



**PLANNING COMMISSION
STAFF REPORT**

September 6, 2018

AGENDA ITEM: Planning File No. 043-18-MAJ: A Major Site Plan review for a proposed multi-family residential project

LOCATION: 307 South 8th Avenue / Lots 10-12, Block 29, Frisco Townsite

ZONING: Residential High Density (RH) District

APPLICANT & OWNER: Shane Wagner
4527 Utica Street
Denver, CO 80212

ARCHITECT: Heritage Homes Builder
1320 East 7th Street
Wayne, NE 68787

ENGINEER: Alpine Engineering, Inc.
PO Box 97
Edwards, CO 81632

NOTICING: Published in the Summit County Journal: 8/31/18
Mailed to adjacent property owners: 8/23/18
Posted at the Post Office: 8/23/18
Posted at the Site: 8/23/18

TOWN STAFF: Katie Kent, Planner (970) 668-9131
katiek@townoffrisco.com

PROJECT DESCRIPTION

The applicant, Shane Wagner, is proposing to construct a third residential dwelling unit on a property which currently contains two (2) units. The proposed project entails construction of a new four-bedroom detached residence on the north side of property. Three units on the property are defined as multi-family requiring Planning Commission review.

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

BACKGROUND

The property contains an existing single-family structure and a detached 3 car garage. The existing garage contains an apartment above it. According to the Summit County Assessor's Office, the house was constructed in 1955 and contains 1,583 sq. ft. of floor area.

A 70'x10' easement within the unimproved South 7th Avenue right-of-way was granted to the property by the Town of Frisco in 1989 for the purpose of providing a ten (10) foot side yard setback as required by the RH District and for access to the Grantee's property for maintenance and construction purposes. In 1992, the Town of Frisco approved a variance request to build the existing detached garage with a side setback of 0.5 feet and a rear setback of 1.2 feet. The variance permitted construction of an addition to the single-family residence up to the west property line and to utilize the easement area as the side setback. Through this documentation, the property line along the Frisco Street Alley (south property line) was documented as the rear yard for zoning purposes.

In 2000, a prior owner converted storage space above the garage into an apartment.

In 2018, the applicant submitted a Minor Site Plan application to construct an addition to the existing residence and expand the existing garage apartment. With the addition of these changes, there are a total of four (4) bedrooms associated with the two (2) existing dwelling units on the property.

On July 5, 2018 the Planning Commission reviewed the current application to construct a third dwelling unit at sketch plan review. Minutes from the meeting reflect:

Overall Commission comments indicated a general consensus that the design was a bit of a monochromatic square box that did not offer much architectural relief and that building articulation, color, and choice of materials could make a big difference. Requests were made to see a depiction of the site as a whole to confirm the site's cohesiveness. Some concern regarding the lack of turn-around and space in the driveway was expressed. In general the Commission did not take issue with the bulkplane encroachments and one Commissioner indicated approval for the façade as it was only two stories.

There was general concern regarding the length a vehicle would have to back down the driveway. Concerns were raised on the strength of the existing retaining wall. A request was made to potentially add a curb at the end of the driveway to mitigate potential issues. Concern was raised about the potential revegetation issues on the steep slope, and concern that the slope analysis did not take construction disturbance into account. Appreciation was noted for the planned use of solar panels and the interesting lot configuration.

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 looking north at property



View looking west at property

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.*

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 highlighted above in bold. Three (3) residential units on the subject property are consistent with the allowed density of the RH District. The subject property is located between an unimproved section of Teller Street and the South 7th Avenue Frisco Street alley (also unimproved). There is an existing mixture of residential building types, building designs, and dwelling unit densities in this neighborhood. To the north of this site, across Watertower Way are the Watertower Place Condos. To the east of this site is Summit Fire. To the west of this site is a single-family residence. South of the site is a duplex and Mount Royal Chalets Condos containing seven (7) units. The application appears to be in conformance with the purpose and recommendations of the Frisco Community Plan.

ANALYSIS – RESIDENTIAL HIGH (RH) ZONE DISTRICT [§180-3.7]

The requirements of the Residential High (RH) District are applicable to the review of the proposed project as follows:

Maximum Density: The permitted density in the RH District is sixteen (16) dwelling units per developable acre. The lot is 0.24 acres and so four (4) units of density are permitted on the property. The application proposes one (1) new residential unit in addition to the existing two (2) units for a total of three (3) residential units on the property. The application meets this standard.

