



I. Call to Order

The meeting was called to order by Chairperson Hardy at 5:03pm.

II. Roll Call

All Commissioners were present except for Commissioner Nusbaum.

III. Additions & Amendments to the Agenda

There were no changes to the agenda.

IV. Consent Agenda:

- A. Sign Design – 51 Beaver Creek Place
 - File: SGN17010
 - Legal Description: Lot 69, Block 2, Benchmark at Beaver Creek Subdivision
 - Applicant: Frankie Sheridan
 - Summary: Sign Design that does not match the property’s Sign Program.
- B. September 19, 2017 Meeting Minutes

Action: Commission Minervini made a motion to move Item IV.A to the regular agenda after Item V; Commissioner Barnes seconded the motion and the motion passed unanimously 6-0.

Commissioner Howell motioned to move Item IV.B to the end of the agenda. Commissioner Minervini seconded the motion and it passed with a 5-0 vote; Commissioner Barnes abstained from voting due to his absence from the September 19, 2017 meeting.

V. Conflicts of Interest

There were no conflicts of interest disclosed.

(VI.A. Sign Design – 51 Beaver Creek Place) – MOVED FROM CONSENT AGENDA

- File: SGN17010
- Legal Description: Lot 69, Block 2, Benchmark at Beaver Creek Subdivision
- Applicant: Frankie Sheridan
- Summary: Sign Design that does not match the property’s Sign Program.
- Action: Commissioner Howell made a motion to approve the application with the following findings conditions:

Findings:

1. The individual sign 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 sign complies with the review criteria set forth in §15.28.060, Sign Design Guidelines, of the Avon Municipal Code;
3. The proposed sign is compatible with the site and provides consistent quality and aesthetics to other improvements in the 51 Beaver Creek Place retail plaza.

Condition:

1. A new Master Sign Program will be required for any future signage on the property.

Commissioner Barnes seconded the motion and it passed unanimously 6-0.

VI. Temporary Use Application: Construction Parking - PUBLIC HEARING

File: TMP17003
Legal Description: Lot 3, Block 1, Benchmark at Beaver Creek
Applicant: Schaefer Hyde Construction
Summary: Proposal to park up to ten vehicles on partially improved area through November 15, 2017.
Public Comments: There were none.
Action: Commissioner Glaner made a motion to approve the application for temporary use with the following findings and conditions:
Findings:
1. The application generally complies with §7.28.100(3) of the Avon Municipal Code and is eligible as a “Minor” Temporary Use until November 21, 2017.
2. The temporary use complies with all applicable Review Criteria and is not detrimental to property or improvements in the surrounding area.
Conditions:
1. Temporary erosion control including Straw Bales and Silt Fence will be maintained to mitigate damage from vehicles.
2. Roadways will be kept clean.
3. Areas of disturbance will be revegetated as the season permits.
4. No parking will be allowed upon vacation of construction related vehicles.

Commissioner Barnes seconded the motion and it passed unanimously 6-0.

VII. Preliminary PUD (Major Amendment) Village at Avon PUD - PUBLIC HEARING

File: PUD17001
Legal Description: Lot 1, Filing 1, Village at Avon
Applicant: Harvey Robertson
Summary: Proposal to increase density in Planning Area F from 18 dwelling unit/ acre to 25 dwelling units per acre; and removal of mixed use requirements for same area.
Public Comments: Tamra Underwood, Hurd Lane, requested PZC focus particularly on criteria 1, criteria 3 Comprehensive Plan, Criteria 4 Utilities (i.e. water tank), Criteria 6 (affordable housing).
Helen Miller spoke about the limited resources of the Town and this developments impacts on the Town.
Glen Hanson, Chapel Square, appreciated more time to review the proposal.
Action: Commissioner Minervini questioned the severability of tracts within PUD and requested that the Town Attorney be present at the next meeting.
Commissioner Minervini made a motion to continue the application and public hearing to the November 21, 2017 meeting; Commissioner Golembiewski seconded the motion. The motion passed unanimously with a 6-0 vote.

VIII. Minor PUD Amendment – Riverfront PUD - PUBLIC HEARING

File: PUD17002
Legal Description: Riverfront Subdivision
Applicant: East West Resorts Development XIV, L.P., L.L.L.P.
Summary: Minor PUD Amendment affecting lots 4-7 of the Riverfront Subdivision, which includes all property west of the Timeshare West building. The amendment would allow greater flexibility with building placement, while maintaining density standards.

The original request for a reduction in parking proportion from 1.2 per dwelling unit to 1 was withdrawn during the hearing process.

Public Comments:

There were none.

Action:

Commissioner Barnes made a motion to recommend approval to Town Council with the following findings and conditions:

Findings:

1. The Application meets the eligibility requirements for a Minor PUD Amendment by not increasing density, increasing the amount of nonresidential land use, or significantly altering any approved building scale and mass of the development.
2. The PUD Amendment does not change the character of the development and maintains the intent and integrity of the Riverfront PUD.
3. The Application is in conformance with §7.16.060(e)(4), Review Criteria, AMC, and compared to the underlying zoning, the Minor PUD Amendment is not likely to result in significant adverse impacts upon the natural environment.

