



Town of Avon Planning & Zoning Commission
Meeting Agenda
Tuesday, July 7, 2015
Avon Municipal Building – One Lake Street

~Meetings are Open to the Public~

- I. Call to Order – 5:00pm
- II. Roll Call
- III. Additions & Amendments to the Agenda
- IV. Conflicts of Interest
- V. Consent Agenda:
- VI. **PUBLIC HEARING: Case #TMP15005**
Property Location: Lots 1,2,3, Wildridge Point Subdivision
Property Address: 5081, 5085, 5091 Wildridge Road East
Zoning: PUD
Applicant: Dave Dantas
Owner: Mountain CI Holdings
Description: Temporary storage of excavation materials
- VII. **Conceptual Sketch Plan:**
Project: “Seventeen Lofts” multi-family residential
Location: 710 Nottingham Road
Zoning: Light Industrial and Commercial (IC)
Description: JMP Architects will present a concept plan to the PZC for initial feedback before taking the project further into design. The site will require a zone change to allow residential use. As this is conceptual only at this time, no action is requested of the PZC.
- VIII. Meeting Minutes Approval
 - June 16, 2015 Minutes
- IX. Other Business
- X. Adjourn

Staff Report – Temporary Use Permit
July 7, 2015 Planning & Zoning Commission Meeting
Case #TMP15005



Report date	July 1, 2015
Project type	Temporary Use Permit
Legal description	Lots 1, 2 & 3 Block 4, Wildridge Point Subdivision
Zoning	PUD
Address	5081, 5085, 5091 Wildridge Road East
Prepared By	Brian Garner, Town Planner

Introduction

Dave Dantas, the Applicant, is requesting a Temporary Use Permit (TMP) (the Application) to allow the temporary storage of excavation materials on Lots 1, 2 & 3, Block 4, Wildridge Point Subdivision (the Property) for the duration of one (1) year, as consented by the Property owner. Because the request is for a duration exceeding 30 days, the application is being processed as a Temporary Use Permit with a public hearing as required by the Avon Development Code. The Application materials are attached to this report.

Process

Temporary Use Permit Process

This application is processed under §7.24.080(c), *Temporary Uses and Structures Review Procedures*, AMC. The application, as submitted, meets the criteria for a Temporary Use Permit. The approval process requires a public hearing before the Planning & Zoning Commission (PZC).

Public Notification

In compliance with the Public Hearing and noticing requirements, a notice was published in the Vail Daily newspaper on June 26, 2015. Additionally, mailed notice was sent to all properties within 300' of the Property boundary on June 26, 2015.

Public Hearings

The July 7, 2015 meeting completes the public hearing requirements with the PZC and the decision rests with the PZC.

Proposed Temporary Use

With consent from the Property owner, the Applicant is proposing to temporarily store excavation material on the site for up to one (1) year. The excavation material is being removed from a nearby development site in Wildridge where storage is not available. The material will be graded smooth upon completion, employing stabilization and grading and erosion control measures including perimeter silt fence. The Property is zoned PUD and is currently undeveloped. Lot 35, Block 4, adjacent to the west side of Lot 1 addressed as 5075 Wildridge Road East, is developed with a single family detached home and is under the same ownership as Lots 1, 2 & 3, Wildridge Point Subdivision.

Staff Analysis

The Applicant's request to allow temporary storage of excavation materials is reasonable given the small footprint of the storage site and duration proposed. The Application does not directly impact

any adjacent neighbors with the exception of the consenting Property owner, and does not impede traffic or emergency services.

As required by the Town Engineer, the excavation material will be stabilized and graded to mitigate erosion and will be contained with a perimeter silt fence. Dust is proposed to be mitigated with a layer of wood chips on top and by use of irrigation available at the adjacent 5075 E. Wildridge Road. The Application is generally compliant with the Temporary Use Permit Review Criteria and findings.