Minimum Lot Area: The minimum lot area in the RH District is 10,500 sq.ft. The subject lot is 10,500 square feet (0.24 acres) in area. There are no proposed changes to the existing lot area. The property will not be able to be subdivided into separate development sites in the future since individual lots would not meet the minimum lot area requirement. The applicant would be able to submit a final plat application for Townhome or Condominium units if structures comply with all applicable Fire and Building codes. The application meets this standard.

Minimum Lot Frontage: The minimum lot frontage in the RH District is sixty (60) feet. Lot frontage is defined in the UDC as:

That portion of a lot fronting upon and providing rights of access to a dedicated street. Lot frontage is measured continuously along only one street.

The existing lot takes access off of the Frisco Street alley. The south property line has 75 feet of frontage along the alley to the south of the lot. There are no proposed changes to the existing lot frontage. The application meets this standard.

Setbacks: In 1989, a 70' x 10' easement within the undeveloped South 7th Avenue right-of-way was granted to the property by the Town of Frisco. Associated with the easement, the Town granted a variance to permit the construction of an addition to the single-family residence up to the west property line and utilize the easement area in the side setback.

In 1992, the Town of Frisco approved a variance request to allow for the construction of a detached garage with a side setback of 0.5 feet and a rear setback of 1.2 feet from the property line. Through this documentation, the south property line along the Frisco Street Alley was documented as the rear yard for setback purposes. Therefore, the north property line is subject to the front setback requirement.

The minimum required setbacks and proposed setbacks for the new residence are as follows:

	Minimum Setback	Proposed Setback
Front Yard (north)	20 feet	20 feet
Side Yard (east)	10 feet	10 feet
Side Yard (west)	10 feet	10 feet
Rear Yard (south)	10 feet	~80 feet

The application meets this standard.

Lot Coverage: Lot coverage shall not exceed fifty-five percent (55%) of the total lot area. The proposed lot coverage is fifty-five percent (55%). The application utilizes §180-3.17.1.B., Driveway Exceptions, of the Unified Development Code which states:

In the RL, RM, and RH Districts, driveways, up to a maximum of 12 feet in width, shall not count towards lot coverage when accessing only rear loaded garages or parking areas.

The existing and proposed garages and parking areas are loaded from the rear of the property. The application meets this standard.

Maximum Building Height: The maximum building height is thirty-five (35) feet in the RH District. The height calculation table shows the new detached residential unit as thirty-two (32) feet. Compliance with building height will further be verified through an Improvement Location Certificate (ILC) during construction. The application meets this standard.

ANALYSIS – USE STANDARDS [§180-5]

Permitted and Conditional Uses: As illustrated in §180-5.1, “multi-unit dwellings” are a permitted use in the RH Zoning District. Townhomes, attached or standalone, are also permitted in the RH Zoning District.

Accessory Uses and Structures: Solar Energy Facilities: Roof mounted solar energy facilities are proposed on the southern half of the upper roof on the proposed new residential structure. As stated in §180-5.3.3, Solar Energy Facilities:

Solar energy facilities may be ground-mounted or mounted on principal or accessory structures, provided they comply with 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 submitted narrative notes that the solar PV array will not exceed 18" in height from the roof. The application meets this standard.

ANALYSIS - DEVELOPMENT STANDARDS [180-6]

Joint Use Restrictions (§180-6.3.1): The property contains two (2) existing residential structures. All standards for the development have been analyzed using all structures and uses on the property. The application meets this standard.

Buildings Occupying More Than One Lot (§180-6.3.2): This standard does not apply to this application.

