



**PLANNING COMMISSION  
STAFF REPORT**

---

---

November 16, 2017

**AGENDA ITEM:** Planning File 191-17-DA/RZ: A public hearing for a Development Application of the proposed “Foote’s Rest Block 11” mixed-use project and a final public hearing for the rezoning of the subject property to Historic Overlay (HO) District, located at 502, 510, 512, and 518 East Main Street and 107 South 6th Avenue / Lots 1-12, Block 11, Frisco Townsite. Applicant: Nathaniel Kelly Foote, 512 Main Street, LLC

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

**ZONING:** Central Core (CC) District / Main Street Overlay District

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

**PROPERTY OWNERS:** Nathaniel Kelly and Kerri Foote  
PO Box 307  
Frisco, CO 80443

Town of Frisco  
PO Box 4100  
Frisco, CO 80443

Jeff and Sue Counihan  
PO Box 1507  
Frisco, CO 80443

**OWNER’S REPRESENTATIVE:** Gateway Management  
PO Box 1358  
Aspen, CO 81612

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

**ARCHITECT:** Rowland and Broughton  
234 E Hopkins Avenue  
Aspen, CO 81611

CIVIL ENGINEER: JVA, Inc.  
47 Cooper Creek Way, Suite 328  
Winter Park, CO 80482

TRAFFIC ENGINEER: Felsburg Holt & Ullevig  
6300 South Syracuse Way, Suite 600  
Centennial, CO 80111

GROUND WATER ENGINEER: Leonard Rice Engineers  
1221 Auraria Pkwy  
Denver, CO 8024

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

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

NOTICING: Posted at the Site: 11/02/17  
Mailed to adjacent property owners: 11/02/17  
Posted at the Post Office: 11/02/17  
Published in the Summit County Journal: 11/10/17

## PROJECT DESCRIPTION

The applicant is proposing to construct a new mixed-use project at 510, 512, and 518 East Main Street named "Foote's Rest Block 11". As part of this proposal, the applicant is also proposing to rezone the subject development site with the Historic Overlay (HO) District.

The subject development site (Lots 1-12, Block 11, Frisco Townsite) is one block in width along the south frontage of East Main Street between South 5<sup>th</sup> Avenue and South 6<sup>th</sup> Avenue, and one-half block in depth between East Main Street and the Granite Street Alley. The development site is 0.96 acres in size. This development site includes the existing Foote's Rest (store and residence) property, the Town of Frisco owned Staley Rouse House, and the 107 South 6<sup>th</sup> Avenue commercial building owned by Jeff and Sue Counihan. The applicant owns the Foote's Rest property and is under contract to purchase the adjacent Staley Rouse House and Counihan's properties.

The applicant is proposing to preserve six (6) existing historic structures on this site:

- Foote's Rest (store and residence)
- Three (3) cabins
- Blacksmith Shop
- Staley Rouse House

The Foote's Rest structure will remain in its current location. The three cabins and the blacksmith shop will front along South 5<sup>th</sup> Avenue. The blacksmith shop will serve as a pass-through garage for the existing Foote residence. The Staley Rouse House will be relocated to the Main Street frontage located between Foote's Rest and the cabins. (The purchase and sales agreement between the Town of Frisco and the applicant stipulated that the Staley Rouse

House, if moved from its present location, must be located such that it fronts on Main Street and has at least a 5 foot setback from the back of the sidewalk.) The application includes a proposed historic preservation plan for these structures prepared by Sara Adams, a specialist in historic preservation. These historic structures are generally clustered in the northwest portion of the subject development site.

The applicant is proposing to utilize the remainder of the development site to construct a new mixed-use boutique hotel building. This project element entails:

- Parking garage (Basement Level)
- Bowling alley and lounge (Basement Level)
- Outdoor at-grade plaza/courtyard (Level 1, Main Street facing)
- Restaurant/bar with outdoor seating (Level 1, Main Street facing)
- Commercial tenant spaces (Level 1, South 5<sup>th</sup> Avenue and Alley facing)
- Conference facilities (Level 1)
- 65 Hotel guest rooms & suites (Level 2)
- 6 Employee housing units (Level 2)
- Outdoor elevated plaza/patio (Level 2)
- Rooftop deck, bar, and swimming pool (Level 3)
- Exterior building materials include brick, wood tone vertical T&G shiplap siding, wood tone horizontal lap and shiplap siding, exposed steel trim, timber trim, vertical and horizontal screen slats, standing seam metal roofs, double hung casement and fixed windows, cable or metal bar guard rails, and movable glass panel wall doors.

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

This proposed mixed-use development project requires Planning Commission approval a development application with the sketch plan review step followed by a public hearing of the final application. In conjunction with the development application for this project, the applicant is requesting designation of the property with the Historic Overlay (HO) District. This process is considered a rezoning and requires two (2) public hearings with the Planning Commission as well as public hearings and adoptions of an ordinance by the Town Council. The HO provisions of the zoning code serve as an incentive to applicants by offering possible waivers of certain development standards as a way to encourage the preservation of historic buildings on the site. Proposed HO incentives are reviewed by the Planning Commission.

## BACKGROUND

On March 28, 2017, the Frisco Town Council approved Ordinance 17-02, which authorized the sale of the property known as the Staley Rouse House to the applicant, Nathaniel Kelly Foote. The Purchase, Sale and Development Agreement included a variety of conditions.

On July 13, 2017, the Planning Commission held a Sketch Plan Review of the proposed development project and a Preliminary Public Hearing of the accompanying rezoning request. The summary minutes from that meeting were as follows:

*Community Development Assistant Director Bill Gibson noted the Commission would be hearing both a sketch plan application for this mixed-use project in addition to holding a preliminary hearing of the proposed rezoning to the Historic Overlay District (HO). Mr. Gibson also presented a high level overview of the project and noted the purchase sales agreement for the property previously reached with the Town Council that outlined future*

project design requirements. If the Commission recommended changes to the proposal that affect this agreement, the Applicant would have to re-approach the Council for an amendment to the purchase sales agreement should they choose to pursue the requested changes. Mr. Gibson outlined the project design which included a below-grade bowling alley, venue space and parking garage, the ground level containing a restaurant/bar, hotel lobby, retail space and courtyard, and employee housing was proposed that would not be deed restricted but would require the tenants to work on the property as outlined in the purchase sales agreement. The hotel would have a rooftop deck with a swimming pool. The project appears to be eligible for the HO rezoning request and requested waivers included relief from the third floor façade set back, façade lengths, bulkplane, roof design, a reduction in the minimum driveway width, and reducing the required number of off street parking spaces.

Commissioner questions to Staff included:

- If there were any contingencies on the sales contract that relate to this application process
- If Staff thought any of the historic overlay waiver requests would negatively impact neighboring properties
- Clarification of the purchase of development rights in the Town Code
- How the waiver request of the on-street parking worked in conjunction with the town right-of-way
- Clarification on the employee housing units and the proposed tenant selection plan if the units couldn't be filled by employees
- If the underground lot is full where would the additional hotel patrons park?
- Clarification of the requirement for an elevated balcony in the purchase sales agreement
- It appeared that Cabins 1 and 2 were contractually required to stay in place but the sketch plan proposed moving them; what is the process to bring the contract and proposal into agreement?

The project team which included Norris Design, owner Kelly Foote, Rowland and Broughton Architecture, and the Bendon Adams firm (with an expertise in historic preservation) gave a Power Point presentation. Owner Kelly Foote briefly outlined the history of the property and introduced the project team. Mr. Foote also outlined project goals and how the proposal fit with and complimented the surrounding neighborhood. Following Mr. Foote, the project team elaborated on the historical preservation strategy, the overall and specific architectural design of the project, and the proposed parking plan. Third floor setback encroachments were described in addition to façade lengths in relation to required breaks and requested waivers concerning the roof pitch and bulkplane encroachments were described in more detail.

Questions and clarifications for the Applicant included:

- What are the proposed uses for the historic structures?
- Are the sidewalks and the hotel rooftop going to be heated?
- What does the drive-thru black smith shop connect?
- Will customers have access to valet-parked cars in the underground parking once it is parked?
- Is the proposed outdoor space going to be shared with restaurant patrons?
- If there was a possibility to break up the façade on the alley
- The possibility of installing additional parking spaces into the currently undesignated, underground space

- *Will the employee units be designed to have kitchens?*
- *Clarification on third floor step-back request*
- *Inquiry for the reason behind choosing to put in a bowling alley and if it would be accessible to the public as well as hotel guests*
- *There are only two accessible spaces in the underground parking; is that enough or is that not an issue with valet service?*
- *Where the residential parking is located and clarification of locations of access to employee units*
- *How the final number of employee units was decided*
- *If there was a plan for the Counihan house*
- *If the undesignated underground space was utilized, could any of the trees above be saved?*
- *If the corner on 5<sup>th</sup> Avenue could be altered to mimic the other corners for improved architectural interest*
- *What is the rain screen material and how well does it weather?*
- *Is the elevator overrun on the roof driving the roof design and are there other elevators available requiring less of an overrun? Is the roof above as low as it can be?*
- *If any thought had been lended to utilizing renewable energy for the roof deck pool, heated sidewalks and roof*
- *If the inside walls of the Staley rouse House could be preserved without adding drywall*
- *Would the hotel ownership remain within Foote operation or will it become an out of town hotel chain?*
- *Location of service entrances*
- *If the courtyard design was entirely hardscape or if there were any permeable spaces*
- *Is the outdoor space going to be used for the restaurant's dining space in addition to public use?*

*Staff requested clarification of intended structural changes to the Staley Rouse House and of the dimensions of the space between the cabins and the entrance from Main Street into the courtyard.*

#### *Public comments*

*Public comments generally expressed favor for the project and its likely ability to attract people to Frisco with the energizing and active space. Appreciation was shown for the owner's commitment to preserve the historical integrity of the site.*

*A recurring concern with parking was strongly expressed, principally regarding public access on Main Street as well as the lack of spaces for daily employee parking. Conversely, a member of the public was not concerned with parking as in their professional experience, many hotel guests utilize shuttles and the percentages of times at which the hotel will be at full occupancy are minimal.*

*Architectural concerns were raised regarding the architectural feature on the roof and the bold corner on 5<sup>th</sup> Avenue and its lack of landscaping. A request to consider a more welcoming angle on this corner to complement the west entrance was made.*

*Additional concerns included the noise increase with the roof top deck, planning for cyclist safety, what a future plan would be for the bowling alley if the activity became less*

*popular, and the cramped historical buildings which would also detract from the Staley Rouse House's prominence.*

