



RECORD OF PROCEEDINGS

**Meeting of the Planning Commission for the Town of Frisco
Town Hall, 1 East Main Street
Thursday, July 18, 2024 at 5:00 P.M.**

Call to Order: Lina Lesmes, Chair, opened the meeting.

Roll Call: Present: April Connolly, Jessica Forsyth, Lina Lesmes, Andy Stabile, Ira Tane,

Present virtually: Candice De

Absent: Kelsey Withrow

Minutes: Approval of the June 20, 2024 Planning Commission meeting minutes
The minutes were approved unanimously.

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

Agenda Items:

1. **Planning File No. MAJ-23-0004:** A final public hearing of a Major Site Plan application for a proposed multi-family residential development consisting of 3 units, located at 411 Teller Street / LOT 17,18,19 BLOCK 19 FRISCO TOWN SUB Applicant: Whitney Young.

Katie Kent, Community Development Director, reviewed the staff report. The proposed project is a townhome development with 2 attached units and 1 detached unit. Planning Commissioners had previously expressed concern about parking radii, steep slopes, bulk plane, and façade standards. The applicant has now addressed referral comments and is in full compliance with code. Ms. Kent noted that Staff is recommending approval with the findings and recommended conditions as stated in the staff report. Staff requested Planning Commissioner comments on bulk plane and whether the construction fence should be in concrete footers to ensure that steep slope disturbance does not exceed what is allowed in the code.

COMMISSION QUESTIONS FOR STAFF:

- Commissioners asked about the driveway pitch at 5% toward the house. Staff responded that the applicant will still need to finalize drainage per Public Works comments at time of building permit.
- Commissioners asked what recourse staff would have if site disturbance exceeds what is allowed in code. Staff responded that the project would be red-tagged, and the applicant would need to pause and re-design the project to not disturb additional steep slopes. The Community Relations Technician will also be checking on construction sites to ensure that they are staying in compliance.
- Commissioners asked if the town would be responsible for snow removal on the dirt alley. Currently, snow gets pushed to the top of the slope at the site, and Commissioners are concerned about that

encroaching on property. Staff responded that there are no plans from the Town to pave the alley. Applicant will address who maintains the alley.

Applicant Julie Spinnato, architect for the project, addressed the Commission. Ms. Spinnato addressed changes made to the plans since sketch plan review, including reducing the footprint of the single-family residence, pushed in 6 ft to disturb less of the steep slope, and removing stone veneer on retaining walls of the driveway to allow 1ft of leeway on the east side. The applicant wrote a narrative on how to construct from inside out to limit disturbance. The structure on the steep slopes side will be built from within the building envelope. Ms. Spinnato addressed drainage concerns, snow removal, and snow guards on the roof pitch of Commissioner concern.

Commissioner Candice De departed the meeting.

COMMISSION QUESTIONS FOR APPLICANT:

- Commissioners asked whether there would be a requirement for snow removal on the alley since it does not need to be paved. The applicant responded that neighbors in the area already coordinate snow removal on the alley and will continue to do so with these owners' involvement. This development will have a 3-unit HOA that will work with the other neighbors.
- Commissioners asked about their previously expressed concerns about bulk plane. The applicant stated that bulk plane encroachments were reduced on the east and west elevations, leaving encroachments only on the north elevation.
- Commissioners asked whether there is visitor parking for the single residence. The applicant clarified that visitor parking is not required per Town Code for this development as it is only 3 units.
- Commissioners asked how the building was pulled back, but the steep slopes disturbance is still maxed out. The applicant responded that pulling back the building will allow for a greater buffer in which construction can occur. Commissioners suggested including the same condition of approval that was included in last project that Planning Commission reviewed with similar steep slopes constraints.
- Commissioners asked how deck coverings create architectural relief. The applicant responded that adding the shed dormer breaks up the long gable and makes it so that snow will not shed onto the deck.
- Commissioners asked where construction vehicles will park during construction. The applicant responded that parking will be on Teller Alley. The goal is for everyone to park within the property line.
- Commissioners asked what inspired the architectural design. The applicant responded that the client wanted to bridge the gap between architectural and traditional design, with some exposed metal and some spin on materials when possible.

PUBLIC COMMENTS:

- Julie King (via Zoom chat) noted concern about the lack of a plan for the alley.
- Craig Changstrom, 215D S 5th Ave, thanked staff and Commissioners for their help. Mr. Changstrom noted that he will count on the Town to ensure that the building is built under maximum height, he would expect at least 10 ft between the Granite Point Townhomes property line and any development and he wants to be sure that none of his trees are damaged, particularly a pine tree on the southeast corner. Mr. Changstrom stated that he wanted to ensure that the builder will not use Granite Point Townhomes property for storage and that the construction fence is west of the property line. Mr. Changstrom noted that the public notice poster was lying on the ground that morning. Mr.

Changstrom noted that there is a height difference on the southeast corner of the building and asked how disturbance will impact the southeast corner of the property and trees located there. Mr. Changstrom noted that the Town has managed snow removal and pushed it west, up the hill and it is not clear where that snow, up to 20 feet tall, will be stored with this development in place. Mr. Changstrom noted concern about disturbance on the southwest corner of the proposed development, which abuts a house at top of the hill. Mr. Changstrom would like to know what the utility easement is that goes through Granite Point Townhomes property and whether the developer will need to access that. Mr. Changstrom noted that he is glad to see that Town will be asking for bonds to ensure that lots are not left partially developed. Mr. Changstrom asked whether parking along Teller Street will still be available parallel to the street as overflow parking for Granite Point Townhomes. Mr. Changstrom expressed concern about noise and light from the third-floor decks and mentioned concern about construction noise, including music. He requested attention to structural details on the basement and garage of the single-family residence.