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. The north portion of the property contains slopes greater than 15%. The application includes a slope disturbance calculation plan showing identification of slopes between 15-29.9% and identification of net disturbance of slopes within 15-29.9%. The submitted slope analysis plan identifies 2,577 square feet and 179 sq. ft. of construction site disturbance, or 50%, site disturbance of slopes within 15-29.9%. At the sketch plan meeting, Commissioners raised concern over construction disturbance not being noted. The applicant has stated that they are proposing to minimize construction impact to one (1) foot of the modular footprint. Initial comments provided from the Town Engineer cite:

Although the plans note the disturbance of slopes between 15 and 30% will be only 49%, in reality it will likely be far greater. The applicant has suggested they will build from inside the foundation, however the design includes a perimeter drain that will require an area outside the foundation of several feet to be fully removed and replaced, causing impacts well beyond the foundation walls. In addition the grading plans call for virtually all of the slopes above the proposed home to be regraded, thus causing further disturbance.

The Town Engineer and applicant have been working on verifying the quality of soils on the site, engineering of the retaining wall, perimeter drain location and function, and excavation for foundation and final grading. As of writing of this staff report, the Town Engineer has not signed off on the proposed impact to steep slopes. Staff will provide an update at the September 6, 2018 meeting.

Grading Permit (§180-6.5.2): The developer will be subject to the standards regulating grading permits. In response to Planning Commission comments at sketch plan review, and the Town Engineer's request, the applicant has submitted a letter dated August 24, 2018 from Matt Wadey, Alpine Engineering, Inc. regarding the retaining walls on the property and stating:

The existing rock wall adjacent to the existing parking has been reviewed and will remain intact. The existing parking area to the east of the rock wall will be paved with asphalt. The function of the rock wall will remain unchanged and is functioning adequately in retaining adjacent earth.

The proposed retaining walls will consist of angular boulders. The walls will be only 18" tall and a detail for construction has been provided. The boulders will have geosynthetic fabric on the backside to prevent migration of fine soils.

Drainage Plans (§180-6.6): A drainage plan has been submitted which has been reviewed by the Town Engineer and Public Works Department. The application meets this standard.

Water Quality Protection (§180-6.7): 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.

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): No new public or private roads are proposed in association with the project. The standard does not apply to this application.

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

Access (§180-6.11): All vehicle access shall comply with the standards set forth in Chapter 155, Minimum Street Design and Access Criteria. Where development abuts a Town road, location of access points to the road must be approved by the Frisco Public Works Director. Multi-family projects shall have a driveway width of nine (9) feet minimum and sixteen (16) feet maximum. The property contains an existing nonconforming driveway. The application does propose changes to the existing driveway entrance within the right-of-way.

Town of Frisco Engineer and Public Works were provided the opportunity to comment on the access to the property. At the July 5, 2018 sketch plan meeting Planning Commissioners expressed concern with the length of driveway with no turnaround. The Town Engineer has cited:

Although some sort of turnaround or backup area near the new home garage would be beneficial to the users of the long driveway, I don't believe the Town has any requirements for this.

Public Works has verified that there are no length requirements for driveway turnarounds.

Further Comments provided by Public Works regarding access include:

- *Access to the property has always been non-conforming, so Public Works has no issues with allowing the proposed access*
- *At this time, no work is proposed within the public right-of-way, with the exception of utility installation. The applicant is not permitted to perform work on adjacent property or within the public right-of-way. If the applicant chooses to alter the driveway, approval by Lake Dillon Fire District and permits issued by Frisco Public Works shall be required prior to work commencing. If alterations are made within the right-of-way, the access will be required to be brought up to Town of Frisco Street Standards at that time.*

The application meets this standard.

Traffic Study (§180-6.12): The proposed project is not classified as a large project so a traffic study is not required. This standard does not apply to the application.

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 includes correspondence from Timberline Disposal stating:

Thank you for your call regarding address 307 S. 8th Ave in Frisco. Timberline Disposal does service this area. We do offer 96 gallon Trash and recycle totes for a fee if requested. Please let me know if you need anything else or have any questions.

The application meets this standard.

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

Bulk Standards (§180-6.23): The application shows bulk plane encroachments on the submitted elevation drawings. §180-6.23.3 of the UDC states that building forms may deviate from this standard and project beyond the bulk plane if they do not exceed maximum building height and provide substantial architectural relief, with Planning Commission approval. At the July 5, 2018 sketch plan meeting, Commissioners did not take issue with the proposed bulkplane encroachments. Should the Planning Commission find that the encroachments provide substantial architectural relief and advance the intent of Section 180-6.23, then the application meets this standard.

