



APPLICATION: CONDITIONAL USE

Updated: 12/28/2018

PROJECT LOCATION						
Project Street Address:		720 Ten Mile Drive				
Legal Description:		Rocky Mountain Moto Rental - Street legal motorcycle rental				
PROJECT DESCRIPTION						
Lot Size Information:	Acres:		Sq. Feet:		Zoning:	
					CO	
Parking Spaces:	Existing:		Proposed:		Lot Coverage:	Existing (Sq. ft. and %):
						20% of showroom
Residential Units:	# of Units Existing:	# of Units Proposed:	# of Deed Restricted Units Proposed:	Non-Residential Uses:	Type of Use(s):	Gross Floor Area (Sq. Feet):
					M/c storage and operation	
Briefly describe the type of Conditional Use: Seasonal street legal motorcycle rentals. Motorcycles will be available for short term rental and riding throughout the state.						
APPLICANT						
Name: Jason Smith / RMNR LLC				Phone #: 970-406-0485		
Mailing Address: POB 4078				City, State: Breckenridge CO		
E-Mail: Jason@utopiafire.com				Zip Code: 80424		
OWNER (if not the applicant)						
Name: Jason Smith Difels Services				Phone #: 970-390-0006		
Mailing Address: POB 5112				City, State: Frisco, CO		
E-Mail: tyreguru@comcast.net				Zip Code: 80443		
CERTIFICATION						
<p>I, the undersigned, authorize the Town of Frisco Community Development Department to proceed with this Conditional Use Application under the requirements set forth by the applicable Town of Frisco Code(s), as they may be amended. I, the undersigned, understand and accept that the accuracy of the information contained within this application is the responsibility of me, the undersigned, and any information found to be incorrect or inaccurate by the Town of Frisco Community Development Department during the processing of this application, will cause this application to be delayed. I, the undersigned, also, understand and accept that only complete applications will be processed. Incomplete applications will be returned to me to fulfill the requirements for my respective application. If the applicant is not the owner of the Property, a statement by the owner consenting to this application shall be submitted with this application.</p>						

☐ A statement by the owner(s) consenting to this application is included (required if the applicant is different from the owner).

APPLICANT

Signature

Owner
Title

Date

2/15/2019

For Office Use Only: File Number: 019-19-CU

Application Fee(s) Paid: \$1300/\$800

☐ Approved

☐ Approved with Conditions

☐ Denied

Date:

Staff Initials:

APPLICATION OVERVIEW AND SUBMISSION MATERIALS

The Conditional Use application will be reviewed in accordance with the procedures and requirements as outlined in Section 2.5.1 of the Frisco Unified Development Code (UDC).

The conditional use process allows for the integration of certain land uses within the Town based on appropriate conditions imposed by the Planning Commission. Review is based primarily on compatibility of the use with its proposed location and with surrounding land uses and by reviewing the impacts a conditional use may have.

Conditional Use applications are heard by the Planning Commission. Their review will focus on the compatibility of the use with its proposed location and surrounding land uses, and on the basis of all zoning, subdivision or other standards applicable to the proposed location and zoning district. If a development application is a component of the proposed conditional use, a development application must be submitted concurrently for the Town to adequately review the proposal. Final approval or disapproval of Conditional Uses rests with the Planning Commission.

APPLICATION MATERIALS

All applications are strongly recommended to have an accompanying e-copy with submission as applicable to the project. All applications must have existing and proposed project details.

1. Completed Application Form

2. Property Owner Consent

If the applicant is not the owner of the property, a written statement by the owner consenting to this application must be submitted.

3. Application Fee:

Town of Frisco
\$1,300 fee plus a development review account (DRA) for technical review with an initial deposit of:
\$800 DRA for regular projects
\$1,500 DRA for large projects (See page 3 for more information).

Maybe

4. Pre-Application Conference

A pre-application conference with Planning Division staff is required so the applicant can become acquainted with the conditional use requirements & obtain a checklist of application materials.

with Katie Kent

5. Written Materials

Applicant must submit the additional submittal requirements listed on page 2 with the application.

