

AVON PLANNING AND ZONING COMMISSION
MEETING MINUTES
TUESDAY, DECEMBER 21, 2021



1. **CALL TO ORDER AND ROLL CALL**

THE VIRTUAL-ONLY MEETING WAS CALLED TO ORDER AT 5:06PM BY CHAIRPERSON BARNES.

A ROLL CALL WAS TAKEN, AND PLANNING COMMISSIONERS PRESENT WERE TREVOR MACALLISTER, JARED BARNES, DONNA LANG, AND ANTHONY SEKINGER. ALSO PRESENT WERE TOWN MANAGER ERIC HEIL, AND MATT PIELSTICKER, PLANNING DIRECTOR.

2. **APPROVAL OF AGENDA**

COMMISSIONER LANG MOTIONED TO APPROVE THE AGENDA. THE MOTION WAS SECONDED BY COMMISSIONER SEKINGER AND ALL WERE IN FAVOR.

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

THERE WERE NONE.

4. **BUSINESS ITEMS**

4.1. **86 & 95 POST BOULEVARD / MAJOR DEVELOPMENT PLAN - McGRADY ACRES ENCLAVE**
CONTINUED PUBLIC HEARING – DEVELOPMENT REVIEW OF A TWENTY-FOUR (24) UNIT TOWNHOME DEVELOPMENT WITH PRIVATE INTERNAL ACCESS DRIVES (PLANNING DIRECTOR MATT PIELSTICKER).

PUBLIC COMMENTS: BETTE TODD AND GUY ERICKSON COMMENTED ON THE APPLICATION.

ACTION: COMMISSIONER BARNES MOTIONED TO APPROVE THE MAJOR DEVELOPMENT PLAN WITH THE FOLLOWING FINDINGS AND CONDITIONS:

FINDINGS:

1. THE PROPOSED APPLICATION WAS REVIEWED PURSUANT TO §7.16.080, DEVELOPMENT PLAN, AND THE DESIGN MEETS THE DEVELOPMENT 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. ILCs ARE REQUIRED TO CONFIRM BUILDING HEIGHT.

2. APPROVAL IS CONTINGENT UPON TOWN COUNCIL APPROVAL OF EMPLOYEE HOUSING MITIGATION PLAN AND MAJOR SUBDIVISION APPLICATION.

THE MOTION WAS SECONDED BY COMMISSIONER SEKINGER. THE MOTION PASSED WITH A 3-1 VOTE, WITH COMMISSIONER LANG DISSENTING.

- 4.2. **86 & 95 Post BOULEVARD / PRELIMINARY SUBDIVISION (MAJOR) – McGRADY ACRES ENCLAVE CONTINUED PUBLIC HEARING** –PRELIMINARY SUBDIVISION REVIEW AND RECOMMENDATION TO TOWN COUNCIL (PLANNING DIRECTOR MATT PIELSTICKER).

PUBLIC COMMENTS: KEDAR GURJAR COMMENTED ON THE APPLICATION.

ACTION: COMMISSIONER LANG MOTIONED TO RECOMMEND TOWN COUNCIL APPROVAL, WITH THE FINDINGS AND RECOMMENDED CONDITIONS AS FOLLOWS:

FINDINGS:

1. THE PROPOSED APPLICATION WAS REVIEWED PURSUANT TO AVON DEVELOPMENT CODE §7.16.070, *SUBDIVISIONS*, AND THE APPLICATION IS IN CONFORMANCE WITH THE APPLICABLE REVIEW CRITERIA;
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. PUBLIC NOTIFICATION REQUIREMENTS HAVE BEEN MET, AND THE PUBLIC HEARING WITH PZC ON DECEMBER 7, 2021 MEETS REQUIREMENTS OF THE AVON DEVELOPMENT CODE; AND
6. THE DEMAND FOR PUBLIC SERVICES OR INFRASTRUCTURE EXCEEDING CURRENT CAPACITY IS MITIGATED BY THE APPLICATION;