ANALYSIS –RESIDENTIAL DEVELOPMENT STANDARDS [§180-6.22]

Applicability:

- A. *This section shall apply to the development of any residential use that requires site plan review. Findings shall be made that the residential development is in compliance with the standards of this section prior to approval of a site plan review. Failure to meet the mandatory standards shall constitute grounds for the decision-making body to request amendments to the proposed design or to deny a final plan or site plan.*
- B. *These regulations shall only be applicable to the building or portion of the building being constructed, altered, or added in the development application submitted by an applicant.*

The existing structures on the property currently being renovated were reviewed for compliance with the residential development standards at time of Minor Site Plan review. The Planning Commission is only reviewing the residential development standards in relation to the proposed new structure.

6.21.3 Standards:

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

A. Facade Standards

1. Intent

To ensure that the façade design of development is compatible with Frisco's small mountain town character and provides a human scale to enhance the walking experience in the neighborhood.

The proposed building appears to be compatible with the existing neighborhood and consistent with Frisco's small mountain town character. As noted above, the proposed development includes building designs that are unique to this project but that are also reflective of the architectural elements and styling of other buildings in Frisco. The application demonstrates how the proposed structure will be compatible to the renovations currently underway to the existing structures on the lot. The proposed scale, design, proportions, site planning, landscaping, materials and colors are in compliance with the standards of this Unified Development Code. The application meets this standard.

2. Building Elements

All building elevations shall employ varied articulation of wall surfaces, as shown in Figure 6-UU. Each façade shall be articulated through the use of at least four of the following techniques:

- a. Deep eaves or overhangs, at least 24 inches in depth;*
- b. Balconies, porches, or patios;*
- c. Building elements that provide shelter from natural elements;*
- d. Offsets, insets, bays, or other similar architectural features to add a variety of depths to the wall plane;*
- e. A change in texture or material, provided all exterior wall textures and materials are consistent with the overall architectural style of the building;*
- f. Variation in roof planes or roof forms, including dormers or gables; or*
- g. Variation in window sizes and shapes.*

As shown on the submitted 3-D renderings, the proposed structure is utilizing a minimum of four of the building elements as stated above on the south and east facades. Building elements utilized include eaves at least 24 inches in depth, balconies and porches, building elements providing shelter from natural elements, architectural features to add variety of depths to the wall plane, change in texture and material, and variation in window sizes and shapes. Structural elements have been grouped to provide a balanced façade composition.

Staff notes that the applicant has responded to concerns raised at sketch plan review regarding the north and west elevations not providing enough articulation. The applicant has stated they are complying with the building elements through providing covered porches and overhangs, variety of depths with upper level roof dormers and the ridgeline eave carried down on both the east and west facades providing further architectural feature. Additionally, the second level has been updated to show a board & batten materials where the first level is lap siding in a different color. The second level has a dormer provided along all facades and there are various window and door sizes on all facades.

The application meets this standard.

3. 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 shall not be allowed, with the*

exception that accessory structures on the same lot or parcel as the primary structure may be similar in design as the primary structure.

The building design does not duplicate other buildings on the property or within a 300 foot radius of the property. The application meets this standard.

b. Where a project contains two or more buildings or units, not identical units, the building design shall provide architectural relief from the duplication of buildings and units by utilizing a variety of windows, decks, balconies, or exterior facade composition.

The project provides architectural relief from the duplication of structures on the property through utilizing a variety of windows, decks and balconies. The submitted perspective drawings illustrate all three structures on the property. The application meets this standard.

4. Duplex Design

Duplex structures shall be designed to look like a single-household structure to the extent architecturally feasible. The design shall not result in each half of the structure appearing substantially similar or a mirror image in design.

A duplex structure is not proposed. This standard does not apply to this application.

B. Bulk Plane Standards

See Section 6.23 for bulk plane requirements.

The application shows bulk plane encroachments on the submitted elevation drawings. §180-6.23.3 of the UDC states that building forms may deviate from this standard and project beyond the bulk plane if they do not exceed maximum building height and provide substantial architectural relief, with Planning Commission approval. At the July 5, 2018 sketch plan meeting, Commissioners did not take issue with the bulkplane encroachments. Should the Planning Commission find that the encroachments provide substantial architectural relief and advance the intent of Section 180-6.23, then the application meets this standard.

