



**PLANNING COMMISSION  
STAFF REPORT**

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November 1, 2018

AGENDA ITEM: Planning File No. 078-18-MAJ: A public hearing of the Major Site Plan Application for the Frisco Bay Marina new office building project, located at 290 Marina Road / Unplatted (Lease Area on Denver Municipal Water Works land; TR 5-78, Sec 35, QTR 1)

LOCATION: 280 Marina Road / Unplatted (TR 5-78 Sec 35 QTR 1)

ZONING: Parks and Recreation (PR) District

APPLICANT: Town of Frisco  
1 Main Street  
Frisco, CO 80443

PROPERTY OWNER: Denver Municipal Water Works  
1600 West 12<sup>th</sup> Avenue  
Denver, CO 80204

ARCHITECT: Matthew Stais Architects  
PO Box 135  
Breckenridge, CO 80424

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

**PROJECT DESCRIPTION**

Operations at the Frisco Bay Marina have outgrown their current location in the historic Lund House. So the applicant, Town of Frisco, represented by Matthew Stais Architects, is proposing to construct a new office building at the Frisco Bay Marina. With the exception of the Island Grill restaurant, the marina uses currently occupying the Lund House (administrative offices, guest services, retail sales, etc.) will be relocated to the new building upon its completion. The Island Grill restaurant will remain in its current location until such time as a new, separate restaurant building is constructed in the future.

The Town of Frisco recently updated the Marina Park Master Plan. The proposed new office building has been designed to accommodate both the existing site conditions and the future site conditions recommended by the master plan update. This major site plan application focuses

on the new office building and does not address all of the future elements of the master plan implementation.

The proposed new office building will be located along the shore of Dillon Reservoir east of the existing Lund House and boat ramp driveway. The new two-story office building will have approximately 4,846 square feet of floor area and will include: retail space, staff offices, support spaces, and separate restrooms for staff, customers, and boat slip holders.

The exterior building materials include: cement fiber board panels, western red cedar vertical cladding, rough sawn cedar accents, black cladding, concrete foundation walls, and black walnut colored asphalt roof shingles.

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

## **BACKGROUND**

The initial design for the marina was outlined in the 1988 “Lakefront Park Master Plan”. The master plan for the marina was subsequently updated in 1991, 1997, 2001, and 2008. In late 2017, the Town of Frisco initiated a new update to the Marina Park Master Plan. The updated master plan was adopted on June 26, 2018.

As noted in the Applicant’s narrative, the Frisco Bay Marina was established in the late 1980’s. Most of the marina is located on land leased by the Town of Frisco from Denver Water. The historic Lund House which serves as the marina office was moved to its current location in 1998. The existing Island Grill restaurant addition was constructed in 2005.

In 2014, the Town of Frisco secured U.S. Army Corp of Engineers permits for the “big dig” project. The Big Dig is a proposed dredging and excavation of the marina boat mooring and dock areas to increase the operational water depths of the marina. This project is intended to improve boating navigation, extend the duration of the annual boating season, and to reduce the impacts of low water level conditions. The dredging and excavation spoils from the Big Dig are to remain on-site which creates an opportunity for additional waterfront land development. Since 2014, the Town has been waiting for favorable weather, snowpack, and water level conditions to begin implementation of the “big dig”. The current Marina Park Master Plan update is evaluating the physical layout of the marina and how to best utilize the spoils from the Big Dig to create a new lake shore design that will enhance both operations and the guest experience of the marina. The current plan includes recommendations to realign the pier and boat docks and to relocate the boat ramp. The proposed marina office building has been designed to both accommodate the existing site conditions at the marina, and implement the future vision now being recommended by the master plan update.

On May 2, 2018, a pre-application meeting was conducted by the Town of Frisco’s Development Review Committee (DRC) which consisted of representatives from the Town’s Planning Division, Building Division, and Public Works Department along with referral agency representatives from Summit Fire and the Frisco Sanitation District. A variety of topics were discussed and items that will need to be addressed by the final site plan application were identified.

On May 17, 2018, the Planning Commission held a sketch plan review of the proposed new marina office building. The minutes from that meeting pertaining to this item are as follows:

*Assistant Community Development Director Bill Gibson presented and noted that the proposal was one piece of the Marina Master Plan which had many moving parts. A new building was proposed which would house the current office facilities, and the application took into account the existing and proposed conditions as the Marina Master Plan was being finalized. The Town currently had a U.S. Army Corps permit to dredge at the Marina and some of those soils were anticipated for use in future developments at the Marina. Flood hazards and wetlands were taken into account and the project met zoning requirements. Building height was discussed noting that the allowed height was generally 25 feet but the Commission could approve a building height of up to 35 feet with the findings outlined in the PR zoning district. Additional information would be available as the project progressed and water quality setback and on-site parking was outlined.*

