conditional use are in general conformance with the Town of Frisco Zoning Code, specifically Section 180-23, Parking and Loading*

*Regulations, since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including: on-premise parking, visitor parking, accessible parking, parking dimensions & design, and snow storage areas.*

8. *The proposed conditional use request for the multi-unit residential dwellings is in general conformance with the Town of Frisco Zoning Code, specifically Section 180-30, Conditional Uses, because the following criteria established for allowing a conditional use have been met:*
  - a. *Because the Community Plan encourages providing a desirable service and facility to the community and the proposed multi-unit residential dwellings will contribute to the general welfare of the community by adding residential dwelling units. The conditional use proposal will provide seven (7) new residential housing units in a desired location within walking distance to Main Street businesses, Summit Stage bus stop, a school, the Post Office, Town Hall, and the Recpath. The location of residences are in a place as being complementary to the existing uses, provides vitality, and has the potential to allow greater use of transit.*
  - b. *Because the proposed structure is required to comply with all applicable Town codes, and the conditions set forth in this staff memo are intended to address health, safety, and welfare, the use will not, under the circumstances of the particular case and conditions imposes, be detrimental to the health, safety, and general welfare of persons nor injurious to property or improvements in the community.*
  - c. *Because all the conditions of the staff report must be met, the proposed residential dwelling use will comply with the regulations and conditions in the Town Code for such use.*
  - d. *Because the proposed residential dwelling use conforms to the goals and objectives of the Frisco Community Plan including enhancing Frisco as a cohesive community which includes full-time residents and second homeowners, encouraging eclectic and sustainable designs for new construction and redevelopment to enhance the community's character, preserving and enhancing the Main Street area as the heart of the community and ensuring new housing is compatible with adjacent properties and compliments existing neighborhoods.*
  - e. *Because the proposed structure will be compatible with the other structures located in the vicinity, providing a mountain contemporary style of architecture that is complementary to Frisco's eclectic character, it meets the small mountain town character of Frisco, and the proposed use furthers the architectural qualities and character of the community.*
  - f. *Because the proposed residential dwelling use provides Frisco residential units in close proximity to Main's Street retail, restaurants and office uses, it will be compatible to the surrounding land uses. The nearby transit stop on West Main Street will support the use of public transportation for the residents. The use is compatible with surrounding land uses and in keeping with the overall intent of the land use designation of the area.*

### **Recommended Action**

Based upon the findings above, the Community Development Department recommends APPROVAL of the proposed development application and conditional use request for the Library Lofts multi-family residential project located at 90 South Madison Avenue / "Summit County Library Tract" (TR 5-78, Sec 34, Qtr 1, Pt of Flora Placer Cont.) and Lot E-4, Frisco West Filing 1

#### **Special Conditions:**

1. *That a complete and revised planning application plan set and permit set be submitted to the Community Development Department and found complete and reflect the approval of the Planning Commission and all required plan amendments prior to the submittal of a building permit application or foundation only application. Such plan set shall include all required amendments and development application submittal requirements.*
2. *The applicant shall revise the proposed plans to comply with Frisco Town Code, Section 180-18.1, Main Street Overlay District, Standards 2.1 and 2.2, prior to submitting building permit application.*
3. *The applicant shall satisfy the comments of the Summit County GIS Department*
4. *The applicant shall satisfy the review comments of the Town of Frisco Consulting Engineer.*
5. *The applicant shall satisfy the comments of the Frisco Sanitation District.*
6. *The applicant shall satisfy the comments of the Lake Dillon Fire Protection District.*
7. *The applicant shall satisfy the comments of Xcel Energy.*
8. *If at the time of final Planning Division inspection, the proposed rooftop mechanical equipment screening does not adequately obscure the view of the installed mechanical equipment, as determined by Town Staff, the applicant shall modify the screening to meet the standards of the §180-18.1, Main Street Corridor Overlay District, Frisco Zoning Ordinance.*

#### **Standard Conditions:**

1. *Appeals: Planning Commission decisions may be appealed to the Planning Commission by filing the appropriate form with the Community Development Department within ten (10) calendar days from the date of the decision. An appeal stays all proceedings and authorizations, including building permits, issued in conjunction with the decision being appealed. Planning Commission decisions may also be called-up before an appeal hearing before Town Council with the concurrence of any two Council members. [§180-46-C, Appeals, Town of Frisco Zoning Ordinance]*
2. *Development Application Modifications: Once a development plan has been approved, no substantial variation of the plan shall be permitted, including changes to the building design or exterior materials and colors, without the approval of the Community*

*Development Department or the Planning Commission. [§180-19-I, Modifications to Approved Plans, Town of Frisco Zoning Ordinance]*

- 3. Development Application Expiration: If construction of this project has not begun within three (3) years or been completed within four (4) years from the date of this Notice of Decision or if the owner has failed otherwise to comply with the approved development plan, the development plan approval shall be revoked. Notwithstanding the above, the Planning Commission may reconfirm and extend the time period for compliance or approve modification to such development plan, upon good cause shown by the owner. Such reconfirmation, extension or modification shall be at the discretion of the Planning Commission. [§180-19-J, Expiration of Development Application Approval, Town of Frisco Zoning Ordinance]*
- 4. Conditional Use Expiration: Unless a business license has been issued for the use or a building permit issued for the project within a period of one (1) year from the date of conditional use approval, the conditional use approval shall expire. [§180-30-D-3, Final Approval, Town of Frisco Zoning Ordinance]*
- 5. Improvement Location Certificate Survey (ILC): An improvement location certificate survey showing the location of all foundations for structures approved on the site plan; the USGS elevation at the top of the foundation walls; the elevation of any adjacent paved street(s) as measured at the edge of adjacent asphalt or alley right-of-way; and the location of all sewer cleanouts and water curb stops, with a bearing and distance reference to two points on a foundation wall shall be submitted to the Community Development Department. Such survey may be performed after the foundation forms or the foundation itself is in place. The survey shall be certified by a land surveyor licensed in the State of Colorado. [§180-19-K, Town of Frisco Zoning Ordinance]*
- 6. Signs: All signage is subject to the requirements of the Frisco Sign Code [§180-22-D, Frisco Zoning Ordinance].*
- 7. Zoning Violations: It shall be unlawful to erect, construct, reconstruct, alter, maintain or use any building or structure or to use any land in violation of any provisions of the Town of Frisco Zoning Ordinance. The Town may impose any and all penalties and actions prescribed by the Code of the Town of Frisco against any person, firm, corporation, either as owner, lessee, occupant or otherwise, who violates any provisions of the Zoning Ordinance. [§180-47, Violations & Penalties, Town of Frisco Zoning Ordinance]*
- 8. Building Permits: This Notice of Decision does not constitute the issuance of a building permit. A building permit will be required for this project. For additional information, please contact the Town of Frisco Building Division. [Chapter 65, Building and Construction and Housing Standards, Code of the Town of Frisco]*
- 9. Excavation Permits: This Notice of Decision does not constitute the issuance of a utility excavation permit. A utility excavation permit may be required for this project. For additional information, please contact the Town of Frisco Public Works Department. [Chapter 87, Excavations, Code of the Town of Frisco]*
- 10. Business Licenses: It shall be unlawful for any person to operate and maintain or conduct any business within the town, including the delivery of goods by wholesalers*

