



**PLANNING COMMISSION
STAFF REPORT**

August 16, 2018

AGENDA ITEM: Planning File 144-18-MDA (191-17-DA/RZ): A public hearing of modifications to the approved development application for the Foote's Rest Block 11 mixed-use project, located at 502, 510, 512, and 518 East Main Street and 107 South 6th Avenue / Lots 1-12, Block 11, Frisco Townsite.

LOCATION: 510, 512, and 518 East Main Street and 107 South 6th Avenue / Lots 1-12, Block 11, Frisco Townsite

ZONING: Central Core (CC) District and Historic Overlay (HO) District

APPLICANT & PROPERTY OWNER: Nathaniel Kelly Foote, 512 Main Street LLC
PO Box 307
Frisco, CO 80443

LANDSCAPE ARCHITECT: Norris Design
409 Main Street, Suite 207
Frisco, CO 80443

HISTORIC PRESERVATION: Bendon Adams
300 South Spring Street, #202
Aspen, CO 81611

TOWN STAFF: Bill Gibson, Assistant Community Development Director
billg@townoffrisco.com (970) 668-9121

PROJECT DESCRIPTION

The applicant is proposing modifications to the approved development application for the new mixed-use project at 510, 512, and 518 East Main Street and 107 South 6th Avenue named "Foote's Rest Block 11".

The Foote's Rest Block 11 project involves the preservation of six (6) existing historic structures: Foote's Rest (Wildhack's), Staley House, three (3) cabins, and the Blacksmith Shop. The Foote's Rest building will remain in its current location and the remaining historic structures will be relocated within the northwest corner of the subject property. The proposed modifications involve minor changes to the locations of two cabins and the blacksmith shop as well as a change to the orientation of one cabin. The application identifies that the proposed modifications will create more separation between the historic structures which is intended to create increased

visibility and access, improved pedestrian experience, and enhanced historic preservation opportunities. Please refer to the attached application materials for additional details.

The remainder of the subject development site will accommodate a new multi-story mixed-use building that will include a 65 room hotel, underground parking garage, bowling alley and lounge, rooftop bar and swimming pool, outdoor plazas, restaurant/bar with outdoor seating, commercial tenant spaces, and six employee housing units. The proposed modifications do not alter the approved design for this element of the project.

The subject property is zoned Historic Overlay (HO) District. The HO Districts allows for relief from development standards and zoning requirements as an incentive for historic preservation. The proposed modifications to the layout of the preserved historic structures do not alter the previously approved incentives and the application does not request any new incentives.

The approved Foote's Rest Block 11 development application was subject to the town code provisions in effect at the time of application. This project was reviewed and approved under the Frisco Zoning Ordinance (not the new Unified Development Code) and since this is an active development project the proposed modifications are reviewed under those same standards.

BACKGROUND

On December 7, 2017, the Planning Commission approved the development application for the Foote's Rest Block 11 mixed-use project with conditions. The Planning Commission also forwarded the Town Council a recommendation of approval for the associated request to rezone the subject property to the Historic Overlay (HO) District.

On January 23, 2018, the Town Council approved Ordinance 18-02 to rezone the subject property to the Historic Overlay (HO) District.

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.



Vicinity map

ANALYSIS - FRISCO COMMUNITY PLAN

The Foote's Rest Block 11 project was determined to be in conformance with Community Plan Quality of Life statements of the Frisco Community Plan. The proposed modifications to the layout of the historic structures appear to enhance the project conformance with the following:

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 fulltime residents, second homeowners, businesses and visitors.
- 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.

Energy

Frisco is a community that supports zero waste principles, encourages use of clean energy opportunities and promotes resource conservation.

- EN 4. Encourage the use of recycled materials, renewable energy sources and the use of green and energy efficient building practices.
- EN 5. Promote conservation and use of resources to maintain a sustainable community for generations to come.

Economy

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

- EC 2. Continue to promote the town as a year-round destination.
- EC 3. Encourage and direct economic growth.
- EC 5. Support the creation and outlet for local markets and support local workforce polices.

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 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.

Health & Well-being

Frisco is a community that promotes healthy lifestyles, which support good physical health and mental well-being.

