



**PLANNING COMMISSION
STAFF REPORT**

April 16, 2026

AGENDA ITEM: Planning File No. MODSP-26-0001: A modification to MAJ-24-0005 and CU-24-0001 to make modifications to the proposed building materials, number of decks, number of windows, along with other minor modifications described in the applicant’s narrative.

No other property details will be discussed in relation to the previously approved application.

LOCATION: 200 N 7th Ave / Lot E-2 River Pines Sub Resub Outlot E Replat A River Pines

ZONING: River Pines Planned Unit Development (PUD) and Mixed-Use (MU)

APPLICANT: Seth Francis, Blue River Builders

OWNER: Blue River Real Estate Fund III LLC
C/O Seth Francis
PO Box 7035
Breckenridge, CO 80424

TOWN STAFF: Kris Valdez, AICP, Principal Planner

PROJECT DESCRIPTION

The applicant, Seth Francis of Blue River Builders, hereinafter referred to as “Applicant,” has submitted modifications to the approved planning files for MAJ-24-0005 and CU-24-0001 located at 200 N 7th Ave, herein referred to as the “Property”, and as reflected in the March 6, 2026, review set. These revisions address various architectural, material procurement, and planning considerations that have arisen as the final plans for the building permit submittal herein referred to as “Application” have been finalized. The changes are discussed in the Summary of Changes and Staff Analysis.

BACKGROUND

On August 7, 2025, the Planning Commission approved MAJ-24-0005, a final plan for a multi-unit residential development with 11 units, and CU-24-0001, a Conditional Use application to allow for less than a 20% mix of uses in the Mixed-Use District.

The Property is a 1.960-acre developed site with wetlands and is located between N 7th Ave and Summit Blvd. When the River Pines Planned Unit Development (PUD) was approved, Outlot E was mentioned in the PUD Agreement as being subject to review in any future application under the standards of the MU zone district. Therefore, the Property is being reviewed in accordance with the Mixed Use (MU) District standards. The properties to the north are part of the PUD with the underlying zoning of Residential Low Density (RL). The property to the south is the recreation path, also identified as the 7th Avenue Alley. The property to the west is also part of the PUD and has an underlying zone district of MU. The property to the east is the right-of-way for Summit Boulevard.

Below is a vicinity map of the Property with an aerial photography base layer. The location of the Property lines shown on this map varies in accuracy and should only be used for reference purposes.



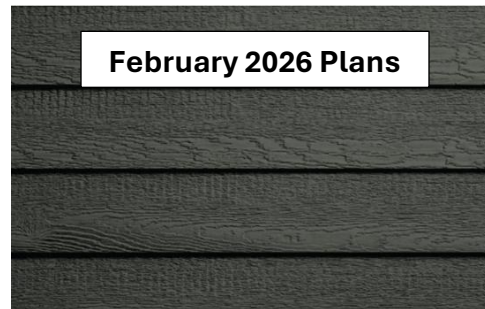
Vicinity Map

SUMMARY OF CHANGES AND STAFF ANALYSIS

Refer to the submittal application review narrative dated February 20, 2026, for the proposed modifications as outlined by the applicant.

1. Horizontal Wood Siding

Per the Application, the wood siding specified in the original approval has proven difficult to obtain. The Applicant therefore proposes replacing the originally approved wood siding with LP SmartSide lap siding, an engineered wood product designed to replicate the appearance of cedar. The proposed siding will be eight (8) inches in width and will match the color of the previously approved material. Staff finds that the proposed material is similar in appearance to the originally approved siding and maintains the overall design intent.