*within the town, which are purchased or contracted for outside the limits of the town, without first obtaining a general business license to conduct such business. A business license is required for all construction contractors operating within the Town of Frisco. For additional information, please contact the Town of Frisco Town Clerk's Office. [Chapter 110, Licensing of Businesses, Code of the Town of Frisco]*

11. *Compliance with the Town Code: Should the Planning Commission grant approval of the application request, the applicant is hereby on notice that compliance with all other provisions of the Frisco Town Code, which are applicable to this project, is mandatory. The applicant is advised that unmet code provisions, or code provisions that are not specifically listed as conditions of approval, does not, in any way, create a waiver or other relaxation of the lawful requirements of the Frisco Town Code or state law.*

### **Recommended Motion**

Should the Planning Commission choose to approve this development application, the Community Development Department recommends the following motion:

***With respect to File No. 092-17-DA/CU, I move that the recommended findings set forth in the July 20, 2017 staff report be made and that the recommended action set forth therein be taken and that the Planning Commission APPROVES the development application request for the Library Lofts multi-family residential project located at 90 South Madison Avenue / "Summit County Library Tract" (TR 5-78, Sec 34, Qtr 1, Pt of Flora Placer Cont.) and Lot E-4, Frisco West Filing. I also move that the Planning Commission APPROVES the request of a conditional use to allow one-hundred percent (100%) of the property to be residential use with the proposed seven (7) residential dwelling units located at 90 South Madison Avenue / "Summit County Library Tract" (TR 5-78, Sec 34, Qtr 1, Pt of Flora Placer Cont.) and Lot E-4, Frisco West Filing 1.***

### **ATTACHMENTS**

Attachments:

- Town of Frisco Zoning Ordinance:
  - §180-15. Mixed-Use District
  - §180-18.1. Main Street Overlay District
  - §180-30. Conditional Uses
- Application Materials

cc: Todd Crowe, Crowe Architects

## ZONING

### **§ 180-15. Mixed Use District [Amended 09-05-95, Ord. 95-06; 01-02-01, Ord. 00-10; 06-13-06, Ord. 06-02; 02-12-08, Ord. 07-14; 11-11-08, Ord. 08-15, Ord. 14-01, 02-11-14]**

In the MU Mixed Use District, the following regulations apply:

- A. Purpose: To increase the efficiency of land use, the number of residents and the diversity of commercial activities in those transition areas between the core commercial districts and residential districts, and to emphasize and encourage pedestrian and bicycle circulation.
- B. Permitted uses: All permitted uses within the Mixed Use District must consist of a mixture of residential and commercial uses, with each such sort of use making up not less than twenty percent (20%) of the total floor area of all uses within a single zone lot.
  - 1. Accessory housing unit, one (1) per principal residential unit
  - 2. Art and entertainment centers
  - 3. Fast food restaurants
  - 4. Home offices
  - 5. Light retail
  - 6. Medical offices
  - 7. Offices
  - 8. Personal services
  - 9. Residential dwellings units located above ground floor nonresidential uses for properties along Main Street
  - 10. Residential dwelling units for properties not along Main Street
  - 11. Restaurants
  - 12. Sexually oriented businesses
  - 13. Cabin Housing as set forth in Section 180-18.8
- C. Conditional uses: Conditional uses shall be exempt from the ratio requirements of residential floor area to commercial floor area that permitted uses are subject to.
  - 1. Boarding, rooming or lodging facilities
  - 2. Child day care facilities



## ZONING

3. Churches
  4. Condominium hotels
  5. Fractional ownership units
  6. Health, recreation and exercise establishments
  7. Hotels and motels
  8. Light retail
  9. Medical office
  10. Offices
  11. Public buildings and uses
  12. Residential dwelling units
  13. Transit oriented facilities and uses
- D. Dimensional requirements.
1. Minimum lot area: none
  2. Minimum lot frontage: none
  3. Setback requirements for properties on Main Street:
    - a. Front yard: five (5) feet
    - b. Side yard: five (5) feet
    - c. Rear yard: ten (10) feet
  4. Setback requirements for all other properties:
    - a. Front yard: twenty (20) feet
    - b. Side yard: ten (10) feet
    - c. Rear yard: ten (10) feet
  5. Parking: For properties with frontage on Main Street, on-site parking shall not be located along the part of the property abutting Main Street.

## ZONING

6. Maximum building height:
  - a. Forty-five (45) feet for a pitched roof and thirty-five (35) for a flat roof.
  - b. The first floor ceiling height shall be a minimum of ten (10) feet in height.
  
7. Maximum density (residential uses only): fourteen (14) units per developable acre.
  - a. Accessory Housing Unit Exemption: Any accessory housing unit meeting the town's requirements may be exempted from the density calculation as long as the unit is deed-restricted for rent to persons earning a maximum of 80% of the area median income, at a rate established by the Summit County Combined Housing Authority for that income level, and pursuant to other criteria as established from time to time by the Town or the Summit County Combined Housing Authority.
  - b. Affordable Housing Exemption: A density bonus over the maximum allowable density is available. A density bonus is an increase in the allowable number of dwelling units over the maximum density, provided that:
    - i. A minimum of 50% of the total number of bonus units is provided as affordable housing; or
    - ii. For each bonus dwelling unit allowed, at least two affordable housing units are provided on property outside of the subject property, but within the Town of Frisco or within one (1) mile of any corporate limit of the Town of Frisco.
  
8. Lot coverage: Lot coverage shall not exceed sixty percent (60%) of the total lot area. If additional lot coverage incentives are utilized, in no instance shall the aggregate lot coverage allowed be more than an additional 12 percentage points of the lot area.
  - a. Lower Building Height exemption:
    - i. A one percentage point (1%) increase in the maximum allowable lot coverage shall be permitted for buildings constructed from 41' to 42' in height.
    - ii. A two percentage point (2%) increase in the maximum allowable lot coverage shall be permitted for building constructed from 39' to 40.99' in height.

## ZONING

- iii. A three percentage point (3%) increase in the maximum allowable lot coverage shall be permitted for buildings constructed from 37' to 38.99' in height.
  - iv. A four percentage point (4%) increase in the maximum allowable lot coverage shall be permitted for buildings constructed from 35' to 36.99' in height.
  - v. If multiple buildings of varying building heights are constructed on a single parcel, the Community Development Department shall assess this lot coverage incentive in a proportional amount based on the floor area of each building proposed. In no instance shall this lot coverage incentive result in an increase in more than five percentage points per lot.
9. Open space shall be provided in the amount of ten (10) percent of the gross floor area.
- E. Development standards: All development is subject to the goals and standards of the applicable overlay district as set forth in §180.18.1 - §180.18.7.