C. 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 and the use of dormers and breaks in ridgelines.

The roof elements are of an architectural design which complement historic roofs in the area. The proposed pitched roofs are 3:12 and 8:12. The application meets this standard.

2. Roof Pitch

- a. Pitched roofs, or flat roofs augmented with pitched roof elements, are required.*
- b. A minimum roof pitch of 6/12 is encouraged.*
- c. Mansard roofs are prohibited.*

The proposed structure contains 3:12 and 8:12 roof pitches. There are no proposed mansard roofs. The application meets this standard.

3. *Roof Design*

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 proposed roof forms generally deposit snow away from parking areas, sidewalks, trash storage areas, stairways, decks, balconies, and entryways. The need for snow guards, snow clips, snow fences, and other similar rooftop snow retention is evaluated by the Town of Frisco Building Department as part of the building permit application review process. The application meets this standard.

4. *Roof Materials*

- a. If metal roofs are used they shall be surfaced with a low gloss finish, matte finish, or other finish proven to fade and not be reflective.*
- b. Metal roofs, asphalt and fiberglass shingles are permitted provided that they heavy material that provides substantial relief and shadow, and the design and color are compatible with the building.*
- c. Historic buildings, as noted in the Town's Historic Resource Inventory, may use rolled asphalt roofing materials.*
- d. Bright colored roofs that exceed a chroma of four on the Munsell Color chart are prohibited.*

The roof is proposed to be a standing seam metal roof of a charcoal gray color. The submitted exterior materials schedule notes the metal roof to be a matte finish. The application meets this standard.

D. Building Material Standards

1. *Intent*

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

The proposed exterior materials include board and batten, lap siding and a standing seam metal roof. These materials are compatible and complementary to other structures in the neighborhood and throughout Frisco. The various exterior siding materials generally wrap around the proposed building. The application is consistent with the intent of this section.

2. *Primary Materials*

- a. Building materials shall be predominantly natural, including but not limited to, wood siding, wood shakes, logs, stone, brick, or other similar materials.*
- b. Other materials that imitate natural materials are also acceptable provided their texture, shape, and size are substantially similar to the natural materials they are imitating, and are not obviously artificial materials.*
- c. Stucco or steel are acceptable materials when used in combination with other acceptable materials*

The proposed board and batten, lap siding and standing seam metal roof have proven durable and are not obviously artificial. Steel is proposed for railings and is permitted as long as combined with acceptable materials and of a matte finish. Deck railings are proposed to be of a

natural appearance. The proposed materials have been approved for other residential projects in Frisco. The application meets this standard.

3. *Specific Material Standards*

a. *Concrete Block*

Concrete block shall not be allowed as the primary or extensive exterior finish. When used as an accent, concrete block shall be a split block, or other similarly shaped, textured, and colored materials that are found to be compatible with the building and the purpose of this section.

b. *Metal*

Metal shall have a matte finish or a finish proven to fade and not be reflective.

c. *Glass*

The use of mirrored or reflective glass is prohibited unless required for compliance with the voluntary green building program as administered by the Town's Building Official.

In response to the Commissioners sketch plan comments about the foundation concrete appearance, the application notes the proposed aspen bark blend color on the exterior materials schedule. No reflective metal or mirrored glass is proposed. The application meets this standard.

4. *Variety of Materials on All Building Elevations*

a. *There shall be a variety of quality and type of exterior materials, and their application shall be generally in balance and proportional on all elevations of the building.*

b. *Materials that wrap around the building, such as a durable material at the base of the structure, shall continue around projecting outside exterior corners and end at recessed inside exterior corners.*

The proposed exterior materials appear to be in balance and proportional on all elevations of the building. The submittal materials note a darker color for the foundation to aid in it blending in better. Materials are proposed to wrap around the building. The application meets this standard.

5. *Accessory Structures*

The same or similar building materials shall be used on main structures and any accessory structures located on the same site, unless an alternative material can be provided that will complement the project and which meets the other standards of this section.

The other structures on the property are other principal structures. There are no accessory structures proposed in conjunction with the new residential structure. This standard does not apply to this application.

