



RECORD OF PROCEEDINGS

**Regular Meeting of the
Planning Commission for the Town of Frisco
Town Hall, 1 East Main Street
Thursday, October 17, 2019
5:00 P.M.**

Call to Order: Andy Stabile, Chair, opened the meeting at 5:03 p.m.

Roll Call: Robert Anton Franken, Andy Held, Lina Lesmes, Donna Skupien, Andy Stabile, and Kelsey Withrow

Absent: Jason Lederer

Minutes: The August 1, 2019 Planning Commission meeting minutes were approved unanimously.

Public Comment (non-agenda items): There were no public comments.

Agenda Items:

1. **Planning File No. 220-19-ORD:** A public hearing regarding amendments to Chapter 180 of the Code of Ordinances of the Town of Frisco, Colorado, concerning the Unified Development Code, by amending Section 180-5.4, Temporary Uses and Structures, to allow for certain temporary uses and structures in connection with the Frisco Peninsula Recreation Area, the Frisco Bay Marina, Town of Frisco Special Events, and the relocation of buildings owned by the Town of Frisco.

Interim Community Development Director Bill Gibson noted that the Planning Commission is providing a recommendation to Town Council on this item. Mr. Gibson described the proposed changes to the Unified Development Code (UDC) as are outlined in the staff report. Mr. Gibson noted examples which have currently been utilized as temporary structures at the Marina and Peninsula Recreation Area (PRA) including temporary restrooms, temporary office space and the Excelsior Building. Mr. Gibson noted that Staff is recommending Planning Commission recommend approval of proposed changes to Town Council.

Commission questions for staff included:

- Commissioner Withrow asked who will regulate the two years and when does the two year date start? Mr. Gibson responded it would be an internal enforcement and Planning Staff and referral agencies would weigh in on temporary structures even though a formal Planning application process would not be required.
- Commissioner Skupien asked if there will be definitions for materials? Mr. Gibson replied no since the temporary uses would be exempt.
- Commissioner Skupien asked if the barbeque music stage and tents for selling hogbacks would be included? Mr. Gibson replied those are through the Fire Department permitting process and have always been regulated through Special Events instead of zoning.
- Commissioners requested further information regarding who came up with two years and what happens after twenty-four months. Mr. Gibson replied that it was proposed to Staff that twenty-

four months was recommended since the PRA temporary building will probably be up for two years. After twenty-four months the structure would be required to be removed.

- Commissioners asked if tents fall under this amendment. Mr. Gibson replied that proposed modifications pertain to transportable buildings and items associated with special events.
- Commissioners requested further clarification if a structure could go up and down for four summers to equal two years. Staff replied that has not been considered.

Public comments:

Due to no public in the audience, there were no public comments.

Commissioner Discussions:

- Commissioner Franken stated it was a good idea but concerned about maximum of two years; what happens after two years? Suggested that the timeframe be limited to twelve months with a potential twelve-month extension or eighteen months with potential six-month extension.
- Commissioner Skupien stated she would like to see some of the proposed changes be made parallel to other private properties in Town so the Town is not giving the Town special permission.
- Commissioners discussed tents and porta potties on town land.
- Commissioners discussed the proposed timeline and purpose of temporary structures and agreed that they preferred the idea of reducing the proposed timeline from twenty-four months to eighteen months with a potential for a six-month extension for extenuating circumstances.
- Commissioners noted that if a structure would be in one place for four years, it is not temporary and therefore would need to go through site plan review.

WITH RESPECT TO FILE NO. 220-19-ORD, COMMISSIONER FRANKEN MOVED THAT THE RECOMMENDED FINDINGS SET FORTH IN THE OCTOBER 17, 2019 STAFF REPORT BE MADE AND THAT THE PLANNING COMMISSION RECOMMENDS APPROVAL TO TOWN COUNCIL OF CODE TEXT AMENDMENTS TO CHAPTER 180 OF THE CODE OF ORDINANCES OF THE TOWN OF FRISCO, COLORADO, CONCERNING THE UNIFIED DEVELOPMENT CODE, BY AMENDING SECTION 180-5.4, TEMPORARY USES AND STRUCTURES, TO ALLOW FOR CERTAIN TEMPORARY USES AND STRUCTURES IN CONNECTION WITH THE FRISCO PENINSULA RECREATION AREA, THE FRISCO BAY MARINA, TOWN OF FRISCO SPECIAL EVENTS, AND THE RELOCATION OF BUILDINGS OWNED BY THE TOWN OF FRISCO WITH THE FOLLOWING MODIFICATION:

THAT THE PROPOSED TIMELINE IN SECTIONS 180-5.4.2 AND 180.5.4.3 BE MODIFIED TO CHANGE “TWENTY-FOUR MONTHS” TO “EIGHTEEN MONTHS WITH A POTENTIAL SIX-MONTH EXTENSION IF EXTENUATING CIRCUMSTANCES OCCUR”

Motion seconded by Commissioner Lesmes.

Vote:

FRANKEN	YES
HELD	YES
LEDERER	ABSENT
LESMES	YES
SKUPIEN	YES
STABILE	YES
WITHROW	YES

MOTION CARRIED

Staff and Commissioner Updates:

- Commissioner Franken asked for information on parklets that were provided over the summer months. Mr. Gibson replied they were provided by the Town. Commissioners stated they appreciated the parklets and would like to see them again in the future.
- Commissioners noted there are ongoing problems with private business's tables within the right-of-way on Main Street and it was an accessibility concern. Staff responded the Community Services Officers do try to speak to business owners and keep them from blocking the sidewalk.
- Commissioners asked if there was an update on the Vistas on Granite Street project. Staff replied there has been a demolition permit approved but the owner has noted they have parted ways with the architect and a new project will be proposed.
- Commissioners raised concerns over construction trailers, fencing and outdoor storage. Staff noted that the Unified Development Code does not regulate these items to the extent that other communities do.
- Commissioners noted the pole lights at Basecamp do not appear to meet Code. Staff stated they will look into it.
- Commissioners brought up the conditional use approved for Thrift & Treasure and noted that the business is not meeting special conditions with regards to parking and storage of materials. Mr. Gibson noted that the owner has been spoken to by multiple people on staff at different times and then brings the business into compliance but then goes back out of compliance. Commissioners also noted there are neon flashing lights in windows. Commissioners stated the business needs to come into compliance with their conditional use permit or lose their approval.
- Commissioners requested an update on Foote's Rest. Mr. Gibson noted that he discussed the project with Kelly Foote within the past month and is awaiting an email from Mr. Foote outlining his plan. Staff does not anticipate breaking ground this month although Mr. Foote still says he will move forward.
- Commissioners requested an update on the Transit Center. Staff noted that a building permit for Phase 1 has been submitted this month.
- Commissioners requested an update on Library Lofts. Staff noted the conditional use expires in January and they have been in discussion with the applicant who is still planning on applying for a building permit this fall.
- Mr. Gibson reminded the Commission that the Town holiday party will be December 13, 2019.
- Mr. Gibson reminded the Commission to submit their form for Nordic Center passes if they are interested.

Public Comments (agenda items):

None

Adjournment:

There being no further business, Commissioner Withrow moved to adjourn, seconded by Commissioner Franken. Motion passed unanimously and the meeting adjourned at 5:43 p.m.

Respectfully submitted,

Katie Kent
Community Development Department