*Final Commissioner discussion and comments:*

- *General consensus was favor for the project and that it was impressive*
- *Commended the owner's effort to preserve the historic buildings and for revitalizing the underutilized lot and integrating it into the neighborhood*
- *Appreciation for keeping Foote's Rest and noted it was important to not alter it*
- *Many concerns with parking were expressed which included:*
  - *Immediate concerns with the lack of availability on site for daytime visitors*
  - *A larger scale parking plan for the Town needs to be addressed*
  - *Noting that all of the parking requirements could fit under ground with the absence of the bowling alley*
  - *Valet parking for a boutique hotel may not be as feasible*
  - *Zip cars at the hotel could be a solution*
  - *would like to have a concrete answer as to satellite parking options*
- *The 5<sup>th</sup> Avenue corner had the following concerns:*
  - *Needs more thought, perhaps along the lines of a peaked roof though that may compete too much with the natural peaks*
  - *The corner on 6<sup>th</sup> is okay as architectural relief*
  - *The corner, as well as the building, is a bit too close to contemporary architecture and a more Main Street feel would be appreciated*
- *A shadow study was requested*
- *Favor for the historic park but would like to see it incorporated more with the plaza*
- *Favor for the rooftop deck*
- *Would like to see the trees stay on 5<sup>th</sup> and Main*
- *Though preference was to keep the Staley Rouse House in its existing location, the new place is okay*
- *Concern the hotel could be sold to a big chain*
- *Asked to consider using the black smith shop as a commercial space rather than a drive-thru*
- *Suggestion to have small gourmet food shops in the cabins*
- *Would like to push renewable sources options*
- *Would appreciate having the elevator core come down*

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



Vicinity map



Foote's Rest Sweet Shop & Residence (7/7/17)



Blacksmith Shop (7/7/17)





Cabin 1 (7/7/17)



Cabin 2 (7/7/17)



Cabin 3 (7/7/17)



Staley Rouse House (7/7/17)



Counihan's Building (7/7/17)

### REQUIRED ACTION

Planning Commission: Approval, approval with conditions, or denial of the proposed development application.  
Recommendation of approval, approval with conditions, or denial of the proposed rezoning application.

Town Council: Approval, approval with conditions, or denial of the proposed rezoning 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.**

The applicant has provided the following response to this quality of life statement:

*The Foote’s Rest Block 11 proposal preserves about a half block of Main Street frontage with the Foote’s Rest Sweet Shop and Home, Staley House, historic cabins and blacksmith shop. The Foote’s Rest Sweet Shop and Home is on the National Register of Historic Places and will remain as is. The Staley Rouse House will be moved to a prominent location that respect its historic relationship to Main St, and its nonhistoric additions (the covered entry and fireplace) will be removed to showcase the original historic building. Preserving historic buildings and orienting them to be visible from Main Street evokes a sense of place along the streetscape and helps to articulate the small-town mountain character of Frisco. The cabins will remain oriented along 5th Avenue and the Blacksmith building will be relocated and rebuild to maintain its relationship with 5th Avenue.*

- **A&C 2. Enhance Frisco as a cohesive community, which includes fulltime residents, second homeowners, businesses and visitors.**

The applicant has provided the following response to this quality of life statement:

*Foote’s Rest has been a gathering place for the community throughout Frisco’s history. More recently, Foote’s Rest has operated as a Sweet Shoppe and seasonal bar/restaurant, continuing its legacy as a community gathering place since opening in 2012. The proposal*

*sustains this gathering tradition by creating an inviting public plaza along Main Street that will continue to be a place that brings the community together. In addition to the public plaza space, there will be an elevated balcony open to the public that will be highly visible and enhance the vitality of Main Street. The Sweet Shoppe will remain in operation and a new restaurant will open within the hotel building with a presence along Main Street and open to the plaza.*

*The addition of a bowling alley and supportive bar/restaurant space below grade will provide the community with an additional recreational and sporting venue.*

*The Foote's Rest business has a reputation of supporting the community through events that benefit the local preschool, youth sports teams, Town of Frisco events, and full-time residents by providing a 15% local's discount on purchases. The proposal also includes 6 workforce housing units in the heart of town to support local residents and ensure that Frisco remains vibrant and does not rely on an incommuting workforce.*

- **A&C 5. Celebrate and highlight Frisco's heritage**

The applicant has provided the following response to this quality of life statement:

*Frisco's heritage is highlighted with the preservation of 6 historic buildings on Main Street. The history is celebrated through the preservation of the historic buildings, providing an impactful cultural display.*

*Additionally, the on-site plaques will remain to inform the public on the legacy of past generations.*

### **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.**

The applicant has provided the following response to this quality of life statement:

*Preservation is a key theme in sustainable design, adaptively reusing historic structures and improving them while maintaining historic character. Landscape design will utilize native mountain plants as well as drought tolerant plants to enhance the character of the community and create a lively, engaging plaza space.*

*The addition of the new building will provide a strong anchor at the corner of 6th and Main Street and enhance the community character by using masonry brick and glazing at the lower floors of the proposed buildings. The upper floors of the building transition into more natural materials including a variety of wood textures.*

- **BE 2. Ensure the design of Frisco's public spaces, streets and pathways reflect Frisco's mountain town character.**

The applicant has provided the following response to this quality of life statement:

*The proposed public plaza at Foote's Rest Block 11 will provide active uses on Main Street, promoting Main Street as a destination and maintaining a special community gathering place. A second public space will be elevated above Main Street, providing a different view of the Town. Both public spaces will be ADA accessible to ensure inclusivity. On-site bike parking will be provided to encourage alternative means of transportation. Regarding streets, this proposal will remove an existing mid-block access point to the property from Main Street and provide additional public parking spaces. The proximity of these public spaces to one of the most utilized bus stops along Frisco Main Street will be an advantage for those using public transportation.*

- **BE 3. Preserve and enhance the Main Street area as the heart of the community.**

The applicant has provided the following response to this quality of life statement:

*Promoting new business and infill development is a key to preserving Main Street as the heart of the community. The property owner's vision is to maintain Frisco's heritage through preservation of historic structures while developing a new hotel, restaurant, and entertainment venue on Main Street. The proposed plan will build upon the existing Foote's Rest outdoor space by expanding into it into a public courtyard. The enhancements created through this redevelopment will preserve the history of the site and create activation along the streetscape. Providing a new, different lodging experience in the heart of town has the potential to attract a new spectrum of tourists into the heart of Frisco. The addition of a centrally located bowling alley, retail and workforce housing will support Main Street both economically and socially as the heart of the community.*

### **Energy**

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

- **EN 4. Encourage the use of recycled materials, renewable energy sources and the use of green and energy efficient building practices.**

The applicant has provided the following response to this quality of life statement:

*This development looks to the future with a sustainable commitment to the environment, a legacy project with heart, and a community gathering space. Design and construction will employ the latest recommended green building approaches and be backed up through the installation of EnergyStar and HERS certified appliances and parts. Where applicable, solar power collectors and distribution will be used to drive the development to being as natural resource responsible as possible. In addition creative and integrated storm-water management techniques will be used in the design of the plaza and the planters to address storm water on site.*

- **EN 5. Promote conservation and use of resources to maintain a sustainable community for generations to come.**

The applicant has provided the following response to this quality of life statement:

*The proposed hotel will utilize durable, natural materials and be designed for a mountain environment. The landscape will be designed with xeric and drought tolerant plants. Irrigation for the site will be designed to be efficient and conserve water. A portion of hardscape materials used in the plaza space will be permeable. Historic buildings will be*

preserved, improved and re-purposed for new commercial purposes. The integration of the multi-modal Transportation Demand Management plan will look at reducing our dependency on vehicular transportation and the reduction of carbon emission.

### **Economy**

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

- **EC 2. Continue to promote the town as a year-round destination.**

The applicant has provided the following response to this quality of life statement:

*The addition of a hotel, restaurant and bowling alley will encourage additional visitors to Frisco and offer non-seasonal activities. The vision for Foote's Rest Block 11 is to create a family friendly, authentic place that will keep people returning any time of year.*

- **EC 3. Encourage and direct economic growth.**

The applicant has provided the following response to this quality of life statement:

*The Town will have significant economic benefits from this proposal. Commercial land provides the highest tax revenues for the Town, and this proposal seeks to transform a block of Main Street that was primarily vacant land. The hotel rooms will provide sales and lodging tax revenue. The restaurant and retail spaces will provide sales tax revenue. Importantly, this is all occurring on Main Street in the heart of the community.*

- **EC 5. Support the creation and outlet for local markets and support local workforce polices.**

The applicant has provided the following response to this quality of life statement:

*The proposal provides 6 workforce housing units available to the employees of the redevelopment. The Sweet Shoppe will continue to provide an outlet that supports local markets, goods, and crafts.*

### **Housing**

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

- **HS 3. Provide a variety of affordable housing opportunities, regulations and/or programs that meet the needs of the Frisco residents.**

The applicant has provided the following response to this quality of life statement:

*The proposal provides 6 employee housing units. Once completed, units will be offered first to Foote's Rest Block 11 employees, then to employees that work in Frisco and the Ten Mile Basin.*

- **HS 4. Promote and encourage public/private partnerships for the development of affordable housing to achieve the highest quality housing possible.**

The applicant has provided the following response to this quality of life statement:

*This proposal is a direct result of Council's efforts to create public/private partnerships to produce workforce housing units as well as promote economic development on Main Street.*

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

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

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

The applicant has provided the following response to this quality of life statement:

*The public plazas proposed at Foote's Rest Block 11 will continue to provide a community gathering place for Frisco. Foote's Rest has regularly hosted and will continue to be a venue that supports local non- profits, schools and organizations bringing people together. By creating a true public space, Foote's Rest will become an inclusive gathering space available to everyone in Frisco.*

The application conforms to Community Plan Quality of Life statements of the Frisco Community Plan.

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

**Permitted and Conditional Uses:** A variety of commercial uses are permitted in the Central Core District, including: Arts and Entertainment Centers (i.e. bowling alley), Hotels and Motels, Light Retail, Medical Offices, Offices, Personal Services, and Restaurants. The applicant is proposing a hotel, bowling alley, restaurant, and commercial tenant spaces (i.e. retail, personal services, and/or office). The application meets this requirement.

For properties located along Main Street, residential dwelling units are permitted to be located above ground floor nonresidential uses when the nonresidential uses consists of 50% or greater of the ground floor area and must front along Main Street. There are six (6) dwelling units proposed on the second level of the new hotel building fronting along the Granite Street Alley. These six (6) new dwelling units will be deed restricted as "Employee Housing Units" as required by the Purchase, Sale and Development Agreement between the Town of Frisco and the Applicant for the purchase of the Staley Rouse House property. Occupancy of these units will be limited to persons employed by a business located on this development site. The entire ground floor of the new hotel building will consist of nonresidential uses.

The existing, historic residential use of the Foote's Rest Home is proposed to continue. The applicant has also proposed to maintain the existing residential use of Cabin #2 and Cabin #3 with the option of converting those buildings into permitted commercial uses in the future. The existing residential uses of the Foote's Rest Home, Cabin #2, and Cabin #3 pre-date the residential use standards of the Central Core District and are "grandfathered" uses of the property.

**Minimum Lot Area:** The minimum lot area in this zone district is 3,500 sq.ft. The existing site is 42,000 sq.ft. in size. The application meets this requirement.