## ZONING

**§ 180-18.1 Main Street Overlay District. [Added Ord. 93-05, 03-16-93; Amended Ord. 97-24, 12-16-97; Replaced Ord. 99-01, 02-16-99; Amended Ord. 02-10, 07-02-02, Ord. 04-01, 02-10-04; Ord. 14-01, 02-11-14]**

### A. PURPOSE

The purpose of the Main Street Overlay District is to conserve and enhance important community qualities by requiring base design standards and providing incentives to help achieve desired attributes. The standards relate to the scale, mass, architecture and overall design character of development which will occur along Main Street in the future.

There are already a number of zoning criteria related to site design which will continue to apply to all developments in Town; this overlay district simply adds additional criteria to conserve and enhance these community attributes.

This overlay district will require future developments to be designed in a manner that will protect and promote the character and sense of this critical street. The overall appearance and function of the Main Street area should be compatible with the existing structures in the area and the community's general small mountain town environment.

### B. APPLICABILITY

The provisions of this Section shall apply to the development (as defined in the Frisco Town Code, Section 180-5) of any property within the Main Street Overlay District as shown on the Town of Frisco Zoning map, which is separated into three Main Street Overlay Sub-Areas as indicated on exhibit A, following this section.

### C. GOALS

The goal of this overlay district is to require new projects to meet basic design standards that will ensure future developments which are compatible with the desired character of the Main Street area. Coupled with these basic standards are incentives to encourage certain design elements that will further preserve and strengthen the architectural character of the area. While these standards and incentives are aimed at preserving and enhancing the area, one of the overriding goals of the community is to allow for a variety of design, with an eclectic effect, while still protecting the character of the area. There is no desire to change the land uses or basic zoning in this area, nor is there any desire to restrict commercial development within this area, other than to guide the architectural and site planning components of future development.

### D. CHARACTER

There are three distinct subdistricts within the Main Street Overlay area. This Section has been tailored to meet the specific needs and characteristics of each of these three areas.

The Central Core subdistrict contains predominantly commercial land uses with interspersed residential uses, some of which are located above the commercial uses. There are also a number of historic buildings in this area. The central Main Street area represents the focal point of the downtown area and therefore the subdistricts to either side of the core area should appear to "taper" or transition out from this area.

## ZONING

The Marina Subdistrict, east of the Central Core, is also predominantly commercial in nature at this time, and is the Town's primary view from Main Street to Lake Dillon. The preservation of this critical view corridor is an important component of the design guidelines established for this particular subdistrict.

The third Main Street area is the West End Subdistrict which is made up of a variety of commercial and residential uses located in a linear fashion from the Central Core, west to Interstate Highway 70. This area is characterized by a larger than normal street right of way along West Main Street which separates uses from the street by a greater distance than elsewhere in the Main Street area, and by building styles and architecture that are primarily residential in nature and scale.

### E. DEVELOPMENT GOALS AND STANDARDS

The following goals should be considered, and standards followed, when designing projects within the Main Street Overlay District and Subdistricts.

#### **GOAL #1.**

**Structures should be compatible with existing structures, their surroundings and with Frisco's "Small Mountain Town" character whenever possible. The existing land forms and historic structures on a site should be preserved on-site whenever possible and reinforced by development rather than destroyed or replaced by it.**

It is not inferred that buildings must look like the existing structures to be compatible. Compatibility can be achieved through proper consideration of scale, design, proportions, site planning, landscaping, materials and colors, and compliance with the standards contained herein.

#### **Standard #1.1.**

Buildings shall be designed in a manner that is architecturally fitting with Frisco's small mountain town character and:

- Provides significant variation in all the wall planes.
- Provides significant variation in all roof lines and roof forms.
- Groups elements (e.g. windows) to provide balanced facade composition.
- Provides projecting elements (e.g. turrets, bay windows, decks, etc.).

#### **Standard # 1.2.**

Buildings shall be designed to provide deep (at least 24 inches) eaves and overhangs, and other building elements that provide shelter from natural elements and provide visual relief, including the use of porches and patios to add interest along street yards. When a substantial number and variety of building elements are provided the eaves may be less than 24 inches deep in some locations.

# ZONING

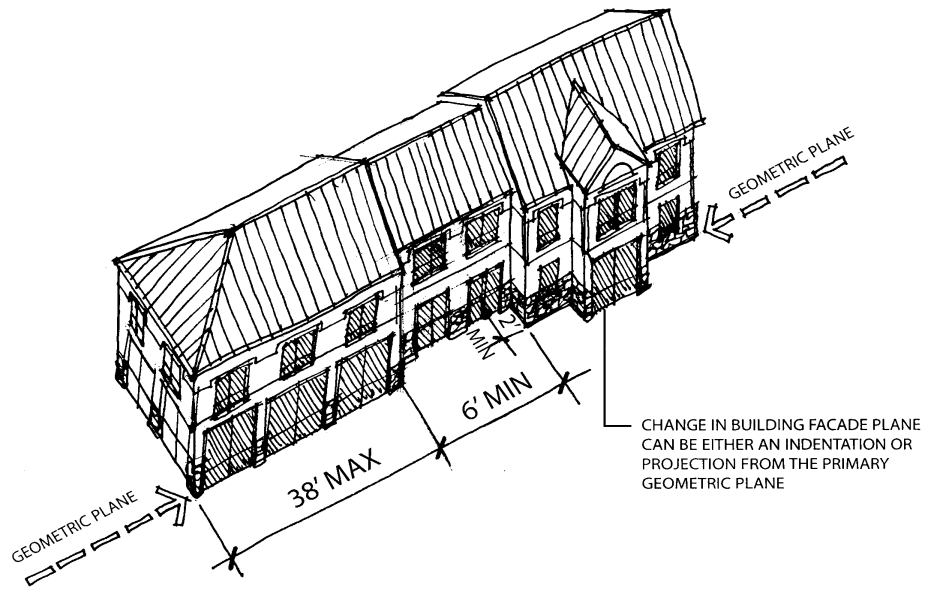
## GOAL #2.

In general, buildings should be designed in a manner that provides elements that relieve the feeling of mass and provides for the graduation of mass as one moves back from the front of a lot, with the smaller elements located near the street, and the larger elements usually located further away from the street.