- *HW 5. Provide community gathering spaces for people, groups and organizations, to enhance Frisco's character.*

ANALYSIS – CENTRAL CORE (CC) ZONE DISTRICT [§180-17]

The proposed modifications to the layout of the preserved historic structures do not alter the project compliance with the following zone district standards:

- permitted and conditional uses
- minimum lot area
- minimum lot frontage
- maximum height
- density
- lot coverage (not applicable)

Setbacks: The minimum required setbacks and proposed setback modifications for this project are as follows:

	Minimum Setback	Proposed Setback
Front Yard (Main Street)	3 feet	Staley House = 8 feet Cabin 1 = 8 feet
Side Yard (South 5 th Avenue)	None	Staley House = 2 feet to 5 feet due to building shape Blacksmith Shop = 6 feet

The application meets these standards.

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

The proposed modifications to the layout of the preserved historic structures do not alter the project compliance with the following Main Street Overlay District standards:

- Standard #1.1, buildings design with small mountain town character
- Standard #1.2, roof eaves and overhangs
- Standard #2.1, façade and roof eave articulation
- Standard #2.2, façade and roof eave articulation
- Standard #3.1, exterior building materials
- Standard #3.2, exterior building materials
- Standard #3.3, exterior building materials
- Standard #3.4, accessory structure building materials
- Standard #3.5, material sample boards
- Standard #3.6, additions to existing buildings
- Standard #3.7, window glass
- Standard #4.1, roof design

- Standard #4.2, roof pitch
- Standard #4.3, roof ridge articulation
- Standard #4.4, roof snow shedding
- Standard #4.5, metal roofs
- Standard #4.6, roofing materials
- Standard #4.7, roof colors
- Standard #4.8, rooftop equipment screening
- Standard #5.1, duplex structure (not applicable)
- Standard #5.2, duplicative building design
- Standard #6.1, exterior primary colors
- Standard #6.2, exterior accent colors
- Standard #6.3, accessory structure colors
- Standard #6.4, color sample boards

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:

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.

The proposed modifications do not create any new building elements extending beyond the bulk plane. The application meets this standard.

<p>ANALYSIS - HISTORIC OVERLAY DISTRICT & REZONING [§180-18.2]</p>

The subject property is zoned Historic Overlay (HO) District. Pursuant to §180-18.2-F, Frisco Zoning Ordinance, the Historic Overlay District allows for relief from development standards and zoning requirements as an incentive for historic preservation. The proposed modifications to the layout of the preserved historic structures do not alter the previously approved incentives and this application does not request any new incentives.

Pursuant to §180-18.2-F, Frisco Zoning Ordinance, any addition, alteration, or rehabilitation of a historic structure must meet US Secretary of the Interior's Standards for Rehabilitation. One of

the conditions of approval for the approved development application was that all historic building rehabilitation associated with this project be done in accordance with the US Secretary of the Interior's standards. This modification application does not alter than requirement. As noted in the application narrative from BendonAdams, the proposed modifications will provide more separation between historic structures which will increase their visibility and access, and improve the pedestrian experience associated with these structures. The proposed modifications will result in an improved historic preservation outcome. The application meets this standard.

ANALYSIS - DEVELOPMENT STANDARDS [§180-20]

The proposed modifications to the layout of the preserved historic structures do not alter the project compliance with the following development standards:

- drainage plans
- water quality protection
- snow storage & snow shedding
- road construction and maintenance standards
- vehicular access
- traffic studies
- bicycle racks
- stream crossings by roads and utilities
- buildings occupying more than one lot
- development on steep slopes
- grading permits
- construction trailers
- nuisances
- air quality protection
- refuse management

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. The proposed modifications include non-vehicular connections to the adjacent public streets and sidewalks. The application meets this standard.

ANALYSIS – LANDSCAPING AND REVEGETATION [§180-20.1]

The proposed modifications to the layout of the preserved historic structures do not alter the project compliance with the following landscaping standards:

- landscape requirements by project type
- plant sizes
- species diversity
- parking area landscaping (not applicable)

- revegetation of disturbed land
- credit for preservation of existing trees
- protection of existing vegetation
- landscape maintenance
- water conservation
- irrigation systems

Required Vegetation: For mixed-use large projects, a minimum of one (1) tree must be planted on the site for every 1,500 square feet of lot area, and one (1) shrub is required for every 2,500 square ft. of lot area. A lot size of 42,000 square feet requires a minimum of 28 trees and seventeen 17 shrubs. The proposed modifications result in a net increase of two (2) trees resulting in a total count of 43 trees (2 existing and 41 new) and 18 shrubs. The application meets this standard.