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



**Setbacks:** This property is located along Main Street. The minimum required setbacks and proposed the setbacks for this property are as follows:

	Minimum Setback	Proposed Setback
Front Yard (Main Street)	3 feet	3 feet (0 feet, existing Foote's Rest Building)
Side Yard (S. 5 <sup>th</sup> Avenue & S. 6 <sup>th</sup> Avenue)	None	0 feet both sides
Rear Yard (Granite Street Alley)	None	0 feet

The proposed new hotel includes an entry canopy over the front entry/lobby and parking garage entrance to the hotel on the east side of the building along South 6<sup>th</sup> Avenue. The proposed entry canopy extends across the property line into the South 6<sup>th</sup> Avenue right-of-way. This proposed encroachment into the right-of-way will require Town Council approval of a Revocable License Agreement or other similar legal mechanism as determined by the Town Attorney. Similar agreements have been approved for other properties in the Main Street neighborhood in the past.

The Central Core District also includes a ten (10) foot setback requirement for third floor street-facing wall façades. The application proposes setbacks for the third floor façades varying from zero (0) feet to five (5) feet. The applicant is requesting relief from this standard through the Historic Overlay (HO) District incentives. Should the Planning Commission choose to approve the proposed Historic Overlay District incentives, then the application meets this standard.

**Maximum Building Height:** The maximum building height is forty (40) feet for pitched roofs and 35 feet for flat roofs in this zone district. The proposed new hotel building meets the forty (40) foot and thirty-five (35) foot height limits with the exception of two (2) proposed non-habitable decorative roof elements which can be exempted from the building height limits. The applicant is proposing a clock tower feature located above Level 3. The applicant is also proposing a roofed stair tower element in the southeast corner of the new building. Similar decorative roof features have been allowed for other existing buildings in the Main Street neighborhood.

Pursuant to §180-02, Definitions, Frisco Town Code, building height is in part defined as follows (excerpt):

*Building Height - The vertical distance measured from any point on a proposed or existing roof ridge to the natural grade located directly below said roof point, excluding chimneys, steeples, cupolas, turrets, clock towers and similar rooftop decorative elements of reasonable, balanced proportions. ...*

Should the Planning Commission find that the two proposed decorative roof elements are exempt from the building height limits pursuant to the definition of building height and that they are of reasonable, balanced proportion; then the application meets this standard.

The Central Core District requires the first floor ceiling height to be a minimum of ten (10) feet. The application meets this standard.

**Density:** The maximum density allowed in the Central Core District is sixteen (16) dwelling units per acre (not including the density bonuses available through the Accessory Housing Unit Exemption or the Affordable Housing Exemption). This development site is 0.964 acres in size, so fifteen (15) dwelling units are allowed. The applicant is proposing to maintain the existing,

historic residential dwellings located in the Foote's Rest Home, Cabin #2, and Cabin #3. The new hotel building will include six (6) Employee Housing Units. The total proposed density is nine (9) dwelling units.

This application does not propose any use of the density bonuses available through the Accessory Housing Unit Exemption or Affordable Housing Exemption, so the zoning ordinance does not require any affordable housing to be provided with this project. However, as noted above, the occupancy of the six (6) proposed Employee Housing Units will be deed restricted to persons employed by a business located on this development site pursuant to the Purchase, Sale and Development Agreement between the Town of Frisco and the Applicant for the purchase of the Staley Rouse House property.

The application meets this standard.

**Lot Coverage:** There is no lot coverage limit in the Central Core District except for one or two unit residential projects located along Galena Street. This standard does not apply to this application.

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

### **Standard #1.1.**

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

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

The proposed new hotel building consists of variations in wall planes, roof lines and roof forms. Structural elements have been grouped to provide a balanced façade composition. The proposed exterior stairs and second floor deck provide additional visual interest. The application meets this standard.

### **Standard # 1.2.**

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

The majority of the proposed roof eaves and overhangs on the new hotel building are at least 24 inches in depth that provide both shelter and visual relief. A few roof forms appear to have eaves of less than 24 inches in depth which are allowed since the proposed new hotel includes a substantial number and variety of building elements. The application meets this standard.

### **Standard # 2.1.**

***a. Within the Central Core Subdistrict of the Main Street Overlay District building facades and roof fascia/eaves shall not exceed 38 feet in length along the same geometric plane, at which time the wall facade shall be broken up with a change in the geometric plane by a minimum of two (2) feet in depth for a distance of not less than six (6) feet, and the corresponding roof fascia/eaves shall be either indented or project from the primary geometric plane by a minimum of 2 feet. For buildings that exceed 74 feet in length the***

**change in the geometric plane shall be increased to a minimum of four (4) feet in depth. All buildings with a total facade length of 38 feet or less are exempt from this provision. Upon approval by the Planning Commission, the dimension of 38 feet for the length of a building façade which necessitates a building wall façade break and corresponding roof fascia/eave change may be extended as much as two (2) feet for a total of 40 feet, upon a finding that the design furthers the intent of this section.**

The proposed hotel façades and roof fascia/eaves include both horizontal and vertical articulation that visually breaks up the bulk and mass of the new building. Not every element of the proposed building meets the dimensional requirements outlined in this standard; however, Staff finds that the proposed design furthers the intent of this section. The applicant is requesting relief from this standard through the Historic Overlay (HO) District incentives. Should the Planning Commission choose to approve the proposed Historic Overlay District incentives, then the application meets this standard.

**Standard # 2.2.**

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

The proposed hotel includes a variety of roof forms with varying degrees of vertical and horizontal articulation that appear to meet the dimensional requirement of this section. The application meets this standard.

**Standard # 2.3.**

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

**a. Central Core Subdistrict: The bulk of the building shall be restricted on all street and rear yard facades by a bulk plane. The 40 foot height limit of the bulk plane may be increased, if provision 180-23.C (4) is utilized. Building forms may deviate from this standard and project beyond the bulk plane if they receive Planning Commission approval, meet the building height, and provide substantial architectural relief, or if they are structures which meet incentive VI.A.**

**1. The bulk plane shall start from a point 24 feet above the average existing grade measured on all street property lines and shall extend upward at a 45 degree angle toward the rear and/or opposite sides of the property until it intersects with a horizontal plane 40 feet above the average existing grade at the property line.**

**2. From the rear, the bulk plane shall start from a point 24 feet above the average existing grade measured on the rear property line and shall extend upward at a 45 degree angle toward the front of the property until it intersects with a horizontal plane 40 feet above the average existing grade at the property line.**

The applicant has identified the bulk plane in the submitted application materials (refer to Exhibit J). The proposed clock tower roof element, the stair tower roof element, and a portion of the roof over the front entry/lobby corner of the hotel project into the bulk plane. These building forms may deviate from the bulk plane standard if the Planning Commission determines that these

building elements meet or are exempt from the building height limits and provide substantial architectural relief. Should the Planning Commission determine that the projections meet the building height and provide substantial architectural relief, the application meets this standard.

The applicant is also requesting relief from this standard through the Historic Overlay (HO) District incentives. Should the Planning Commission choose to approve the proposed Historic Overlay District incentives, the application meets this standard.

**Standard #3.1.**

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

The primary exterior building materials include brick, wood tone vertical T&G shiplap siding, wood tone horizontal lap and shiplap siding, exposed steel trim, timber trim, vertical and horizontal screen slats, standing seam metal roofs, double hung casement and fixed windows, cable or metal bar guard rails, and movable glass panel wall doors. The application meets this standard.

**Standard #3.2.**

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

Stucco, untreated/unpainted galvanized sheet metal, and concrete blocks are not being proposed as an exterior building material. Dark colored metal trim is proposed as an accent material on this building. The application meets this standard.

**Standard #3.3.**

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

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

**Standard #3.4.**

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

This mixed-use development project involves multiple buildings, including a new hotel and six (6) historic structures (Staley Rouse House, Foote's Rest Home/Sweet Shop, Cabins 1-3, and the Blacksmith Shop). The preserved historic buildings do not have identical exterior building materials, but have a complimentary historic character. The existing exterior building materials on the historic structures are being preserved. The proposed new hotel building has a different purpose, scale, and character than the preserved historic structures. The proposed materials on the new hotel building are not an exact match to the materials on the preserved historic buildings; however, the proposed hotel building materials are complementary to the character of

the overall project and meet the standards of this overlay district. The application meets this standard.

**Standard #4.1.**

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

The proposed new hotel is generally a flat roofed building with a variety of street facing pitched and flat roof forms and parapets of varying heights. There are no proposed mansard roofs. The application meets this standard.

**Standard # 4.2.**

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

The proposed new hotel is generally a flat roofed building with a variety of street facing pitched and flat roof forms and parapets of varying heights. The proposed pitched roof elements of the new hotel are angled at pitches of 2:12 and 3:12. This standard requires steeper roof pitches. The applicant is requesting relief from this standard through the Historic Overlay (HO) District incentives. Should the Planning Commission choose to approve the proposed Historic Overlay District incentives, the application meets this standard.

**Standard #4.3.**

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

The proposed new hotel is generally a flat roofed building with a variety of street facing pitched and flat roof forms and parapets of varying heights. The application meets this standard.

**Standard # 4.4.**

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

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

**Standard # 4.5.**

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

The application involves the installation of a dark grey standing seam metal roof with a low-gloss finish. The application meets this standard.

**Standard # 4.6.**

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

The application involves the installation of a standing seam metal roof. No asphalt or fiberglass shingles are proposed. The application meets this standard.

**Standard # 4.7.**

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

The proposed dark grey standing seam metal roof does not exceed a chroma of 4. The application complies with this standard.

**Standard # 4.8.**

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

The location of some rooftop equipment is generally noted on the Roof Deck Flood Plan. All rooftop equipment is subject to this requirement. Staff recommends the Planning Commission impose a condition reinforcing this requirement. The application meets this standard.

**Standard # 5.2.**

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

The proposed new hotel building does not duplicate another building in this overlay district. The application meets this standard.

**Standard # 6.1.**

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

The proposed primary exterior building colors are natural brick and wood tones that do not exceed a chroma of 4. The application meets this standard.

**Standard # 6.2.**

***Colors that exceed a chroma of four (4) but do not exceed a chroma of eight (8) on the Munsell Color chart may be used only as accents and then sparingly, such as upon trim***

**or railing, and in no instance shall luminescent, fluorescent, or reflective colors be utilized on any exterior portion of the building.**

The application does not include the use of luminescent, fluorescent, or reflective colors. The dark metal colored trim and accent colors do not exceed a chroma of 8. The application meets this standard.

**Standard # 6.3.**  
**The same, or substantially similar colors shall be used on the main structure and on any accessory structures upon the site.**

The proposed materials on the new hotel building are not an exact match to the materials on the preserved historic buildings; however, the proposed hotel building materials are complementary to the character of the overall project and meet the remaining standards of this overlay district. The application meets this standard.

