



**PLANNING COMMISSION
STAFF REPORT**

August 16, 2018

AGENDA ITEM: Planning File 110-18-MDA/CU (092-17-DA/CU): a public hearing of modifications to the approved 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
APPLICANT &
ARCHITECT** Todd Crowe
Crowe Architects
12700 Willow Lane
Lakewood, CO 80215

ENGINEER: Gray Pearson, PC
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**LANDSCAPE
ARCHITECT:** Neils Lunceford, Inc.
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NOTICING: Published in the Summit County Journal: 8/10/2018
Mailed to adjacent property owners: 8/02/18
Posted at the Post Office: 8/02/18
Posted at the Site: 8/02/18

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PROJECT DESCRIPTION

The applicant, Todd Crowe, Crowe Architects, is proposing to modify the previously approved Library Lofts multi-family residential project at 90 South Madison Avenue. Due to structural concerns that have arisen, the applicant is proposing to remove the existing building on the property instead of utilizing it for the project. The proposed modification entails:

- Amend the proposal to remove the existing building. The applicant will construct three (3) structures with similar appearance to the original project except they will no longer be connected.
- The project will no longer have a ~3,000 sq. ft. common area with lounge, ski lockers, bar, spa and restrooms. Instead, the applicant is now proposing an additional two (2) residential units. One (1) residential unit will be required to be deed restricted through the bonus density provisions.
- Nine (9) Residential units are proposed to consist of:
 - Three (3) one bedroom units
 - Six (6) two bedroom units
- *The originally approved application was for seven (7) units
- Parking has been modified from fifteen (15) enclosed parking spaces to individual driveways serving three (3) units each.
- The applicant is proposing the same exterior building materials which include hard coat stucco, colored concrete, dry stacked stone, glass block, glulam beam, and slate roofing

The applicant is modifying the original development application which was reviewed under Town Code prior to the Unified Development Code. Article 180-1.9.2.A states

A substantially complete development application that was accepted prior to the effective date of this Chapter or an amendment to this Chapter shall be decided under the regulations in effect when the application was accepted, or may be reviewed and decided under this Chapter at the request of the applicant. Applications shall not be processed under a combination of prior regulations and this Chapter

The applicant has chosen to have the project be reviewed under the regulations in effect when the application was originally reviewed. Through the Town Code in effect at time of original development application review, 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 and provide nine (9) residential units, the property will contain 100% residential use. A conditional use application for the proposed nine (9) residential dwelling units has also been submitted for the Planning Commission for action.

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” design and strong support for the project*
- *The design is a bit heavy on 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*

On July 20, 2017, the Planning Commission made the following motion:

“Based upon the findings made and conditions imposed at its public hearing on July 20, 2017, the Planning Commission hereby 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 and also moves that the Planning Commission RECOMMENDS APPROVAL of 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.”

On August 8, 2017, the Town Council made the following motion:

Based upon the findings made and conditions imposed at its public hearing on August 8, 2017, the Town Council hereby APPROVES the application subject to conditions.

Staff Reports and Notice of Decisions from the July 20, 2017 Planning Commission meeting and the August 8, 2017 Town Council meeting are attached.

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)



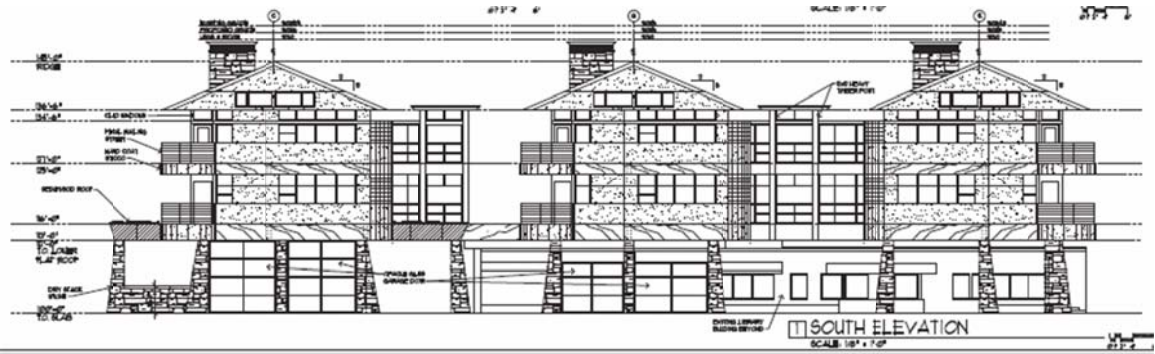
View from northeast corner (April 20, 2017)



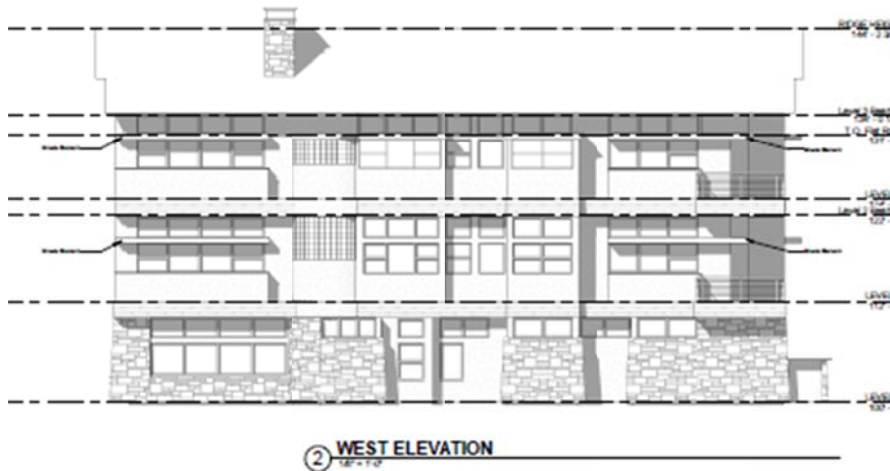
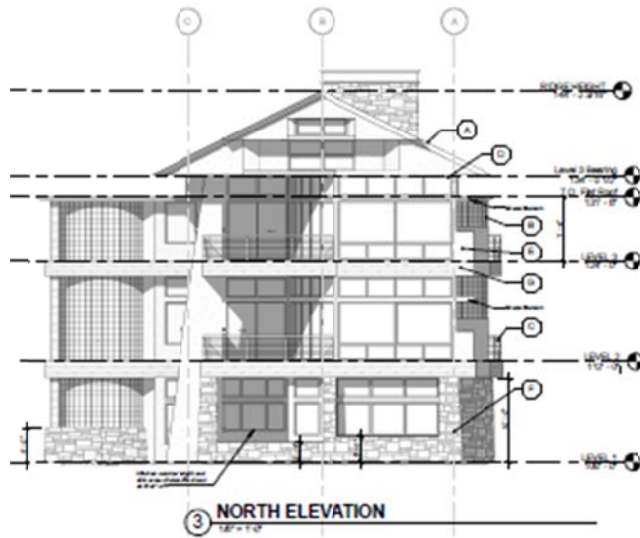
View from southwest corner (Google Earth, August 2008)