### Standard # 2.1.

a. Within the Central Core Subdistrict of the Main Street Overlay District building facades and roof fascia/eaves shall not exceed 38 feet in length along the same geometric plane, at which time the wall facade shall be broken up with a change in the geometric plane by a minimum of two (2) feet in depth for a distance of not less than six (6) feet, and the corresponding roof fascia/eaves shall be either indented or project from the primary geometric plane by a minimum of 2 feet. For buildings that exceed 74 feet in length the change in the geometric plane shall be increased to a minimum of four (4) feet in depth. All buildings with a total facade length of 38 feet or less are exempt from this provision. Upon approval by the Planning Commission, the dimension of 38 feet for the length of a building façade which necessitates a building wall façade break and corresponding roof fascia/eave change may be extended as much as two (2) feet for a total of 40 feet, upon a finding that the design furthers the intent of this section.

b. Within the Marina Subdistrict of the Main Street Overlay District the building facades and the corresponding roof fascia/eaves shall not exceed 38 feet in length along the same geometric plane, at which time the wall facade shall be broken up with a change in the geometric plane by a minimum of

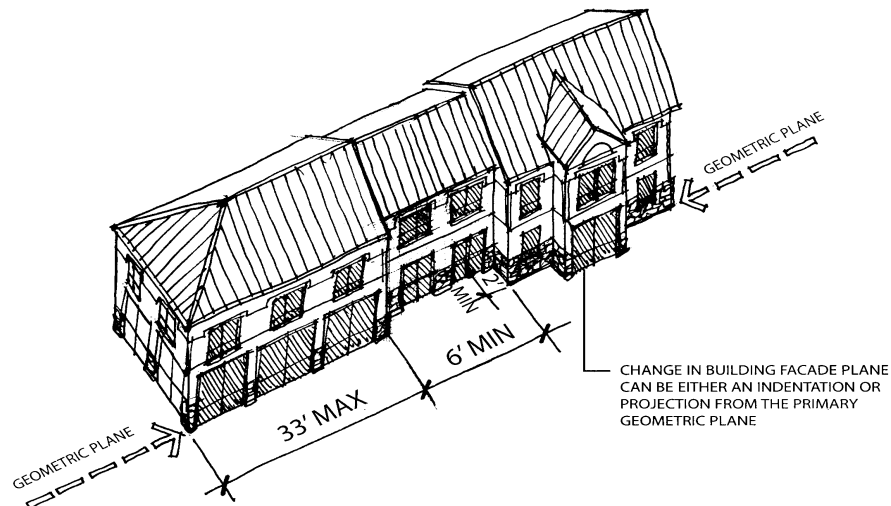


two (2) feet in depth for a distance of not less than six (6) feet, and the roof fascia/eave shall either be indented or project from the primary geometric plane by a minimum of 2 feet.. For buildings that exceed 74 feet in length the change in the geometric plane shall be increased to a minimum of four (4) feet in depth. All buildings with a total facade length of 38 feet or less are exempt from this provision. Upon approval by the Planning Commission, the dimension of 38 feet for the length of a building façade which necessitates a building wall façade break and

## ZONING

corresponding roof fascia/eave change may be extended as much as two (2) feet for a total of 40 feet, upon a finding that the design furthers the intent of this section.

- c. Within the West End Subdistrict of the Main Street Overlay District the building facades and corresponding roof fascia/eaves shall not exceed 33 feet in length along the same geometric plane, at which time the wall facade shall be broken up with a change in the geometric plane by a minimum of two (2) feet in depth for a distance of not less than six (6) feet, and the roof fascia/eave shall either be indented or projected from the primary geometric plane by a minimum of 2 feet. For buildings that exceed 54 feet in length the change in the geometric plane shall be increased to a minimum of four (4) feet in depth. All buildings with a total facade length of 33 feet or less are exempt from this provision. Upon approval by the Planning Commission, the dimension of 33 feet for the length of a building façade which necessitates a building wall façade break and corresponding roof fascia/eave change may be extended as much as five (5) feet for a total of 38 feet, upon a finding that the design furthers the intent of this section.



### Standard # 2.2.

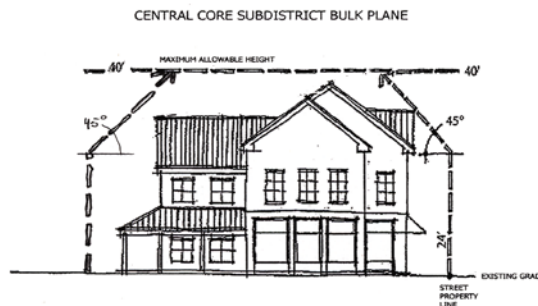
Within the Central Core Subdistrict, the Marina Subdistrict and the West End Subdistrict of the Main Street Overlay District no building facade or roof ridgeline facing a front yard or street side yard shall have more than 66% of the length of the wall or roof ridgeline along the same geometric plane, with the exception that buildings with a total facade length of less than 38 feet may generally be located on the same geometric plane.

### Standard # 2.3.

The bulk of a building shall be restricted on any site within the Main Street Overlay District through the use of a bulk plane envelope. The bulk plane envelope within the various subdistricts shall be as follows:

## ZONING

- a. Central Core Subdistrict: The bulk of the building shall be restricted on all street and rear yard facades by a bulk plane. The 40 foot height limit of the bulk plane may be increased, if provision 180-23.C (4) is utilized. Building forms may deviate from this standard and project beyond the bulk plane if they receive Planning Commission approval, meet the building height, and provide substantial architectural relief, or if they are structures which meet incentive VI.A.
1. The bulk plane shall start from a point 24 feet above the average existing grade measured on all street property lines and shall extend upward at a 45 degree angle toward the rear and/or opposite sides of the property until it intersects with a horizontal plane 40 feet above the average existing grade at the property line.
  2. From the rear, the bulk plane shall start from a point 24 feet above the average existing grade measured on the rear property line and shall extend upward at a 45 degree angle toward the front of the property until it intersects with a horizontal plane 40 feet above the average existing grade at the property line.

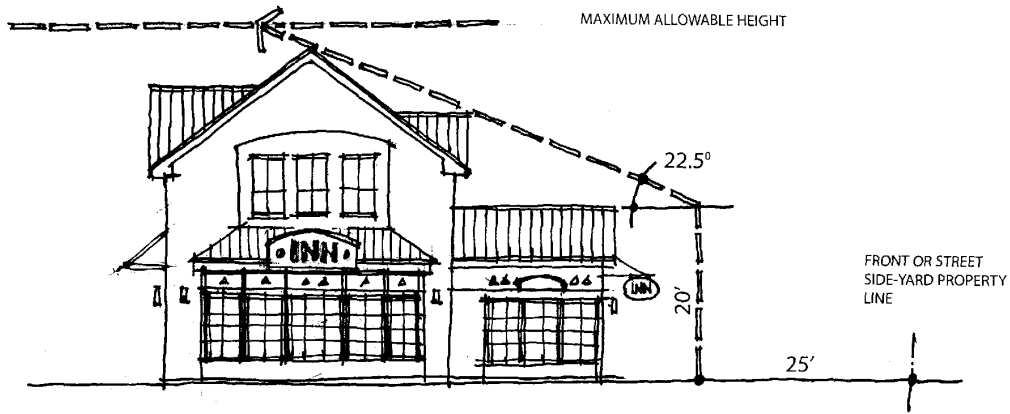


- b. Marina Subdistrict: The bulk of the building shall be restricted on all street and side yard facades by a bulk plane. The bulk plane shall start from a point 24 feet above the existing grade and 25 feet into the property from all street, front and side yard property lines, and shall extend upward at a 22.5 degree angle and directly away from the property lines to a point where the envelope intersects with the maximum allowed height for the property based on the underlying zoning district, at which point the bulk plane envelope and the allowed maximum height shall be the same. The maximum height limit of the bulk plane may be increased, if provision 180-23.C.(4) is utilized. Building forms may deviate from this standard and project beyond the bulk plane if they receive Planning Commission approval, meet the building height, and provide substantial architectural relief.