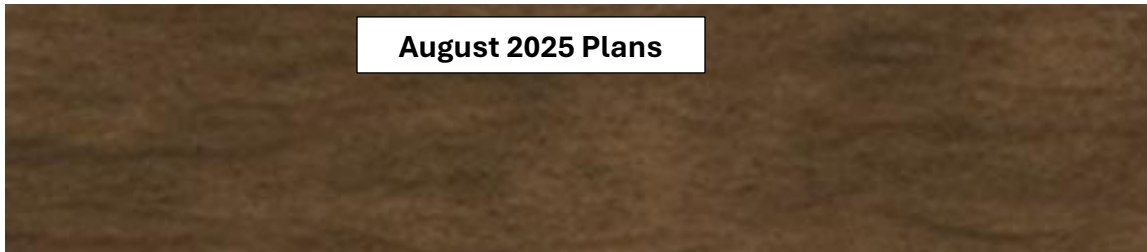
2. Vertical Siding

The Application maintains the previously approved vertical siding material but modifies the pattern of the vertical elements. The original design included a randomized pattern of 2-inch, 4-inch, and 8-inch-wide vertical members as shown in the picture below. The Applicant now proposes to standardize the siding to 8-inch-wide vertical members. This modification is intended to create a more consistent and uniform appearance across the façade while maintaining the approved material and overall design intent. Staff finds that this change does not alter the fundamental character of the approved design.



3. Fascia Wood Siding

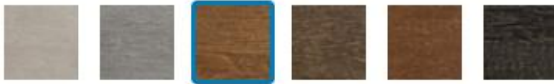
The original application specified fascia siding as a standard cedar product. To maintain consistency with the proposed LP SmartSide horizontal siding, the Applicant proposes using LP SmartSide fascia siding, an engineered wood product designed to replicate the appearance of cedar. The proposed fascia will be the same width and match the color of the originally approved material. The image provided from the August 2025 application of the fascia wood siding in the picture below represents the appearance and finish of the fascia siding as well. Staff notes that this product is commonly used throughout the Town and finds that the proposed change maintains the overall design intent and visual consistency of the façade.



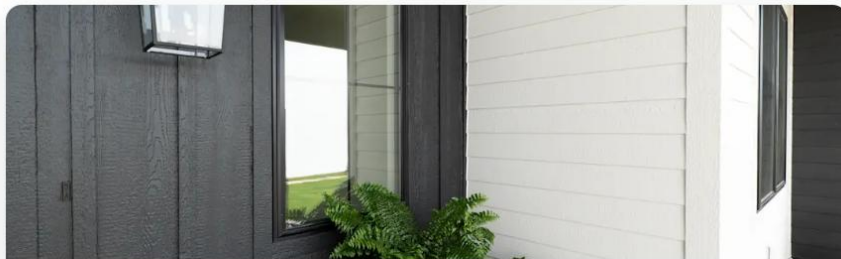
Staff obtained this Information from the website regarding LP SmartSide fascia, which the Applicant verified as accurate.

LP® ExpertFinish® Naturals Collection™ Colors

Achieve the timeless beauty of natural wood.



SAFFRON CEDAR



Cedar Texture

Realistic, deep cedar-grain texture and defining shadow lines create the look of traditional wood.

[ZOOM IN](#)

4. Metal Siding

The originally approved metal siding material was specified as Corten steel, a weathering steel product designed to develop a rusted finish over time. While this material provides a distinct aesthetic, the rusting process can result in water runoff that carries rust onto adjacent siding, windows, and paved areas, potentially causing staining with rust flowing into the adjacent wetlands and Ten Mile Creek. Additionally, prolonged weathering may lead to deterioration of the material over time, including the potential for holes or structural degradation in the siding. Staff has reviewed and analyzed the proposed corrugated metal siding for this Application. Staff finds that this change does not alter the fundamental character of the approved design and will improve the longevity of the structures.



5. Railing

The originally approved railing design consisted of an all-metal railing system. The proposed modification replaces the metal posts with wood posts while maintaining the overall railing configuration and appearance. This change introduces additional natural materials that are consistent with the building's rustic architectural character. The use of wood posts is intended to complement the building's design and surrounding context while maintaining a visual aesthetic similar to the originally approved metal railing system. Staff finds that the proposed modification does not significantly alter the overall design intent and continues to support the structure's rustic character.



6. Roofing Materials

The originally approved roofing material for the fourth-floor roof areas is matte black metal. The Applicant proposes replacing the matte-black metal roofing on the fourth-floor roof areas with GAF charcoal architectural asphalt shingles or a comparable product. Matte black metal roofing would remain on all roof areas below the fourth floor.