July 2017 Approved Project



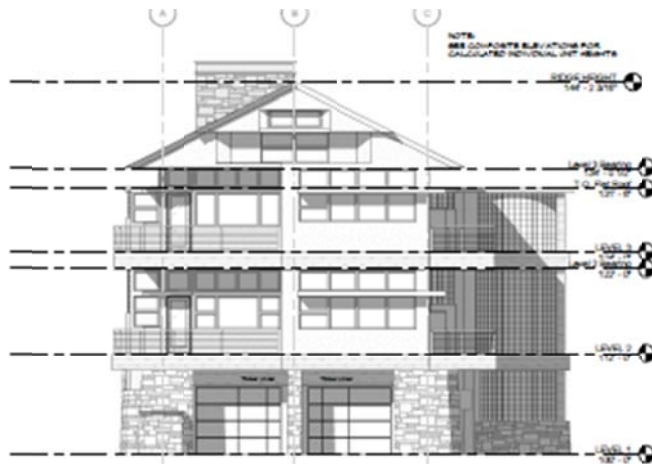


August 2018 Proposed Project (three buildings proposed)





4 EAST ELEVATION
SF=110'



1 SOUTH ELEVATION
SF=110'

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 Town Council.

Staff notes that the Unified Development Code does not have a requirement that 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. The requirement for a conditional use was removed in July 2017 in the UDC. However, since the applicant has chosen to have the modification reviewed under the old code, the conditional use is required for this project.

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.

A setback ILC will be required for each structure during building construction. 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 48.1%. This is reduced from the 59% lot coverage which was approved with the 2017 development application. 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 18,564 sq. ft. requiring 1,856.4 sq. ft. of open space. 8,773 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-five (45) 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

of each structure. Chimneys, cupolas, and similar rooftop decorative elements are excluded from building height. 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.

In this zone district, an Affordable Housing Exemption density bonus over the maximum allowable density is available when a minimum of 50% of the bonus units are deed restricted as affordable housing. The application proposes seven (7) market rate units, one (1) market rate bonus unit, and one (1) deed restricted affordable bonus unit for a total of nine (9) units in conformance with these standards.

In order to qualify for the density bonus incentive of additional dwelling units in multifamily and/or mixed use projects, the smallest deed restricted unit shall be no more than fifteen (15) percent smaller in gross floor area than the largest bonus market rate unit. Further provided, however, that in no instance shall an off-site affordable housing unit provided under any density bonus provision of this Chapter be less than 600 square feet in gross floor area. The affordable housing bonus units must be deed restricted and occupied by a tenant who is a full-time employee in Summit County and who meets the income qualifications limits implemented by the Town of Frisco and the Summit County Combined Housing Authority.

The deed restricted unit (B-101) is 1,137 square feet and the bonus market rate unit is 1,137 square feet in compliance with this section. Staff recommends a condition requiring the applicant to execute the covenant for the deed restricted unit prior to the issuance of a Certificate of Occupancy for the structure. With this condition, the application meets these standards.

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 nine (9) 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 nine (9) 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: *As stated in the response to Number 1 above, the proposed request will in no way be detrimental to the health, safety and general welfare of the persons or property, nor will this use have any negative impact on any surrounding functions within the Community. In addition, per the findings of the traffic study, the proposed "exclusive" residential use will in fact reduce traffic which will be an attribute to the adjacent residential development.*

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 originally proposed to preserve an existing building while also constructing an addition to be distinct but complimentary to the structure. Due to structural concerns that were found with the existing building, it cannot be utilized for the project. The proposed new buildings are compatible with the scale, design, site planning, landscaping, exterior materials, and the overall eclectic character of Main Street neighborhood. At the previous development application 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 structures are 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 separation between the three proposed structures. 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 facade which necessitates a building wall facade 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 east and west facades of proposed structures 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, and covered terraces. 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 project include hard coat stucco, frosted glass block, heavy timbers, and slate roofing. The proposed materials appear to be substantially similar to what was reviewed at the time of the original development application. 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 heavy timbers, frosted glass block, stucco and stone veneer. 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 and metal railings are proposed materials. During the original review of the application, the applicant had stated that the proposed stucco will visually integrate the existing structure with the new additions. Now that the existing structure will no longer be remaining, the stucco appears to be a primary material and not just used as an accent. Proposed metal accents will not be reflective. Staff is seeking Planning Commissioners feedback regarding the proposed use of stucco. If the Planning Commission finds that stucco is being utilized as primary material, 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 3.2, prior to submitting building permit application. With this suggested condition, 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.

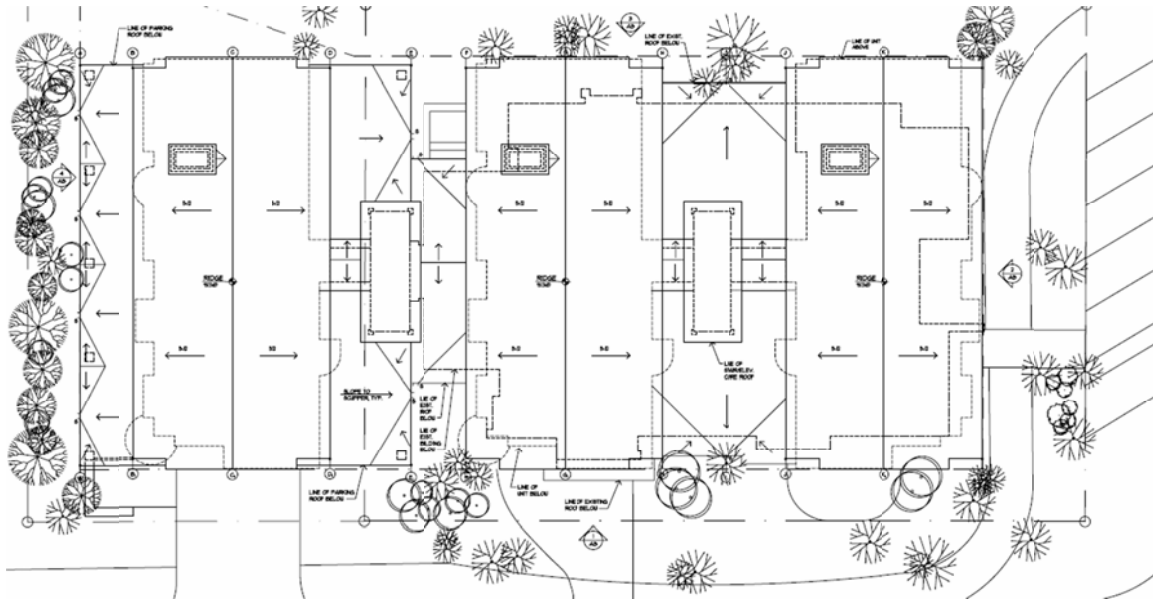
The same or substantially similar building materials shall be used on main structures and any accessory structures located on the same site, unless an alternative design is provided that will complement the project and meet the remaining standards.