Conditions:

1. Easement(s) for a trail connection from the Eagle Valley Regional Trail to Riverfront Lane will be provided concurrent with the first Development Plan proposal for Lot 4.
2. Two (2) units in the Condominium Building, each a minimum of 800 sq. ft., will be permanently deed restricted to employees working full time in Eagle County for an Eagle County employer by form approved by Town of Avon. Deed restrictions must be executed prior to temporary Certificate of Occupancy (TCO) of the Condominium Building.

Commissioner Glaner seconded the motion and it passed unanimously 6-0.

IX. Rezoning – Short Term Rental Overlay (STRO) - Nottingham Road Residential Area - **PUBLIC HEARING**

File: REZ17002

Legal Description: Lots 6-9; 43-51; 70 and 70a, Block 1, Benchmark at Beaver Creek Subdivision

Applicant: Town of Avon

Summary: Rezoning to apply the STRO district to residential properties on Nottingham Road. This application was initiated by the Avon Town Council at the recommendation of the Planning and Zoning Commission.

Public Comments: Nancy Adam's written comment opposing the application was distributed and noted for the record.

Kevin Hyatt and Kristen McKnight spoke in support.

Action: Commissioner Barnes made a motion to recommend that the Council approve the application with the following Findings:

1. The Application was reviewed in accordance §7.16.050, Rezoning, Avon Development Code, and is found to be in substantial compliance with the review criteria and Avon Comprehensive Plan, as outlined in the staff report for the October 17, 2017 public hearing;
2. The Application is substantially compliant with the purpose statements of the Development Code by providing for the orderly, efficient use of the Property, while at the same time conserving the value of the investments of owners of property in Town; and
3. Short term rentals on the corridor would be compatible and pose negligible impacts upon the current and future potential uses of neighboring properties.

Commissioner Glaner seconded the motion and it passed with a 4-2 vote with Commissioners Howell and Minervini opposed.

X. Variance - Solar PV Regulations – 2809 Shepherd Ridge - PUBLIC HEARING

File: VAR17002
Legal Description: Lot 4, Wildridge Acres Subdivision
Applicant: Bob Matarese
Summary: Application to build ground mounted solar panels and not “maximize” the construction of roof mounted solar, as required by code.
Public Comments: There were no comments.
Action: Commissioner Minervini made a motion to approve the application with the following findings:
1. The application complies with the review criteria set forth in AMC Sections 7.16.110(c) and the required findings in Section 7.16.110(d) as described below;
2. The granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same district;
3. Granting the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;
4. The variance is warranted because the strict, literal interpretation and enforcement of the roof maximization regulation would result in practical difficulty inconsistent with the objectives of the Development Code;
5. The ground mounted panel location will be down a steep slope and minimally visually impactful to the community;
6. The project scope of net neutral energy usage is the maximum practical solar array to permit without roof maximization;
7. Use of solar on the existing structure could be detrimental on existing mature vegetation; and
8. The property is adjacent to publicly owned open space.

Commissioner Barnes seconded the motion and it passed unanimously 6-0.

XI. Special Review Use & Minor Development Plan – Live/ Work Units – 431 Metcalf Rd - PUBLIC HEARING

Files: SRU17002 and MNR17050
Legal Description: Lot 12, Block 1, Benchmark at Beaver Creek Subdivision
Applicant: Jeff Manley
Summary: Application to construct two (2) housing units within the Avon Mini Storage building.
Public Comments: There were no comments.
Action: Commissioner Golembiewski made a motion to approve SRU17002 with the following findings and conditions:

Findings:
1. The Application was reviewed and found to be in conformance with the provisions and procedures outlined in §7.16.100, Avon Municipal Code; and
2. Live/ work units are supported by the Comprehensive Plan goals and policies, as outlined in Staff’s Report.

Conditions:
1. The live/work units will be leased to employee(s) primary employed and working within Avon; and
2. The units may not be subdivided.

Commissioner Glaner seconded the motion and it passed with a 6-0 vote.

Action: Commissioner Barnes made a motion to approve MNR17050 with the following finding:

1. The Application was reviewed and found to be in conformance with the provisions and procedures outlined in §7.16.080, Avon Municipal Code.

Commissioner Minervini seconded the motion and it passed unanimously 6-0.

(V.B. September 19, 2017 Meeting Minutes) – MOVED FROM CONSENT AGENDA

Action: Commissioner Minervini motioned to approve the meeting minutes with modifications. Commissioner Howell seconded the motion and it passed unanimously with 5-0 vote; Barnes abstained due to his absence from the September 19, 2017 meeting.

XII. Staff Approvals

- MNR17049 - Garage color change at 2250 Old Trail
- MNR17047 - Tree removal at 2909 June Creek Trail
- MNR19039 - Addition and deck addition at 5780 E. Wildridge

XIII. Adjourn

Action: The meeting was adjourned at 8:55pm

Approved this 7th Day of November 2017

SIGNED: _____

Lindsay Hardy, Chairperson