



- I. **Call to Order** – The meeting was called to order at 5:00pm.
- II. **Roll Call** - All commissioners were present.
- III. **Additions & Amendments to the Agenda** – There were no additions or amendments to the agenda.
- IV. **Conflicts of Interest** – No conflicts of interest were disclosed.
- V. **Minor Development Plan** – 2485 Old Trail Parking and Driveway Access - **PUBLIC HEARING**
 - File: MNR18037
 - Legal Description: Lot 3B Deer Ridge Subdivision
 - Applicant: John Dietrich
 - Summary: Proposed driveway addition and access to the neighboring lot driveway.
 - Action: Commissioner Golembiewski motioned to Table the item pending more information, including a site plan showing adjacent property contours, drainage features, and other physical features on adjacent properties; and a statement of awareness from the Villamonte and Lot 2 properties. Commissioner Glaner seconded the motion and it carried unanimously 7-0.
- VI. **Major Development Plan and Alternative Equivalent Compliance** – Colorado World Resorts – **PUBLIC HEARING**
 - File: MJR18006 and AEC18008
 - Legal Description: Section 12, Township 5, Range 82 PCLIN, NW ¼ of SE ¼ aka Folsom Property
 - Applicant: Colorado World Resorts, LLC
 - Summary: Proposal for an 81-room condo complex. An AEC was required to address the site design that varies from the Development Code requirement for a stepped foundation design.
 - Comment: Charlie Carter commented on the application.
 - Action: Commissioner Nusbaum motioned to continue the public hearing, pending more information for the revised landscape plan; and confirmation of the ridgeline variation. Commissioner Glaner seconded the motion and it failed 3-4.
 - Action: Commissioner Barnes motioned to approve the AEC application with the following findings:
 - 1. The application was reviewed pursuant §7.16.120 Alternative Equivalent Compliance, and the application is complete with sufficient information to allow PZC to determine that it complies with the relevant review criteria;
 - 2. The AEC achieves the intent of the site design standard to the same or better degree than the subject standard because the building is design to maximize solar access and stepping the foundation would negatively impact this standard;
 - 3. The AEC achieves the goals and policies of the Avon Comprehensive Plan to the same or better degree than the site design standards;
 - 4. The AEC results in benefits to the community that are equivalent to compliance with the site design standards in the Development Code; and

5. The foundation design provides less impact on adjacent properties than would occur through compliance with the foundation stepping requirements in the Development Code due to the steepness of the property and increase of building height and mass that would accompany a stepped design.
Commissioner Golembiewski seconded the motion and it carried 7-0.

Action: Commissioner Barnes motioned to approve the MJR application with the following findings and conditions:

Findings:

1. The application was reviewed pursuant to §7.16.080(f), Development Plan, §7.16.090(f), Design Review. The design meets the development and design standards established in the Avon Development Code;
2. The application is complete;
3. The application provides sufficient information to allow the PZC to determine that the application complies with the relevant review criteria;
4. The application complies with the goals and policies of the Avon Comprehensive Plan;
5. There is no extra demand for public services or infrastructure exceeding current capacity by the application; and
6. The design relates the development to the character of the surrounding community.

Conditions:

1. The Landscape Plan and Irrigation Plan will be modified to reduce the permanent maximum irrigated area and an AEC will be applied from the 5,000 square foot maximum irrigated area requirement.
2. A water service agreement with Upper Eagle River Water Authority, and payment of cash-in-lieu for water rights, must be obtained prior to a building permit. Additionally, comments from the Eagle River Water and Sanitation District's referral comment letter will be addressed with construction documents and a recorded easement as specified within.
3. Prior to a building permit, a Development Agreement will be executed between the owner and the Town of Avon to address the following:
 - Water Budget
 - Off-site public improvements
 - Maintenance of Drainage Infrastructure
4. Colors and materials are not approved. An on-site mockup will be reviewed and approved by the Planning and Zoning Commission. The scale and design of the mockup shall be pre-approved by the Planning Director before construction.
5. An ILC is required and foundation and framing to ensure compliance with maximum building height.
6. Limits of construction fencing, and tree protection, will be installed prior to site disturbance activities.
7. Detail regarding the western retaining wall and its interaction with the neighboring property shall be provided and approved.
8. A roof step on the eastern portion of the building will be no less than four (4) feet from the furthest east roof elevation to the first step traveling west.
Commissioner Howell seconded the motion and it carried 7-0.

VII. Major Development Plan – Riverfront Lodge Building – **PUBLIC HEARING**

File: MJR18008
Legal Description: 0254 Riverfront Lane

Applicant: CRP/ EWP Riverfront Avon Owner II, LLC
Summary: Proposal for a 36-room condo complex.
Action: Commissioner Nusbaum motioned to recommend Council approval of the application with the following findings and conditions:

Findings:

1. The proposed application was reviewed pursuant to §7.16.080(f), Development Plan, §7.16.090(f), Design Review. The design meets the development and design standards established in the Avon Development Code and the PUD Design Standards;
2. The application is complete;
3. The application provides sufficient information to allow the PZC to determine that the application complies with the relevant review criteria;
4. The application complies with the goals and policies of the Avon Comprehensive Plan; and
5. The design relates the development to the character of the surrounding community.

Conditions:

1. A satisfactory irrigation plan that achieves silver or better LEED standards, and demonstrates square footage coverage and hydrozones shall be presented to staff before a building permit will be issued;
2. A stormwater quality plan will be approved by staff before issuing a building permit;
3. Temporary irrigation systems must be removed upon sufficient vegetation establishment, which shall not exceed one (1) year for ground cover, two (2) years for shrubs or three (3) years for trees; and
4. An on-site materials mockup will be presented for final review of building materials and colors.

Commissioner Nusbaum seconded the motion and it carried 7-0.

VIII. Code Text Amendment - Sign Code – **PUBLIC HEARING**

File: CTA18001
Legal Description: Throughout Town
Applicant: Town of Avon
Summary: Amendments to the Sign Code, including moving it to Chapter 7, updating types of signs allowed, and complying with recent court cases.

Action: Commissioner Howell motioned to approve the case with the following facts:

1. The application is complete;
2. The application provides sufficient information to allow the reviewing authority to determine that the development application complies with the relevant review criteria;
3. The code text amendments were reviewed in accordance with the criteria listed in Section 7.16.040(c), Review Criteria, and are found to be in substantial compliance as outlined in the staff report for the September 18, 2018 public hearing;
4. The code text amendments promote the health, safety, and general welfare of the Avon Community;
5. The code text amendments are necessary to respond to changing conditions including a more developed commercial core, and new planning practice resulting from the Gilbert land use case.
6. The text amendment promotes and implements the goals and policies of the Avon Comprehensive Plan; and
7. The text amendment promotes and implements the purposes stated in this Development Code.

Commissioner Dammeyer seconded the motion and it carried 7-0.

IX. Consent Agenda

A – September 4, 2018 Meeting Minutes

Action: Commissioner Barnes motioned to approve the consent agenda. Commissioner Hardy seconded the motion and it carried 7-0.

X. Adjourn – The meeting was adjourned at 8:23 pm.

^{16th} Approved this ~~2nd~~ Day of October 2018

SIGNED: _____


Chairperson

10.16.18