# ZONING

## MARINA SUBDISTRICT BULK PLANE



- c. West End Subdistrict: The bulk of the building shall be restricted on all street and side yard facades by a bulk plane. The bulk plane requirement within this subdistrict shall be in effect for the area located within 100 feet of the West Main Street right of way. The bulk plane shall start from a point 24' feet above the existing grade measured ten (10) feet into the property from all street, front and side yard property lines, and shall extend upward at a 22.5 degree angle, and directly away from the property lines to a point where the envelope intersects with the maximum allowed height for the property based on the underlying zoning district, at which point the bulk plane envelope and the allowed maximum height shall be the same. The maximum height limit of the bulk plane may be increased, if provision 180-23.C.(4) is utilized. In addition, the bulk plane for the rear yard shall start from a point 24 feet above the existing grade measured ten (10) feet into the property from the rear property line, and shall extend upward at a 45 degree angle, and directly away from the property line to a point where the envelope intersects with the maximum allowed height for the property, at which point the bulk plane envelope and the allowed maximum height shall be the same. Where a conflict exists between the allowed height along a rear yard, and a street side yard, the more restrictive measurement shall govern. Building forms may deviate from this standard and project beyond the bulk plane if they receive Planning Commission approval, meet the building height, and provide substantial architectural relief.

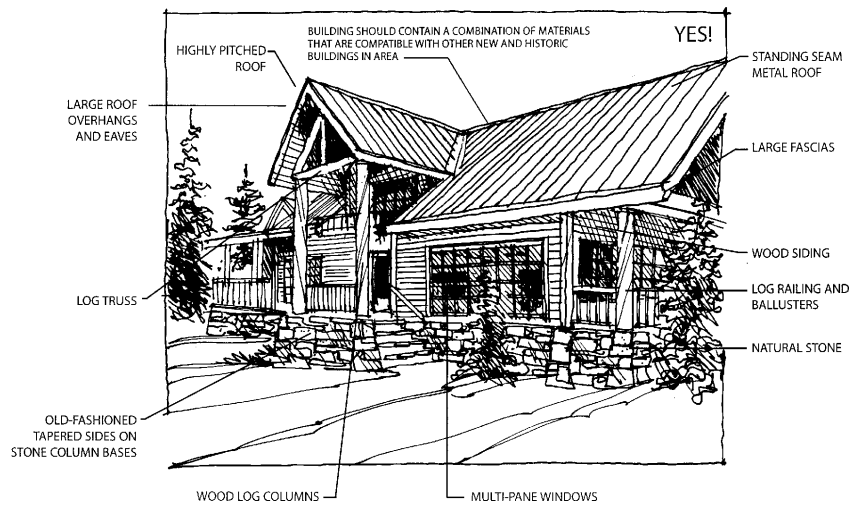
# ZONING

## WEST END SUBDISTRICT BULK PLANE

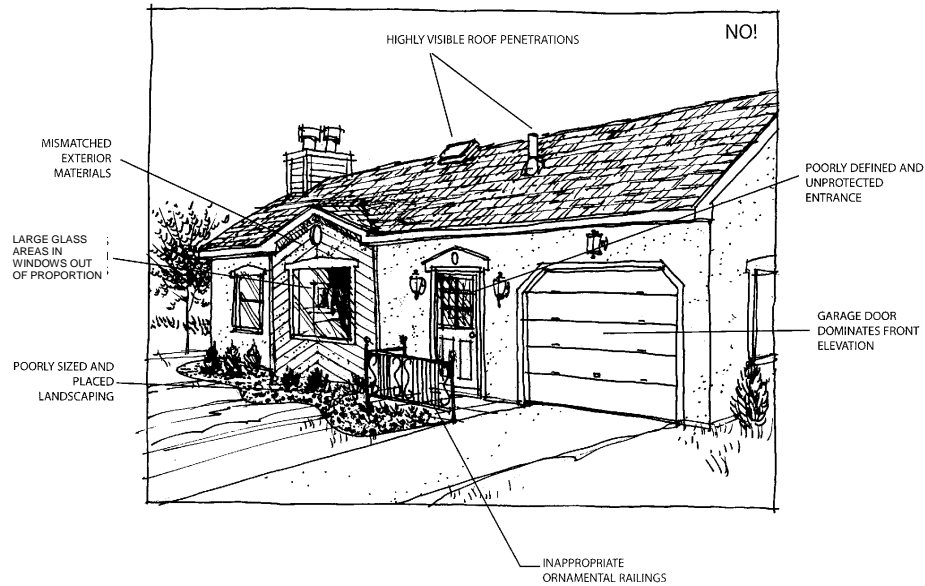


### GOAL #3.

Buildings should be designed in a manner and constructed of materials that are compatible, and complementary to the existing historic and surrounding buildings in the area, and should contain a mixture or combination of materials, such as utilizing wood as the primary building material and stone, brick or other similar materials as accents or base materials.



# ZONING



## **Standard #3.1.**

Primary exterior building materials shall be predominantly natural, including, but not limited to wood siding, wood shakes, logs, stone, brick or similar materials. Other materials that have proven durability in the Town of Frisco's climate and imitate natural materials may be used only if their texture, shape, and size are substantially similar to the natural materials they are simulating and are not obviously artificial materials.

## **Standard #3.2.**

Stucco or metal shall not be used as the primary exterior building material, but may be used as an accent, or in combination with other acceptable materials. Where metal is utilized it shall have a matte finish or a finish proven to fade and not be reflective. Untreated or unpainted galvanized sheet metal is prohibited. Concrete block shall not be used as the primary exterior finish, and when used as an accent shall be a split block, which is textured and painted a color that is compatible with the building.

## **Standard #3.3.**

Aluminum and plastic exterior siding shall not be used as an exterior building material, except as allowed in Standard #3.1.

## **Standard #3.4.**

The same or substantially similar building materials shall be used on main structures and any accessory structures located on the same site, unless an alternative design is provided that will complement the project and meet the remaining standards.

# ZONING

## Standard #3.5.

A material board, including material and color samples of all proposed exterior materials shall be submitted and reviewed as a component of all applications within this overlay district.

## Standard #3.6.

Additions, which are substantially less than the square footage of the existing building, may be allowed to complement the existing structure, even if the building does not presently meet the guidelines, and blend with the existing structure rather than providing a different building façade, style, materials or color.

## Standard #3.7.

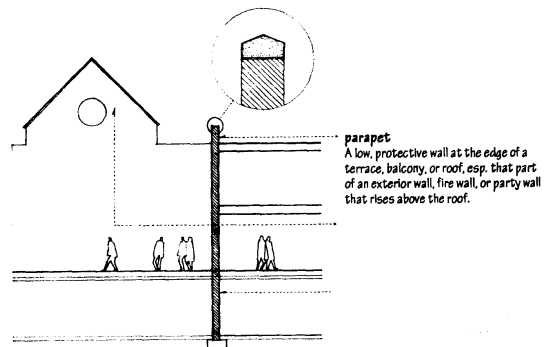
The use of mirrored or reflective glass shall be prohibited. Clear glass shall be used for windows. Tinted, colored or opaque glass may be approved on a case by case basis when shown by the applicant to be compatible with the purpose of these regulations.