*Commissioner questions for staff included:*

- Is the current building used during the winter?*
- What are the plans for the historic building currently there?*
- Are there any Historic Overlay zoning designations?*

*The Applicant, Matt Stais of Matthew Stais Architects, presented the project team including Town staff, Elena Scott from Norris Design, Mark Luna the Civil Engineer, and Logan Simpson from the master plan design firm. The proposed location of the building in context with the Marina Master Plan was outlined and the soil from the dredging would alter the shoreline. Ms. Scott spoke to the importance of ensuring that as the first phase of the project, the building could stand alone during the execution of the Master Plan. Draining, landscaping, and the relationship of the project in engaging the community was highlighted. Grading was reviewed and the applicant spoke into the intent of the scale and location of the proposed building.*

*Mr. Stais noted that the current Lund House was eight (8) feet above the high water level and the proposed building would sit at eight and a half feet (8.5). Design features and materials were discussed along with the orientation of the building to capture views of the marina that benefit both staff and patrons. The floor plan was discussed and included a retail area, amenities for slip holders, and a second level for staff use including a break room, restrooms, and lockers.*

*Commissioner questions for the Applicant:*

- Discussion followed regarding grading, the proposed foundation, the proposed new shoreline, and high water line.*
- Clarification as to where the dredging material would go and on flood plain management.*
- Clarification if the building was designed to sit on concrete slab and if any other footings such as piers were considered.*
- Were any sustainability design elements considered?*
- Request to expound upon the process of deciding the building design and if there was a possibility to create an architecturally exciting design.*

*There were no Public comments*

*Final Commission comments expressed favor for the project and the outdoor spaces. There was a consensus that the building was a keystone piece to the Marina so an updated, more modern look was requested. Outdoor spaces, such as the proposed deck, could be better utilized and a concern was raised regarding the potential problems*

*from the groundwater elevation, particularly with the viability of the concrete slab being so close to the water line. The food and beverage building would be an attraction if it were designed to have a grand viewing experience.*

On June 26, 2018, the Town Council adopted the Frisco Marina Park Master Plan through Resolution 18-11. This established a comprehensive master plan for the marina that detailed current conditions and proposed future land uses and locations for operations, trails, pathways, open space, lake access, parking, circulation, storage, recreation, and services. The plan also developed a formalized long range plan with maps, images, site plans, details, phasing, and estimated costs. This plan speaks directly to the proposed new office building and its proposed location.

Below is a vicinity map of the subject property with an aerial photography base layer. The location of the property lines shown on this map vary in accuracy and should only be used for reference purposes. Photographs of the subject property are included for reference.



Vicinity Map





View from the Island Grill upper dining deck (May 2018)

### REQUIRED ACTION

Planning Commission: Approval, approval with conditions, or denial of the proposed Major Site Plan application.

### ANALYSIS - FRISCO COMMUNITY PLAN

The following elements of the Frisco Community Plan are applicable to the review of the proposed development:

#### 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 (excerpts)

*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.*

### **Community Services**

*Frisco is a community that expects quality community services, and seeks to ensure adequate resources are available over the long-term.*

- *CS 1. Ensure Town government efficiencies and cost effectiveness.*

- CS 2. Provide a sufficient level of quality Town services, maintain existing Town infrastructure and lead by example to promote cost-effective sustainable practices.
- CS 3. Improve communication between Town officials and the community.
- CS 4. Encourage community involvement for the establishment of Town government programs, services and policies.
- CS 5. Support efforts of non-profit organizations that enhance the lives of Frisco's residents and businesses.

### **Energy**

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

- EN 1. Explore and implement cost effective options for utilizing alternative energy sources for Town government infrastructure, buildings and vehicles.
- EN 2. Continue to promote zero-waste community events.
- EN 3. Promote zero-waste opportunities for residents and businesses.
- EN 4. Encourage the use of recycled materials, renewable energy sources and the use of green and energy efficient building practices.
- EN 5. Promote conservation and use of resources to maintain a sustainable community for generations to come.

### **Economy**

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

- EC 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.

### **Health & Well-being**

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

- HW 1. Recognize and promote opportunities for physical activity.
- HW 2. Support efforts to promote healthy eating and lifestyle choices.
- HW 3. Implement walkability (includes pedestrians, bikes, etc.) concepts into Town government land use regulations.
- HW 4. Promote opportunities to encourage community participation and neighborhood events.
- HW 5. Provide community gathering spaces for people, groups and organizations, to enhance Frisco's character.

### **Natural Resources**

Frisco is a community that protects its natural resources, and promotes sustainable practices and policies.

- NR 1. Protect and preserve surrounding natural areas that contribute to and enhance the community's mountain character.