Temporary Use Permit Review Criteria

Pursuant to §7.24.080(h), *Review Criteria*, AMC, the PZC shall consider the following criteria when forming the basis of a recommendation:

(1) The temporary use or structure shall not cause unreasonable negative impacts to properties, residents, business or public uses in the vicinity, which cannot be mitigated through the imposition of conditions on such temporary use or structure. Such negative impacts to consider include, but are not limited to: visual, noise, vibration, trash, hours of operation, traffic congestion, parking, safety, soil and vegetation disturbance, natural resource impacts and reasonable expectations of enjoyment of property based upon zone district designations and community planning documents;

Staff Response: *The excavation material storage site is somewhat isolated from residential uses in the vicinity (the house located across the street at 5080 Wildridge Road East is currently abandoned and the adjacent property at 5075 Wildridge Road East is the consenting property owner) thereby mitigating potentially negative visual impacts. The excavation material will not induce noise, vibration or congestion to adjacent property; the excavation material will not impact parking, or safety; soil and vegetation disturbance is minimal as the Property is undeveloped with a rocky/dirt surface; engineering standards are in place to minimize the impact to natural resources.*

(2) Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, roads and transportation, as applicable) will be available to serve the proposed temporary use or structure while maintaining adequate levels of service for existing development;

Staff Response: *The temporary use for excavation material storage will not require facilities, utilities or services.*

(3) The temporary use shall comply with all applicable general and specific regulations of this Section, other Town ordinances, and state and federal law unless otherwise expressly stated;

Staff Response: *The Applicant will remain compliant with all applicable general and specific regulations of the Avon Development Code pertaining to the temporary use.*

(4) The applicant has demonstrated that he or she possesses the requisite skills and experience to ensure that the particular activity will be conducted in a safe and orderly manner;

Staff Response: *The Applicant is an experienced land developer/home builder employing professional crews hauling the excavation material and grading the material on site. The Applicant assumes all liability and will ensure all activities will be conducted in a safe and orderly manner.*

(5) The temporary use or structure is not of a nature that will become impractical to cease or remove over time;

Staff Response: *The excavated material will be temporarily stored on the site and removed upon completion of the nearby project and the storage site will be restored to preexisting conditions.*

(6) Adequate plans or sureties are proposed to guarantee restoration of the property after the temporary use or structure ceases;

Staff Response: *The site is an unimproved surface and the storage should not impact the integrity of the property. As a condition of approval, the Applicant is required to restore the site to the condition pre-existing the excavation material storage.*

(7) All temporary signs associated with the temporary use or structure shall be properly permitted pursuant to Chapter 15.28, Sign Code, and removed when the activity ends or permit expires, whichever occurs first;

Staff Response: *The Applicant is not proposing any signage.*

(8) The temporary use or structure shall not violate any applicable conditions of approval that apply to a principal use on the site;

Staff Response: *There are no applicable conditions of approval associated with the Property.*

(9) The temporary use regulations of this Section do not exempt the applicant or operator from any other required permits, such as food service or building permits;

Staff Response: *According to the Applicant, any and all permits required by the Town will be complied with. The temporary use requirements for this Application do not trigger any additional provisions.*

(10) The temporary use or structure, including any associated parking and traffic circulation, shall not disturb sensitive or protected resources, including required buffers, one-hundred-year floodplains and required landscaping, and the applicant shall agree to restore all disturbed areas of the site to the condition that existed prior to the temporary use or structure;

Staff Response: *The excavated material is being stored on an unimproved, rock & dirt surface so it will not disturb sensitive or protected resources. The surface will be restored to preexisting conditions upon removal of the excavated material.*

(11) Tents and other temporary structures shall be located so as not to interfere with the normal operations of any permanent use located on the property, shall be anchored and meet the requirements of the Building Official, including fire rating;

Staff Response: *No tents or temporary structures are proposed.*

(12) Off-street parking shall be adequate to accommodate the proposed temporary use or an acceptable parking plan shall be approved with the temporary use or structure;

Staff Response: *No parking is needed to accommodate the requested temporary storage of excavated material.*

(13) The temporary use will not result in excessive demands for police, ambulance, fire or other essential public services which may negatively impact the capacity of existing public services to meet existing public service demands or the applicant agrees to mitigate the increased demands for public services;

Staff Response: *The stored excavated material will not create demand for emergency response.*

(14) The size, nature or location of the temporary use or structure is not reasonably likely to cause a clear and present danger of injury to persons and property;

Staff Response: *The temporary storage of excavated material is not reasonably likely to cause a clear and present danger of injury to persons and property due to the nature of the product being inert fill dirt; According to the Applicant, all precautions will be made to ensure the material is deposited and graded by qualified individuals according to the latest safety standards.*