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

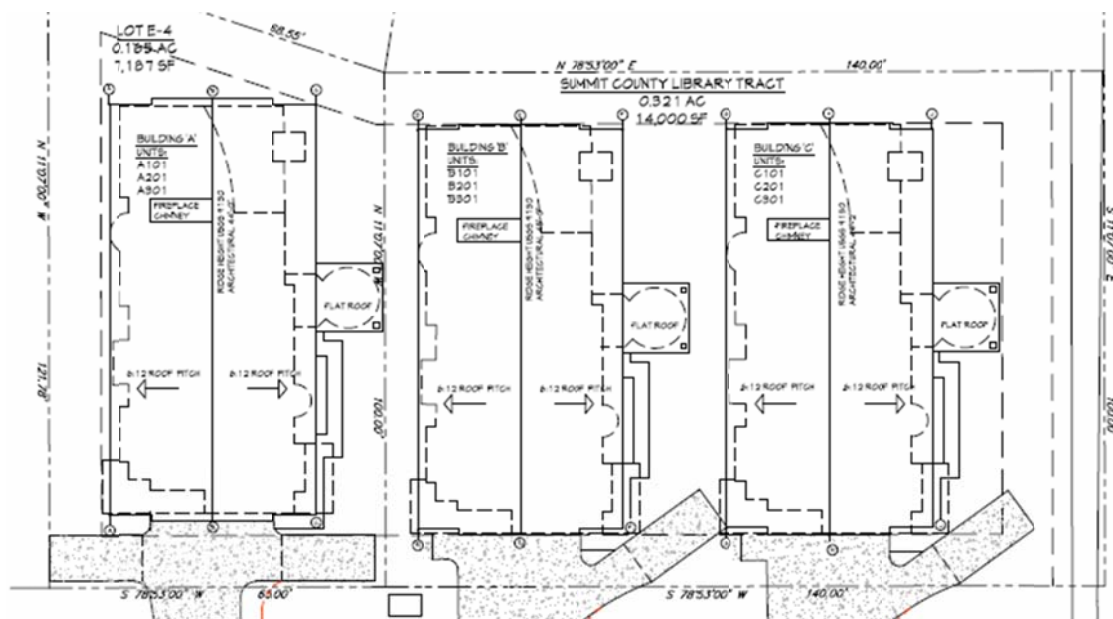
GOAL # 4.

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 project includes three structures that break up the mass of the project and add visual interest. Roof elements, other than one chimney per structure, are not proposed on the pitched roofs. The application conforms to the recommendations of this goal. However, staff does want to alert the Planning Commission that there are less architectural elements on the roof being proposed than what was approved in 2017.



July 2017 Roof Plan



August 2018 Roof Plan

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 structures each contain a pitched roof with one (1) chimney per structure. The proposed sloped roofs have 6:12 pitches. 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 structures each provide 6:12 pitches. The application has not utilized the use of dormers to break up the expanses of roof. 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 4.2, prior to submitting building permit application. With this proposed condition, 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 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 the 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.

Rooftop mechanical equipment is not proposed at this time. 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 project has a more contemporary mountain architecture character that is compatible and complimentary to the eclectic mix of structures in 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 three proposed buildings in the project duplicate each other but do not 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 ash brown stucco, grey stone, sage window cladding, dark slate roof, natural color timbered posts, corten steel metal deck railing and frosted glass 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.

There are no proposed accessory structures. This standard does not apply.

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 submitted a color board 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, Town Engineer and Summit County Road & Bridge and Engineering Departments. Refer to applicable comments below. Staff recommends the Planning Commission impose a special condition that the applicant shall satisfy the review comments of the Summit County Road & Bridge and Engineering Departments.

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 1,695 sq.ft. of proposed unenclosed paving, so 484 sq.ft. of snow storage is required. A 50% reduction in the required snow storage area shall be permitted by the Planning Commission if an adequate snow melt system is constructed for any parking area. The applicant is providing a snowmelt system which reduces the snow storage required to 242 sq. ft. The application proposes 597 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 association 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 access is proposed off Mount Royal Drive which is Summit County jurisdiction. Summit County has reviewed and provided comments on the proposed access. Staff recommends the Planning Commission impose a special condition that the applicant shall satisfy the review comments of the Summit County Road & Bridge and Engineering Departments.

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 is noted on the submitted site plan. The application meets this standard.

Traffic Studies: The applicant has prepared an updated traffic study prepared by Felsburg Holt & Ullevig dated August 3, 2018, which concludes that:

As discussed over the phone, the number of bedrooms for your residential development has increased by one to 15. The change in one bedroom per our trip generation rates would result in less than 6 vehicle trips per day and less than one vehicle-trips during the peak hour. This is not a substantial increase in traffic.

With regards to parking there are 16 on-site parking spaces with 15 designated for residents. There are also 6 off-site street parking spaces available for visitor use. The 15 on-site parking spaces designated for residents are sufficient to accommodate the one bedroom increase.

In summary, the change in the number of bedrooms does not change the analyses or the findings from traffic and parking review FHU prepared in May of 2017.

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: For 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 each building having a trash enclosure adjacent to the driveways.

An updated letter from Timberline Disposal Inc., dated August 6, 2018, 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 Toters 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 accesses. 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 fifty-three (53) trees and a total of eighteen (18) 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 not proposing to seek credit for existing trees. 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 application includes a note on the landscaping plan stating compliance. The application meets this standard.

ANALYSIS – OUTDOOR LIGHTING [180-20.2]

The applicant is not proposing changes to the proposed light fixtures. As stated with the original review:

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.

Six (6) two-bedroom units and three (3) one-bedroom are proposed requiring fifteen (15) parking spaces. For each building, the applicant is proposing five (5) parking spaces: a two (2) car garage, two (2) unenclosed parking spaces in the driveway and one (1) unenclosed parking space is provided angled adjacent to each building. 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 on the southeast corner of the lot. The visitor parking space is not blocked by other required parking spaces. 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. On-street parking credits shall not be utilized for residential uses.