USE THE CHECKLIST BELOW AS A GUIDE OF ELEMENTS TO INCLUDE IN YOUR APPLICATION

☐ **Cover letter generally summarizing the conditional use proposal including the following information:**

- ☐ A written statement of intent explaining the objectives to be achieved by the use; a description of the possible impacts, both positive and negative; compatibility of use with its proposed location and surrounding land uses
- ☐ A written statement of how the proposed use addresses and meets the following five criteria:
 - ☐ The proposed use in its particular location is necessary or desirable to provide a service or facility that will contribute to the general welfare of the community;
 - ☐ The proposed use will, under the circumstances of the particular case and the conditions imposed, be neither detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community
 - ☐ The proposed use will comply with the regulations and conditions specified in the Town Code for such use;
 - ☐ The proposed use furthers one or more of the goals and objectives of the Master Plan for the Town of Frisco; and
 - ☐ The proposed use is compatible in function, operations, and design with surrounding land uses in the vicinity and will not cause any significant adverse impacts.

Seasonal parking increase April-October

☐ **A completed site plan application and submittal if a site plan application is a component of the proposed conditional use.**

☐ **Two (2) paper copies and one (1) electronic copy of a site map indicating existing structures and their current uses (if application is not combined with a site plan application).**

☐ **Additional Materials May be Requested:**

- ☐ Topographic survey
- ☐ An accurate three-dimensional scale model, computer simulation, or other similar graphical representation
- ☐ Waste collector verification letter
- ☐ Any other special studies or information needed for the Community Development Department to make an informed decision

DEVELOPMENT REVIEW ACCOUNT (DRA) INFORMATION

A development review account (DRA) is an account established for Planning Division applications that may incur legal, engineering or other similar technical fees for review and consultation incurred by the Town.

A DRA must be established at the time an application is filed, and an initial deposit of \$800 is required. For large project and annexation applications, a minimum deposit of \$1,500 is required. A large project is defined as any commercial or mixed use project occurring on a lot of 10,500 square feet or greater or occurring on a group of lots combined for a unified development project and contains collectively 10,500 square feet or greater or any residential development occurring on a lot of 21,000 square feet or greater or any development of 5 or more dwelling units.

The initial payment to set-up a DRA is not a guarantee of the final cost for legal and/or technical fees; it is only the minimum amount required to establish a DRA. The Town will notify the applicant of any deficiency in the DRA account balance as often as applicable. No plan approval will be given if the applicant does not have the minimum DRA balance, and no application shall be scheduled on an agenda or reviewed until such payment has been made.

Once costs have been incurred, there will be approximately four months from the date of the review activity for the Town records to reflect the actual costs. Descriptions of all review activities are available upon request.

After final approval of an application, including all associated conditions that may require site inspections and/or other follow-up review, or upon a request for return of DRA funds, the Town will determine the balance remaining in the account. This amount can only be calculated after all bills associated with the application are submitted to the Town. All funds in the account over the costs incurred by the Town will be returned to the applicant.

Town of Frisco,

My name is Jason Smith and I desire to start a business renting "street legal" motorcycles to the public. I currently own and operate Utopia Tire and Service, formerly Meadow Creek tire. We are located at 720 Ten Mile Drive. Here in the renovated showroom there is an abundance of space. The rental company I've created is legally named RMMR LLC and using the dba Rocky Mountain Moto Rental.

I would like to utilize this extra space in the existing showroom to operate the new rental business. In addition to maximizing the showroom, I have a love of motorcycles. I regularly rent motorcycles when travelling in Europe. During these trips, I have noticed a lack of quality operations offering rentals. Back home, here in Colorado there is a distinct lack of motorcycle rental companies. As an avid rider and entrepreneur, I see the need for quality rental motorcycles in Summit county.