(15) Another temporary use permit application has not been received prior in time or has already been approved for the same time and place requested by the applicant or so close in time and place to that required by the applicant that the issuance of both permits would cause undue traffic congestion;

Staff Response: *A Temporary Use Permit was administratively approved for the Applicant allowing up to 30-days storage of the excavation material in the same location. With the pending expiration of that administrative approval, the applicant is requesting a longer duration of the storage which can only be approved by the PZC. At this time, no other applications or requests have been submitted for the subject property that would conflict with this Application.*

(16) The location of the temporary use or structure will not substantially interfere with any construction or maintenance work scheduled to take place upon Town streets; and

Staff Response: *The excavation material is stored away from Town streets; in the event construction or maintenance is necessary to the adjacent Wildridge Road East, the Property remains accessible.*

(17) The temporary use or structure shall be for a duration which is appropriate considering the location, use, planned development and activities in the vicinity and impact on nearby properties; however, in no event shall a temporary use be granted for more than three (3) years. (Ord. 11-06 §2)

Staff Response: *The requested temporary excavation material storage duration of up to one (1) year is reasonable since the use has little to no impact on nearby properties.*

Staff Recommendation

Staff recommends approval of the requested Temporary Use Permit with one condition:

1. The Applicant shall be responsible for restoring the condition of the property to preexisting conditions upon completion of the temporary use.

Following a public hearing, Staff shall prepare a formal Findings of Fact and Record of Decision pursuant to Section 7.16.020(f)(3), *Findings*.

The Following Findings May be Applied Should the PZC Approve the Application

1. The site is isolated from adjacent uses to the extent that the proposed temporary excavation material storage will not negatively affect the use and enjoyment of adjacent property.
2. The temporary storage of excavated materials does not place an undue burden on community services, utilities or sensitive environments.
3. The temporary storage of excavated materials will not pose a clear and present danger of injury to persons and property.