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. Understructure parking is no longer proposed with the application. This standard is not applicable.

Parking Dimensions and Design: Required parking spaces shall be a minimum of 9 feet by 18.5 feet in size. Staff has ensured all dimensions to ensure that angled parking spaces are not overlapping other required parking spaces. 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. Since the application does not propose seven (7) or more attached units, this standard is not applicable.

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. Residential uses are not permitted to utilize off-site parking allowances. This standard is not applicable.

Tandem Parking: For multi-family residential projects, two spaces stacked (tandem) may be permitted if the Planning Commission finds that the layout of the parking is functional and, at a minimum, finds two (2) out of the following four (4) criteria are met:

- I. *That some of the spaces could be used as potential visitor parking space; and/or,*
- II. *That, given the layout and design of the building, adequate storage space is provided for the residents so that it is not anticipated the parking space(s) will be needed predominately for storage; and/or,*
- III. *That the architecture of the building façade which faces or accesses the parking spaces avoids a canyon effect, such that movement is provided in the building design; and/or,*

- IV. *That an adequate turning radius area is provided with the parking layout to allow for turning and backing into or out of the tandem parking spaces.*

The applicant is proposing tandem parking spaces for the two-bedroom units. The applicant has stated that the tandem parking allows additional guest parking at the front of the garage. Additionally, each garage will have storage space. The proposed tandem spaces shall be approved by the Planning Commission.

Snow Storage Areas: One-hundred (100) square feet of snow storage is required for every 350 square feet of paving. The application involves 1,695 sq.ft. of proposed unenclosed paving, so 484 sq.ft. of snow storage is required. A 50% reduction in the required snow storage area shall be permitted by the Planning Commission if an adequate snow melt system is constructed for any parking area. The applicant is providing a snowmelt system which reduces the snow storage required to 242 sq. ft. The application proposes 597 sq.ft. of snow storage. 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

SUMMIT COUNTY ENGINEERING AND ROAD & BRIDGE DEPARTMENTS

Proposed access for this site is off Mount Royal Drive which is within Summit County jurisdiction. Summit County Engineering and Road & Bridge have been working with the applicant to resolve outstanding concerns. The most recent update received, dated July 27, 2018 is below. Staff is anticipating all outstanding concerns will be resolved by the time of the meeting on August 16, 2018. An update will be provided at that meeting.

- 1. No existing conditions survey, proposed grading or drainage plans have been provided. The County review cannot be completed until these documents have been submitted and reviewed. – An existing conditions survey by Range West has been submitted and appears complete. A Grading and Drainage Plan by Pearson Engineering has also been submitted. There appear to be discrepancies between the bike path indicated on the survey and shown on the Site Plan and the Grading and Drainage Plan which need to be addressed. The proposed grading and resultant drainage indicated on the Site and Grading and Drainage Plans do not meet County Road & Bridge standards and need to be revised (see comments below).*
- 2. The proposed driveways do not meet County intersection (Code Section 5107.03 A) or Driveway separation (Section 5107.03 B) Code requirements.*

Driveways can be located no closer than 50 feet from the curve return of intersections; the proposed site plan only provides 30 feet of separation. Driveway openings must be separated by at least 30 feet, as measured between curve returns (flares); the current proposal provides 21 and 23 feet between driveways and cannot be approved. - *The revised Site Plan has addressed this requirement.*

3. The proposed driveway connections are too wide and do not meet Code Section 5107.03 D and Table 5-6 Driveway Criteria, which limits multifamily driveway connections to between 24 and 30 feet in width. The proposed driveway connections are 34 and 36 feet in width, and should be narrowed to as close to 24 feet (the minimum allowed by Code) as practicable. – *The revised Site Plan satisfies this County Code requirement.*
4. As no proposed grades or individual unit Level 1 Finish Floor Elevations have been provided, driveway grades cannot be reviewed against the requirements of Code Section 5107.03 E Driveway Grades. – *The indicated USGS garage finish floor elevations appear to satisfy the Code requirements of 5107.03 E.*
5. No proposed grades or drainage plans have been submitted; the requirements of Code Section 5107.03 H cannot be reviewed at this time. The discharge of private driveway drainage into the County right-of-way is not permitted; no culverts or drainage swales are indicated on the plans. Since the 9085 contour indicates an existing drainage swale in the right-of-way frontage of this property, the 9086 and 9084 contours should continue this drainage across the property frontage. – *County Code Section 5107.03 H prohibits discharge of private driveways into the County right-of-way. The Grading and Drainage Plan indicates that all three driveways discharge directly into the Mount Royal Drive right-of-way without a required swale or low point, and cannot be approved. The northern shoulder of Mount Royal drive outside of the paved vehicle travel lane should be regraded to connect the partial swale in Mount Royal Drive to the right-of-way of S Madison Ave.*
6. The indicated Snow Storage areas do not appear sufficient to meet the requirements of Code Section 5107.03 L. Please provide a Snow Storage Plan with all driveway areas in the right-of-way and on the private property indicated with square footage, and the snow storage on private property to accommodate these areas. – *Code Section 3505.19 B requires snow storage be provided on private property to accommodate 25% of all paved areas located in County right-of-way. It appears storage for less than 15% of snow storage areas has been provided; updated snow storage calculations are required to clearly verify this requirement has been met. No snowmelt is permitted to be installed in the County right-of-way of Mount Royal Drive.*
7. The proposed driveway connections do not meet the requirements of Code Section 5107.03 M, which requires the portion of the driveway through the right-of-way to be the shortest perpendicular distance possible. – *The shortest perpendicular driveway connection requirement has not been*

addressed; the proposed driveways cannot be approved until this requirement has been met.

8. *There is a street light with electric boxes attached to its base in the right-of-way of Mount Royal Drive which does not appear on the plans. The survey and proposed plans should be updated to include all existing utilities, and this street light and all existing utilities in the Mount Royal right-of-way should be relocated to the property line or into the right-of-way of S Madison Avenue. – The existing light pole and phone pedestal have been shown on the plans; however, relocation of these items has not been indicated and must be completed in order to approve this application.*
9. *There is an existing sidewalk / rec path in the right-of-way of Mount Royal Drive; the County would prefer to see this moved as far away from (north of) the edge of pavement of Mount Royal Drive to reduce snow plow and snow storage conflicts. As the County does not maintain sidewalks, a license and maintenance agreement for this improvement in the right-of-way will need to be entered into by the property owner. – The County does not currently maintain or plow the existing paved bike path, and will not accept the path for future maintenance. If the Town wishes to separate or otherwise improve the existing path, approval for a plan and a License Agreement with the County Road & Bridge Department would be required.*
10. *There is no proposed landscaping shown in the County right-of-way; no landscaping which would obstruct sight triangles or impede snow storage will be permitted.*

Additional comments may arise upon review of these revisions. Please do not hesitate to contact me with any questions or concerns.