**Standard # 6.4.**  
**A color board shall be submitted and reviewed showing all proposed primary and accent colors and intensities for the exterior walls of the building.**

The applicant has submitted a proposed materials board. The application meets this standard.

**ANALYSIS - HISTORIC OVERLAY DISTRICT & REZONING [§180-18.2]**

For a further description of the proposed historic preservation, please refer to the attached application materials.

The purpose of the Historic Overlay (HO) District is to preserve and promote Frisco’s historical heritage. The HO designation is not a requirement for historical properties, but encourages the voluntary preservation of historic buildings, preferably on the original site, and properties through incentives and allows for alteration and rehabilitation of historic structures.

The review process for a proposed HO rezoning is as follows:

1. Owner requests and makes application for an HO rezoning.
2. Standard rezoning procedures are followed, except the HO review criteria are applied in lieu of the standard rezoning criteria.
3. Pursuant to Pursuant to §180-18.2-C, Frisco Town Code, the criteria for designating historical properties is as follows:
  - a. *That the structure(s) be at least fifty (50) years old;*

Staff comment: The existing Foote’s Rest, cabins, blacksmith shop, and the Staley Rouse House are all more than 50 years old *based upon county records and research by the Frisco Historic Museum.* The application meets this standard.

- b. *That the structure(s) or lot(s) have unique historical significance; and,*

Staff comment: The subject property and structures are listed on the town’s Historic Inventory and are of unique and representative architecture of the early days of

Frisco. The Foote's Rest building is listed on both the Colorado State Register of Historic Properties and the National Register of Historic Places. The Staley Rouse House is currently listed on the Colorado State Register of Historic Properties. Additionally, the Foote, Staley, and Rouse families are all notable in terms of their historic involvement in the community. The application meets this standard. The Staley Rouse House is significant in terms of the unique architecture it possesses. Notably, the logs of the lower story are oriented in a vertical position with unusual joinery at the corners.

*c. That remodeling has not covered the original features of the structure(s), or that the structure(s) has been or is in the process of being rehabilitated to its original configuration or design.*

Staff comment: The existing Foote's Rest, cabins, blacksmith shop, and the Staley Rouse House will be preserved and non-historic building elements will be removed in accordance with the Secretary of the Interior's Standards for Historic Preservation. The application meets this standard.

4. Preliminary and final public hearings are held before the Planning Commission, and then the Planning Commission makes a recommendation to the Town Council.
5. Town Council holds public hearings on the first and second reading of an ordinance to rezone the property to HO.
6. Following designation as HO, any future changes, alterations, and development must conform to the standards outlined in §180-18.2-F, Frisco Town Code.

Pursuant to §180-18.2-F, Frisco Town Code, the any addition, alteration, or rehabilitation of a historic structure must meet US Secretary of the Interior's Standards for Rehabilitation as follows:

*a. A property shall be used for its historic purposes or be placed in a new use that requires minimal change to the defining characteristics of the structure and its site and environment.*

The defining characteristics of all of the historic buildings will be improved or left the same with this development. While the Staley Rouse House will be moved from its original location, its new site is in conformance with the purchase and sales agreement. Given the zoning of the property for commercial purposes and the allowances for additional development, the relocation is more complimentary versus detrimental to the integrity of the Staley Rouse House. The use of the building will not be residential, its original purpose, but will be put to a commercial use facing Main Street. The character of the Staley Rouse House will be improved as it will be brought back to its original character by removal of the porch and outside chimney.

*b. The historic character of a property shall be retained and preserved. The removal of historic materials or alternations of features and spaces that characterize a property shall be avoided.*

The historic character of the historic buildings on the site will be retained and preserved. The historic integrity of the Staley Rouse House will be improved by the removal of additions made to the building in the 1980/90s.



*c. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.*

No alterations are proposed that will obscure the historic or physical structure that might lead to a false sense of historic character or time period. The ATM machine feature should be removed and the Foote's Rest building should be repainted and improved to ensure its longevity. Staff will work with the applicant regarding this matter prior to the historic covenant being assigned and approved by council.

*d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.*

While additions have been made to the historic structures over time, Staff is of the opinion that the porch and chimney of the Staley Rouse House should be removed to simplify the look and character of the building in keeping with the original design of the building. These additions are not of particular or valued representation of a time period.

*e. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved.*

Historic building character will be improved by the project.

*f. Deteriorated historic features shall be repaired rather than replaced. When the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.*

All historic buildings will be required to be stabilized, upgraded, and improved to increase the level of preservation over time. The application notes that all rehabilitation will be done in accordance with these standards. Staff recommends the Planning Commission impose a condition that prior to application for a building permit, the Applicant must submit to the Community Development Department for staff review a written historic preservation prescription for each historic building that demonstrates compliance with these standards. With this condition, the application meets this standard.

The application notes that all rehabilitation will be done in accordance with these standards. Staff recommends the Planning Commission impose a condition that prior to application for a building permit, the Applicant must submit to the Community Development Department for staff review a written historic preservation prescription for each historic building that demonstrates compliance with these standards. With this condition, the application meets this standard.

Pursuant to §180-18.2-F, Frisco Town Code, the applicant may request the use of incentives and the Planning Commission may allow for the use of some or all incentives (with a fewer number of criteria met justifying fewer incentives and a greater number of criteria justifying more incentives) based upon the following:

- a. Protects and preserves the town's historic and cultural heritage by retaining and/or remodeling aspects of a historic building(s) such as, but not limited**

**to, the facades being compatible with the character of the historic era;**

The applicant has provided the following response to this criterion:

*This plan proposes to preserve and/or remodel six of the historic buildings on the Foote's Rest Block 11 site. The Staley House will be restored to meet historic compliance with the removal of the porch and fireplace element. The Foote Residence and Sweet Shop will be preserved in its original location with paint color true to its historic period. Cabins 1,2, and 3 will be preserved and relocated, per the development agreement, on Main Street and 5th Avenue while keeping their historic relationship to each other. The Blacksmith structure is dilapidated and the building shall be reconstructed with the spirit of the original building in concert with the preserved Cabins.*

Staff comment: The application preserves six (6) existing historic buildings on this site. A historic preservation plan has been proposed and certain non-historic elements of these buildings will be removed. Frisco does not have mandatory protection regulations for historic resources, so historic structures are at risk of being moved or razed by property owners. Staff finds that in utilizing the HO, this project achieves this criterion.

**b. Increases economic and financial benefits by enhancing the property and making it more accessible and/or attractive for heritage tourism;**

The applicant has provided the following response to this criterion:

*Foote's Rest Block 11 will become more attractive to heritage tourism through the redesign of the site into a cohesive destination with a large portion dedicated to the historic legacy. The existing historic buildings will be sited together to heighten the historic quality and create a more pronounced cultural experience. Access into the Foote's Rest Sweet Shoppe will provide economic and historic opportunities through retail sales and preservation of key artifacts such as the historic mailbox slots. A hotel sited adjacent and complimentary to the Historic Foote Residence, Staley House, cabins and Frisco Main Street will create a unique experience that supports the authenticity of Frisco. In fact, the cabins themselves were originally built as lodging units in the late 1930's early 1940's. The proposed lodging will attract tourists to stay on the property, creating an opportunity for economic growth. Since the 1900s, the Foote property has been a community gathering place for citizens and visitors alike. The proposed plan will be to maintain and amplify this historic use to attract tourists to visit the property for exploration of the past, shopping, dining and recreating.*

Staff comment: These buildings are presently on the historic walking tour of the Frisco Historic Park and Museum and will be able to continue to be a part of Frisco's heritage if preserved. Economic analysis and visitor surveys show that heritage tourism plays a significant role in the town's visitor economy. As a whole, the development will add more diversity and vitality to this important Main Street frontage and, in the context of the development of the overall site; the historic buildings will likely increase the economic benefit to the property and town.

**c. Provides educational opportunities to increase the public's awareness and appreciation of Frisco's unique heritage;**

The applicant has provided the following response to this criterion:

*Existing informational plaques will be maintained as well as historic elements to educate the public on historic buildings. The historic portion of the site will also have interactive components such as sales of locally made fudge and ice cream to engage visitors while learning about the unique architecture of the Staley House, Foote Residence and other historic structures. Additionally, new signage and visual media will be installed to convey the heritage of the families that have lived and continue to live at Foote's Rest Block 11. The Staley House and Foote's Rest will be able to remain on the Historic Walking Tour of Frisco.*

Staff comment: As noted above, the buildings will still be in place and can be used to raise awareness about the town's history and architecture. The historic structures will be "living buildings"; improved, preserved, and put to uses that allow for their observation, as examples of historic architectural techniques and styles, and keep the buildings alive through reuse.

**d. Maintains the structural integrity of the historic structure and/or rectifies safety concerns for the structure or brings the structure into greater compliance with life, health, and safety codes;**

The applicant has provided the following response to this criterion:

*The structural integrity of the existing Staley House and cabins 1, 2, and 3 will be maintained through relocation and remodeling to rectify issues with structural and/or historical integrity. The Foote's Rest building will remain in its existing location and will continue to operate as Foote's Rest Sweet Shoppe meeting all life, health and safety codes.*

Staff comment: The building will be rehabilitated as required by the HO standards to conform to the Secretary of the Interior Standards. Equally important is that certain non-historic elements of these buildings will be removed.

**e. Retains some or all of the historic structure(s) on the original site.**

The applicant has provided the following response to this criterion:

*Foote's Rest, the Staley House, historic cabins 1, 2, and 3 and the reconstructed Blacksmith shop will be maintained within the Block 11 site.*

Staff comment: The application preserves six (6) existing historic buildings on this site. The Foote's Rest will remain in its original location. The location of the other buildings may be modified, but they will remain located on the overall development site. Each of the six historic buildings will be located along a street frontage in prominent public view. Portions of structures (notably the existing garage attached to the Foote's Rest) will be removed due to poor condition. Another cabin (presently the outside restrooms), are not considered historic in terms of age and construction type.

**f. Structural or use changes that further the goals or objectives of the Frisco Master Plan;**

The applicant has provided the following response to this criterion:

*The relocation of the buildings will create a destination for heritage tourism, create an authentic development, promote the local economy with the addition of new business and provide much needed local workforce housing.*

The applicant has provided the following response to this criterion:

*The relocation of the buildings will create a destination for heritage tourism, create an authentic development, promote the local economy with the addition of new business and provide much needed local workforce housing.*

Staff comment: The application preserves six (6) existing historic buildings on this site. A historic preservation plan has been proposed and certain non-historic elements of these buildings will be removed. The development furthers the following goals of the Frisco Community Plan:

Arts & Culture:

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

Built Environment:

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

Energy:

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

Economy:

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

Housing

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

**g. Brings new development/redevelopment on the site that allows for the preservation of historic resources on the site that would not likely occur without the development.**

The applicant has provided the following response to this criterion:

*Through the combination of the three lots on Block 11, the existing buildings and uses are reconfigured to combine both historic preservation and vibrant new growth in an inclusive, unified development. The opportunity to design a master plan for the block allows for reinvigoration of the historic character simultaneously with the expansion of new, complementary architecture meeting the character of Main Street.*

Staff comment: The Frisco Town Code does not preclude property owners from demolishing historically significant buildings. This applicant has the right to raze this entire development site that would result in the loss of multiple historic structures which would alter the character of Frisco's Main Street. The HO District is intended to encourage historic preservation while also allowing property owners the opportunity to exercise their private property rights, retain economic value for their property, and to create opportunities for development and redevelopment that can both meet the desires of the individual property owner and further other goals of the Frisco community (economic development, public amenities, housing diversity and affordability, community character, etc.).