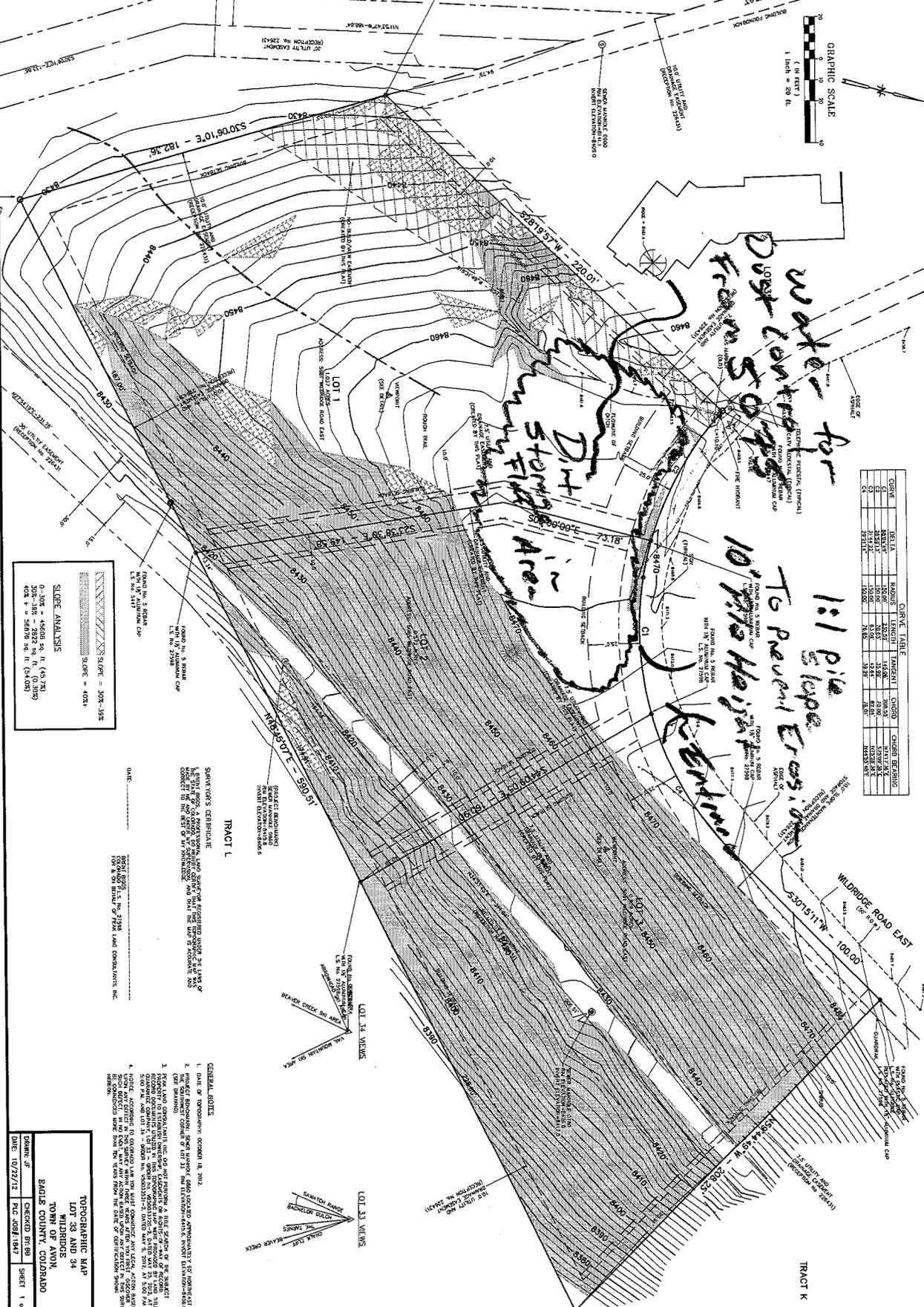
Recommended Motion

I move to approve Case #TMP15005, an application for a Temporary Use Permit for Lots 1, 2 & 3, Block 4, Wildridge Point Subdivision together with one condition and the findings of fact.

Attachments

A: Site Plan

B: Letter of consent from Property owner



GRADE TABLE

CURVE	DELTA	RAMPS	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	33.69°	1.00%	14.00'	14.00'	20.00'	S14.00° E
C2	33.69°	1.00%	14.00'	14.00'	20.00'	S14.00° E
C3	33.69°	1.00%	14.00'	14.00'	20.00'	S14.00° E
C4	33.69°	1.00%	14.00'	14.00'	20.00'	S14.00° E
C5	33.69°	1.00%	14.00'	14.00'	20.00'	S14.00° E

SLOPE ANALYSIS

0-30%	45608 sq. ft. (45.7%)
30%-35%	242 sq. ft. (0.2%)
35%-40%	5670 sq. ft. (5.6%)
40%-45%	5670 sq. ft. (5.6%)

GRADES: 30% - 35%
40% - 45%

ENGINEER'S CERTIFICATE

I, the undersigned, a duly licensed Professional Engineer in the State of Colorado, do hereby certify that the foregoing is a true and correct copy of the original plan and specifications for the proposed project as shown on the attached drawings and that the work is complete and ready for construction.

DATE: 10/22/12

10/22/12

- GENERAL NOTES**
- DATE OF PROPOSAL: OCTOBER 18, 2012.
 - THIS PLAN AND SPECIFICATIONS ARE SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND SHALL BE SUBJECT TO THE LOCAL GOVERNMENT'S REVIEW AND APPROVAL.
 - THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND THE SITE TO BE SUITABLE FOR THE PROPOSED PROJECT.
 - THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SITE AND HAS FOUND THE SITE TO BE SUITABLE FOR THE PROPOSED PROJECT.

PROPOSING MAP

LOT 33 AND 34
WILDRIDE
TOWN OF AVON,
EAGLE COUNTY, COLORADO

DATE: 10/22/12 | CHECKED BY: [Signature] | SHEET 1 of 1

From: [Jackie Work](#)
To: [Brian Garner](#)
Cc: [Dave Dantas](#)
Subject: Fwd: Point Lot storage
Date: Wednesday, July 01, 2015 3:16:56 PM

Sent from my iPhone

Begin forwarded message:

From: Jackie Work <jackie.work@mountainci.net>
Date: July 1, 2015 at 5:11:10 PM EDT
To: Dave Dantas <dave@dwdantas.com>
Subject: Point Lot storage

Hi Dave, as the owner of the lots on Wildridge Point, and 5075 Wildridge Road East, you have our permission to store dirt on the point lots.