TOWN OF FRISCO PUBLIC WORKS DEPARTMENT

It is required that you maintain a 10 foot horizontal separation between the water and sewer lines and where the sewer and water cross, the water line must be encased in concrete or C900 PVC (sealed at each end) for a minimum of 10 feet to both sides of centerline of said crossing. Please also keep all water lines running parallel with building foundations a minimum of 15 feet away from foundations. Other than that this will work for us. Thank you.

TOWN OF FRISCO ENGINEER

No outstanding concerns.

SUMMIT FIRE & EMS

1. *A Construction permit through the fire department is required for each building in this project. Please advise the developer/contractor to contact the fire department for details.*
2. *Based on the size, type of occupancy and highest floor level, this project shall require the following fire protection systems for each building: an approved fire*

sprinkler system, an approved fire alarm system and an approved fire standpipe system.

- 3. Please advise the developer/contractor to size the waterline into each of the new buildings to meet fire sprinkler and domestic water demand accordingly.*
- 4. It appears there is a basement under each of the new buildings. Please have the developer provide more information on the proposed plans for each of these basements.*
- 5. The fire department suggests a meeting with the developer and architect to discuss fire code requirements and fire protection system concepts for the buildings.*
- 6. Based on the size of the building, type of construction and radio signal strength in the building, an emergency responder radio amplification system may be required. See fire department for details.*

SUMMIT COUNTY GIS

After speaking with the 911 Dispatch Center and Mr. Crowe, it is our intention to have the buildings addressed all as '90 S. Madison Ave' with either building or unit numbers identified. The buildings and unit designations have yet to be determined. We have gone through a number of different iterations with Mr. Crowe but the final designations have not been made. We recommend having these buildings and/or unit designations shown on the final plat.

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. If building will be sharing a common service line a single billing entity such as an HOA will be required for billing purposes*
- 6. A licensed engineer must confirm that service line sizing is sufficient for multiple units*
- 7. The alignment proposed on 7/23/18 is the preferred alignment for the Sanitary Sewer service lines.*

XCEL ENERGY

Demo:

- Customer must pay to have two poles removed and line converted to UG feed. Existing pole on South end of lot feeds multiple customers. Will need approval from town to place a new pole and need easement from 34 or 54 Mount Royal Dr. to place a pole on their property. Xcel cannot guarantee that the easement will be granted.*
- Existing streetlight owned by Town of Frisco is located at the corner of Madison Ave and Mount Royal Dr., will need to re-fed UG as it is feed from the overhead transformer located on the pole.*

New Building:

- *Need to submit Final Site plan, Elevation, Panel Schedule and One-line diagram to Xcel when you submit your application at Apply for service with Xcel's FastApp or call 1-800-628-2121.*
- *You must apply for each address that will need service in the building and any common/house meters needed. (common/house meter usually runs common lights in stairwells, signs, snowmelt, irrigation, Etc.)*
- *Will need to know total loads for gas to determine if main in Mount Royal Dr. will need reinforcement for your project. If reinforcement is needed it will be at customer cost.*
- *Must let Xcel know if you need 3Ph or 1Ph power. There is a 3ph transformer located on 40 W Main St, just North of your north property line. Single phase power runs parallel to Mount Royal Dr.*
- *If temp power is needed then a transformer will need to set in a permanent location and you must apply for temp power.*
- *New transformers on the lot must located 10' away from buildings and 20' away from doors, reference Standards for Electric Installation and use (blue book) Xcel Energy Standard for Electric Installation and Use (Blue Book) Drawings CR-30A*
- *If the buildings do not own their own lot, and the lot is owned by HOA the meters will need to be located on the building at a single point of service.*
- *If house/common meter is needed, customer must run the electric service lateral to the Transformer or Pedestal (point of distribution).*
- *Existing plan has no good location for meters. Meters cannot be located inside the building and must be accessible. We do not allow ice or snow shields in Summit County. Meters must be located under a non-drip edge and there shall be no adjacent rooflines, which will drip directly on or towards a neighboring meter installation. See Standards for Electric Installation and use (blue book) Section 4.3, under number 3, page 33 "Note: Due to excessive snowfall, ice and snow shields will not be permitted in the following Colorado counties: Eagle, Lake, Park and Summit. Meters shall be installed on the gable or non-drip side of a building or in an approved remote location from the building or structure in these counties." Xcel Energy Standard for Electric Installation and Use (Blue Book)*

PUBLIC COMMENT

The Community Development Department has not received any public comments as of August 9, 2018.

STAFF RECOMMENDATIONS

Recommended Findings

The Community Development Department recommends the following findings pertaining to the proposed modifications to the approved 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 August 16, 2018 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: tandem parking, 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 nine (9) 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 modifications to the approved 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. *Prior to the issuance of a certificate of occupancy for any residential dwelling unit in this development, the applicant shall execute the necessary deed restriction for the affordable housing bonus dwelling unit.*
2. *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.*
3. *The applicant shall satisfy the comments of the Summit County Engineering and Road & Bridge Departments.*
4. *The applicant shall satisfy the comments of the Summit County GIS Department*
5. *The applicant shall satisfy the review comments of the Town of Frisco Public Works Department.*
6. *The applicant shall satisfy the comments of the Frisco Sanitation District.*
7. *The applicant shall satisfy the comments of the Lake Dillon Fire Protection District.*
8. *The applicant shall satisfy the comments of Xcel Energy.*
9. *The applicant shall revise the proposed plans to comply with Frisco Town Code, Section 180-18.1, Main Street Overlay District, Standards 2.2 and 4.2 prior to submitting building permit application.*

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. 110-18-MDA/CU, I move that the recommended findings set forth in the August 16 2018 staff report be made and that the recommended action set forth therein be taken and that the Planning Commission APPROVES the modifications to the approved major development application 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 nine (9) 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

- Town of Frisco Zoning Ordinance:
 - §180-15. Mixed-Use District
 - §180-18.1. Main Street Overlay District
 - §180-30. Conditional Uses
- Application Materials
- July 20, 2017 Planning Commission Staff Report
- July 20, 2017 Planning Commission Notice of Decision
- August 8, 2017 Town Council Staff Report
- August 8, 2017 Town Council Notice of Decision

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

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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.

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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.

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- 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.

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§ 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.

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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.