- NR 2. Ensure scenic viewsheds of locally identified points of interest, including Mt Royal, Wichita, Chief, Buffalo, and Dillon Reservoir/Continental Divide, are maintained as practical as possible.
- NR 3. Cooperatively work with Denver Water, the US Forest Service, Summit County government, and other municipal and county agencies to preserve, enhance and manage natural areas.
- NR 4. Manage noxious weeds, protect water quality and water quantity, promote reforestation and reduce light pollution throughout the community.
- NR 5. Educate residents, businesses and visitors on sustainable practices to maintain Frisco's natural resources.

### **Recreation**

*Frisco is a community that celebrates active mountain lifestyles and promotes its diverse year-round recreational opportunities.*

- RE 1. Produce community recreational opportunities and programs for all ages.
- RE 2. Coordinate with the US Forest Service to maintain, enhance and expand the local public trails.
- RE 3. Coordinate with Denver Water to enhance amenities at the Frisco Bay Marina and along Frisco's shoreline with the Dillon Reservoir.
- RE 4. Support efforts to develop public spaces that provide recreational diversity and enhance Frisco's vitality.
- RE 5. Continue to enhance the Town's park and recreational areas to provide diverse recreational opportunities.

### **Transportation & Mobility**

*Frisco is a community that provides a safe and efficient multi-modal transportation system, and promotes walkability, bicycling and alternative modes of travel.*

- TM 1. Enhance non-vehicular (pedestrians, bicyclists, etc.) safety in commercial core areas with sidewalks, lighting, bike racks, and crosswalks.
- TM 2. Maintain the town's paved pathway system, and enhance connections to the community's neighborhoods, parks, commercial areas and to the county-wide recpath system.
- TM 3. Support transportation programs that provide regional and local connections.
- TM 4. Explore options for improved traffic circulation, access and connections throughout town.
- TM 5. Participate in regional transportation planning efforts, which contribute to the town.

The application directly supports quality of life statement "RE 3. Coordinate with Denver Water to enhance amenities at the Frisco Bay Marina and along Frisco's shoreline with the Dillon Reservoir". The application also conforms to multiple other recommendations of the Frisco Community Plan as underlined above.

The applicant's narrative states in part:

*The project design responds directly to principles outlined in the Quality of Life statement in the Frisco Community Plan. The proposed Marina office building is intended to be an iconic cultural structure within a beloved public park space, a place that builds community through healthy, diverse recreational activity and seeks to promote year-round economic vitality. The building design itself is both sustainable and eclectic,*



*celebrating the natural resources and unique cultural heritage of Frisco, all while maintaining the strong view corridors that define this vibrant mountain town.*

### **ANALYSIS - MARINA PARK MASTER PLAN**

On June 26, 2018, the Town Council adopted the Frisco Marina Park Master Plan through Resolution 18-11. This established a comprehensive master plan for the marina that detailed current conditions and proposed future land uses and locations for operations, trails, pathways, open space, lake access, parking, circulation, storage, recreation, and services. The plan also developed a formalized long range plan with maps, images, site plans, details, phasing, and estimated costs. This plan speaks directly to the proposed new office building and its proposed location. The proposed marina office building has been designed in accordance with the recommendations of the Marina Park Master Plan. A copy of the master plan has been attached for reference.

### **ANALYSIS – FLOOD HAZARD AREAS [Chapter 97]**

Chapter 97 of the Code of the Town of Frisco regulates construction within floodplains. Portions of the marina are located within a Special Flood Hazard Area (SFHA) associated with Dillon Reservoir that is subject to inundation by the 1% annual chance flood, also known as the 100-year flood.

All new structures located within an SFHA must comply with the standards outlined in §97-11, General Standards, including, but not limited to, utilizing construction methods and practices that minimize flood damage and installing building materials that are resistant to flood damage.

Pursuant to §97-12.B, Nonresidential Construction, the new marina office building shall either have its lowest floor elevation one (1) foot above the base flood elevation (BFE) or be designed so that one (1) foot above the base flood elevations the structure is watertight with walls substantially impermeable to water and with structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

The Federal Emergency Management Agency's (FEMA) adopted Flood Insurance Rate Map (FIRM) identifies this SFHA as a Zone A. Zone A areas do not have a Base Flood Elevation (BFE) determined and designated on the flood map. However, data is available from the Flood Insurance Study (FIS) for the nearby Ten Mile Creek. The floodplain associated with Ten Mile Creek is designated as Zone AE which has a determined BFE of 9024.5 at its outlet into Dillon Reservoir. The first floor of the new marina office building has an elevation of 9025.5. The application meets this standard.