## GOAL # 4.

**Roof elements, including materials and colors, should be of a design that is compatible with, and complementary to the historic and surrounding roofs found in the area, and should provide pitched (sloped) roof elements, or facades with pitched element, which can be seen from public rights of ways and places.**

## Standard #4.1.

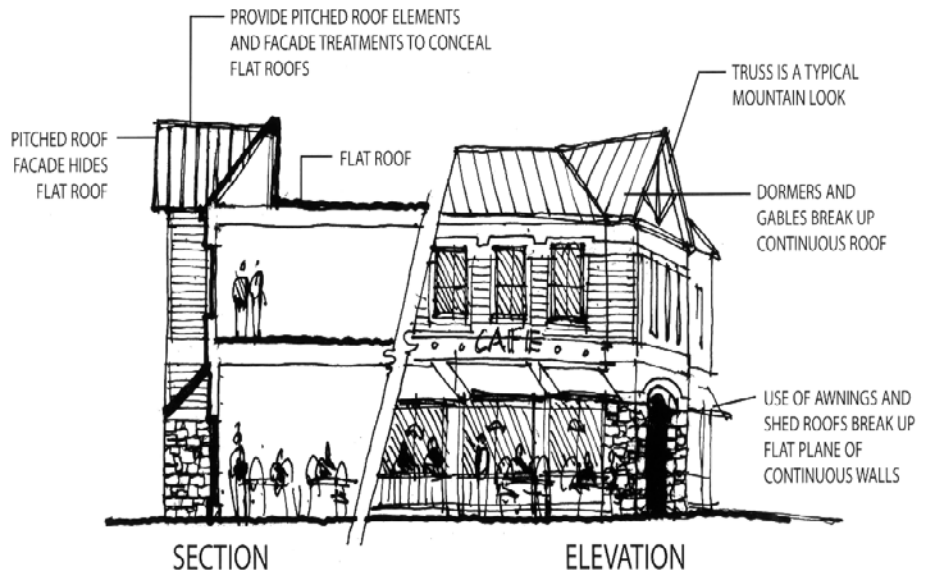
Steep pitched roofs are encouraged, but in those instances where flat roof construction is proposed, it shall be augmented with pitched roof elements, including but not limited to: peaked or sloped facade elements or parapets facing all street sides. Pitched roof elements shall vary by a minimum of two (2) feet, up or down and are encouraged to change in relationship to changes that occur in the wall plane as required in Standard #2.1, #2.2 and elsewhere in the overlay district. Mansard roofs are not appropriate and shall not be allowed.



## ZONING

### Standard # 4.2.

Where pitched roofs are utilized, the use of dormers (shed, peaked, etc.) shall be used to break up large expanses of roof, to enhance the usability of attic spaces, and to add architectural interest to the roofscape. A pitched roof shall have a minimum pitch of 6/12 in the Central Core Subdistrict and the Marina Subdistrict and a minimum pitch of 5/12 in the West End Subdistrict. A shed roof with a minimum pitch of 3/12 may be used if that element is below the primary roof level and terminates into the roof or wall of the structure.



### Standard #4.3.

Ridge lines shall change by a minimum of two (2) feet, up or down, and are encouraged to change in relationship to changes that occur in the wall plane as required elsewhere in this overlay district.

### Standard # 4.4.

Roof lines shall be designed in a manner in which they do not deposit snow onto required parking areas, sidewalks, trash storage areas, stairways, decks, balconies or entryways.

### Standard # 4.5.

If metal roofs are used, they shall be surfaced with a low-gloss finish or shall be of a material which shall, within a reasonable period, weather to a dull finish in order not to be reflective.

### Standard # 4.6.

Metal roofs shall have a standing seam or be of a design that provides relief and shadow to the roof surface. Asphalt and fiberglass shingles shall be permitted provided that they are of heavy material so as to provide relief and shadow, and are of a design and color so as to be compatible with the building.

## ZONING

### Standard # 4.7.

Bright colored roofs, which exceed a chroma of four (4) on the Munsell Color chart shall not be allowed.

### Standard # 4.8.

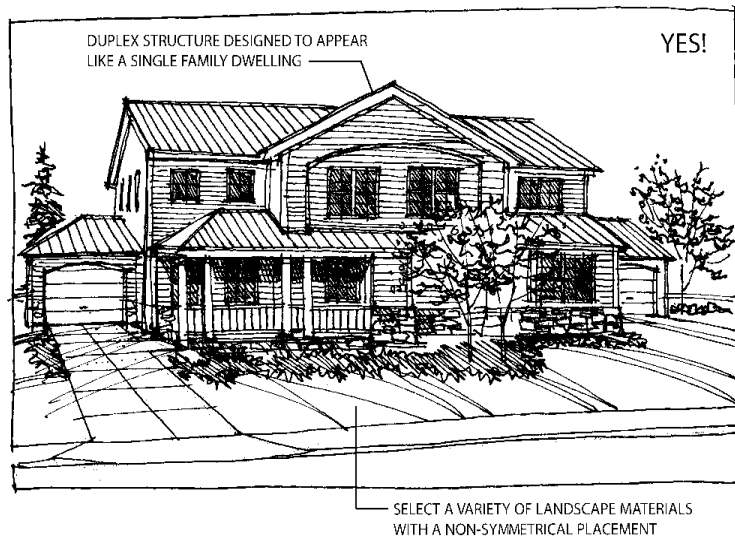
All rooftop mechanical, electrical, and electronic equipment shall be screened in a manner that is compatible and substantially similar with the colors and materials of the building or the roof.

### GOAL #5.

**Development should create a variety of designs while still being compatible with the desired character of the area.**

### Standard#5.1.

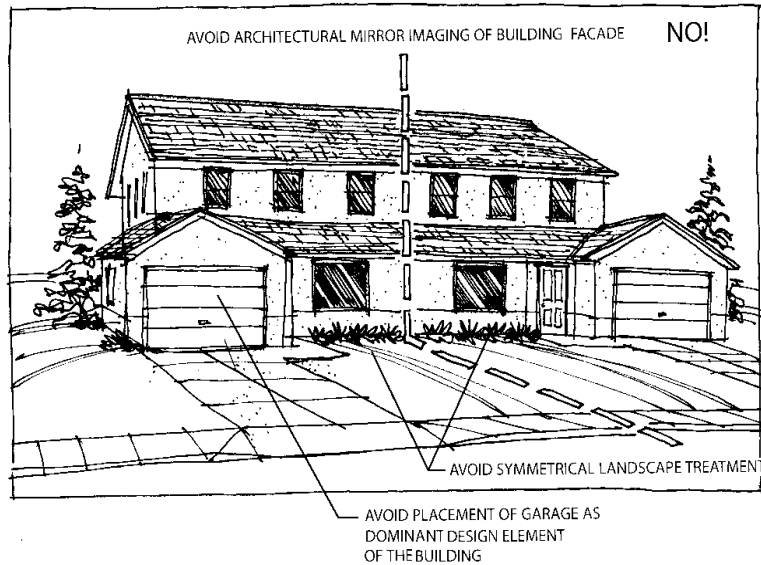
Duplex structures shall be designed to look like a single family structure to the extent possible, and shall not be designed in a manner that results in each half of the structure appearing substantially similar or mirror image in design to the other half.