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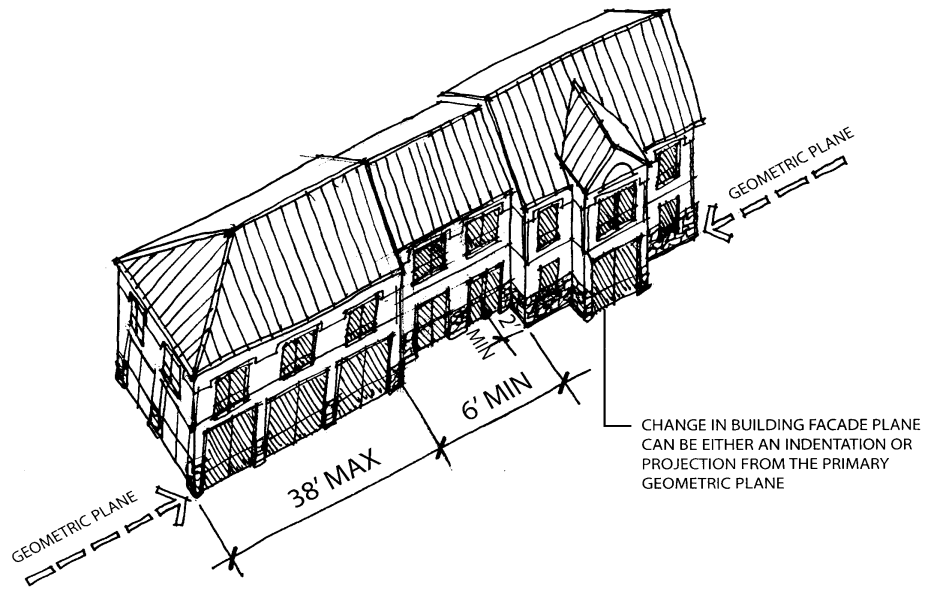
GOAL #2.

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

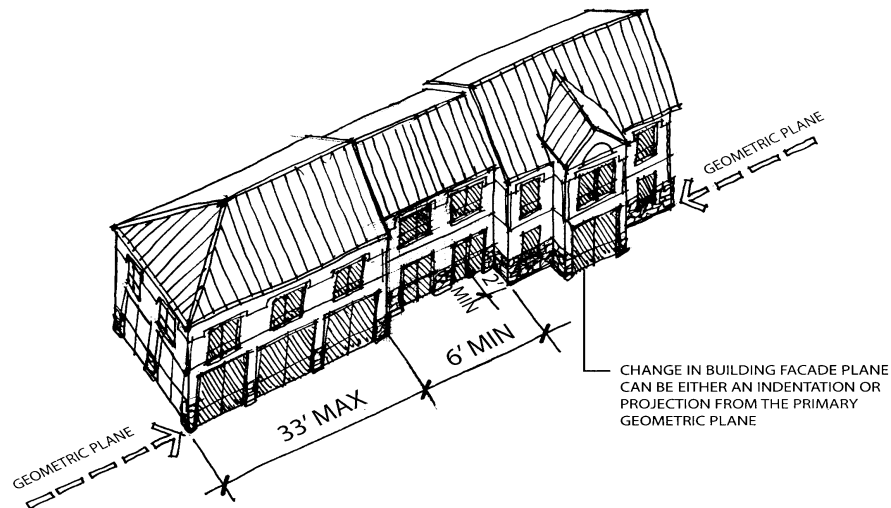


two (2) feet in depth for a distance of not less than six (6) feet, and the roof fascia/eave shall either be indented or project from the primary geometric plane by a minimum of 2 feet.. For buildings that exceed 74 feet in length the change in the geometric plane shall be increased to a minimum of four (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

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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.

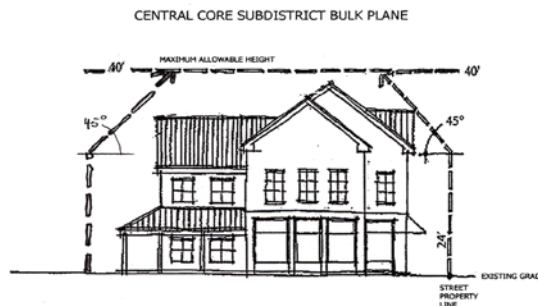
Within the Central Core Subdistrict, the Marina Subdistrict and the West End Subdistrict of the Main Street Overlay District no building facade or roof ridgeline facing a front yard or street side yard shall have more than 66% of the length of the wall or roof ridgeline along the same geometric plane, 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

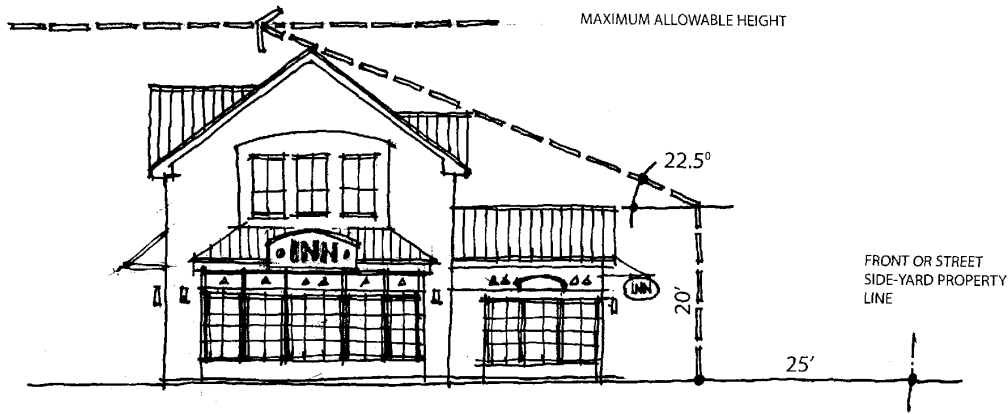
- a. **Central Core Subdistrict:** The bulk of the building shall be restricted on all street and rear yard facades by a bulk plane. The 40 foot height limit of the bulk plane may be increased, if provision 180-23.C (4) is utilized. Building forms may deviate from this standard and project beyond the 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.