ANALYSIS – OUTDOOR LIGHTING [§180-20.2]

The proposed modifications to the layout of the preserved historic structures do not alter the project compliance with the following outdoor lighting standards:

- exterior light fixtures
- light fixture height
- light fixture design
- energy savings

Light Emissions: Outdoor light fixtures must be positioned so that there is no direct light emission onto adjacent properties. Staff recommends that the Planning Commission apply a condition of approval that prior to the issuance of a building permit the Applicant shall submit an updated exterior lighting plan that verifies compliance with §180-20.2-I, of the Frisco Zoning Ordinance. With this condition, the application meets this standard.

ANALYSIS – PARKING AND LOADING [§180-23]

The proposed modifications to the layout of the preserved historic structures do not alter the project compliance with the parking and loading standards.

AGENCY REVIEWS

Town Engineer

No comments.
Bill Linfield, Consulting Engineer

Public Works

No comments.
Jeff Goble, Public Works Director

Summit Fire & EMS

No comments.

Kim McDonald, Fire Marshal

Xcel Energy

No comments.

Amy Lagace, Designer

Summit County GIS

Summit County GIS has no concerns regarding the site plan modification. It is the county's recommendation that each structure has its own physical address assigned:

Staley House – 502 E Main ST
Cabin 1 – 506 E Main ST
Foote's Rest – 510 E Main ST
Cabin 3 – 514 E Main ST
Blacksmith – 50 S 5th AVE
Cabin 2 – 54 S 5th AVE
Hotel – 107 S 6th AVE

Suzanne Kenney, GIS Analyst II

PUBLIC COMMENT

The Community Development Department has not received any public comments concerning this application as of August 3, 2018.

STAFF RECOMMENDATIONS

Recommended Findings

The Community Development Department recommends the following findings pertaining to the proposed modifications to the approved development application for the Foote's Rest Block 11 mixed-use project.

Based upon the review of the Staff Reports dated August 16, 2018, and the evidence and testimony presented, the Planning Commission finds:

- 1. The proposed modifications to the approved development application 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 arts & culture, built environment, energy, economy, housing, and health and wellbeing.*
- 2. The proposed modifications to the approved development application are in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-17, Central Core District, since all of the applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; including: permitted uses, lot area, lot frontage, setbacks, lot coverage, building height, and density. That proposed decorative roof elements are consistent with the definition of building height and are of reasonable, balanced proportion.*

3. *The proposed modifications to the approved development application are in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-18.1, Main Street Overlay District, since all of the applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; 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 surrounding area 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. The proposed building elements that project into the bulk plane meet the building height and provide substantial architectural relief.*
4. *The proposed modifications to the approved development application are in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-18.2, Historic Overlay District, since the applicant may request the use of incentives and the Planning Commission may allow for the use of some or all incentives (with a fewer number of criteria met justifying fewer incentives and a greater number of criteria justifying more incentives) based upon the following outlined in Section 180-18.2-F.2:*
 - a. *Protects and preserves the town's historic and cultural heritage by retaining and/or remodeling aspects of a historic building(s) such as, but not limited to, the facades being compatible with the character of the historic era; because the application preserves six (6) existing historic buildings on this site. A historic preservation plan has been proposed and certain non-historic elements of these buildings will be removed. Frisco does not have mandatory protection regulations for historic resources, so historic structures are at risk of being moved or razed by property owners.*
 - b. *Increases economic and financial benefits by enhancing the property and making it more accessible and/or attractive for heritage tourism; because these buildings are presently on the historic walking tour of the Frisco Historic Park and Museum and will be able to continue to be a part of Frisco's heritage if preserved. Economic analysis and visitor surveys show that heritage tourism plays a significant role in the town's visitor economy. As a whole, the development will add more diversity and vitality to this important Main Street frontage and, in the context of the development of the overall site; the historic buildings will likely increase the economic benefit to the property and town.*
 - c. *Provides educational opportunities to increase the public's awareness and appreciation of Frisco's unique heritage; because the buildings will still be in place and can be used to raise awareness about the town's history and architecture. The historic structures will be "living buildings"; improved, preserved, and put to uses that allow for their observation, as examples of historic architectural techniques and styles, and keep the buildings alive through reuse.*
 - d. *Maintains the structural integrity of the historic structure and/or rectifies safety concerns for the structure or brings the structure into greater compliance*

with life, health, and safety codes; because the building will be rehabilitated as required by the HO standards to conform to the Secretary of the Interior Standards. Equally important is that certain non-historic elements of these buildings will be removed.