~Jackie Work

Sent from my iPhone

Project Introduction
July 7, 2015 Planning & Zoning Commission Meeting

Project type Multi-Family Residential
Legal description Lot 30, Block 1, Benchmark at Beaver Creek
Current Zoning Industrial Commercial (IC)
Proposed Zoning TBD
Address 710 Nottingham Road, Avon CO 81620
Prepared By Brian Garner, Town Planner



Summary

At the July 7, 2015 Planning & Zoning Commission meeting, John Perkins and Charlie Perkins, Architects with JMP Architects in Avon, CO will present a conceptual project for initial feedback from the PZC. Action is not requested of the PZC for this item, only a dialogue between the Architects and the PZC in order to provide them with some guidance. Attached at this time please find the relevant property background information and some code analysis performed by JMP Architects. Renderings and/or line drawings of the project will be made available by the date of the PZC meeting.

From: [Charlie Perkins](#)
To: [Brian Garner](#); [Matt Pielsticker](#); [John Perkins](#)
Subject: Lot 30 Nottingham Road Synopsis
Date: Wednesday, July 01, 2015 7:55:21 PM

Re: Seventen Lofts
Lot 30, Block 1
Benchmark @ Beaver Creek
Amendment No. 4
Avon, Colorado

Date: July 1, 2015

Development History Lot 30

Lot 30 was first proposed to Town of Avon Community Development staff in late 2001 as a 4,685 sq.ft. commercial carwash with an additional 4 dwelling units of 1,380 sq. ft. each. The project was approved for construction...but property Owner allowed the permit to expire. The permit was re-newed a second time..and again was not executed, resulting in the Town of Avon effectively denying the project as a commercial carwash.

In conjunction with this approval...the Town of Avon executed Resolution No. 02-08 approving a temporary easement for Lot 30. This easement area was for the purpose of temporary construction access, slope contouring, and grading and slope maintenance, including grade, fill, drain, pave, build, and construct retaining walls. This resolution was adopted by the Town Council of Avon on February 26, 2002.

The site has had no further development exploration or activity until now.

Property Description

Lot 30 is a 0.5367 acre parcel located @ 0710 Nottingham Road. It is abutted by Lot 31 (Pet Store) to the west and Town of Avon "Tract B" to the north and east. Topography on the site has a vertical fall from north to south of approximately 25 to 30 feet. Vegetation is sparse, with no significant trees or water features.

Property Access

The proposed development would share the ingress/egress easement currently utilized by Lot 31. Additional and proposed one way vehicular egress would occur @ the southeast corner of the property and discharge onto Nottingham Road.

Current Zoning

Existing Town of Avon zoning designation is "Light Industrial Commercial (IC)" as described in table 7.20-13 of the town of Avon Development code.

Proposed Zoning

JMP Architects, Inc. is proposing a rezoning classification of "Residential High Density (RH)"

that would replace the current IC zoning. The RH zoning allows for a maximum density of 20 units per acre. JMP Architects is requesting 12 units for the entire property (0.5367 acres)

Given the current and trending housing shortage the Town of Avon and valley municipalities are experiencing, plus proximity to pedestrian/bicycle paths, Town of Avon bus routes, and Town core;....JMP Architects, Inc. believes the RH zoning classification has merits of satisfying pressing community needs and goals more favorably than IC zoning.

Additional vehicular demand on Nottingham Road would not be compounded due to RH zoning, as compared to IC zoning, and arguably would reduce traffic volume during mid morning to mid afternoon hours. Assuming that peak trips from Lot 30 would be generated from the hours of 7am to 9am.....and 4pm to 6pm. Proximity to town pedestrian/bicycle paths would also assist in reducing traffic volumes along Nottingham Road, as compared to IC zoning "destination" arrivals and departures by automobile at all hours of the day.

Proposed "Seventen Lofts" Project Description

The proposed Seventen lofts would contain a "mix" of (6) 2 BR units @ the mid level of approx. 1,152 square feet and (6) 2 BR units at the upper level of approx. 1,392 square feet. Upper units would have access to privatized roof top decks with commanding views of Beaver Creek and Arrowhead ski areas. All units would have private garages at the lower or street level capable of stacking two vehicles. Access to mid and upper units would be achieved by 3 stair bays. Exit discharge at the rear or north of the project would traverse east and west along a protected and paved route until merging onto the downslope at the east and west end of the property.