Pursuant to §180-18.2-F, Frisco Town Code, the applicant may request relief from the underlying zone district standards, the architectural overlay district requirements, and the general development standards of the zoning ordinance. The application materials identify the proposed incentives being requested. In summary, waivers and/or modifications from the following requirements are being requested:

- Central Core District
  - Third floor façade 10 foot setback from street facing property lines
- Main Street Overlay District
  - Standard 2.1, Façade Lengths
  - Standard 2.3, Bulk Plane
  - Standards 4.1-4.8, Roofs
- Development Standards
  - Parking

For more detail about these proposed waivers and deviations, please refer to the attached application materials.

#### ANALYSIS - DEVELOPMENT STANDARDS [§180-20]

**Drainage Plan:** The application includes civil engineering plans and a Stormwater Analysis prepared by JVA and a Dewatering Analysis prepared by Leonard Rice Engineers. The application materials have been reviewed by the Town Engineer and the Frisco Sanitation District. Please refer to the review comments from those agencies. Staff recommends a condition of approval that the applicant shall satisfy the review comments of these agencies. With this condition, the application meets this standard.

**Water Quality Protection:** These standards are intended to maintain natural buffers, protect riparian habitat and the visual appearance of the Town's waterways, lakeshores, and wetlands by prohibiting soil disturbance within 25 feet of a body of water or wetland. This standard does not apply to this application.

**Snow Storage and Snow Shedding:** The application must provide adequate location and snow storage as prescribed by the parking regulations of the Town Code. The driveways and parking spaces associated with the new hotel building are covered by building elements and no accompanying snow storage area is required. The application meets this standard.

Additionally, snow does not appear to shed onto outward swinging doors or windows and snow does not shed onto the public way. The need for snow clips, snow fences, and other similar rooftop snow management techniques on the proposed roof elements will be reviewed with the building permit application. The application meets this standard.

**Road Construction and Maintenance Standards:** Any private or public road design, construction or maintenance shall meet the Town Code standards for drainage plans, water quality protection, stream crossings by roads and utilities, construction in wetland areas, and street design criteria. There are no new private or public roads proposed. However, construction of this proposed mixed-use project will likely impact the existing, adjacent public streets and sidewalks. All repairs/replacement of these improvements will be required to comply with the standards of Chapter 155, Streets, Frisco Town Code, and its accompanying “Minimum Street Design and Access Criteria”. Any private improvements located in a street right-of-way such as snowmelt systems, soil nails, roof awnings, private parking or loading zones, etc. will be subject to Town Council approval of a Revocable License Agreement or other similar legal mechanism as determined by the Town Attorney.

**Vehicular Access:** All vehicular access must comply with the standards set forth in Chapter 155, Streets, Frisco Town Code, and the accompanying “Minimum Street Design and Access Criteria”. The applicant is proposing to close two existing driveways to this property (an existing curb cut located on Main Street and another located on South 5<sup>th</sup> Avenue). The application proposes an accompanying reconfiguration of public parking spaces surrounding this development site. Vehicular access to four (4) parking spaces is proposed along the Granite Street Alley. Vehicular access to the Basement Level parking garage of the new hotel building will be located along South 6<sup>th</sup> Avenue. The application meets this standard.

The applicant is also proposing a designation of some parking spaces in the South 6<sup>th</sup> Avenue right-of-way as a loading zone and valet drop off zone. Such a proposal is subject to Town Council approval.

**Non-vehicular Access:** The purpose of this section is to promote the use of non-vehicular modes of transportation through a town-wide network of connecting non-vehicular pathways and provide safe access year-around. All site plans must provide for and show non-vehicular access in accordance with the standards set forth in Chapter 155, Street Design Criteria, Frisco Town Code. Every principal structure must provide safe and convenient non-vehicular access to a public street or road year-around. The proposed mixed-use project includes non-vehicular connections to the adjacent public streets and sidewalks. The application meets this standard.

**Traffic Studies:** The application included a Traffic Impact Study dated October 2017 prepared by Felsburg Holt & Ullevig (FHU). The Traffic Impact Study concludes:

#### *VII. SUMMARY OF FINDINGS AND RECOMMENDATIONS*

*The proposed Foote’s Rest mixed-use redevelopment project is planned to consist of a 65-room hotel, 6 employee housing units, a 10-lane bowling alley, and 4,600 square feet of restaurant use. This proposed redevelopment site is located along Main Street between 5th and 6th Avenues in Frisco, Colorado—and is currently occupied by a mix of uses including a dessert/candy shoppe, curio shop, historic site, small office buildings,*

*and food/drink stands. A portion of the historic buildings will be preserved, but are not planned to change land uses. Vehicular access for the development is proposed to be provided via a driveway providing parking garage access along 6th Avenue. On-street parking will also be available along Main Street, 5th Avenue, and 6th Avenue. It is estimated that the proposed redevelopment would result in 1,862 daily vehicle-trips, with 185 trips occurring in the AM peak hour and 154 trips occurring in the PM peak hour.*

*Background and total traffic analyses were conducted for Existing, Short-Term, and Long Range traffic scenarios, revealing acceptable LOS for all intersections and movements. No delay or queuing issues are expected at study area intersections for all scenarios. Parking analyses per the Town's zoning code reveal that the 44 on-site provided spaces are insufficient for the type and intensity of the proposed land use. An additional 13 spaces are required to satisfy the town's requirements. This could be accomplished via off-site parking serviced by valet or shuttles or by petitioning the Town to allow for the use of on-street parking for hotel guests since the parking is shared primarily with downtown retail uses whose parking demand occurs at times opposite the Foote's Rest development.*

The proposed traffic study was reviewed by the Town's Consulting Traffic Engineer. Please refer to the review comments from WSP. The application meets this standard.

**Bicycle Racks:** All commercial development shall provide bicycle racks, in an appropriate location, with bicycle stalls in the amount of no less than twenty percent (20%) of the total number of parking spaces required for the project, with a minimum of five (5) bicycle stalls. A total of 78 parking spaces are required without the application of the 20% mixed-use reduction or Historic Overlay District incentives. A total of sixteen (16) bike stalls are required. The proposed landscape plan identifies eight (8) "U" bicycle racks that can be double loaded to accommodate sixteen (16) bikes in the outdoor plaza area adjacent to Main Street. The application meets this standard.

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

**Buildings Occupying More Than One Lot:** Lots 1-12, Block 11, Frisco Townsite shall be considered one lot for purposes of complying with zoning district regulations such as lot coverage, minimum lot size, lot frontage, and setbacks. The application meets this standard.

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

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

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

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

**Air Quality Protection:** The submitted plans identify a fire place in the Level 1 hotel main entry/living room area, an outdoor gas fire pit, an outdoor wood fire pit, and rooftop gas fire pits. These items and any additional devices will be reviewed for compliance with the solid-fuel-

burning device and non-solid-fuel-burning device standards at the time of building permit application.

**Refuse Management:** All commercial, mixed-use, and multi-family residential development projects shall provide adequate space for the collection and storage of refuse and recyclable materials. Dumpsters are required for commercial and mixed-uses projects, but only suggested for multi-family residential projects. The application includes an enclosed trash bay accessed from the Granite Street Alley. The applicant has provided a letter from Timberline Disposal which states:

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

Larry Romine, COO

The application meets this standard.

**ANALYSIS – LANDSCAPING AND REVEGETATION [§180-20.1]**

**Landscaping Requirements by Project Type:** This proposal is subject to the landscaping requirements for a Commercial and Mixed-Use Large Project Development.

**Required Vegetation:** For mixed-use large projects, a minimum of one (1) tree must be planted on the site for every 1,500 square feet of lot area, and one (1) shrub is required for every 2,500 square ft. of lot area. A lot size of 42,000 square feet requires a minimum of 28 trees and seventeen 17 shrubs. The application proposes 40 trees (2 existing and 38 new) and 18 shrubs. The application meets this standard.

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

Planting Sizes of Required Trees	Sizes Proposed
Deciduous trees 50% min. 3- inch diameter	50%
Deciduous trees 50% min. 2-inch diameter	50%
Evergreen trees 25% min. 10 foot height	25%
Evergreen trees 25% min. 8 foot height	25%
Evergreen trees 50% min. 6 foot height	50%
Shrubs minimum five gallon	100%

The application meets this standard.

**Species Diversity:** To prevent uniformity and insect or disease susceptibility, species diversity is required and extensive monocultures of trees are prohibited. For projects required 20 to 39 trees, the maximum percentage of any one species of required trees is 33% (this does not apply to trees planted in excess of the minimum requirement). The application meets this standard.

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

Proposed landscaping plans must utilize plant materials found on the Town's approved plant material list or alternative plant materials may be considered if determined by the Community



Development Department or Planning Commission on competent evidence, that the proposed plant is suitable to the climate and placement on the site. The application meets this standard.

**Revegetation of Disturbed Land:** All areas disturbed by grading or construction, not being formally landscaped, shall be revegetated. The application meets this standard.

**Credit for Preservation of Existing Trees:** The use of existing healthy vegetation is encouraged and existing trees may be substituted for up to 50% of the required tree number. Two (2) existing evergreen trees are preserved, so one (1) may be counted toward the landscaping requirements. The application meets this standard.

**Protection of Existing Vegetation:** The zoning ordinance allows existing trees to be removed from a site without replacement when those trees are located on land to be occupied by buildings, parking, and paving plus an adjacent clearance strip. The application meets this standard.

**Irrigation System Requirements:** Landscape plantings must be properly irrigated during periods of time necessary to establish and maintain the landscape in good health and condition. The application proposes the installation of spray and drip irrigation as outlined on the submitted landscape plans. The application meets this standard.

**Landscape Maintenance:** Landscaping shall be maintained in good health and condition perpetually. If any vegetative landscaping required by this chapter shall die, it shall be replaced within one year. The proposed landscape plans include maintenance notes for the developer and their successors and assigns. The application meets this standard.

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

The application includes an exterior lighting plan prepared by AEC, Architectural Engineering Consultants.

**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 light fixtures are full cut-off. The application meets this standard.

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

For mixed-use projects, freestanding lights shall not exceed fifteen (15) feet in height. The proposed freestanding light fixtures are two (2) feet in height and eight (8) feet in height. The application meets this standard.

