



- I. **Call to Order** – The meeting was called to order at 5:03pm by Chairperson Hardy.
- II. **Roll Call** – All Commissioners were present except for Commissioner Barnes, who arrived during Item VI.
- III. **Conflicts of Interest** - Employment status disclosure by Commissioner Hardy, who is now working for Zehren and Associates.

Action: Commissioner Nusbaum motioned to find no conflict of interest with Commissioner Hardy. Commissioner Howell seconded the motion and it passed with a 4-0 vote; Commissioner Hardy and Commissioner Smith abstained.

Action: Commissioner Hardy and Commissioner Smith had conflicts of interest with Item V due to employment with the same firm as applicant’s representative, and therefore did not participate.

IV. **Additions & Amendments to the Agenda** - None

V. **Minor PUD Amendment & Vested Rights Extension – PUBLIC HEARING – 42 Riverfront Lane**

File: PUD19002 & VPR19001
 Applicant: Points of Colorado, Inc.
 Property: Lot 1, Riverfront Subdivision
 Summary: PUD Amendment to permit modified building locations and building height. A vested rights extension is concurrently being sought for future projects beyond March 2021, extending to March 2024 for ‘phase one’ and March 2025 for ‘phase two’.

Public Comment: None

Action: Commissioner Howell motioned to continue the public hearing until the September 17, 2019 PZC meeting. Commissioner Nusbaum seconded the motion and it carried with a 4-0 vote.

VI. **Alternative Equivalent Compliance– PUBLIC HEARING – 4691 North Point #A**

File: AEC19006
 Applicant: Bobby Ladd, RAL Architects
 Property: Lot 53A, Block 3, Wildridge
 Summary: Application to modify an approved Minor Development Plan (#MNR18038) for a roof material, from metal to shingle, which requires an AEC due to roof pitch of less than 4:12.

Public Comment: None.

Action: Commissioner Golembiewski moved to approve case AEC19006 with the following findings:

1. The proposed application was reviewed pursuant to §7.16.080(f), Development Plan, §7.16.090(f), Design Review, and §7.16.120 Alternative Equivalent Compliance;
2. The AEC achieves the intent of the roof design standard to the same or better degree than the subject standard;
3. The AEC achieves the goals and policies of the Avon Comprehensive Plan to the same or better degree than the roof design standards;
4. The AEC results in benefits to the community that are equivalent to or better than compliance with the roof design standards and results in less impact (reflectivity) on an adjacent non-conforming window by utilizing shake shingles as opposed to metal roofing;
5. The AEC imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of the Avon Development Code.

The motion was seconded by Commissioner Smith. The motion was discussed.

Commissioner Golembiewski added another finding:

6. The roof pitch measures 3.25:12.

Commissioner Smith agreed with the condition. The motion passed with all Commissioners in favor and a 7-0 vote.

VII. Alternative Equivalent Compliance and Minor Development Application – PUBLIC HEARING – 2345 Fox Lane

File: MNR19018 & AEC19005
 Applicant: Ben Usatch
 Property: Lot 65 Block 1 Wildridge Subdivision
 Summary: Application to approve an already constructed fence that requires an AEC due to height, materials, and form.

Public Comment: None.

Action on AEC19005: Commissioner Nusbaum moved to approve with the following findings and conditions:

Findings:

1. The proposed application was reviewed pursuant to §7.16.120, Alternative Equivalent Compliance, and §7.16.080(f), Development Plan.
2. The proposed alternative achieves the intent of the subject design or development standard to the same or better degree than the subject standard;
3. The proposed alternative achieves the goals and policies of the Avon Comprehensive Plan to the same or better degree than the subject standard;
4. The proposed alternative results in benefits to the community that are equivalent to or better than compliance with the subject standard; and
5. The proposed alternative does not impose greater impacts on adjacent properties than would occur through compliance with the specific requirements of the Code.

Conditions:

1. The height of the fence shall be lowered to 4 (four) feet and the modification shall only include 2 (two) horizontal rails, not including bottom rail; and
2. All modifications shall be performed by November 2, 2019.

Commissioner Golembiewski seconded the motion. The motion passed with a 4-3 vote.

Action on MNR19018: Commissioner Barnes moved to approve with the following findings:

1. The application is complete;
2. The application provides sufficient information to allow the PZC to determine that the application complies with the relevant review criteria;
3. 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;
4. The application complies with the goals and policies of the Avon Comprehensive Plan;
5. No extra demand for public services is made by the application; and
6. The design relates the development to the character of the surrounding community.

Commissioner Nusbaum seconded the motion and it passed with a 6-1 vote.

VIII. Consent Agenda

A – PZC Meeting Minutes: August 20, 2019

B – Record of Decision: REZ19001, Rezoning of Lot 16, Block 2, BMBC/420 W. Beaver Creek Blvd.

Action: Commissioner Barnes motioned to approve the Consent Agenda. Commissioner Nusbaum seconded the motion and it passed unanimously with a 7-0 vote.

IX. Other Business

A – Upcoming Joint Session with Town Council

- i. Tract N and Tract O, Wildridge Community Housing Application(s)
- ii. Code Amendments

B – IC Zone District Update

X. Adjourn The meeting was adjourned at 6:25pm.

Approved this 17th Day of September 2019

SIGNED: _____
Chairperson