6. *Building Additions*

Additions that are 50 percent or less of the existing building floor area, or exterior remodels or renovations, may be allowed to complement the existing structure, even if the building does not currently meet the material standards of this section.

This standard does not apply to this application.

E. Building Colors

1. Intent

To promote building colors compatible with the site and surrounding buildings.

The proposed exterior colors are earth tones that are compatible with the site and surrounding buildings. The application meets the intent of this section.

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. Pure white or black may not be utilized as the primary building color.

The primary building colors of the soffit, board and batten, lap siding and decks do not exceed a chroma of four. The application meets this standard.

3. Exception for Building Accents

Colors that exceed a chroma of four, but that 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.

There are no proposed colors that exceed a chroma of four on the Munsell Color chart.

F. Garage Standards

1. Intent

To promote an active and visually interesting streetscape that is not dominated by garage doors.

The proposed garage doors are accessed from the rear property line and do not dominate the streetscape. The application meets this standard.

2. Garage Door Location

Street-facing garage doors shall be recessed behind the front façade of the dwelling and shall not comprise the majority of the street-facing building frontage, unless of a custom style broken up with windows or other features.

The proposed garage doors are rear facing. The application meets this standard.

ANALYSIS – PARKING AND LOADING [180-6.13]

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 and downtown area.

On-Premise Parking Requirements (§180-6.13.3.B): The parking requirements for multi-family residential uses are one (1) parking space per bedroom with a maximum requirement of four (4) spaces for any single unit. Since time of sketch plan review, a revised administrative modification was made to the existing renovations occurring in the apartment unit above the

garage. This removed the parking shortage that was on the lot at time of sketch plan review. With the proposed modification, the unit was reduced to a one bedroom. Parking requirements are as follows:

STRUCTURE	# BEDROOM	PARKING SPACES REQUIRED	PARKING SPACES PROVIDED
Existing Residence	3	3	3
Apartment above Garage	1	1	1
New Residence	4	4	4
		8	8

The application meets this standard.

Bicycle Parking: (§180-6.13.4, §180-6.21.3.J.2): All commercial and mixed-use development shall provide bicycle racks, in an appropriate location, with bicycle stalls in the amount of not less than 20 percent of the total number of parking spaces required for the project. This is not a commercial development. This standard does not apply to this application.

Accessible Parking (§180-6.13.3.H): All facilities, commercial and multi-family projects with seven (7) attached units or more must provide accessible parking. The application proposes three (3) dwelling units, so this standard does not apply to this application.

Parking Standards and Criteria (§180-6.13.6): Required parking spaces shall be a minimum of 9 feet by 18.5 feet in size. Required accessible spaces shall be a minimum of 8 feet by 18.5 feet in size with a minimum accessibility aisle area of five (5) feet for each space. All accessible spaces designated for accessible van must have a minimum aisle width of eight feet. The application meets this standard.

Snow Storage Areas (§180-6.13.6.E.): One-hundred (100) square feet of snow storage is required for every 350 square feet of paving. Snow storage areas shall be located adjacent to the applicable paved areas and shall be a minimum of 8 feet in depth. As noted on the site plan, 1,442 sq. ft. of paving is provided requiring 412 sq. ft. of snow storage. 477 sq. ft. of snow storage is provided. The application meets this standard.

ANALYSIS – LANDSCAPING AND REVEGETATION [6-14]

Landscaping Requirements by Project Type: This proposal is subject to the landscaping requirements for a residential development.

Required Vegetation: In residential developments, for every 875 square feet of project lot area or fraction thereof, a minimum of one (1) tree must be planted on the site and one (1) shrub shall be required for every 1,500 square feet of lot area. With a lot size of 10,500 square feet, this formula requires twelve (12) trees and seven (7) shrubs. The application has shown on the site plan two (2) existing 8” Pine trees and the landscape plan shows the planting of six (6) Colorado Spruce trees and six (6) Aspen trees for a total of twelve (12) trees. The application proposes to plant Alpine Currant and Woods Rose for a total of nine (9) shrubs. The application meets this standard.