- Summit county offers access to scenic mountain roads without having to negotiate I-70 as a prerequisite. Frisco and the surrounding towns offer dozens of events which can not only be enjoyed while riding a motorcycle, but also help alleviate parking problems and afford easier access to the events.
- Motorcycling requires less fuel than an automobile and provides much greater versatility when parking, due to a motorcycle's much smaller size than a car or SUV. My new company will actively qualify customers and target only customers with substantial motorcycling experience and those deemed to be responsible riders.
- I have proven that the experience of purchasing tires and having your vehicle maintained can be done in a pleasant comfortable environment here at Utopia Tire. RMMR will also provide motorcycle rentals with professionalism and customer service far above the level at most establishments.
- The motorcycle fleet will be stored inside the building. Renting and minor services to these units will not add any increased impact on the building or community. We currently service hundreds of vehicles per year and adhere to all applicable standards.
- RMMR will positively contribute to the Town of Frisco's master plan. Motorcycles use less fuel and will hopefully reduce overall emissions (IV). RMMR will increase revenue for the town by adding an additional tax source within an existing building (I). RMMR will help the town of Frisco celebrate local businesses who have truly local ownership (III). Vehicle rentals also pay an additional State Sales Tax and Ownership Tax. Motorcycles rentals could be viewed as another town amenity (V). RMMR will eventually add several more jobs to the community (III). Fewer large vehicles on the road will also make for a safer town (II).
- Parking at our building should not be adversely impacted. Utopia Tire is extremely busy during winter tire season. We have seen a rise in business from October through January. However, RMMR will only operate seasonally from April to October. During these months the existing business is much slower and there should be no negative impact to parking.
- RMMR is compatible with the surrounding businesses. We are surrounded by NAPA, Specialized 4x4, Utopia Tire and other automotive related businesses. Rentals will not be released directly onto Highway 9. Ten Mile Drive will be customers first road access.

- **Parking** – Probably the biggest worry for any business in Summit County. During the winter months I wish Utopia had much more parking. However, during the spring and summer months Utopia tire averages about half of the sales as winter. November and December sales are between 200k and 300k per month. February through September generally only average 100k to 150k of sales.

Because of snow on the roads, the busy seasons for RMMR and Utopia Tire would be mutually exclusive. Early snow in September could start Utopia sales early but would necessitate an early end to motorcycle rentals. And vice versus. I do not foresee any overlap of business seasons of competition for parking spaces.

During the operating months of RMMR (April thru October) we should have ample available parking. Generally speaking, an average motorcycle rental customer is not leaving a car for every motorcycle. The customers are usually part of a group or being dropped off. RMMR will start with 6-7 units for rent and has no intention of going beyond 20 units without seeking a separate location. RMMR will NOT offer parking for the duration of a rental agreement as part of the rental.

Utopia LLC has approximately 28 parking spaces, according to the site plan. This includes 7 spaces on the inside of the building and a full width ADA space.

All rental units will be stored in the showroom or in the extra interior area in our fifth bay. Bay 5 is used for tire storage and is never used for car storage or repair.

*On occasion it appears as though our lot is full, from the road, despite open spaces being in the lot.

Operation –

- 1) 90% of rentals will be booked online. Payment will be taken online in advance.
- 2) Rentals will be for multiple days in most cases. RMMR will not offer our lot as storage for customer vehicles during the rental term.
- 3) Customer will sign rental agreements in person. Customer time in store should be relatively brief.
- 4) We will offer a limited supply of safety and communication equipment for sale.
- 5) A preliminary explanation of the controls on the motorcycle will be given.
- 6) A test drive may or may not be warranted.
- 7) RMMR will only rent to experience riders.
- 8) We will not offer instruction, nor will RMMR rent to novice riders.
- 9) The rental unit(s) will be delivered to the customers.
- 10) Customer will then commence their ride.
- 11) Upon completion of the rental term, the unit is returned and stored inside.
- 12) Vehicles will be prepped thoroughly:
Washed, serviced and maintained. Then setup for the next rental.

Some maintenance for RMMR vehicles will be performed by Utopia LLC staff, however, Utopia will bill RMMR as a separate entity like any other customer. Likewise, Utopia LLC will charge RMMR LLC to rent space in the building. The two entities, while having the same owner, will be legally separated.