### **ANALYSIS – PARKS AND RECREATION (PR) DISTRICT [§180-3.14]**

The requirements of the Parks and Recreation (PR) District are applicable to the review of the proposed project as follows:

**Purpose:** The purpose of the PR district is as follows:

*“To allow for land uses that offer a variety of active and passive recreational pursuits.”*

**Minimum Lot Area:** There is no lot area requirement within the PR District.

**Minimum Lot Frontage:** There is no lot frontage requirement within the PR District.

**Setbacks:** The minimum required setbacks and proposed the setbacks for this application are as follows:

	Minimum Setback	Proposed Setback
Front Yard	30 feet	>700 feet
Side Yards	30 feet	>800 feet
Rear Yard	30 feet	>1,600 feet

**Lot Coverage:** There is no lot coverage requirement within the PR District.

**Maximum Building Height:** The maximum building height is twenty-five (25) feet. Additionally, pursuant to §180-3.17.7:

A. *In the PR District, upon Planning Commission approval, a maximum height up to 35 feet may be permitted when necessary to accommodate for special recreation specific needs and when the following criteria are met:*

1. *That substantial architectural relief is provided to alleviate the feeling of mass.*
2. *That the additional height allowance provides a recreational amenity that is unique and desired in Frisco, and is supported in the Master Plan.*

B. *In the PF District, the Planning Commission may allow a maximum of 35 feet for schools or other public buildings when necessary to accommodate special public, utility, or institutional needs.*

Based upon the application materials provided, the proposed building is 34.62 feet in height at its highest point. The marina office building is a unique and desirable recreational amenity located in the PR District. The upper story of the building is smaller in size than the lower story and the roof form tapers downward from the highest point thus alleviating the feeling of mass. Staff finds that the application meets the criteria above to allow for a maximum height of 35 feet. Should the Planning Commission find that the application meets the criteria outlined in §180-3.17.7 to allow for a maximum building height of 35 feet, the application meets this standard.

#### **ANALYSIS – USE STANDARDS [§180-5.1]**

**Permitted and Conditional Uses** (§180-5.1): A marina is a permitted use in the PR District. The application meets this standard.

**Accessory Uses and Structures** (§180-5.3.3): The proposed roof mounted solar energy facilities are subject to the following requirements:

- A. *Solar energy facilities shall not be located in the front yard between the principal structure and the public right-of-way;*
- B. *Solar energy facilities shall be located a minimum of 6 feet from all property lines and other structures except the structure on which it is mounted;*
- C. *Solar energy facilities shall not exceed the greater of one-half of the footprint of the principal structure;*
- D. *Ground mounted solar energy facilities shall not exceed 5 feet in height.*

E. A solar energy facility shall not extend more than 18 inches above the roofline of a one-family or two family residential structure, or more than ten feet above the roofline of a multi-family or non-residential structure.

The application meets these standards.

#### **ANALYSIS - DEVELOPMENT STANDARDS [180-6]**

**Development on Steep Slopes** (§180-6.5.1): 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. This lot does not have steep slopes, so this standard does not apply to this application.

**Grading Permit** (§180-6.5.2): Any earth-disturbing activities that are proposed prior to the issuance of a building permit are subject to the grading permit requirements. Future grading improvements associated with the implementation of the recommendations of the Marina Park Master Plan update will be addressed at a later date. The application meets this standard.

**Drainage Plan** (§180-6.6): A drainage plan for the new office building has been prepared by Martin & Martin Engineers. Refer to the review comments of the Town Engineer and the Public Works Department. Future drainage improvements associated with the implementation of the recommendations of the Marina Park Master Plan update will be addressed at a later date. The application meets this standard.

**Water Quality Protection** (§180-6.7): Soil disturbance is prohibited within 25 feet of all lakes, perennial streams, intermittent streams, wetlands, and from all swales draining 20 acres or more. Soil disturbance includes, but is not limited to, building construction, and the construction of decks, hot tubs, paving, pathways, landscaping, fences, etc. Additionally, snow storage is also prohibited within the 25 foot waterside setback. The proposed new office building appears to meet the minimum 25 foot waterside setback from the shoreline of Dillon Reservoir. Implementation of the future “big dig” project will increase the amount of dry land area around the new office building and will create a greater separation between the building and the new shoreline.

Pursuant to §180-6.7.4, there are exemptions to the 25 foot waterside setback including, in part, projects which are intended for the benefit of the community and installed by or under the supervision of the Town.

*These projects may include but are not limited to, stream bank stabilization and erosion control activities; road and utility crossing; bike and pedestrian paths; flood control and other safety related projects; public recreational improvements including whitewater boating and marina facilities such as docks, piers and launch sites, and dredging operations; and aquatic and terrestrial wildlife habitat improvements.*

This exemption appears to be applicable to many of the new and revised marina elements recommended by the Marina Park Master Plan update.

**Air Quality Protection** (§180-6.8): There are no solid fuel (wood) burning fireplaces or appliances proposed with this project. This standard does not apply to this application.

**Road Construction and Maintenance Standards** (§180-6.9): At this time, there are no proposed changes to the existing Marina Road. Future road improvements associated with the

implementation of the recommendations of the Marina Park Master Plan update will be addressed at a later date. The application meets this standard.

**Stream Crossings by Roads and Utilities** (§180-6.10): The application does not involve a stream crossing by roads and utilities. This standard does not apply to this application.