**Light Emissions:** Outdoor light fixtures must be positioned so that there is no direct light emission onto adjacent properties. The proposed exterior lights are full cut-off and based upon the submitted lighting plan do not appear to emit direct light onto neighboring 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 wall sconce light fixtures, similar to other buildings in Frisco,

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. The applicant is proposing the use of LED technology. In addition, common area lighting will be controlled with photocells and timeclock systems. The application meets this standard.

**ANALYSIS – PARKING AND LOADING [§180-23]**

For a further description of the proposed parking, please refer to the attached application materials.

**On-Premise Parking Requirements:** Parking for this mixed-use project is required as follows:

Use	Required Parking Spaces
Retail, personal services, restaurants, non-first floor offices	0
Bowling Alley (2..5 per lane, 10 lanes)	25
*On-street Parking Credits (non-overnight uses only, i.e. bowling alley)	-25
Sub-Total	0
New hotel (1 per bedroom, 65 rooms)	65
New Employee Housing Units (1 per bedroom, 6 studios)	6
Existing Foote’s Rest Home (1 per bedroom, 4 bedrooms)	4
Existing Cabin #2 (1 per bedroom, studio)	1
Existing Cabin #3 (1 per bedroom, studio)	1
*Visitor Parking (1 space for every 5 dwelling units, 9 units)	1
Sub-Total	78
*Mixed-Use Reduction (-20%)	-16
Total	62

\*See sections below

Required Parking Spaces	62
Proposed Parking Spaces	48 <b>44</b>
<b>Proposed Historic Overlay (HO) District incentive</b>	<b>14 18</b>

Many of the commercial uses in the Central Core District have no parking requirement. As identified in the table above a total of 78 on-site parking spaces are required for this mixed-use project. The application proposes a 44 **40** space parking garage in the Basement Level of the new hotel building and four (4) surface parking spaces accessed from the Granite Street Alley. So, a total of 48 **44** on-site parking spaces are proposed by this application. The application proposes ~~fourteen (14)~~ **eighteen (18)** fewer parking spaces than are required. The applicant is requesting relief from this standard through the Historic Overlay (HO) District incentives. Should the Planning Commission choose to approve the proposed Historic Overlay District incentives, then the application meets this standard.

**On-Street Parking Credits:** Parking requirements for non-overnight uses may be reduced in the Central Core District in recognition of adjacent public on-street and alley parking. This parking reduction is available at a rate of one (1) parking space for every twenty-five (25) linear feet of frontage abutting a public right-of-way on which legal on-street parking exists within 300 feet of the property. The on-street parking credits apply to all applicable businesses. The parking spaces used in calculating this credit are not assigned or allocated to any business or development project in any way.

Bowling alleys have a parking requirement of 2.5 parking spaces for each lane. This requirement applies town wide and is not exempted in the Central Core District like some other commercial uses. The proposed 10 lane bowling alley has a parking requirement of 25 spaces which are off-set by this on-street parking credit.

The on-street parking credits can be used to meet the parking requirements for any future first floor office or medical office uses in this mixed-use project (1 space per 350 sq.ft. and 450 sq.ft. of gross floor area respectively).

**Multi-use Shared Parking Provisions:** In the Central Core District, parking reductions for multi-use developments may be allowed of up to twenty (20) percent of the required parking upon approval (with or without conditions) by the Planning Commission according to the following criteria:

- a. The proposed parking for both uses shall be on-site; and
- b. The parking is provided in areas designed to serve two (2) or more distinctly different land uses; and
- c. The reduction in parking is justified using industry standards such as those established by the Urban Land Institute, the Institute of Transportation Engineers or other acceptable standards.

This request for a mixed-use shared parking credit was reviewed by the Town's consulting traffic engineer. The consulting traffic engineer determined that:

*The development clearly meets criteria 1 and 2 above. Criteria 3 is a bit more objective. Generally speaking, the parking compatibility of a restaurant with hotel and residential uses is not generally acceptable during the evening time period. However, a case can be made that the restaurant will generally draw from the residential/hotel guests (already parked) and pass-by foot traffic (already parked) in downtown. In this case, criteria 3 would generally be met.*

*As addressed in the TIS, the proposed Foote's Rest development has a shortfall in parking, per the Town of Frisco Zoning Code §180-23. Within the parking analysis section of the study, the parking disparity is addressed with a couple alternatives including a valet parking proposal. In a separate memo, the developer lays out a plan to support any parking needs beyond what will normally be expected. The developer suggests that the occupancy of the hotel, on average, will be less than 75% and the full parking requirement will generally not be necessary. It is our opinion that this is a good plan to mitigate any potential need for parking beyond what is proposed.*

**Visitor Parking:** Visitor parking is required at a rate of one (1) parking space for every five (5) dwelling units. There are three (3) existing dwelling units on this site (Foote's Rest Home,

Cabin #2, and Cabin #3) and six (6) proposed Employee Housing Units, for a total of nine (9) dwelling units. Therefore, one (1) visitor parking space is required.

The applicant is requesting relief from this standard through the Historic Overlay (HO) District incentives. Should the Planning Commission choose to approve the proposed Historic Overlay District incentives, then the application meets this standard.

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

- a. That above grade parking for the project be significantly screened from adjacent public rights-of-way; and,
- b. That the understructure Parking Facility is significantly screened from any public rights-of-way; and,
- c. That vehicular access to and from the understructure Parking Facility is not provided from Main Street or Summit Boulevard, unless no other access point exists.  
Technical specifications for underground parking structures are found in the Town of Frisco Minimum Street Design Criteria, as referenced in Chapter 155.

The four (4) proposed above grade parking spaces along the Granite Street Alley are screened from the public right-of-way by the proposed building. The understructure parking facility is below grade and therefore screened from the public right-of-way. The proposed access to the Basement Level parking garage is from South 6<sup>th</sup> Avenue. The application meets this standard.

#### **Off-Site Parking Allowances:**

1. *Overnight uses shall provide parking on premise. Up to one-hundred percent (100%) of required non overnight parking, excluding required accessible spaces, in the Central Core District may be met off-site if approved by the Planning Commission pursuant to the following criteria:*
  - a. *The property is located within three (300) hundred feet (using the shortest distance between two points) of off-site private parking developed per subsection D.2.*
  - b. *The public health, safety, or welfare would not be adversely affected or more than normal impacts on the neighborhood created by locating the required parking off the property.*
  - c. *The off-site parking is easily accessible from the property.*
2. *Private Parking Facilities.*  
*Required non-overnight parking may be provided in off-site private parking facilities or lots if the title to the land for off-site parking is deed restricted, in whole or in part, and made subject to an exclusive perpetual easement for parking purposes in favor of the owner(s) of the developing/remodeled property for use of the required number of parking spaces. Proof of ownership of the off-site parking spaces must be provided at the time of development application, subdivision or resubdivision application, business license application or renewal, and/or building permit, whichever is sooner.*

*The off-site parking must be existing and complete prior to a Final Certificate of Occupancy being issued for the developing/remodeled property and the off-site parking must be noted on a recorded plat as dedicated to the developing/remodeled property for required parking.*

The application does not propose any off-site parking at this time. However, the Applicant has indicated that they are exploring future off-site parking opportunities. Please refer to the attached application materials, specifically the November 3, 2017, memorandum from Norris Design addressing Overflow Parking Contingency Plan Outline.

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

**Accessible Parking:** All multi-family projects with over seven (7) units and commercial projects must provide accessible parking. A minimum of one space must be sized and configured to be van accessible. ADA parking spaces do not count toward visitor parking spaces. For 26 to 50 total parking spaces, two (2) accessible parking spaces are required. The applicant is proposing two (2) accessible parking spaces, one (1) of which is van accessible. The application meets this standard.

**Tandem Parking:** In order to allow the proposed tandem parking, the Planning Commission must find that the layout of the parking is functional and, at a minimum, two of the following four criteria are met:

1. *That some of the spaces could be used as potential visitor parking space; and/or,*
2. *That, given the layout and design of the building, adequate storage space is provided for the residents so that it is not anticipated the parking space(s) will be needed predominately for storage; and/or,*
3. *That the architecture of the building façade which faces or accesses the parking spaces avoids a canyon effect, such that movement is provided in the building design; and/or,*
4. *That an adequate turning radius area is provided with the parking layout to allow for turning and backing into or out of the tandem parking spaces.*

The spaces could be used as visitor parking. Adequate storage is provided for the proposed for the existing Foote's Rest Residence, Cabins, and the new Employee Housing Units. Forty (40) of the proposed forty-four (44) parking spaces are located in a Basement Level parking garage that does not involve above grade building façades that create a canyon effect. Adequate turning radius area is provided. Should the Planning Commission find that the proposed tandem parking meets the criteria of this section, the application meets this standard.

Tandem parking is only allowed for residential uses. The application does not allocate the proposed parking spaces to specific uses or businesses on the development site. Some of the proposed tandem parking will be utilized by the hotel and other commercial uses. The tandem parking spaces located in the Basement Level garage will be valet parked, so there are no anticipated user conflicts. The applicant is requesting relief from this standard through the Historic Overlay (HO) District incentives. Should the Planning Commission choose to approve the proposed Historic Overlay District incentives, then the application meets this standard.

**Snow Storage Areas:** Snow storage must be provided for all uncovered parking areas and driveways. The proposed driveways and parking spaces associated with the new hotel building are covered by building elements and no accompanying snow storage area is required. The application meets this standard.

**Loading Area:** On premises loading areas shall be required for each structure according to the following schedule, unless it can be demonstrated to the satisfaction of the Town that sufficient loading is available from an adjacent alley or other suitable area, which alley or area is shown not to impede vehicular traffic or pedestrian use when used for loading purposes:

Commercial Uses:

0-12,000 square feet GFA - 0

12,000 - 40,000 square feet GFA - 1

For each additional 40,000 square foot GFA, or increment thereof – 2

The application proposes loading along the Granite Street Alley. Similar to other existing developments along the Granite Street Alley, the alley provides a sufficient loading area that does not impede vehicular traffic or pedestrian uses. The application meets this standard.