Seventen lofts also employs solar energy collection at the rooftop through standard photo voltaic panels, and accommodates those with disabilities with a designated ADA compliant unit. The ADA unit occurs at the east end of the project at mid-level and is serviced by a "limited use limited accessibility" elevator or "LULA" lift. Associated ADA parking is achieved with one space at the east end of surface parking.

Facade articulation is achieved through the use of external balconies and varying vertical planes. Grade level garage access is protected by building projections and balconies. JMP Architects is requesting that Town of Avon planning staff consider the use of vibrant colors on the facade in keeping with the spirit of "freeway architecture" and compliment the modern nature of the proposed design.

Snow storage/collection areas occur at the east, center, and west ends of the surface parking area along Nottingham Road. A landscape noise buffer and possible berm is proposed for the entire frontage along Nottingham Road.

The project will utilize a internal fire sprinkler system and comply with all Town of Avon fire department and International Building Code regulations regarding life safety.

Specific Project Data Lot 30

Site area: 0.5367 Acres

Maximum Lot Coverage:	80% (RH zoning)
Maximum Density:	20 units per acre (RH zoning)
Site Square Footage:	23,378.65
Building Footprint:	9,750.00 sq. ft.
Impervious Coverage:	7,350.00 sq. ft.
Landscape Area:	6,278.00 sq. ft.
Minimum Landscape Area	20% (RH zoning)
Required Parking:	2 per unit
Parking Provided	2 per unit
Required Guest Parking:	11- 15 units = 4 spaces
Guest Parking Provided:	8 spaces plus 1 ADA compliant space
2 BR Unit Mid-Level sq. ft.	1,152
2 BR Unit Upper-Level sq. ft.	1,392
Roof top deck sq. ft.	521
Roof top deck storage sq. ft.	77
Stairway sq. ft	425

Total Project Square Footage

Lower Level (garages/storage/stairs)	8,187 sq. ft
Mid Level (2BR units @ 1,152 sq. ft ea.) x 6	6,912 sq. ft
Upper Level (2BR units @ 1,392 sq. ft ea.) x 6	8,352 sq. ft
Grand Total Project Square Footage	23,451 sq. ft. *

* number reflects stair sq footage as being calculated on first floor only....does not include roof top deck sq. ft.



~Meetings are Open to the Public~

- I. Call to Order – 5:00pm
- II. Roll Call
 - All Commissioners were present.
- III. Additions & Amendments to the Agenda
 - a. Removal of Case #SRU15001 for Lot 37, Block 2, Benchmark at Beaver Creek. The item has been rescheduled for the July 7, 2015 PZC meeting.
- IV. Conflicts of Interest
 - None
- V. Consent Agenda:
 - None
- VI. **Case #SGN15005**

Property Location: Lot 22AB, Block 2, Benchmark at Beaver Creek
Property Address: 245 Chapel Place, Building C, Avon, CO 81620
Zoning: PUD
Applicant: Roaring Fork Sign and Lighting, LLC
Owner: Chapel Square Building C, LLC 8000 Maryland Ave, Ste 1120 St. Louis, MO 63105
Description: This is an application for a new master sign program for the Wells Fargo Building in Chapel Square to update the signage in accordance with corporate rebranding efforts.

 - Action: Commissioner Barnes made a motion to approve the Master Sign Program Amendment with the three (3) findings of fact as listed in the staff report, and one additional finding of fact:
 - o Findings of Fact:
 1. The MSP amendment was reviewed in accordance with §15.28.080(16), Sign Programs, and found to be in conformance with the recommendations and requirements of the Sign Code.
 2. The design of the proposed MSP amendment complies with the review criteria set forth in §15.28.070, Design Review Criteria, of the Avon Municipal Code;
 3. The proposed MSP amendment is compatible with the site and provides consistent quality and aesthetics to other improvements in Chapel Square.
 4. Secondary or directional signage is acceptable in this location due to the bank use nature of the property.

Commissioner Hardy seconded the motion and at vote, all were in favor and the motion passed.
- VII. Work Session
 - Follow up discussion from June 3 joint meeting with Council to provide direction to staff for Wildridge.
 - Comp Plan Update
- VIII. Meeting Minutes Approval
 - Chairman Clancy made a motion to approve the meeting minutes from June 2, 2015. The motion was seconded by Commissioner Barnes and all Commissioners were in favor. The motion passed.
- IX. The meeting was adjourned at 6:00pm