**Access** (§180-6.11): At this time, there are no proposed changes to existing access. Future access improvements associated with the implementation of the recommendations of the Marina Park Master Plan update will be addressed at a later date. All future vehicle access will comply with the standards set forth in Chapter 155, Minimum Street Design and Access Criteria, and where development abuts a Town road, the location and design of access points to the road must be approved by the Frisco Public Works Director. The application meets this standard.

**Traffic Study** (§180-6.12): Frisco Town Code requires a traffic study, prepared by a professional engineer licensed in the State of Colorado, be submitted for any large project that:

- A. *Requires a conditional use or rezoning approval;*
- B. *Is located adjacent to either Main Street or Summit Boulevard;*
- C. *Contains only one point of access;*
- D. *Contains an access point off an unimproved roadway or unincorporated area;*
- E. *Contains an access point off a road with a service level of D or F; or*
- F. *Is expected to generate 400 or more daily trips per day.*

Based upon the criteria above, a traffic study is not required for this proposal. Traffic was analyzed as part of the recent update to the Marina Park Master Plan. No traffic concerns related to the proposed office building were identified by that analysis. The application meets this standard.

**On-Premise Parking Requirements** (§180-6.13.3): A marina and its associated buildings are not a listed use category in *Table 6-1, Required Number of Parking Spaces by Land Use* of the Unified Development Code. Pursuant to §180-6.13.3.B, Other Unlisted Parking Requirements:

*As determined by the Director or Planning Commission, as applicable to the application decision maker. The Director and Planning Commission shall be guided by the comparison with the parking requirements for similar uses which are listed.*

There are approximately 187 existing paved parking spaces plus 25 spaces for vehicles with boat trailers at the Marina. The Town of Frisco Recreation Department believes the existing parking adequately serves the needs of the marina. In an effort to address future needs, implementation of the adopted Marina Park Master Plan will result in 346 parking spaces and 30 spaces for vehicles with boat trailers. Should the Planning Commission find that the parking proposed by the adopted Marina Park Master Plan meets the parking needs for the marina, then the application meets this standard.

**Bicycle Parking:** (§180-6.13.4, §180-6.21.3.J.2): For all commercial and mixed-use development, bicycle parking shall be provided in an amount equal to at least twenty percent (20%) of the required vehicular parking spaces for the development, with a minimum of five (5) bicycle stalls. As described in the applicant's narrative bicycle parking is being provided at a rate of 20% of the existing parking. The application meets this standard.

**Snow Storage Areas** (§180-6.13.7): At this time, there are no proposed changes to the existing paved areas or the existing snow storage areas. Future snow storage needs associated with the implementation of the recommendations of the current Marina Park Master Plan update will be addressed at a later date. The application meets this standard.

**Landscaping and Revegetation** (§180-6.14): For projects undertaken by the Town or projects which will serve a public purpose and benefit such as, but not limited to: public parks, recreation areas and rights-of-way, the amount of trees and shrubs required shall be determined by the Town. The Town shall be guided by the comparison with similar uses within Town or within the region to determine appropriate landscaping requirements. Should the Planning Commission find that the proposed landscaping is appropriate, the application meets this standard.

The applicant's narrative states in part:

*Site design has concentrated on the creation of new outdoor spaces to give the new building a true sense of place. This has been a challenge, particularly for the interim site condition, since the building site is adjacent to a wetland area created by the filling of the lake (that is, there is no water source for this wetland area).*

*The current plan ties in to existing hardscape on the landward side (directly adjacent to the existing boat ramp) to create pedestrian access to site and building for the interim condition. Stairs, ramps and walkways to building entrances have been located to minimize pedestrian/vehicle conflicts at existing boat ramp.*

*New softscape areas are proposed adjacent to the water's edge, including new lawn and beach areas to the southeast and a proposed 'hammock village' to the south of the new building.*

*The landscape plan tries to strike a balance between the 'interim' (short term) and 'final' condition (after master plan completion) by minimizing plantings that will need to be removed at final building, rather concentrating plantings at locations where they can stay long-term. The hope is that these plantings will serve as a head start for the final built condition when the master plan is complete.*

**Outdoor Lighting** (§180-6.16):

**Exterior Fixtures:** Exterior light fixtures 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 proposed exterior lights are full cut-off fixtures. The application meets this standard.

**Height:** The building mounted exterior lights are recessed can style fixtures installed in the roof overhangs. The proposed site lights are below the maximum height limits in compliance with this section. 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 full cut-off and do not emit directly onto adjacent properties. 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 style light fixtures install in the roof overhands and bollard lights that are in 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. This standard is encouraged, not required. The application meets this standard.

