



# APPLICATION: CONDITIONAL USE

Updated: 07/11/2019

## PROJECT LOCATION

<b>Project Street Address:</b>	710 N. Summit Boulevard, Unit C-101 Crossroads at Frisco
<b>Legal Description:</b>	

## PROJECT DESCRIPTION

<b>Lot Size Information:</b>	Acres:	Sq. Feet:	<b>Zoning:</b>			
			Existing tenant space			
<b>Parking Spaces:</b>	Existing:	Proposed:	<b>Lot Coverage:</b>	Existing (Sq. ft. and %):	Proposed (Sq. ft. and %):	
<b>Residential Units:</b>	# of Units Existing:	# of Units Proposed:	# of Deed Restricted Units Proposed:	<b>Non-Residential Uses:</b>	Type of Use(s):	Gross Floor Area (Sq. Feet):

**Briefly Describe the Type of Conditional Use:**  
 Personal training studio providing individual sessions, group training sessions, and nutrition coaching services.

## APPLICANT

Name: Christie Charleston	Phone #: 303-345-5941
Mailing Address: Po Box 1189	City, State: Frisco, CO
E-Mail: info@christiecharleston.com	Zip Code: 80443

## OWNER (if not the applicant)

Name: Fred Ebert	Phone #: 970-390-0036
Mailing Address:	City, State:
E-Mail: fmebert@icloud.com	Zip Code:

## CERTIFICATION

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.

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

**APPLICANT** \_\_\_\_\_ \_\_\_\_\_ **Christie Charleston** \_\_\_\_\_ **7/9/20** \_\_\_\_\_  
Signature Title Date

<b>For Office Use Only:</b>		File Number:	Application Fee(s) Paid:
<input type="checkbox"/> Approved	<input type="checkbox"/> Approved with Conditions	<input type="checkbox"/> 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

### 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:

- \$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).

### 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.

### 5. Public Notice: **The applicant shall be responsible for providing accurate mailing labels as part of the complete project application and for posting the notice of the public hearing on the subject property,** and shall bear all costs incurred in connection with giving notice of the public hearing. The Community Development Department shall be responsible for writing the content of notices and mailing. Please refer to Section 2.3.5 for additional information.

### 6. 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

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

**(Checklist continues on Page 3)**

**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 conditional use is consistent with the purpose and intent of the zone district in which it is proposed to be located, furthers the applicable goals of the Frisco Community Plan, and is a desirable use that will contribute to the general welfare of the community; and
  - The conditional use is compatible with the mix of development in the immediate vicinity of the parcel in terms of density, height, bulk, architecture, landscaping, and open space, as well as with any applicable adopted regulatory master plan or PUD; and
  - The conditional use is consistent and compatible with the character of the immediate vicinity of the parcel proposed for development and surrounding land uses and enhances the mixture of complimentary uses and activities in the immediate vicinity of the parcel proposed for development; and
  - The location, size, design and operating characteristics of the proposed conditional use minimizes adverse effects, including visual impacts, impacts on pedestrian and vehicular circulation, parking, refuse and recycling services/area, service delivery, noise, vibrations and odor on surrounding properties; and
  - There are adequate public facilities and services to serve the conditional use including but not limited to roads, potable water, sewer, solid waste, parks, police, fire protection, emergency medical services, hospital and medical services, drainage systems and schools; and
  - The Community Development Director may recommend and the Planning Commission may impose such conditions on a conditional use that are necessary to maintain the integrity of the Town's Zone Districts and to ensure the conditional use complies with this Chapter; is compatible with surrounding land uses; and is served by adequate public facilities. This includes, but is not limited to, imposing conditions on size, bulk, location, open space, landscaping, buffering, lighting, signage, off-street parking and other similar design features, the construction of public facilities to serve the conditional use and limitations on the operating characteristics and hours of operation.

**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.

## Conditional Use Letter of Intent – Crossroads Location Unit #C 101

The following is a letter of intent accompanying the conditional use application for 710 Summit Boulevard Unit #C 101, Frisco, CO.

### *Objectives Achieved by Use*

The proposed conditional use for the unit will be a new upscale, trend-setting personal training studio. It will provide residents with a variety of functional training methods, personalized training and nutrition programs, and knowledgeable personal trainers. Services will include individual training sessions, group training sessions, and nutrition coaching. The group training sessions are similar to a physical therapy office, where clients work at a different machine to work different muscle groups, each at their own station. This center already has a physical therapy office.

### *Potential Impacts*

Having a personal training studio in this location might increase traffic, but is not likely to have as much as the previous coffee shop. This facility would increase access to personalized fitness services, which are currently limited in Summit County. The recreation centers are the only facilities offering personal training services, and that is not presently occurring. Working close to a physical therapy office provides the potential for a relationship between referrals for training and physical therapy. A similar relationship existed at the previous facility this applicant worked at, so there is the intention to facilitate another one. The group training classes will never exceed 10 people, so there could be an increase in the number of vehicles visiting the facility. However, parking was never an issue at the previous location (358 Blue River Pkwy, Silverthorne, CO), which had a considerably smaller parking lot. The facility could be potentially operating 7 days per week, from 6 am to 8 pm, with classes occurring during operating hours. However, Crossroads has about 100 parking spaces for all businesses, and the only high volume parking use is the restaurant, which caters to most traffic in the evening.