## ZONING

### Standard # 5.2.

Building designs that duplicate, or are significantly similar in design to existing or proposed structures within the Main Street Overlay District and the Granite Street and Galena Street Overlay District shall not be allowed, with the exception that accessory structures on the same lot or parcel as the primary structure shall be similar in design as the primary structure.



### GOAL # 6.

**Building colors should be compatible with the existing characteristics of the area and not conflict with the goals of the community to provide a “small mountain town” feel. Exterior wall colors should be compatible with the site and surrounding buildings. Natural colors (earth tones found within the Frisco area) and stains on wood should be utilized. Darker colors are recommended for roofs.**

### Standard # 6.1.

No color may be used as the primary color of the building that exceeds a chroma of four (4) on the Munsell Color chart.

### Standard # 6.2.

Colors that exceed a chroma of four (4) but do not exceed a chroma of eight (8) on the Munsell Color chart may be used only as accents and then sparingly, such as upon trim or railing, and in no instance shall luminescent, fluorescent, or reflective colors be utilized on any exterior portion of the building.

### Standard # 6.3.

The same, or substantially similar colors shall be used on the main structure and on any accessory structures upon the site.

### Standard # 6.4.

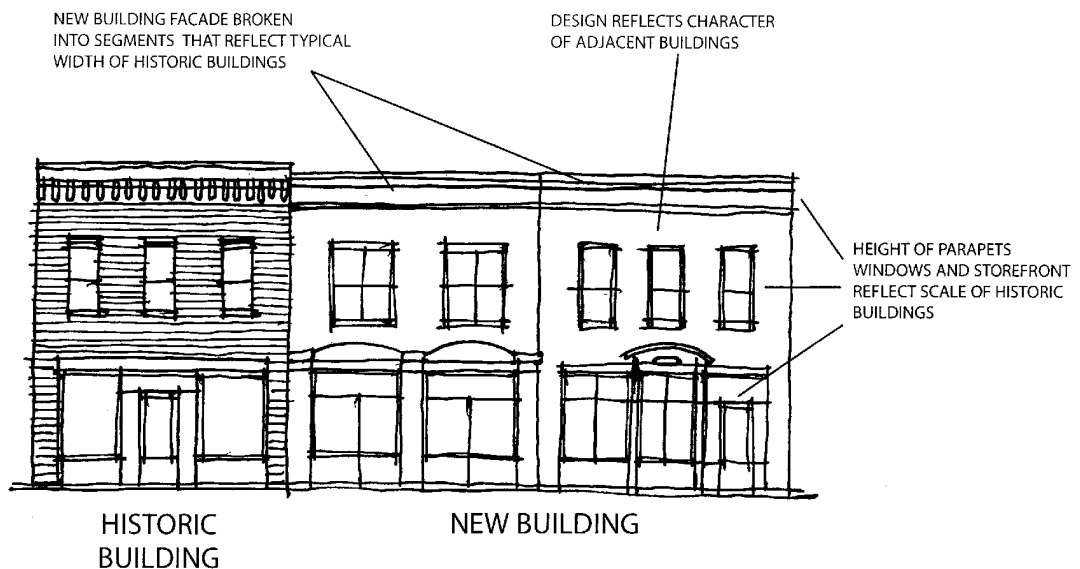
A color board shall be submitted and reviewed showing all proposed primary and accent colors and intensities for the exterior walls of the building.

# ZONING

## VI. DEVELOPMENT INCENTIVES.

The Town shall allow the following modifications to the requirements of the Main Street Overlay District in order to promote better design and encourage the preservation of historic resources within this critical area of the community.

- A. To promote the preservation of historic resources within Frisco, the town shall waive the rear yard (alley) bulk plane descent requirements within the Central Core Subdistrict Area and allow the maximum height of 40 feet to be maintained to the rear property line in those instances where the project substantially meets the following standards, as determined by the Planning Commission, based on recommendations from the Frisco Historic Preservation Board.
1. The property contains a historic structure or structures as designated within the Town of Frisco, Historic Overlay District; and
  2. All significant historic structures are maintained on-site and renovated in a manner that preserves them in a state similar to what they looked like historically. This may include the installation of a foundation in those instances where one does not presently exist, and those improvements necessary to bring the building up to current building and electrical code standards related to life safety issues; and
  3. Any additions or new buildings placed on-site shall meet the following standards:
    - a. The proportions of window and door openings are similar to historic buildings within the Central Core Subdistrict Area.



- b. The perceived width of nearby historic buildings is maintained in new construction.



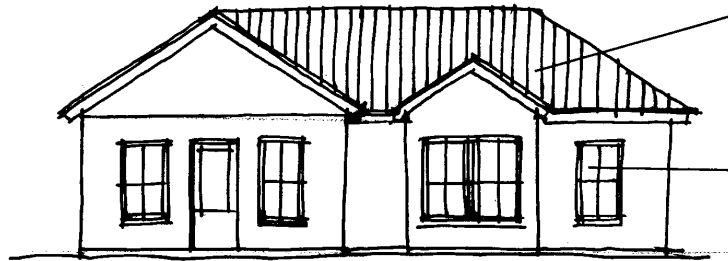
# ZONING

- c. The proposed new building or addition shall appear to be similar in width and scale within the neighborhood and its historic context, as perceived from public ways.

ORIGINAL  
BUILDING



YES!



NEW ADDITION REFLECTS  
SCALE AND CHARACTER  
OF ORIGINAL BUILDING

NEW WINDOWS  
SIMILAR IN PROPORTION  
TO EXISTING

NO!