**Refuse Management (§180-6.17):** 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. The application does not propose any changes to the existing trash dumpster and recycling facilities. The applicant has agreed to submit a letter from a waste disposal company verifying that the refuse and recycling facilities are located and sized appropriately for the proposed project with the building permit submittal. Staff recommends the Planning Commission impose a condition of approval to this effect. With this condition, the application meets this standard.

**Nuisances (performance standards) (§180-6.20):** The applicant will be subject to the nuisance standards prescribed by this section.

**Bulk Standards (§180-6.23):** The Bulk Plane Standards in the Marina area apply to properties located within 100 feet of the Main Street right-of-way east of Summit Boulevard. The subject property is located further than 100 feet from the Main Street right-of-way east of Summit Boulevard, so bulk plane standards do not apply to this application.

## ANALYSIS – NON-RESIDENTIAL DEVELOPMENT STANDARDS [§180-6.21]

### 6.21.3 Standards:

*The following mandatory standards shall be met by all non-residential development subject to site plan review:*

#### **A. Compatibility with Neighborhood Character**

1. *Intent. To ensure that structures are compatible with, but not identical to, existing nearby structures and their neighborhood surroundings, as well as Frisco's "small mountain town" character.*
2. *Compatibility. Compatibility shall be achieved through proper consideration of scale, design, proportions, site planning, landscaping, materials and colors, and compliance with the standards in this section.*
  - a. *Compatibility of development on Main Street shall be determined based on proper consideration of the above features of nearby properties on Main Street rather than properties on other streets, as well as compliance with the standards in this section.*
  - b. *The existing landforms and historic structures, as noted in the town's Historic Resource Inventory, on a site shall be preserved onsite whenever possible and reinforced by development rather than destroyed or replaced by it.*

The application meets this standard.



## **B. Façade Standards**

### **1. Intent**

- a. *To ensure that the façade design of development is compatible with Frisco’s “small mountain town character” and existing buildings.*

### **2. Building Elements**

*All building elevations shall employ varied articulation of wall surfaces, as shown in Figure 6-00.*

- a. *Each street-facing façade shall include one or more deep eaves or overhangs, at least 24 inches in depth.*

The application meets this standard.

- b. *Each façade or each 75 foot portion of a façade visible from public streets or parking lots shall be articulated through the use of at least four of the following building elements that provide shelter from natural elements and provide visual relief.*
  - i. *Balconies, porches, or patios;*
  - ii. *Building elements that provide shelter from natural elements;*
  - iii. *Offsets, insets, bays, or other similar architectural features to add a variety of depths to the wall plane;*
  - iv. *A change in texture or material, provided all exterior wall textures and materials are consistent with the overall architectural style of the building;*
  - v. *Variation in roof planes or roof forms, including dormers or gables;*
  - vi. *Variation in window sizes and shapes; or*
  - vii. *Prominent building entrance features.*

The proposed building façades incorporate articulation through a variety of building materials including: porches, shelter elements, offsets, insets, variety in wall plane depth, changes in textures and materials, variations in roof planes and forms, variation in window shapes and sizes, and prominent building entrances. The application meets this standard.

### **3. Building Articulation**

- a. *Building walls and corresponding eaves shall not exceed 27 feet in the same geometric plane.*
- b. *Building walls over 27 feet in length shall change geometric planes by at least two feet in depth for a minimum length of six feet.*
- c. *Building walls that exceed 54 feet in total building façade length shall change geometric planes by at least four feet in depth for a minimum length of six feet.*
- d. *Building walls or roof ridgelines over 33 feet in length and facing a front yard or street side yard shall not have more than 66 percent of the length of the wall or roof ridgeline along the same geometric plane.*

The proposed building walls and eaves are articulated by a variety of façade length and changes in geometric plane. It appears that some wall and eave segments exceed 27 feet in length. Staff recommends the Planning Commission impose a condition of approval that the applicant revise the building façades to comply with this standard prior to application for a building permit. With this condition, the application meets this standard.

## **C. Bulk Plane Standards**

There are no bulk plane requirements for this project, so this standard does not apply.

#### **D. Roof Standards**

##### **1. Intent**

*To ensure that roof elements are compatible with or complementary to existing historic or contributing buildings in the area and to encourage visibly pitched roofs or roof elements.*

##### **2. Roof Pitch**

- a. Steep pitched roofs are encouraged.*
- b. Flat roof construction shall be augmented with pitched roof elements, including but not limited to, peaked or sloped facade elements or parapets facing all street sides.*
- c. Pitched roof elements shall vary by a minimum of two feet in elevation.*
- d. Mansard roofs are not appropriate and are not allowed.*

The proposed building incorporates multiple roof elements on both multiple building stories. The proposed building also incorporates sloping ridgelines. The proposed roof elements are primarily 2:12 in pitch which is defined as a “flat roof” by the UDC. The proposed flat roof elements have a visible ridge which creates more visual interest than a traditional level flat roof. There are no mansard roofs proposed. The application meets this standard.