- Eric Klein, 208 Teller St, disclosed a personal interest in the project. Mr. Klein noted that in the future, he would recommend site visits for Commissioners to be familiar with the property. The previous owners endured construction parking, snow storage, and a road that was put on their property that is now considered steep slopes. Anyone would have seen this steep slope is a lot of road base that was shoved onto the property. The applicant previously completed 2 steep slopes projects which were in compliance despite being challenged by the Town. Mr. Klein noted that multiple units access off the alley, and there were open permits on this alley in the past that did not require upgrading the alley. Mr. Klein noted past parking abuses allowed on that property and noted that owners will have to crack down on abuses of their property. Mr. Klein noted concerns about construction noise. Mr. Klein expressed support for the covered decks and bulk plane encroachments allowing for architectural relief, and for the project overall.

COMMISSIONER DISCUSSIONS:

- Commissioners requested that staff note that the snow shedding on north side of building dumps in front of garage door.
- Commissioners noted that the shed roof is an improvement and expressed approval for the bulk plane encroachment.
- Commissioners asked if there is there a difference between natural steep slopes and human made. Staff responded that staff worked with the applicant to try to differentiate but it was not clear based on historical data provided by the applicant.
- Commissioners expressed concern with the steep slope disturbance, though not as much as in other projects. They want to see staff following up on this during construction.
- Commissioners agreed they wanted the three special conditions that were utilized on the prior steep slope application added to this motion.

MOTION:

WITH RESPECT TO FILE NO. MAJ-23-0004, COMMISSIONER MEMBER STABILE MOVED THAT THE RECOMMENDED FINDINGS SET FORTH IN THE JULY 18, 2024 STAFF REPORT BE MADE AND THAT THE RECOMMENDED CONDITIONS SET FORTH THEREIN BE TAKEN WITH THE ADDITIONAL THREE CONDITIONS AS STATED IN THE MEETING, AND THAT THE PLANNING COMMISSION HEREBY APPROVES THE REQUEST FOR THE MAJOR SITE PLAN APPLICATION FOR THE PROPOSED NEW

RESIDENTIAL DEVELOPMENT, LOCATED AT 411 TELLER STREET / LOT 17,18,19 BLOCK 19 FRISCO TOWN SUB.

Conditions:

1. Prior to issuance of a Certificate of Occupancy, the Applicant shall execute a final plat to vacate the property lines between Lots 17, 18, & 19, Block 19, Frisco Town Sub, in accordance with Section 180-6.3.2 of the Frisco Unified Development Code.
2. All comments provided on the Town Engineer's redlined plan set dated 7-2-24 shall be addressed, and signed off on by the Town Engineer, prior to issuance of a building permit.
3. The Applicant or their designee shall show all required snow storage on the site plan to be in compliance with the Code prior to submittal of the building permit.
4. The Applicant or their designee shall show the location of the lighting fixtures on the site plan included with the building permit.
5. That a survey delineating the limits of disturbance shall be submitted prior to the issuance of a building permit.
6. That the survey markers be left in place during construction.
7. Prior to the submittal of the building permit, the applicant shall provide details on how the fence will be secured during the duration of construction.

MOTION SECONDED BY PLANNING COMMISSION MEMBER TANE.

VOTE:

YEAS: CONNOLLY – YEA, FORSYTH – YEA, LESMES – YEA, STABILE – YEA, TANE – YEA

NOES: NONE

MOTION: PASSED

Commissioners asked about noise restrictions. Staff stated that the Town does receive noise complaints, and the Community Relations Technician responds to those complaints. The public can call the non-emergency police line after hours for enforcement. No on-street parking is allowed overnight. Construction materials (including dumpster and portable toilets) must be stored on-site unless a revocable license agreement is issued by Public Works.

Commissioners took a 5-minute recess.

2. **Work Session** to discuss potential amendments to Town Code to address refuse and recycling facility screening requirements in accordance with Universal Recycling Ordinance implementation.

Katie Kent, Community Development Director, introduced Nico Cruz, Sustainable Materials Specialist, who was present to help answer questions about the Universal Recycling Ordinance and feedback that the Town has received from HOAs and commercial properties in the town. Ms. Kent presented the staff report and reviewed the context of the Universal Recycling Ordinance. The Unified Development Code requires that if changes are made to refuse and recycling, the property shall come into compliance with screening requirements. Under current code, many developments would need to construct a new dumpster enclosure as they add recycling to comply with the Universal Recycling Ordinance. Many commercial and

large residential developments are finding the Town's dumpster enclosure requirements to be financially or spatially prohibitive.

Commissioners discussed options for relieving these challenges. Commissioners affirmed the need for enclosures to aesthetically screen dumpsters and requested strict criteria for a waiver or variance. Staff will work on a proposed code amendment for Commissioners to discuss at a future meeting.

Staff and Commissioner Updates:

- Community Development Director Katie Kent shared that the next Planning Commission meeting is cancelled for August 1. There will be a meeting on August 15, which will include a sketch plan review of 909 Lakepoint Circle and an update on the Town's Comprehensive Plan process.
- On August 27, there will be a joint Planning Commission/Town Council work session to discuss the Housing Strategic Plan and an update on the Comprehensive Plan for Council.
- Ms. Kent announced that Kimberly Jackson joined the Town as Planner I, and Kris Valdez joined the Town as Principal Planner. Both come to the Town with excellent backgrounds in local government.

Adjournment:

There being no further business, Commissioner Forsyth made a motion to adjourn, seconded by Commissioner Tane and was unanimous. The meeting was adjourned at 7:13 P.M.

Respectfully submitted,

Emma Heth
Community Development Department