



- I. **Call to Order** – The meeting was called to order at 5:00pm.
- II. **Roll Call** – All Commissioners were present except for Commissioner Barnes.
- III. **Conflicts of Interest** – Commissioners Hardy and Smith both noted a conflict with Item V.
- IV. **Additions & Amendments to the Agenda** – Nomination of interim chair for Item V– Commissioner Nusbaum was elected the interim chair with a 6-0 vote.
- V. **Minor PUD Amendment & Vested Rights Extension – CONTINUED PUBLIC HEARING – 42 Riverfront Lane**
  - File: PUD19002 & VPR19001
  - Applicant: Points of Colorado, Inc. represented by Jim Telling
  - Property: Lot 1, Riverfront Subdivision
  - Summary: PUD Amendment to permit modified building locations and building height. A vested rights extension was concurrently applied for future projects beyond March 2021, extending to March 2024 for ‘phase one’ and March 2025 for ‘phase two’.
  - Action: Commissioner Nusbaum motioned to approve PUD19002 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 or mass of development;
    - 2. The application is complete;
    - 3. The application provides sufficient information to allow 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;
    - 6. The PUD Amendment does not substantively change the character of the development and maintains the intent and integrity of the Riverfront PUD which consists of common development standards and architectural theme established in the design guidelines; and
    - 7. The application is in conformance with AMC §7.16.060(e)(4), Review Criteria, 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. The language of General Note 2.c. on the PUD Development Plan will be updated to read “Right-of-Way: Buildings shall have a minimum setback of ten feet (10’ from road rights-of-ways. Subterranean encroachments and at grade patios shall be permitted into this setback. Aerial encroachments for buildings on Lot 1, up to six feet (6’), shall be permitted for eaves balconies, and roof overhangs, if located at least twelve feet (12’) above finished grade.

2. The Land Use Table on the PUD Development Plan will be amended for building height, from 55' to 50' for areas within 50' of the southern property line.

Commissioner Howell seconded the motion and it carried unanimously 4-0.

Action: Commissioner Dammeyer motioned to approve VPR19001 with the following findings:

1. The application was submitted in a timely fashion at least six (6) months prior to the expiration of the vested property rights;
2. The application is complete;
3. The application provides sufficient information to allow PZC to determine that the application complies with the relevant review criteria in AMC §7.16.140(e)(2), Duration of Vested Right;
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;
6. Economic cycles of our resort economy coupled with absorptions rates for sales of similar development projects in our region warrant the extension of vested rights; and
7. AMC §7.16.140(e)(4) allows for separate vesting periods for a multi-phase development plan.

Commissioner Howell seconded the motion and it carried unanimously 4-0.

#### VI. Major Development Plan – 5032 Wildridge Road East – PUBLIC HEARING

File: MJR19004

Applicant: Bobby Ladd with RAL Architects

Property: Lot 38B, Block 4, Wildridge Subdivision

Summary: Application for a new single-family house.

Action: Commissioner Golembiewski motioned to approve 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;
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;
4. The demand for public services or infrastructure exceeding current capacity is mitigated by the application; and
5. The design relates the development to the character of the surrounding community.

Conditions:

1. An irrigation plan complying with Avon Municipal Code will be presented before a building permit will be issued;
2. The successful completion of any Eagle River Water & Sanitation District requirements shall be verified before a building permit will be issued;
3. The retaining wall and grading plan design is required to be stamped by a licensed engineer;
4. Drainage easements are required to be presented during subdivision;

5. Dark Sky compliant fixtures will be demonstrated to staff before a building permit will be issued; and
6. A belly band on the west and north elevations will be approved by staff before a building permit is issued.

Commissioner Smith seconded the motion and it carried unanimously 6-0.

**VII. Major Development Plan – Walking Mountains Lane – PUBLIC HEARING**

File: MJR19005  
 Applicant: Brian Sipes  
 Property: Lot 2A, Buck Creek Subdivision  
 Summary: Application for three dorm-style structures.  
 Action: Commissioner Nusbaum motioned to approve the application with the following findings and conditions:

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;
6. No extra demand for public services is made by the application; and
7. The design relates the development to the character of the surrounding community.

Conditions:

1. The applicant will demonstrate that any foundation poured will be properly frost protected during the winter months;
2. Snow storage shall be shown for the parking areas;
3. Verify that no nesting birds occupy the trees before removing them;
4. A site disturbance line shall be approved by staff prior to issuance of a building permit;
5. Sewer and Fire review as outlined in the staff report shall be completed before a building permit will be issued.

Commissioner Golembiewski seconded the motion and it carried unanimously 6-0.

**VIII. Minor Development Plan – Nottingham Fit Court Fence and Landscaping – PUBLIC HEARING**

File: MNR19026  
 Applicant: Town of Avon  
 Property: Tract G, Block 2, Benchmark at Beaver Creek Subdivision  
 Summary: Application for an enclosure fence around the new fit court in Nottingham Park.  
 Action: Commissioner Smith motioned to approve the item with the following findings and conditions:

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.

Condition:

1. A metal gate can be added and approved by staff.

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

**IX. Consent Agenda**

A – PZC Meeting Minutes – September 3, 2019

B – Record of Decisions:

- i. AEC19006, Lot 53A, Block 3, Wildridge Roof Pitch
- ii. AEC19005 & MNR19018, Lot 65, Block 1, Wildridge Fence

Action: Commissioner Nusbaum motioned to approve the consent agenda. Commissioner Dammeyer seconded the motion and it carried unanimously 6-0.

**X. Adjourn** – The meeting was adjourned at 7:47 pm.

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Approved this 1st Day of October 2019

SIGNED: \_\_\_\_\_  
Chairperson