##### **3. Roof Design**

- a. Where pitched roofs are utilized:
  - i. A minimum pitch of 4/12 is required.*
  - ii. Dormers shall be incorporated to break up the roof, to enhance the usability of attic spaces, and to add architectural interest.*
  - iii. Ridgelines shall change elevation by no less than two feet for each 27 feet of building length. Architectural elements which intersect with the ridgeline may qualify as ridgeline changes upon a finding that the design furthers the purpose of this section.**
- b. Shed roofs with a minimum pitch of 3/12 may be utilized only if the shed roof element is below the primary roof level and terminates into the roof or wall of the structure.*
- c. No more than 66 percent of a ridgeline or roof line shall be on the same elevation.*
- d. Roof lines shall be designed in a manner where they do not substantially deposit snow onto required parking areas, sidewalks, trash storage areas, stairways, decks, balconies, or entryways.*

The 2:12 roof elements are defined as a “flat roof” not “pitched” by the UDC. The roof does not deposit snow onto parking areas, sidewalks, trash areas, stairways, decks, balconies or entry ways. The need for snow fences and guards will be reviewed by the Building Division as part of the building permit application review. The application meets this standard.

##### **4. Roof Materials**

- a. If metal roofs are used they shall be surfaced with a low gloss finish or be capable of weathering to a dull finish in order to not be reflective.*
- b. Metal roofs shall have a standing seam or shall be of a design that provides relief to the roof surface.*
- c. Asphalt and fiberglass shingles are permitted provided that they are a heavy material that provides substantial relief and shadow, and the design and color are compatible with the building.*
- d. Spanish or Mission style roofs and other similar roof materials are prohibited.*

- e. *Historic buildings, as noted in the Town's Historic Resource Inventory, may use rolled asphalt roofing materials.*
- f. *Bright colored roofs that exceed a chroma of four on the Munsell Color chart shall not be allowed.*
- g. *All rooftop mechanical, electrical, and electronic equipment shall be screened in a manner that is compatible with and substantially similar to the colors and materials of the building or the roof.*

The application meets this standard.

#### **E. Building Material Standards**

##### **1. Intent**

*To ensure that building materials are compatible and complementary to existing historic or contributing buildings in the area, using a combination of mainly natural materials.*

##### **2. Primary Materials**

- A. *To ensure that building materials are compatible and complementary to existing historic or contributing buildings in the area, using a combination of mainly natural materials.*
- B. *Other materials that imitate natural materials are also acceptable, provided their texture, shape, and size are similar to the natural materials they are imitating, and are not obviously artificial materials.*
- C. *Stucco, steel, or concrete block shall not be primary exterior materials for the majority of a building.*

The application meets this standard.

##### **3. Specific Material Standards**

- a. *Concrete Block. Concrete block used as an accent material shall be a split, textured, or scored block.*
- b. *Concrete Panel. Concrete or concrete panels shall be textured or scored and used in combination with other materials, or shall be faced with another material such as stone, stucco, or other similar materials.*
- c. *Glass. Clear glass shall be used for windows. Tinted, colored, or opaque glass may be approved when demonstrated by the applicant to be compatible with the purpose of this section.*
- d. *Metal. Metal shall have a matte finish or a finish proven to fade and not be reflective.*
- e. *Steel. Steel may only be used as an accent material or used in combination with other materials.*
- f. *Stucco. Stucco may only be used as an accent material or used in combination with other materials.*

The application meets this standard.

##### **4. Prohibited Materials**

*The following materials are prohibited:*

- a. *Aluminum, steel, or plastic exterior siding that does not imitate natural materials;*
- b. *Mirrored or reflective glass; and*
- c. *Untreated or unpainted galvanized sheet metal*

The application meets this standard.

**F. Building Colors**

1. *Intent*  
*To promote building colors compatible with the site and surrounding buildings.*
2. *Maximum Color Chroma*  
*No color may be used as the primary color of the building that exceeds a chroma of four on the Munsell Color chart.*
3. *Exception for Building Accents*  
*Colors that exceed a chroma of four, but do not exceed a chroma of eight on the Munsell Color chart may be used only sparingly as accents, such as on trim or railings. Luminescent, fluorescent, or reflective colors shall not be utilized on any exterior portion of the building.*
4. *Accessory Structures*  
*The same or similar colors shall be used on main structures and on any accessory structures on the site, unless an alternative scheme can be provided that will complement the project and meet the purpose of this section.*

The application meets this standard.

**G. Design Variety**

1. *Intent*  
*To promote design variety that is also compatible with the character of Frisco.*
2. *Duplicate Building Design Prohibited*
  - a. *Building designs that duplicate, or are substantially similar in terms of roof pitch, building articulation, materials, colors, and building elements to existing or proposed structures within a 300 foot radius of the property are not allowed, with the exception of accessory structures, which may be designed similarly to the primary structure.*
  - b. *Where a proposed building contains multiple identical units, the building design shall provide architectural differentiation from the duplication of units by providing a variety in windows, decks, balconies, or exterior facade compositions.*

The application meets this standard.