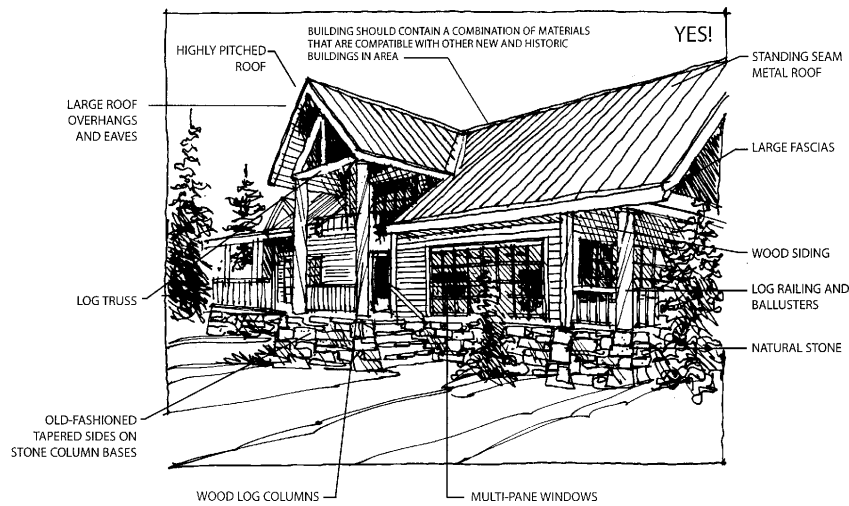
ZONING

WEST END SUBDISTRICT BULK PLANE

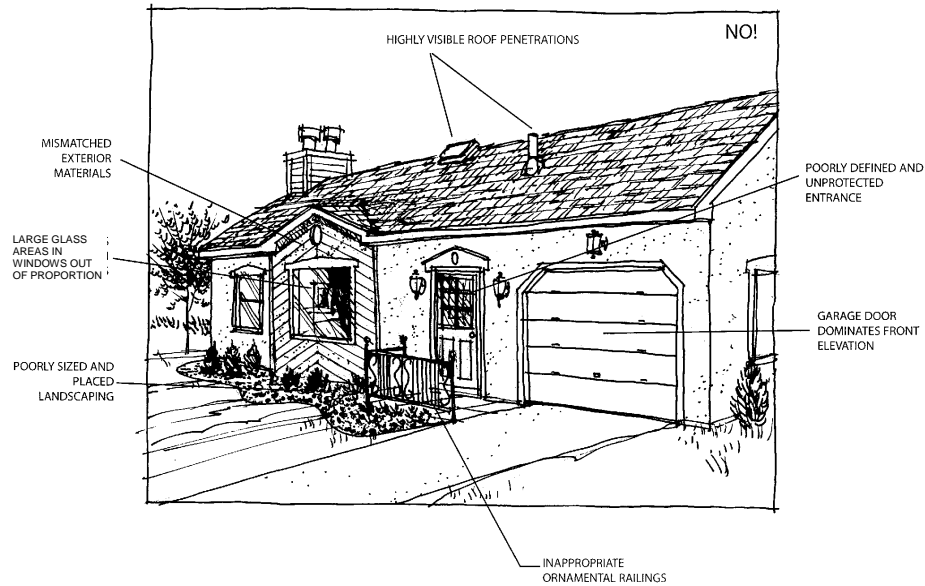


GOAL #3.

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.

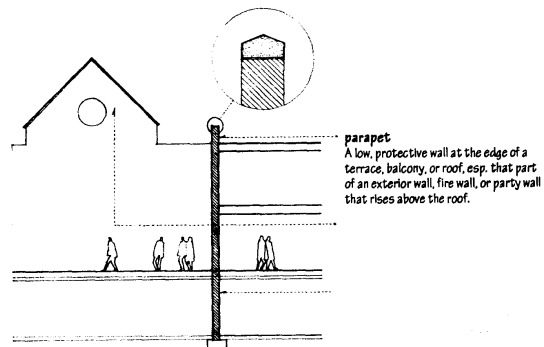
The use of mirrored or reflective glass shall be prohibited. Clear glass shall be used for windows. Tinted, colored or opaque glass may be approved on a case by case basis when shown by the applicant to be compatible with the purpose of these regulations.

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.

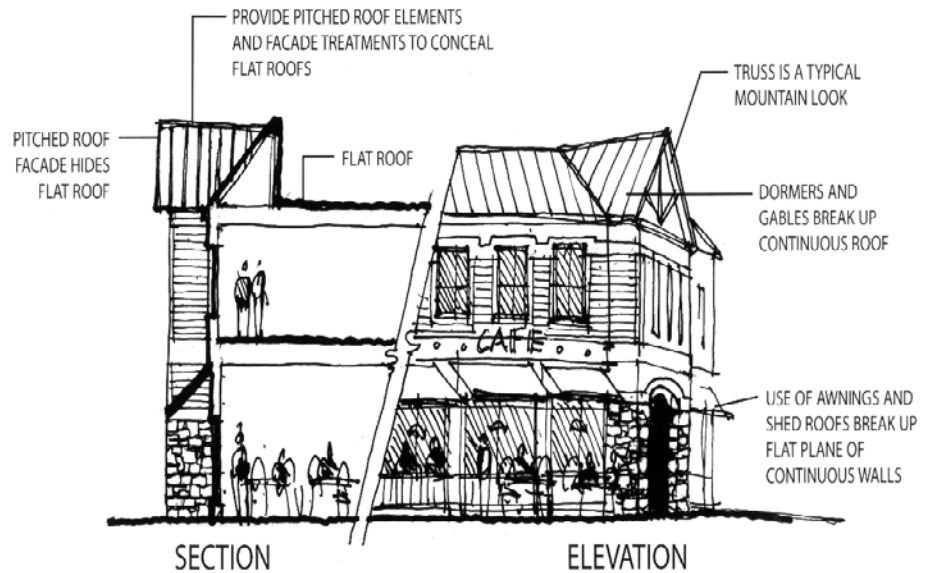
Steep pitched roofs are encouraged, but in those instances where flat roof construction is proposed, it shall be augmented with pitched roof elements, including but not limited to: peaked or sloped facade elements or parapets facing all street sides. Pitched roof elements shall vary by a minimum of two (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.

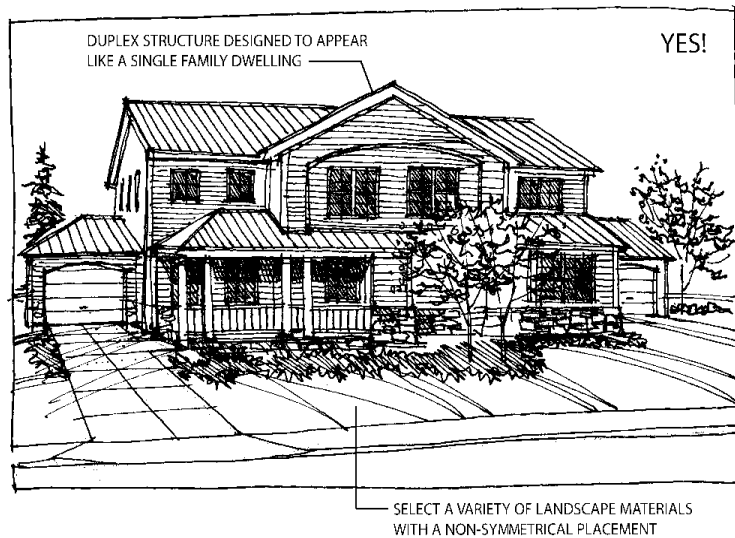
All rooftop mechanical, electrical, and electronic equipment shall be screened in a manner that is compatible and substantially similar with the colors and materials of the building or the roof.