### *Compatibility of Use*

The conditional use is consistent with the purpose and intent of the Crossroads PUD mixed-use district. A personal training studio will increase the diversity of commercial activities in this location because there are no facilities offering fitness services. It will generate more traffic from residents and tourists that would typically not visit the area. This proposed use furthers the following goals of the Frisco Community Plan:

- 1.2A – Support public improvements and gateway redevelopment that is aesthetically appealing, inviting to visitors, and reflects a cohesive community image of Frisco.
- 2.1A – Continue to attract and retain business that support and enhance Frisco’s tourism revenues, while also seeking to build upon entrepreneurship and new or emerging niches.
- 2.2A – Support the retention and expansion of regionally-serving commercial and service uses.
- 2.3B – Support efficient regulations and processes that foster a supportive business environment.

With current COVID conditions, it is unknown when recreation centers will be re-opening, causing lower physical activity levels in the community. A personal training studio is a smaller location where cleaning and sanitizing procedures can remain consistent with regulated standards, ensuring the clientele' safety and aiding with increased physical activity—contributing to a positive benefit on the community. The conditional use is compatible with the plaza development because it is an existing tenant space where the density, height, bulk, architecture, and landscaping were already determined to be consistent. A personal training studio would be compatible in character with the other businesses in the plaza, where the same walk-in use is occurring. As a health-promoting business, a personal training studio would work well amongst the physical therapy, dermatology, medical group, and spa offices in the Crossroads location. Additionally, located in the vicinity of the Crossroad plaza is a CrossFit facility, offering compatible services. There are already adequate public facilities to serve the conditional use, including two bathrooms, potable water, parking, sewer, solid waste, fire protection, emergency medical services, police, hospital and medical services.

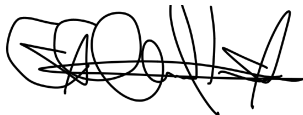
#### *Minimizing Adverse Effects*

The proposed method of music is a portable Bluetooth speaker that creates minimal noise pollution. Additionally, the location is an end-unit with concrete flooring known to absorb sound adequately. Sign usage will be followed as directed in the Master Sign Plan, approved by the Crossroads Master Association Board that adheres to the Town of Frisco Sign Code, not to create visual impacts. The clientele will utilize the general parking spaces allowing for vehicular circulation consistent with current conditions; additionally, the sidewalk in front of the location will remain open as not to create pedestrian impacts. With Crossroads currently having approximately 100 parking spaces for all businesses, parking should not be a concern, considering the parking lot has never reached full capacity. This location will utilize the current plaza dumpster to dispose of trash.

Please accept this letter as the required letter of intent for the conditional use application.

Please contact me if you have any questions regarding the information stated above.

Respectfully,

A handwritten signature in black ink, appearing to read 'Christie Charleston', with a stylized flourish at the end.

Christie Charleston  
303-345-5941

[info@christiecharleston.com](mailto:info@christiecharleston.com)

July 8, 2020  
Town of Frisco Planning Department  
Frisco, CO 80443

RE: Christie Charleston  
Personal Training Studio  
710 N. Summit Boulevard  
Unit C-101 Crossroads at Frisco

Dear Town Staff,

Ms. Charleston is attempting to lease the former Gonzo's Coffee space to install a studio to use for personal training. As owner's in the center, we are excited to add this personal service. Our current uses include medical, financial office, physical therapy and retail uses and services catering to locals and visitors.

The description of how this service works, and investment in equipment for this use, is very specific and specialized. Each client is segregated to their own space at all times, and a safe, clean environment is essential. Plans for this operation including the necessary sanitizing for safe operations during the Covid-19 epidemic and beyond.

Traffic will be reduced from the former coffee shop operation and we have an abundance of parking, even during the day with all other businesses operating. By scheduling the group training before and after normal business hours, which is necessary to retain working clients, there is even less chance of running out of parking. I have owned this property for over 15 years and have never seen the parking lot full, not even once!

Further, over the past few years, we have moved the highway sign, patched and re-paved the area where it was located, patched and added more surface to the lot in our NE corner drainage area, and re-aligned spaces. In the process, we have created at least 6 new parking spaces, adding to the previous 96+ in the development. Again, over the past 15 years, there has never been a time when all are used, and the staggering of the daytime and evening businesses should insure that there are always an abundance.

Sincerely,



Fred M. Ebert  
FBB Land Company LLC  
(970) 390-0036  
[fmebert@icloud.com](mailto:fmebert@icloud.com)