NEW ADDITION  
OVERWHELMS ORIGINAL  
BUILDING MASS

NEW ELEMENTS  
NOT IN CHARACTER  
WITH ORIGINAL  
BUILDING

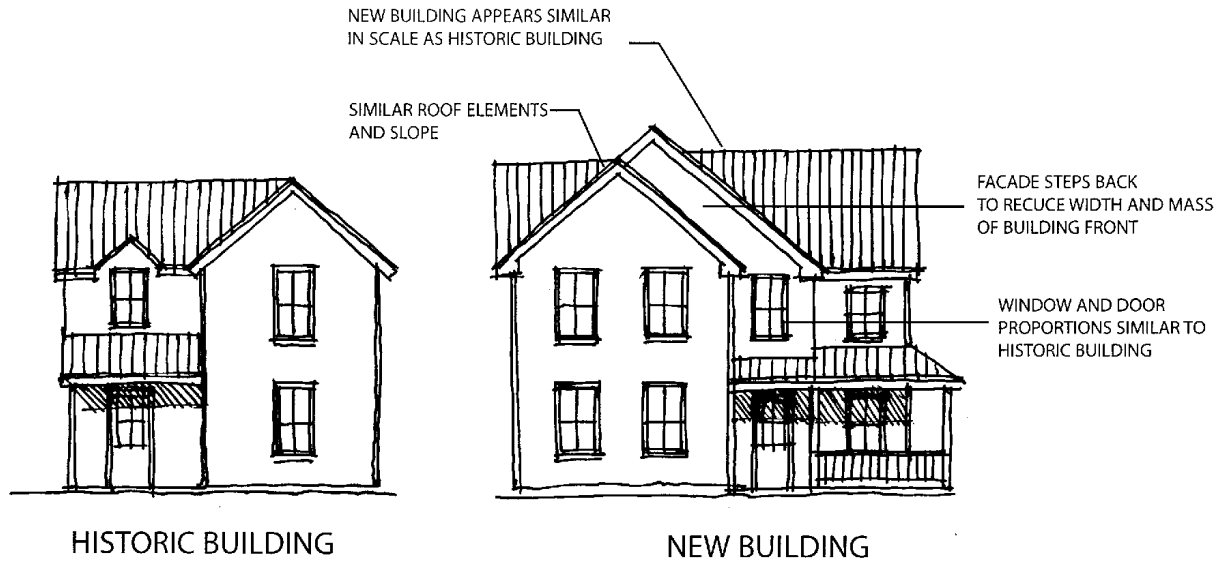
WINDOWS OUT OF  
PROPORTION WITH  
EXISTING

HISTORIC ENTRANCE  
ELIMINATED

- d. New buildings and additions shall be designed to be similar in mass with the historic character of the area in which they are located.
- e. New buildings and additions shall be designed so they do not noticeably change the character of the area as seen from a distance.

## ZONING

- f. The perceived building scale established by historic structures shall be respected within the relevant character area. An abrupt change in scale within the district is inappropriate, especially where a new, larger structure would directly abut smaller historic buildings.



### F. DECISIONS AND FINDINGS.

No development located within the Main Street Overlay Zone shall be approved by the Town unless the project is in substantial compliance with the intent of the goals, and specific standards and regulations of the Town and, after review of the project, findings are made to that effect.

## ZONING

### **§180-30. Conditional Uses. [Amended 9-5-95, Ord. 95-09; 12-17-96, Ord. 96-28, 6-24-03, Ord. 03-14; 10-12-04, Ord. 04-16]**

- A. Purpose. Conditional uses are uses which, because of their character, size and potential impacts, may or may not be appropriate in particular zoning districts. The conditional use requirement is intended to allow for the integration of certain land uses and structures within the Town of Frisco, based on conditions imposed by the Town Council. Review is based primarily on compatibility of the use with its proposed location and with surrounding land uses and on the basis of all zoning, subdivision and other ordinances applicable to the proposed location and zoning district. Conditional uses shall not be allowed where the conditional use would create a nuisance, traffic congestion, a threat to the public health, safety or welfare of the community or a violation of any provision of the Town Code, state law, rule or regulation promulgated pursuant thereto. Uses not specifically described as permitted or conditional uses in a particular zone district may be considered a conditional use in that zone district if the Director of the Community Development Department determines, in writing, that the proposed use is substantially similar to a use specifically described as a permitted use or conditional use in that particular zone district.
- B. Approval required. Conditional use approval shall be required for those uses listed as conditional uses in the district regulations, and for uses determined, pursuant to Paragraph A above, to be substantially similar to a use specifically described as a permitted use or conditional use in that particular zone district. Conditional use approval may be revoked upon failure to comply with conditions precedent to the original approval of the conditional use.
- C. Processing of conditional uses.
1. Application. An application for approval of a conditional use shall be filed by a person having an interest in the property to be developed. The application shall be made on a form provided by the Town of Frisco. A complete application, including fees, and containing all of the applicable information required in Subsection (3) below, shall be presented to the Community Development Department not less than fifty-two (52) days prior to the regular Planning Commission meeting at which it will be heard if the application is submitted concurrently with a development application requiring Planning Commission review. If Planning Commission review is not required for a related development application, then the complete conditional use application shall be presented to the Community Development Department not less than thirty-seven (37) days prior to the regular Planning Commission meeting at which it will be heard. The Community Development Department may, at its discretion and for good cause, require a longer submittal period. The applicant must contact the Community Development Department for further information on the application submittal process. **[Amended 10-12-04, Ord. 04-16]**
  2. Preapplication conference. A preapplication conference shall be held with the Community Development Department in order for the applicant to:

## ZONING

- a. Become acquainted with the conditional use requirements and other related town requirements.
    - b. Obtain a checklist of what the application shall include plus additional documentation that may be required as set forth in § 180-19 and 180-20.
  3. Documentation required. The application for a conditional use shall include all documentation specified in §180-19 plus the following:
    - a. Fifteen (15) copies of a site map indicating existing structures and their current uses.
    - b. A written statement of intent explaining the objectives to be achieved by the use and a description of the possible impacts, both positive and negative, of the proposal.
    - c. Traffic analysis indicating anticipated average daily traffic volumes if determined necessary by the town.
    - d. Any other information that may be required in order for the Planning Commission and Town Council to make an informed decision, as determined by the Community Development Department.
- D. Review procedure and approval.
  1. Public hearing. The Planning Commission and Town Council shall hold public hearings for which public notice is given to hear testimony and evidence pertinent to the proposed conditional use. Planning Commission will make a recommendation to Town Council for approval, approval with conditions or denial on every conditional use application. In authorizing any conditional use, the Planning Commission and Town Council shall consider all public comments, testimony and evidence pertinent to the proposed use, and shall impose such requirements and conditions as may be necessary or desirable for the public welfare and achievement of the Frisco Master Plan and community goals and objectives.

If a development application is a component of the proposed Conditional Use, a development application must be submitted concurrently for the Town to adequately review the full proposal.
  2. Basis for issuance of a conditional use. The Planning Commission and Town Council shall evaluate the conditional use application pursuant to the following criteria; it shall be the duty of the applicant to establish that each of the following criteria are met:
    - a. That the proposed use in its particular location is necessary or desirable to provide a service or facility that will contribute to the general welfare of the community.

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- b. That such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community.
  - c. That the proposed use will comply with the regulations and conditions specified in the Town Code for such use.
  - d. That the proposed use conforms to the goals and objectives of the Master Plan for the Town of Frisco.
  - e. That the proposed use furthers the architectural qualities and character of the community.
  - f. That the proposed use is compatible in function and design with surrounding land uses.
3. Final approval. Final approval or disapproval of a conditional use rests with the Town Council. The Town Council shall make its decision after considering the recommendation of the Planning Commission. Unless a business license has been issued for the use, or a building permit issued for the project within a period of one (1) year from the date of conditional use approval, the conditional use approval shall expire.