

AVON PLANNING AND ZONING COMMISSION

MEETING MINUTES

TUESDAY, SEPTEMBER 7, 2021



1. CALL TO ORDER AND ROLL CALL

After a delay due to technical difficulties, Chairperson Jared Barnes called the meeting to order at 5:24p.m. A roll call was taken and Planning Commission members present were Jared Barnes, Sara Lanious, Anthony Sekinger, Donna Lang (remote), and Trevor MacAllister (remote). Also present were Planning Director Matt Pielsticker, Town Planner David McWilliams, and Town Attorney Paul Wisor.

2. APPROVAL OF AGENDA

Action: Commissioner Barnes motioned to approve the modified agenda. Commissioner Lanious seconded the motion and the agenda was approved unanimously with 5-0 vote.

3. DISCLOSURE OF ANY CONFLICTS OF INTEREST RELATED TO AGENDA ITEMS

There were no conflicts of interest.

4. BUSINESS ITEM

4.1. 38460 HIGHWAY 6 – PUBLIC HEARING - SECTION: 12 TOWNSHIP: 5 RANGE: 82 PCLIN NW1/4SE1/4 (FOLSON ANNEXATION) – MAJOR DEVELOPMENT PLAN FOR A 75-UNIT CONDOMINIUM BUILDING PLUS 9 TOWNHOMES ALONG THE EASTERN EDGE OF THE SITE. ALTERNATIVE EQUIVALENT COMPLIANCE FOR IRRIGATION AND BUILDING SEPARATION DEVIATIONS

Public Comments: Public comments were received from Nate Osbourn, representing Colorado World Resorts, Andy Shopneck with One Beaver Creek, and Timothy H. Powell, resident of Unit 207 of Ascent.

AEC21006 Action: Commissioner Sekinger motioned to approve the Alternative Equivalent Compliance to permit 13,000 sq. ft. of irrigated area (5,000 sq. ft. permitted), and diminishing building separation from 15 ft. to 8 ft., based upon 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 Alternative Equivalent Compliance achieves the intent of the site design standards to the same or better degree than the subject standard because:
 - a) The irrigated area accommodates the compliance of other Avon Development Code provisions, and
 - b) The diminished building separation maximizes an area for a trail and compliments the comparatively larger condominium design;
3. The Alternative Equivalent Compliance achieves the goals and policies of the Avon Comprehensive Plan, including Goal C.2, Policy C.2.1, Policy C.2.2, Policy C.2.3, Policy C.2.4, Policy C.2.5; and
4. The Alternative Equivalent Compliance results in benefits to the community that are equivalent to compliance with the design standards in the Avon Development Code.

Commissioner Lanious seconded the motion and the motion passed unanimously with a 5-0 vote.

MJR21007 Action: Commissioner Lanious motioned to approve the Major Development Plan application based upon the following Findings of Fact and Conditions:

Findings of Fact:

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. The demand for public services or infrastructure exceeding current capacity is mitigated by the Application; and
6. The design relates the development to the character of the surrounding community.

Conditions:

1. An on-site mockup will be reviewed and approved by PZC before completion of framing. The scale and design of the mockup shall be pre-approved by the Planning Director before framing;
2. An ILC is required and foundation and framing to ensure compliance with maximum building height;
3. Development Agreement Amendments must be approved by Town Council prior to any construction permits;
4. Lighting changes are required for compliance with Dark Sky standards, including:
 - a) AL1 spot fixtures and SU1 in-ground luminaires must be aimed at landscaping and building forms and not project above or away from the property, and
 - b) SB2 bollards must utilize forward throw instead of symmetrical 360 degrees along townhome elevated driveway area;
5. Employee Housing Mitigation Plan and Deed Restriction (rental or for sale, or both) must be approved by Town Council prior to any construction permits;
6. Development approval is valid for two (2) years per Development Code. If any phase does not commence within two (2) years, an extension to development plan approval must be granted unless otherwise addressed in the Development Agreement;
7. The Application requires dedication of a public access easement for the portion of the pedestrian path adjacent to Highway 6 that is on the Applicant's property; and
8. The sidewalk shall be extended to the far eastern side of the property.
9. Landscape Plan for Phase 1A will be approved by staff.
10. Functional, private, outdoor space for the two (2) employee housing units will be incorporated patio and/or deck space.
11. Space between eastern emergency access and bus stop be revised to ensure bus access to stop and pedestrian access into shelter meeting ADA requirements.

The motion was seconded by Commissioner Sekinger. The motion and the motion passed unanimously with a 5-0 vote.

5. CONSENT AGENDA

5.1. MEETING MINUTES FROM AUGUST 17, 2021 PZC MEETING

Action: Commissioner Lanious motioned to approve the meeting minutes from August 17, 2021. Commissioner Lang seconded the motion and the Agenda was approved unanimously with 5-0 vote.

6. ADJOURN

Action: The meeting was adjourned at 7:00pm

These meeting minutes are only a summary of the proceedings of the meeting. They are not intended to be comprehensive or to include each statement, person speaking or to portray with complete accuracy. The most accurate records of the meeting are the audio of the meeting, which is housed in the Town Clerk's office.

RESPECTFULLY SUBMITTED:

Matt Pielsticker, Planning Director

APPROVED:



Chairperson