**H. Parking and Loading**

There are no proposed changes to the existing marina parking at this time. There are no new parking lots associated with the proposed office building. This standard does not apply to this application.

**I. Amenities**

1. *Intent*  
*To enhance development with amenities that promote alternative modes of transportation and provide community gathering spaces.*
2. *Bicycle Parking*  
*Bicycle parking spaces shall be provided in an amount equal to at least 20 percent of the required vehicular parking spaces for the development. A lesser number may be approved by the Town if reasonably justified by the applicant.*

The application meets this standard.

3. *Community Spaces*

A. *Development with over 10,000 square feet of gross floor area shall provide community spaces, including but not limited to, public benches, water features, public kiosk/gazebo, public patio/seating areas, public plazas, or public art.*

i. *A minimum of one community space shall be provided for any development with between 10,000 and 25,000 square feet of gross floor area.*

ii. *A minimum of three community spaces shall be provided for any development with over 25,000 square feet of gross floor area.*

The proposed structure is 4,867 sq. ft., so a community space is not required.

**ANALYSIS – AGENCY REVIEWS**

Referral agency review comments were noted and addressed by the applicant with a revised submittal. Please refer to the attached application narrative. No additional review comments were received.

**PUBLIC COMMENT**

The Community Development Department has not received any public comments as of October 25, 2018.

**STAFF RECOMMENDATIONS**

**Recommended Findings**

The Community Development Department recommends the following findings pertaining to the major site plan application for the Frisco Bay Marina new office building project, located at 290 Marina Road / Unplatted (lease area on Denver Municipal Water Works land, TR 5-78, Sec 35, QTR 1),:

*Based upon the review of the Staff Report dated November 1, 2018 and the evidence and testimony presented, the Planning Commission finds:*

1. *The proposed development application is 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 art & culture, built environment, community services, energy, economy, health & well-being, natural resources, recreation, and transportation & mobility.*
2. *The proposed development application is in general conformance with the Unified Development Code, specifically Section 180-3.14, Parks and Recreation (PR) District, since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including setbacks and building height. The application also meets the criteria outlined in §180-3.17.7 to allow for a maximum building height of 35 feet.*

3. *The proposed development application is in general conformance with the Unified Development Code, specifically Section 180-6, 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, vehicular access, non-vehicular access, traffic studies, and refuse management.*
4. *The proposed development application is in general conformance with the Unified Development Code, specifically Section 180-6.14, Landscaping, since the landscaping requirements for this public project at appropriate in comparison to other projects within the Town and region.*
5. *The proposed development application is in general conformance with the Unified Development Code, specifically 180-6.16 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.*
6. *The proposed development application is in general conformance with the Unified Development Code, specifically Section 180-6.13, Parking and Loading Regulations, since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including that the proposed parking is consistent with the recommendations of the Marina Park Master Plan and meet the parking needs for the marina.*
7. *The proposed development application is in general conformance with the Unified Development Code, specifically Section 180-6.22, Non-Residential Development Standards, 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 required building elements, 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, 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 Residential Design Standards.*

### **Recommended Action**

Based upon the findings above, the Community Development Department recommends APPROVAL of the proposed major site plan application for the Frisco Bay Marina new office building project, located at 290 Marina Road / Unplatted (lease area on Denver Municipal Water Works land, TR 5-78, Sec 35, QTR 1), subject to the following conditions:

*Conditions:*

1. *The applicant shall satisfy the comments of the Summit County GIS Department.*
2. *The applicant shall satisfy the comments of the Frisco Sanitation District.*
3. *The applicant shall satisfy the comments of the Summit Fire & EMS.*
4. *The applicant shall satisfy the comments of the Town of Frisco Public Works Department.*



5. *The applicant shall satisfy the comments of the Town Engineer.*
6. *The applicant shall satisfy the comments of Xcel.*
7. *Prior to application for a building permit, the applicant shall revise the building façades to comply with this articulation standards of §180-6.21.3.B.3.*
8. *At the time of building permit submittal, the applicant shall submit a letter from a waste disposal company verifying that the refuse and recycling facilities are located and sized appropriately for the proposed project.*

### **Recommended Motion**

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

***With respect to File No. 078-18-MAJ, I move that the recommended findings set forth in the November 1, 2018, staff report be made and that the recommended conditions set forth therein be taken and that the Planning Commission hereby APPROVES the request for a major site plan application for the Frisco Bay Marina new office building project, located at 290 Marina Road / Unplatted (lease area on Denver Municipal Water Works land, TR 5-78, Sec 35, QTR 1)***

<b>ATTACHMENTS</b>
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Attachments:

- Application Materials
- Frisco Marina Park Master Plan