



9,097' Flats – 80 West Main Street
Conditional Use Permit Application #1

Note: This application accompanies a Major Site Plan Development application #MAJ-21-0007 which is a new development also in for concurrent planning review at 80 West Main Street. This is one of two conditional use applications for the project seeking consideration to allow Ground Floor residential use in a portion of the proposed development.

Brief Description of the Proposed Development:

9,097' Flats is a new mixed development planned for the vacant parcel at 80 West Main St. known as Lot 1 Royal Mountain Ranch PUD #2. The current design includes a mix of 36 residential units and commercial space over an under-ground parking garage. Refer to Major Site Plan Development application for detailed description.

The project site:

Lot 1 is located on West Main Street next to Summit County Pre-School and is set back approximately 50' from the street, with a treed buffer and the Frisco Rec Path occupying the R.O.W. The parcel is part of a PUD that includes 12 single family lots to the South and West of this parcel. A series of utility easements prohibit building with 65' of the entire Northern property line. There is a 0.522-acre Open Space Easement along its Southern property line that was designed into the PUD to serve as a buffer between the single-family homes to the South and the proposed mixed-use building. The building site is relatively flat but slopes down gently West to East, with a steep slope up to the residences behind the project.

At the earliest stages of design on the project, the Royal Mountain Ranch HOA provided input through a schematic and a preliminary design process, in which several accommodations were incorporated into the design for the benefit of the existing homeowners in the PUD, as well as the future owners of the residential and commercial spaces in the proposed development. The HOA had expressed that while they would prefer that no commercial elements would be included in the project, they understand that it is required in the Mixed-Use Zoning District. The current design concept incorporates their input by locating the commercial components of the project on the ground floor on the North side of the building facing W. Main St. and including residential units on the ground floor of the building facing the PUD's single-family homes to the South. As developments in this zone require commercial uses only on the ground floor, this design requires the approval of this arrangement through a conditional use permit, which is being requested along with this application. Designed this way, the building itself serves as a transition between the residential neighborhood and the commercial district of Main Street. The Royal Mountain Ranch HOA has given their approval for the completed steps in the review process and the project will follow the rest of their process after gathering input from the Frisco Planning Commission in this Sketch Plan Review.

D. Approval Criteria

The Planning Commission may approve a conditional use permit application upon finding that each of the following criteria are met:

1. 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 proposed ground floor residential area will blend well with the neighboring uses and helps the project to serve as a suitable transition from Main Street to the single-family development to the South and West.
2. 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 proposed development brings a compatible mix that will blend well with the neighboring uses and structures.
Permitting ground floor residential use along the PUD-designated Open Space Easement between the commercial elements along Main Street allows a transition of commercial to residential uses within this project, buffering existing single-family development to the South from the commercial uses located along Main Street, in line with Royal Mountain Ranch PUD requirements the for this parcel.
3. 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 proposed conditional use to allow ground floor residential is compatible with all the surrounding development.
4. 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
The purpose of this conditional use request is to minimize adverse effects on the existing residential uses surrounding this parcel, in accordance with the PUD requirements.
5. 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 conditional use and project design is well suited in this location as all of the above public facilities and services are immediately and conveniently accessible.
6. 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 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.

The development team is seeking input from the Town Planning Department and Planning Commission regarding the Conditional Use Permit Application the Major Site Plan Review process and thank you for considering this exciting project and condition use permit applications.