According to the applicant, the fourth-floor roof areas are not anticipated to be visible from ground level or from nearby properties. As a result, the proposed change would not substantially alter the visible roof materials or the overall appearance of the building from public viewpoints or adjacent properties. Staff notes that the matte black metal roofing would continue to be utilized on the more prominent roof areas where visibility is greater.

August 2025 Plans



February 2026 Plans



7. Decks and Roof Pitches

The originally approved plans included several units with more than two deck areas. The applicant proposes removing the additional decks so that each unit would have a maximum of two decks. As a result of the deck removal, roof elements are proposed in place of the former deck areas, as illustrated in the submitted plans.

The proposed rooflines associated with these changes are all below 35 feet in height. Under the applicable code provisions, rooflines below this height are permitted to have a pitch of less than 2.01:12. While a lower pitch is permitted, the applicant has indicated that the majority of the newly proposed rooflines would maintain a pitch of approximately 2.01:12. Staff notes that the proposed changes modify certain roof forms associated with the removal of decks but remain within the allowable height and pitch parameters established in the Code. **Please see Attachment A – Application, sheet SP-1.5 - Building Height Diagram and Exhibit for the height table.**

8. Windows

The Application proposes to reduce the overall number of windows compared to the previously approved final site plan. Please see Attachment A – Application, sheets A2.2 to A2.4, Building Elevations, several upper-level windows have been removed and replaced with solid walls. Staff has determined that the reduction in windows still meets the 180-6.22.3.A Façade Standards.





STAFF RECOMMENDATION

The Application remains consistent with the intent of the initially approved planning file, MAJ-24-0005 and CU-24-0001. Adjustments appear to address practical construction concerns, address various architectural, material procurement, and planning considerations. The design integrity of the original application has been maintained through the selection of substitute materials and a consistent architectural language. Staff consider the changes to be non-substantial and within the scope of administrative approval, pending the Planning Commission's review and acceptance. The structure continues to be in compliance with all height, bulk plane, façade standards, roof standards, building materials, and building color requirements with these proposed modifications.

FINDINGS:

- 1. The site plan modification is in general conformance with the principles and policies in the Frisco Community Plan, and residential development of this lot is supported by the Frisco Community Plan Guiding Principles of Inclusive Community and Thriving Economy. The proposed development includes a building design that is unique to this project but that is also reflective of the architectural elements and styling of other buildings in Frisco. The location and orientation of this building creates a design that enhances the overall character of the community. This application facilitates the construction of new, affordable residential units that add variety to the sizes and types of homes in this neighborhood.*
- 2. The site plan modification is in general conformance with the recorded Planned Unit Development and Mixed Use Zone District associated with 200 N 7th Ave since all the applicable requirements continue to be met by the submittal: including lot area, lot frontage, setbacks, building height, density, lot coverage requirements, and bulk plane encroachment requirements.*
- 3. The site plan modification is in general conformance with the recorded Planned Unit Development and Mixed Use Zone District associated with 200 N 7th Ave; specifically the Design Guidelines section because all applicable requirements continue to be met by the submittal; including: that the development meets the façade standards and varied articulation requirements, the bulk plane standards are met, roof standards and materials are met, and that the building materials meet the materials required per the PUD.*
- 4. The site plan modification is in general conformance with the recorded Planned Unit Development and Mixed Use Zone District associated with 200 N 7th Ave; specifically the parking calculations and requirements, landscaping, and snow storage continue to meet the requirements as stated in the PUD.*
- 5. The modifications will not significantly alter the function, form, intensity, character, demand on public facilities, or impact on adjacent properties as approved with the major site plan.*

6. *The revised material selections and color palette meet applicable design standards outlined in the UDC, enhancing the Application's visual quality and compatibility with the surrounding built environment.*
7. *As the proposed modifications do not constitute substantive alterations to building form, density, or layout, the request is appropriate for processing as a Site Plan Modification.*
8. *The Application continues to meet the intent and standards of the Unified Development Code, particularly in maintaining architectural cohesion, material compatibility, and visual quality.*

STAFF RECOMMENDATION: Based on the analysis and findings above, staff recommends approval of the Site Plan Modification for the Property located at 200 N 7th Ave, subject to the following conditions:

1. The project shall include the updated exterior materials, colors, and components as outlined in the Application.
2. All other aspects of the previously approved Major Site Plan shall remain unchanged and in full effect as outlined below.
 1. *Prior to issuance of a building permit, a written statement shall be submitted by the project contractor acknowledging that they will be constructing roof pitches as proposed on the submitted plans and understand all height requirements in the Town Code.*
 2. *The approval of this Application is contingent upon the Applicant meeting all requirements set forth by the Town Engineer at the time of application for the building permit as outlined in the letter dated July 11, 2025.*
 - a. *Wetlands disturbance permit shall be submitted with the project. Narrative shall be included for limiting disturbance within the setback. Required prior to issuance of building permit.*
 - b. *Floodplain development permit required. Garages only on first floor (no habitable space on this level). Applicant to meet all floodplain requirements of Town code and FEMA NFIP. Required prior to issuance of building permit.*
 - c. *Demolition of existing building and structures will require disturbance within the wetlands setback. The CMP shall include two phases – a phase 1 for removal within the setback and then a phase 2 which reduces the disturbance limit after removal.*
 - d. *Right of Way Permit required for utility connections and new sidewalk. Sidewalk shall include Type 1B curb, driveway cuts per CDOT detail M-608-1, boulder walls where needed to avoid wetland disturbance, and inlets/drains where needed for drainage. The south limits of sidewalk also need to be detailed. Additional detail for sidewalk and roadway required at building permit.*

- e. *Contours near SW corner of unit 102 should be adjusted to limit wetlands setback disturbance.*
 - f. *Soils report indicates groundwater will be encountered during excavation. CDPHE dewatering and stormwater permits will likely be required.*
 - g. *Depth of infiltration bed to be detailed on building permit plans. Depending on depth, groundwater could be an issue.*
 - h. *Soils report recommends foundation drains.*
 - i. *25' easement shall be dedicated to Town for waterline on the final plat.*
 - j. *Water main shall be extended to an additional hydrant (no dead ends allowed).*
 - k. *Water services shall be perpendicular.*
 - l. *Revise landscaping plan. No trees allowed within 5' of proposed sidewalk for snow storage.*
 - m. *Traffic Study was reviewed and approved. Study indicates minimal traffic increase and no mitigation required per Town code.*
3. *Prior to the issuance of any building permit, the Applicant must provide evidence of a maintenance agreement for the sidewalk along N 7th Ave, or alternatively, establish that the sidewalk is owned by the Town. This requirement ensures that ongoing maintenance and liability for the sidewalk are clearly defined and agreed upon, contributing to the safety and accessibility of the area. Failure to meet this condition will result in the building permit application not being issued.*
 4. *The Applicant shall undertake all necessary modifications to the office space in Unit 105 to ensure it does not meet the definition of a bedroom as outlined in the Code. Non-compliance may result in the denial of the building permit.*
 5. *Prior to the issuance of a building permit, the Applicant shall submit revised Application materials that clearly and accurately reflect all uncovered decks in the snow storage calculation. Failure to meet this requirement may result in the denial of the building permit application.*
 6. *The Applicant shall provide evidence at the time of the building permit that the proposed wall at the end of the driveway/access road meets the required height specifications to adequately prevent snow accumulation from being pushed into the wetland setback area. Failure to provide satisfactory documentation may result in the denial of the building permit.*
 7. *Prior to issuance of a building permit, the Applicant shall satisfy all requirements of Summit Fire & EMS.*
 8. *Prior to issuance of a building permit, the Applicant shall satisfy the requirements of the Summit County GIS Department.*
 9. *Prior to issuance of a building permit, the Applicant shall satisfy the requirements of Xcel Energy.*

Recommended Motion

Should the Planning Commission choose to approve this Modification to the previously approved Major Site Plan application, the Community Development Department recommends the following motion:

With respect to File No. MODSP-26-0001, I move that the recommended findings set forth in the April 2, 2026 staff report be made and that the recommended conditions set forth therein be taken and that the Planning Commission hereby APPROVES the request to amend the materials, colors, and architecture of the building for the development located at 200 N 7th Ave / Lot E-2 River Pines Sub Resub Outlot E Replat A River Pines

Attachment A – Application

Attachment B – August 2025 Materials Sheet

cc: Seth Francis