## AGENCY REVIEWS

### **TOWN ENGINEER**

*I have completed my review of the submitted plans and met with Town Staff and the development team and owner. I offer the following comments for your consideration. Most of these concerns have been discussed with the developer's team and rather than addressing them now they have proposed to submit a Construction Management Plan (CMP) at the time of Building Permit to address these issues. All portions of the CMP should be carefully reviewed by the Town and it is likely that changes will be necessary once the Town reviews the details of the plan. An outline of the proposed CMP was provided to the Staff by the Development Team, and is attached.*

*I recommend that all of these issues be addressed and approved by Town Staff prior to issuance of any building permits for the project.*

#### *Drainage*

- 1) Drainage will be an important aspect of this project review. The plans suggest that all drainage from the site will be directed to the existing Town storm drain located in the mid-block alley. According to the drainage report runoff from the site will be limited to the historic rates, with all drainage collected and directed into the existing Town storm drain under the alley.*
- 2) The site will also require groundwater dewatering both during construction and to a lesser degree on a permanent basis. For this reason I recommend (and have asked the applicant to provide) some sort of analysis of the capacity of the existing storm drainage system to insure it can adequately handle the added flows from the dewatering. The Town does not have any good as-built drawings of the existing system, or any calculations as to capacity of the system, therefore I have asked the developer's engineer to provide this.*
- 3) In addition to normal runoff, the plans also specify that all snow from this project will be melted, and then discharged into the Town system as noted. In addition to the comments noted above regarding capacity, consideration needs to be made for what*

*happens when snowmelted water reaches the Town system. Can the system handle this warmer water in the winter months. Also, all site runoff, even from snowmelt and roof areas, will need to have water quality addressed prior to discharging any water to the Town storm drain.*

- 4) Provisions must be made for overflow conditions in cases where either capacity is exceeded or if power fails and backup systems also fail. Where will the runoff or dewatering water go so that it does not create an issue downstream from the site?*
- 5) In cases where sidewalks are proposed to be snowmelted, careful consideration should be made as to what happens to water flowing from heated areas to unheated areas, otherwise unsafe icing conditions may occur.*

#### **Excavation**

- 1) This site will be excavated as much as 20 feet below adjacent sidewalk and street grades during construction (soils report). The lower level parking and bowling alley final grades will be as much as 10 feet below adjacent grades. This presents a number of issues as noted below*
- 2) Where and how will the large volume of excess dirt be removed and to where?*
- 3) How will 20 foot cuts, immediately adjacent to the existing sidewalks, be constructed, keeping public access open and safe? Existing sidewalks will be impacted and in many cases closed during construction, so alternate pedestrian routes will be required.*
- 4) How will adjacent sidewalks, streets, and utilities be protected both during and after construction? How will existing infrastructure be restored following construction?*
- 5) It is unlikely that 10 to 20 foot cuts, to install footings and foundation walls, can be performed immediately adjacent to property lines, without impacts to the adjacent property, in this case Town ROW. Portions of the foundation and/or footings will likely be in Town ROW and will require a license agreement with the Town.*
- 6) How will limits of construction be identified and enforced?*

#### **Water**

- 1) Plans call for a 6 inch water service line connected to an existing 6 inch water main in the alley. Connecting a 6 inch service to a 6 inch main will require a 6 by 6 tee be installed on the main, and additional valves should be considered.*
- 2) The plans are not clear on how many existing service lines there are now, and how many new service lines will be needed. These should both be clearly identified. Removal of old service lines should meet Town requirements. New service lines should meet current Town standards.*

#### **Other**

- 1) The soils report states that continuous footings have a width of 24 inches. The plans show new foundation and basement walls being built right on property lines. It would seem that some portion of the footings below these walls will be constructed in Town ROW which will require a license agreement.*
- 2) Where will staging take place for this project, both for construction trailers and such but also for material storage etc.?*
- 3) Where will contractor parking be during construction?*
- 4) Will this project require use of a crane, and if so where will it be staged?*
- 5) What impacts will this project have on Pedestrian and Traffic flows during construction?*
- 6) Will the existing Summit Stage stop be impacted?*
- 7) As proposed this project will take out existing parking on 6<sup>th</sup> Avenue. Is this acceptable to the Town*

William D. Linfield, P.E.

Civil Consultant

### **CONSULTING TRAFFIC ENGINEER**

## Introduction

Foote's Rest at Block 11 (Foote's Rest) is a proposed mixed use development located between 5<sup>th</sup> and 6<sup>th</sup> Avenue on Main Street in Frisco, Colorado. The proposed site includes a hotel, restaurant, retail, entertainment, affordable housing units and underground parking garage.

This memo summarizes comments and observations for the Foote's Rest traffic impact study (TIS), produced by Felsburg Holt & Ullevig (FHU). Generally, the TIS provides a fair analysis of the proposed development, with a conservative approach in estimating site traffic. The study addresses existing conditions and future conditions, including the projected traffic generated by the proposed site. Overall, the analysis was found to be balanced and acceptable.

### 1. Existing Conditions

Existing Traffic Counts: The Foote's Rest TIS provides acceptable data for existing traffic counts in the study area. With traffic counts collected on September 7, 2017, the study accounts for historic data and seasonal factors, which show the collected volumes are acceptable for the study.

### 2. Future Conditions

Trip Generation: In estimating the projected site traffic, the Foote's Rest TIS provides a conservative approach. Trip reductions were minimal, including only the internal capture and excluding mode-split and transit reductions. Given the nature of downtown Frisco and the proposed site, this approach maintains a conservative estimate of the vehicular trips generated. Thus, the trip generation methodology was deemed acceptable in the given conditions.

Background Conditions: It is noted in the traffic study that operations analysis results show all intersections operating at an acceptable level in the short and long term for back ground conditions – however, in the analysis backup data, the eastbound (EB) and westbound (WB) approaches of Summit Boulevard/Main Street are shown to operate at LOS D (short and long term) and in the long term AM peak hour, the EB approach of Summit/Main operates at LOS E, with the eastbound right movement operating at LOS F.

Total Traffic Conditions: Adding traffic generated by the proposed development will further exacerbate the unacceptable conditions on the EB and WB approaches for Summit/Main. The developer is not expected to mitigate this issue as it is a condition identified in the background conditions. The total traffic conditions analysis shows that the development, on its own, will not have an adverse effect on the transportation network.

Parking: Per the Town of Frisco Zoning Code §180-23, the development is required to meet minimum parking requirements for the hotel, residential uses, restaurants, and the bowling alley. The parking analysis acknowledges the parking requirements for the hotel, residential uses, and restaurants, but does not address the parking requirement for the bowling alley. By code (par. D part 2, Table 6-1) it is 2.5/lane and the minimum should include an additional 25 spaces.

2. For purposes of calculating the minimum parking requirements for any property located within the Central Core District or the Mixed-Use District when a property fronts on West Main Street, if any proposed use is not noted under this paragraph D, the parking requirements as provided in paragraph A of this section shall apply.

The minimum number of spaces before taking any multi-use shared parking credit is 96 spaces.



*The development may be able to offset the bowling alley parking requirement with on-street parking credits as defined by Town of Frisco Zoning Code §180-23, par. C part 3.*

*3. On-Street Parking Credits. Parking requirements for non-overnight uses may be reduced within the Central Core District (CC), the Mixed Use District for properties that front on West Main Street, and any other property fronting Main Street, including West Main Street and East Main Street, in recognition of adjacent on-street and alley parking. In addition, the parking requirements for non-overnight uses may be reduced for properties within the Mixed Use District that front on Granite Street. The reduction in parking requirements for such properties that front on Granite Street shall not apply to any property that fronts along the alley way or other streets in the vicinity of Granite Street.*

*The multi-use shared parking reduction of 20% is acceptable only if three criteria are met*

- 1. The proposed parking for both uses shall be on-site; and*
- 2. The parking is provided in areas designed to serve two or more distinctly different land uses; and*
- 3. The reduction in parking is justified using industry standards...*

*The development clearly meets criteria 1 and 2 above. Criteria 3 is a bit more objective. Generally speaking, the parking compatibility of a restaurant with hotel and residential uses is not generally acceptable during the evening time period. However, a case can be made that the restaurant will generally draw from the residential/hotel guests (already parked) and pass-by foot traffic (already parked) in downtown. In this case, criteria 3 would generally be met.*

*As addressed in the TIS, the proposed Foote's Rest development has a shortfall in parking, per the Town of Frisco Zoning Code §180-23. Within the parking analysis section of the study, the parking disparity is addressed with a couple alternatives including a valet parking proposal. In a separate memo, the developer lays out a plan to support any parking needs beyond what will normally be expected. The developer suggests that the occupancy of the hotel, on average, will be less than 75% and the full parking requirement will generally not be necessary. It is our opinion that this is a good plan to mitigate any potential need for parking beyond what is proposed.*

Stephen Pouliot, P.E.  
WSP

### **LAKE DILLON FIRE DISTRICT**

*The fire department has the following comments and concerns regarding the proposed project plans:*

- 1. A construction permit through the fire department is required for this project. Please advise the developer/contractor to contact the fire department for details.*
- 2. Based on the size and type of occupancy, this project will require an approved fire sprinkler system for the building. Please advise the developer to size the waterline into the building to meet fire sprinkler and domestic water demand accordingly.*
- 3. An approved fire alarm system is required for the building.*
- 4. An approved standpipe system is required for the building.*
- 5. Advise the developer/contractor to contact the fire department for details on additional fire department permits required for all fire protection systems.*
- 6. Based on the overall size of the building a Fire Command Room is required. See Chapter 5, Section 508 of the 2012 edition of the International Fire Code for details.*

7. *What is proposed for addressing of all the new and relocated buildings?*
8. *Based on the size of the building, type of construction and radio signal strength in the building, an emergency responder radio amplification system may be required. See fire department for details.*
9. *Provide more information on the proposed kitchens. Based on types of appliances installed, additional fire protection systems may be required.*
10. *A fire lane, with approved signs, will be established along the entire South side of the building. Field inspection required to set signs.*
11. *I noticed an historical picture of the Foote Family home on the second page of the narrative. Pictured on the front stoop are two fuel dispensers. Please have the owner/developer provide the fire department with a written response on the disposition of the fuel tanks used to supply those dispensers.*

Steven Skulski  
 Assistant Chief/Fire Marshal  
 Lake Dillon Fire District

**SUMMIT COUNTY GIS**

*Addressing Proposal:*

*Cabin 1, 2, and 3 – Re-Address off of S 5<sup>th</sup> Ave*

*Blacksmith Building – Address off of S 5<sup>th</sup> Ave*

*Foots Rest Residence/Commercial – We can keep the same – 510 and 512 E Main ST (Note if for some reason the addresses for the cabins and Blacksmith Building are to be addressed off of E Main St I will need to re-address these units)*

*Hotel – This could be addressed off of E Main St or S 6<sup>th</sup> Ave. I would almost recommend S 6<sup>th</sup> Ave since its Main entrance is there. All commercial in the building can have the same address as the hotel and with Comm Unit 1, 2 etc.*

*So either 101 S 6<sup>th</sup> Ave or something like 580 E Main Street.*

*Staley Building – 506 E Main St*

Suzanne Kenney, GIS Analyst II

**FRISCO SANITATION DISTRICT**

*The proposed permanent dewatering cannot exceed the capacity of the Town/District owned storm water system.*

Matt Smith, Manager

**XCEL ENERGY**

No comments received at this time.

<b>PUBLIC COMMENT</b>
-----------------------

Written public comments received as of November 9, 2017, have been attached to this staff report.