Plant Sizes: Plant materials used to satisfy the landscaping requirements of this chapter must meet minimum size requirements. Deciduous trees planted to meet these requirements must

be a minimum of 50% three (3) inch minimum diameter and 50% two (2) inch minimum diameter. 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. A total of twelve (12) trees are required for this development site. When 10 to 19 trees are required, the maximum percentage of any one species shall not exceed 45% (45% of 12 equals a maximum of five trees of any one species). 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 site. The application does not include any proposed sod lawn areas. Proposed landscaping plants must utilize plant materials found on the Town's approved plant material list. The application includes plant materials found on that list. The application meets this standard.

Revegetation of Disturbed Land: All areas disturbed by grading or construction, not being formally landscaped, shall be revegetated. The Landscape Plan has noted that all disturbed land to have revegetation with erosion blanketing and 100% native high country grass seed. The application meets this standard.

Credit for Preservation of Existing Trees: The application notes preservation of two (2) Pine trees as noted on the Landscape Plan. Existing healthy trees may be substituted for up to fifty percent (50%) of the tree landscaping requirements. The application meets this standard.

Protection of Existing Vegetation: The Landscape Plan notes that all existing trees will have a protective tree fence to keep the trees from being damaged during construction. The application does not propose any required snow storage in the required landscape areas. 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 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. It is encouraged that temporary, above ground piping and heads or hand watering be used for plants during their establishment period to promote water conservation once the plant has been established. The proposed landscape plan notes:

- *A drip irrigation system shall be installed to all new types of trees and shrubs, per the Town requirements.*

The application meets this standard.

ANALYSIS – OUTDOOR LIGHTING [180-6.16]

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 proposed exterior lights are full cut-off fixtures. The application meets this standard.

Height: The building mounted exterior lights are wall fixtures. The proposed site lights are at heights 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 appear to 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 exterior wall fixtures in a black aluminum finish. As shown on the submitted lighting specification, these lights 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.

ANALYSIS – AGENCY REVIEWS

TOWN OF FRISCO PUBLIC WORKS DEPARTMENT

- The easement states that nothing permanent can be placed in the easement
 - It was only to be used for construction movement and staging materials
 - This would have to be amended by Town Council to allow permanent placement of your proposed electrical service
 - The propane tanks that are in the easement would have to be removed as well, as per wording of the easement
- Access to the property has always been non-conforming, so Public Works has no issues with allowing the proposed access
- At this time, no work is proposed within the public right-of-way, with the exception of utility installation. The applicant is not permitted to perform work on adjacent property or within the public right-of-way. If the applicant chooses to alter the driveway, approval by Lake Dillon Fire District and permits issued by Frisco Public Works shall be required prior to work commencing. If alterations are made within the right-of-way, the access will be required to be brought up to Town of Frisco Street Standards at that time.
- Utility installation will require a ROW permit from Public Works
- The water tap fee for the new structure will be \$4301 (payment will be made at the Public Works building @ 0102 School Road)

Addison Canino, Assistant Public Works Director

Summit Fire & EMS

This e-mail is to advise you that I met with Mr. Wagner in reference to his project. He had his engineer make revisions to the landscaping that meets the requirements for the fire department. He also acknowledged that he will have to obtain solar permits from the fire department.

Kim J. McDonald, Fire Marshal

TOWN ENGINEER

The Town Engineer and applicant have been working on verifying the quality of soils on the site, engineering of the retaining wall, perimeter drain location and function, excavation for foundation and final grading.

The proposed work needs to be based on the actual soils at the site. I would say it is unusual for an excavation this deep to be vertically, as opposed to sloped back from the excavation. Most soils in our valleys up here will not stand up vertically, and certainly not safely, so it really depends on the soils. If we let it proceed based on what submitted materials show, then when he digs the excavated walls and they won't stand up, they will slump into the hole and he will end up with the larger disturbance, but then it is really too late to do anything. So I am suggesting that his engineer and his foundation contractor verify that they can do this, based on the actual soils at the site.

The applicant has been working with the Town Engineer regarding the following specific items. Most of these have been addressed but final approval has not been received by the Town Engineer as of writing of this staff report.