- e. Retains some or all of the historic structure(s) on the original site; because the application preserves six (6) existing historic buildings on this site. The Foote's Rest will remain in its original location. The location of the other buildings may be modified, but they will remain located on the overall development site. Each of the six historic buildings will be located along a street frontage in prominent public view. Portions of structures (notably the existing garage attached to the Foote's Rest) will be removed due to poor condition. Another cabin (presently the outside restrooms), are not considered historic in terms of age and construction type.*
- f. Structural or use changes that further the goals or objectives of the Frisco Master Plan; because the application preserves six (6) existing historic buildings on this site. A historic preservation plan has been proposed and certain non-historic elements of these buildings will be removed. The development furthers the following goals of the Frisco Community Plan:*

Arts & Culture:

- Preserve and enhance the Town's historic resources*
- Enhance Frisco as a cohesive community, which includes fulltime residents, second homeowners, businesses and visitors.*
- Celebrate and highlight Frisco's heritage.*

Built Environment:

- Encourage eclectic and sustainable designs for new construction and redevelopment to enhance the community's character.*
- Ensure the design of Frisco's public spaces, streets and pathways reflect Frisco's mountain town character.*
- Preserve and enhance the Main Street area as the heart of the community.*

Energy:

- Encourage the use of recycled materials, renewable energy sources and the use of green and energy efficient building practices.*
- Promote conservation and use of resources to maintain sustainable community for generations to come.*

Economy:

- Continue to promote the town as a year-round destination.*
- Encourage and direct economic growth.*
- Support the creation and outlet for local markets and support local workforce policies.*

Housing

- Provide a variety of affordable housing opportunities, regulations and/or programs that meet the needs of Frisco residents.*
- Promote and encourage public/private partnerships for the development of affordable housing to achieve the highest quality housing possible.*

- g. Brings new development/redevelopment on the site that allows for the preservation of historic resources on the site that would not likely occur without the development; because the Frisco Town Code does not preclude property owners from demolishing historically significant buildings. This applicant has the right to raze this resource. It is very likely that the reason the resource can be preserved is because of the economics of the new development, coupled with the incentives of the HO. The HO District is intended to encourage historic preservation while also allowing property owners the opportunity to take advantage of the underlying zoning and development opportunity. The development will bring new vitality while integrating a historic resource into the development. Over time, the resource will become even more special and a unique vestige of Frisco's past.*
- 5. The proposed modifications to the approved development application 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, the recommended conditions of approval, and the incentives of the Historic Overlay District; including: drainage plan, snow storage and snow shedding, vehicular access, non-vehicular access, traffic studies, and refuse management.*
- 6. The proposed modifications to the approved development application 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, the recommended conditions of approval; including: required vegetation, water conservation, irrigation system, and landscaping maintenance.*
- 7. The proposed modifications to the approved development application 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, the recommended conditions of approval; exterior light fixtures, light emissions, design, and energy savings.*
- 8. The proposed modifications to the approved development application are in general conformance with the Town of Frisco proposed modifications to an approved Code, specifically Section 180-23, Parking and Loading Regulations, since all of the applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; including: on-premise parking, visitor parking, accessible parking, parking dimensions & design, and snow storage areas. That the proposed multi-use shared parking reduction meets the criteria outlined in §180-23-C-4. That the proposed tandem parking meets the criteria outlined in §180-23-E-4.*

Recommended Action

Based upon the findings above, the Community Development Department recommends APPROVAL of the proposed modifications to the approved development application for the Foote's Rest Block 11 mixed-use project, subject to the following conditions:

- 1. Prior to the issuance of a building permit the Applicant shall submit an updated exterior lighting plan that verifies compliance with §180-20.2-I, of the Frisco Zoning Ordinance.*
- 2. The applicant shall satisfy the comments of the Summit County GIS Department.*

Recommended Motion

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

With respect to File No. 144-18-MDA, I move that the recommended findings set forth in the August 16, 2018, staff report be made and that the recommended conditions set forth therein be taken and that the Planning Commission hereby APPROVES the modifications to the approved development application for the Foote's Rest Block 11 mixed-use project, located at 502, 510, 512, and 518 East Main Street and 107 South 6th Avenue / Lots 1-12, Block 11, Frisco Townsite.

ATTACHMENTS

Attachments:

- Application Materials