## STAFF RECOMMENDATIONS

### Recommended Findings

The Community Development Department recommends the following findings pertaining to the Development Application of the proposed “Foote’s Rest Block 11” mixed-use project and a final public hearing for the rezoning of the subject property to Historic Overlay (HO) District:

*Based upon the review of the Staff Report dated November 16, 2017 and the evidence and testimony presented, the Planning Commission finds:*

#### Development Application

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 arts & culture, built environment, energy, economy, housing, and health and wellbeing.*
2. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-17, Central Core District, since all of the applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; including: permitted uses, lot area, lot frontage, setbacks, lot coverage, building height, and density. That proposed decorative roof elements are consistent with the definition of building height and are of reasonable, balanced proportion.*
3. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-18.1, Main Street Overlay District, since all of the applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; including: that the development is designed in a manner compatible with the neighborhood and the small mountain town character of Frisco; the development includes shelter from natural elements and provides visual relief, the building is designed to relieve the feeling of mass, building façade and roof lines are broken up, compliance with bulk plane envelopes, exterior materials and colors are compatible with the surrounds and meet specific standards, roof forms and design are compatible with the surrounding area and a variety of standards, and the other recommendations and standards of the Main Street Overlay District. That proposed building elements that project into the bulk plane meet the building height and provide substantial architectural relief.*
4. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-18.2, Historic Overlay District, since the applicant may request the use of incentives and the Planning Commission may allow for the use of some or all incentives (with a fewer number of criteria met justifying fewer incentives and a greater number of criteria justifying more incentives) based upon the following outlined in Section 180-18.2-F.2:*
  - a. *Protects and preserves the town’s historic and cultural heritage by retaining and/or remodeling aspects of a historic building(s) such as, but not limited to, the facades being compatible with the character of the historic era;*

*because the application preserves six (6) existing historic buildings on this site. A historic preservation plan has been proposed and certain non-historic elements of these buildings will be removed. Frisco does not have mandatory protection regulations for historic resources, so historic structures are at risk of being moved or razed by property owners.*

- b. Increases economic and financial benefits by enhancing the property and making it more accessible and/or attractive for heritage tourism; because these buildings are presently on the historic walking tour of the Frisco Historic Park and Museum and will be able to continue to be a part of Frisco's heritage if preserved. Economic analysis and visitor surveys show that heritage tourism plays a significant role in the town's visitor economy. As a whole, the development will add more diversity and vitality to this important Main Street frontage and, in the context of the development of the overall site; the historic buildings will likely increase the economic benefit to the property and town.*
- c. Provides educational opportunities to increase the public's awareness and appreciation of Frisco's unique heritage; because the buildings will still be in place and can be used to raise awareness about the town's history and architecture. The historic structures will be "living buildings"; improved, preserved, and put to uses that allow for their observation, as examples of historic architectural techniques and styles, and keep the buildings alive through reuse.*
- d. Maintains the structural integrity of the historic structure and/or rectifies safety concerns for the structure or brings the structure into greater compliance with life, health, and safety codes; because the building will be rehabilitated as required by the HO standards to conform to the Secretary of the Interior Standards. Equally important is that certain non-historic elements of these buildings will be removed.*
- e. Retains some or all of the historic structure(s) on the original site; because the application preserves six (6) existing historic buildings on this site. The Foote's Rest will remain in its original location. The location of the other buildings may be modified, but they will remain located on the overall development site. Each of the six historic buildings will be located along a street frontage in prominent public view. Portions of structures (notably the existing garage attached to the Foote's Rest) will be removed due to poor condition. Another cabin (presently the outside restrooms), are not considered historic in terms of age and construction type.*
- f. Structural or use changes that further the goals or objectives of the Frisco Master Plan; because the application preserves six (6) existing historic buildings on this site. A historic preservation plan has been proposed and certain non-historic elements of these buildings will be removed. The development furthers the following goals of the Frisco Community Plan:*

*Arts & Culture:*

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

- *Celebrate and highlight Frisco's heritage.*

*Built Environment:*

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

*Energy:*

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

*Economy:*

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

*Housing*

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

- g. *Brings new development/redevelopment on the site that allows for the preservation of historic resources on the site that would not likely occur without the development; because the Frisco Town Code does not preclude property owners from demolishing historically significant buildings. This applicant has the right to raze this resource. It is very likely that the reason the resource can be preserved is because of the economics of the new development, coupled with the incentives of the HO. The HO District is intended to encourage historic preservation while also allowing property owners the opportunity to take advantage of the underlying zoning and development opportunity. The development will bring new vitality while integrating a historic resource into the development. Over time, the resource will become even more special and a unique vestige of Frisco's past.*

5. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-20, Development Standards since all of the applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; including: drainage plan, snow storage and snow shedding, vehicular access, non-vehicular access, traffic studies, and refuse management.*

6. *The proposed development application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-20.1 Landscaping since all of the*

*applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; 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 180-20.2 Outdoor Lighting since all of the applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; 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 180-23, Parking and Loading Regulations, since all of the applicable requirements have been met by the submittal, the recommended conditions of approval, and the incentives of the Historic Overlay District; including: on-premise parking, visitor parking, accessible parking, parking dimensions & design, and snow storage areas. That the proposed multi-use shared parking reduction meets the criteria outlined in §180-23-C-4. That the proposed tandem parking meets the criteria outlined in §180-23-E-4.*

#### Rezoning Application

1. *The proposed rezoning 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 arts & culture, built environment, energy, economy, housing, and health and wellbeing.*
2. *The proposed rezoning application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-18.2, Historic Overlay District, since the subject property, including the six (6) existing historic structures, Foote's Rest (store and residence), Cabin #1-3, Blacksmith Shop and Staley Rouse House, has special historic value and should be designated as historical. The proposed designation of the subject property as a historical property meets the criteria outlined in Section 180-18.2-C.2, as follows:*
  - a. *That the structure(s) are at least fifty (50) years old based upon county records and research by the Frisco Historic Museum; because the existing Foote's Rest, cabins, blacksmith shop, and the Staley Rouse House are all more than 50 years old based upon county records and research by the Frisco Historic Museum.*
  - b. *That the structure(s) or Lot(s) have unique historical significance, because the subject property and structures are listed on the town's Historic Inventory and are of unique and representative architecture of the early days of Frisco. The Foote's Rest building is listed on both the Colorado State Register of Historic Properties and the National Register of Historic Places. The Staley Rouse House is currently listed on the Colorado State Register of Historic Properties. Additionally, the Foote, Staley, and Rouse families are all notable in terms of their historic involvement in the community. The application meets this standard. The Staley Rouse House is significant in terms of the unique architecture it possesses. Notably, the logs of the lower story are oriented in a vertical position with unusual joinery at the corners.*

- c. *That remodeling has not covered the original features of the structure(s), or that the structure(s) has been or is in the process of being rehabilitated to its original configuration and design, because inspection of the property and historic resource; because the existing Foote's Rest, cabins, blacksmith shop, and the Staley Rouse House will be preserved and non-historic building elements will be removed in accordance with the Secretary of the Interior's Standards for Historic Preservation. The application meets this standard.*
3. *The proposed rezoning application is in general conformance with the Town of Frisco Zoning Regulations, specifically Section 180-18.2, Historic Overlay District, since the proposed addition, alteration or rehabilitation to a historic structure or feature complies with the following US Secretary of Interior's Standards for Rehabilitation outlined in Section 180-18.2-F.1.*
- a. *A property shall be used for its historic purposes or be placed in a new use that requires minimal change to the defining characteristics of the structure and its site and environment; because the defining characteristics of all of the historic buildings will be improved or left the same with this development. While the Staley Rouse House will be moved from its original location, its new site is in conformance with the purchase and sales agreement. Given the zoning of the property for commercial purposes and the allowances for additional development, the relocation is more complimentary versus detrimental to the integrity of the Staley Rouse House. The use of the building will not be residential, its original purpose, but will be put to a commercial use facing Main Street. The character of the Staley Rouse House will be improved as it will be brought back to its original character by removal of the porch and outside chimney.*
  - b. *The historic character of a property shall be retained and preserved. The removal of historic materials or alternations of features and spaces that characterize a property shall be avoided; because the historic character of the historic buildings on the site will be retained and preserved. The historic integrity of the Staley Rouse House will be improved by the removal of additions made to the building in the 1980/90s.*
  - c. *Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken; because no alterations are proposed that will obscure the historic or physical structure that might lead to a false sense of historic character or time period. The ATM machine feature should be removed and the Foote's Rest building should be repainted and improved to ensure its longevity. Staff will work with the applicant regarding this matter prior to the historic covenant being assigned and approved by council.*
  - d. *Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved; because While additions have been made to the historic structures over time, Staff is of the opinion that the porch and chimney of the Staley Rouse House should be removed to simplify the look and character of the building in keeping with the original design of the building. These additions are not of particular or valued representation of a time period.*

- e. *Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved; because the historic building character will be improved by the project.*
- f. *Deteriorated historic features shall be repaired rather than replaced. When the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence; because all historic buildings will be required to be stabilized, upgraded, and improved to increase the level of preservation over time. The application notes that all rehabilitation will be done in accordance with these standards. Staff recommends the Planning Commission impose a condition that prior to application for a building permit, the Applicant must submit to the Community Development Department for staff review a written historic preservation prescription for each historic building that demonstrates compliance with these standards. With this condition, the application meets this standard.*

### **Recommended Action**

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

1. *The approval of this development application is contingent upon the rezoning of this property to the Historic Overlay (HO) District.*
2. *Prior to application for a building permit, the Applicant must submit to the Community Development Department for staff review a written historic preservation prescription for each historic building that is compliant with the US Secretary of the Interior’s Standards for Rehabilitation as outlined in §180-18.2-F, Frisco Town Code.*
3. *All rooftop mechanical, electrical, and electronic equipment shall be screened in a manner that is compatible and substantially similar with the colors and materials of the building or the roof.*
4. *Encroachments into the street right-of-way are subject to Town Council approval of a revocable license agreement or other legal mechanism as deemed appropriate by the Town Attorney.*
5. *The applicant shall satisfy the comments of the Town Engineer.*
6. *The applicant shall satisfy the comments of the Frisco Sanitation District.*
7. *The applicant shall satisfy the comments of the Lake Dillon Fire Protection District.*
8. *The applicant shall satisfy the comments of the Summit County GIS Department.*

Based upon the findings above, the Community Development Department also recommends that the Planning Commission RECOMMENDS APPROVAL to Town Council for the rezoning of the subject property to Historic Overlay (HO) District.



### **Recommended Motion**

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

***With respect to File No. 191-17-DA/RZ, I move that the recommended findings set forth in the November 16, 2017, staff report be made and that the recommended conditions set forth therein be taken and that the Planning Commission hereby APPROVES the Development Application for the proposed “Foote’s Rest Block 11” mixed-use project located at located at 502, 510, 512, and 518 East Main Street and 107 South 6th Avenue / Lots 1-12, Block 11, Frisco Townsite. I also move that the Planning Commission RECOMMEND APPROVAL to Town Council for the rezoning of the subject property to Historic Overlay (HO) District, located at 502, 510, 512, and 518 East Main Street and 107 South 6th Avenue / Lots 1-12, Block 11, Frisco Townsite.***

### **ATTACHMENTS**

Attachments:

- Application Materials
- Public Comments

cc: Kelly Foote, Applicant