- *The plans show an existing rock wall between the existing garage and the driveway area that will serve the new home, thus the request for the wall to be examined by the engineer. The plans also show a new rock wall between the new and old homes, thus again the request. Town criteria require sign off on all walls by a qualified engineer.*
- *As to the perimeter drain, the plan details still show it outside the foundation. I have never seen a perimeter drain installed inside a foundation and footing, this seems highly unusual and may not work.*
- *Also, simply excavating to build the foundation walls will cause additional impacts, causing the disturbance to go over 50%. Excavation for foundations walls is not vertical, plus the footings for the walls also go outside the foundation wall area. I see no way to avoid the additional impact so it should be acknowledged up front. I suggest realistic figures be shown and the make whatever requests are necessary to the staff and Planning Commission.*
- *Also, will the final grading on the back (north) wall actually be built with an 8 foot drop across the back, or will additional grading be done here for functional or aesthetic reasons? Is this back wall concrete or wood or both, how will this all work?*

Bill Linfield, Consulting Town Engineer

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. An licensed engineer must confirm that service line sizing is sufficient for multiple units

Matt Smith, Manager

SUMMIT COUNTY GIS

A new physical address is recommended for this additional residence. ‘305 S. 8th AVE’ would be appropriate. We also recommend posting address numbers that are visible from S 8th Ave to aid with emergency response if necessary.

Sally Bickel, GIS Analyst

XCEL ENERGY

- 1) *The customer will need to apply for any re-location of service, new service or increased load. https://xcelenergy.force.com/FastApp/BP_Login or by calling 1.800.628.2121*
- 2) *Our standards for installation can be found at: <https://www.xcelenergy.com/staticfiles/xeresponsive/Admin/Managed%20Documents%20&%20PDFs/Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdf>*
- 3) *If load is increased to the meter, or the meters are re-located. They must be brought up to current standards which includes but not limited to:*
 - a) *Meter location. Meter must be in a safe, accessible, non-drip (under a gable) location.*
 - b) *Electric meter have to have a lever by pass and a fifth jaw.*
- 4) *If customer is using Xcel energy for electric services, Xcel has to be notified of Solar Panel. All Solar panels and generators need to be approved by Xcel before being connected to the grid. This can also be done by applying at https://xcelenergy.force.com/FastApp/BP_Login or by calling 1.800.628.2121*
- 5) *If new load is too high for existing transformer, customer may be responsible for buying a new transformer that will handle their load.*

Ryan Selchert, Technician

PUBLIC COMMENT

The Community Development Department has not received any public comments as of August 30, 2018.

STAFF RECOMMENDATIONS

Recommended Findings

The Community Development Department recommends the following findings pertaining to the Major Site Plan application for the multi-family project located at 307 South 8th Avenue / Lots 10-12, Block 29, Frisco Townsite:

Based upon the review of the Staff Report dated September 6, 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, and housing.*
2. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-3.7, Residential High Density (RH) District, since all of the applicable requirements have been met by the submittal and the recommended conditions of approval; including: lot area, lot frontage, lot coverage, setbacks, building height, and density.*
3. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-6.22, 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.*
4. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-6.23, Bulk Standards, since all applicable requirements with regards to bulk standards have been met by the submittal and the recommended conditions of approval. The Planning Commission finds that the proposed encroachments into the bulk plane provide substantial architectural relief and advance the intent of the overlay district.*
5. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, 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 and snow shedding, vehicular access, non-vehicular access, traffic studies, and refuse management.*
6. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-6.14 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.*
7. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, 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.*
8. *The proposed development application is in general conformance with the Town of Frisco Zoning 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: on-premise parking, visitor parking, accessible parking, parking dimensions & design, and snow storage areas.

Recommended Action

Based upon the findings above, the Community Development Department recommends APPROVAL of the proposed Major Site Plan application for the multi-family project located at 307 South 8th Avenue / Lots 10-12, Block 29, Frisco Townsite, subject to the following conditions:

Special 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 review comments of the Town of Frisco Public Works Department.*
- 5. The applicant shall satisfy the review comments of the Town Engineer.*
- 6. The applicant shall satisfy the review comments of Xcel.*

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. 043-18-MAJ, I move that the recommended findings set forth in the September 6, 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 multi-family project located at 307 South 8th Avenue / Lots 10-12, Block 29, Frisco Townsite.

ATTACHMENTS

Attachments:

- Application Materials

cc: Shane Wagner