GOAL #5.

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

Standard#5.1.

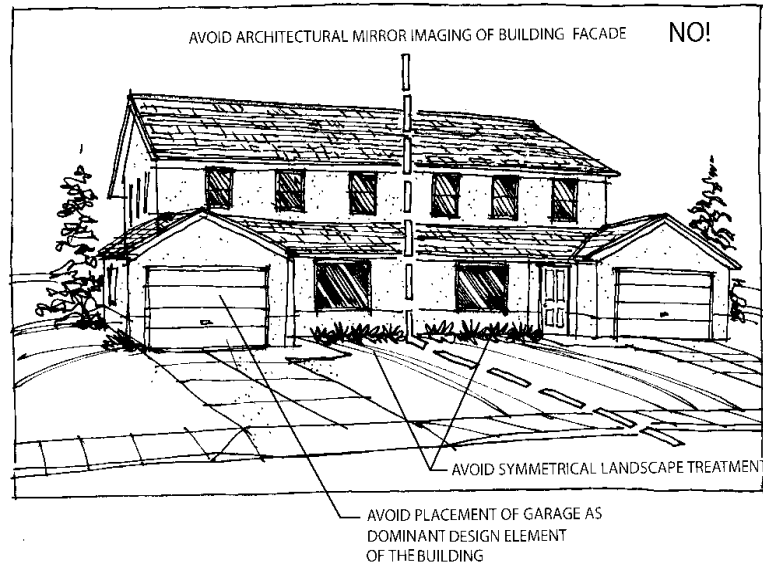
Duplex structures shall be designed to look like a single family structure to the extent possible, and shall not be designed in a manner that results in each half of the structure appearing substantially similar or mirror image in design to the other half.



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.

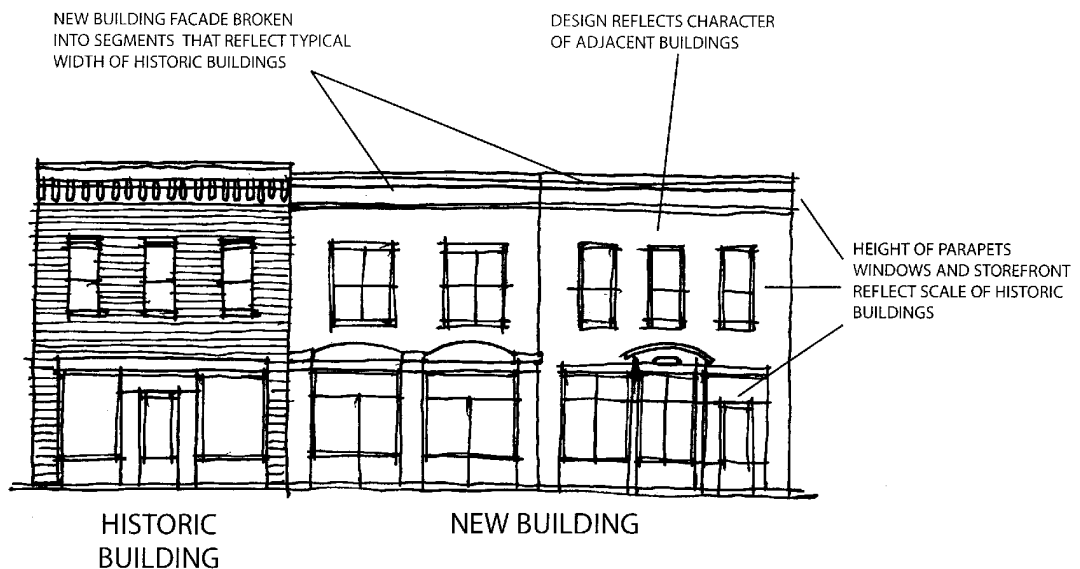
A color board shall be submitted and reviewed showing all proposed primary and accent colors and intensities for the exterior walls of the building.

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

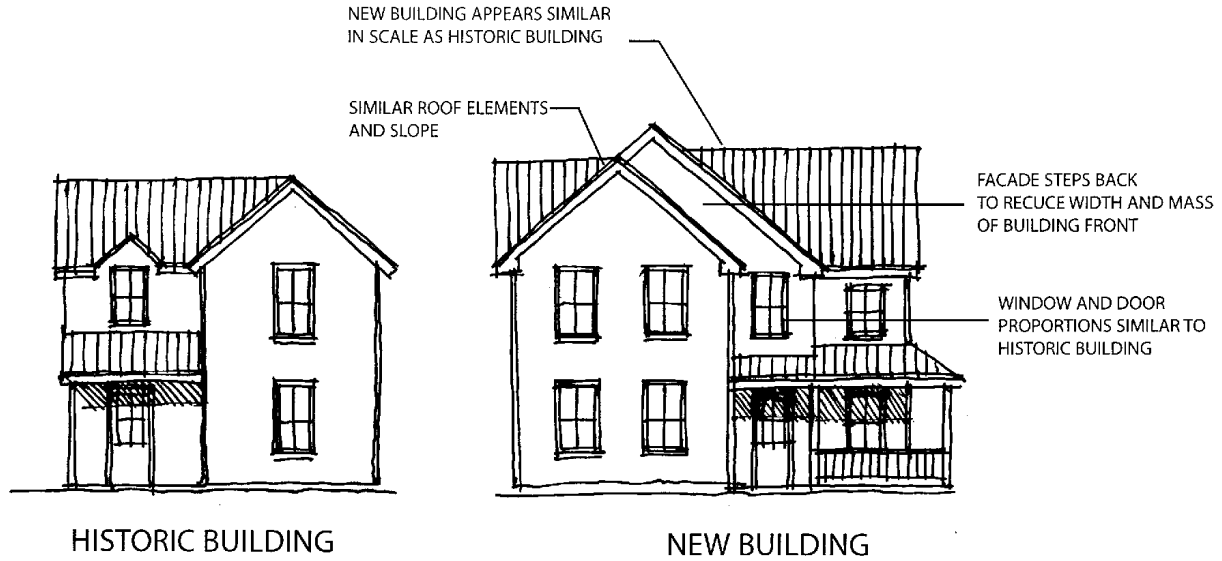
WINDOWS OUT OF
PROPORTION WITH
EXISTING

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.

ZONING

- 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.