CONDITIONS:

1. ABILITY TO SERVE FROM ERWSD AND FINAL UTILITY VERIFICATIONS MUST BE INCLUDED WITH FINAL SUBDIVISION.
2. PUBLIC IMPROVEMENTS AGREEMENT WILL BE PROVIDED AT FINAL SUBDIVISION.
3. EVIDENCE OF HOMEOWNERS ASSOCIATION CREATION AND ONGOING MAINTENANCE RESPONSIBILITIES WILL BE DEMONSTRATED AT FINAL SUBDIVISION.
4. PARK LAND DEDICATION REQUIREMENTS WILL BE APPROVED BY TOWN COUNCIL.
5. EASEMENT FOR REALIGNED SIDEWALK MUST BE INCORPORATED WITH FINAL SUBDIVISION.

THE MOTION WAS SECONDED BY COMMISSIONER MACALLISTER AND THE MOTION PASSED UNANIMOUSLY WITH A 4-0 VOTE.

- 4.3. **420 W. BC BLVD / MINOR DEVELOPMENT PLAN & ALTERNATIVE EQUIVALENT COMPLIANCE - NORTH HARRY A. NOTTINGHAM PARK RESTROOMS– PUBLIC HEARING** –MINOR DEVELOPMENT PLAN FOR RESTROOM BUILDING PATH AND LANDSCAPING IMPROVEMENTS (PLANNING DIRECTOR MATT PIELSTICKER AND PEDRO CAMPOS).

PUBLIC COMMENTS: NONE.

AEC21008 ACTION: COMMISSIONER MACALLISTER MOTIONED TO APPROVE THE AEC APPLICATION WITH THE FOLLOWING FINDINGS:

FINDINGS:

1. THE PROPOSED APPLICATION WAS REVIEWED PURSUANT TO §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 4:12 ROOF DESIGN STANDARDS;
4. THE AEC RESULTS IN BENEFITS TO THE COMMUNITY BY LIMITING THE REMOVAL OF VEGETATION, PROVIDING ADA ACCESS TO THE PARK, AND LOWERING THE PROMINENCE OF THIS SERVICE BUILDING; AND
5. BY LIMITING THE HEIGHT OF THE BUILDING AND PROVIDING A DESIGN THAT INCORPORATES LIVING "GREEN" APPEARANCE, 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 LANG AND THE MOTION PASSED UNANIMOUSLY WITH 4-0 VOTE.

MNR21039 ACTION: COMMISSIONER MACALLISTER MOTIONED TO APPROVE THE MINOR DEVELOPMENT PLAN WITH THE FOLLOWING FINDINGS:

FINDINGS:

1. THE PROPOSED APPLICATION WAS REVIEWED PURSUANT TO §7.16.080, DEVELOPMENT PLAN, AND THE DESIGN MEETS THE DEVELOPMENT 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 EMERGING CHARACTER OF HARRY A. NOTTINGHAM PARK AND THE SURROUNDING COMMUNITY.

THE MOTION WAS SECONDED BY COMMISSIONER LANG AND THE MOTION PASSED UNANIMOUSLY WITH A 4-0 VOTE.

- 4.4. **1 LAKE ST. / MAJOR DEVELOPMENT PLAN IN TOWN CORE & ALTERNATIVE EQUIVALENT COMPLIANCE - EAST HARRY A. NOTTINGHAM PARK IMPROVEMENTS—PUBLIC HEARING—** MAJOR DEVELOPMENT PLAN FOR RESTROOM BUILDING, PARKING, AND ASSOCIATED LANDSCAPING IMPROVEMENTS (PLANNING DIRECTOR MATT PIELSTICKER AND PEDRO CAMPOS).

PUBLIC COMMENTS: NONE

AEC21009 ACTION: COMMISSIONER LANG MOTIONED TO RECOMMEND TOWN COUNCIL APPROVAL OF THE ALTERNATIVE EQUIVALENT COMPLIANCE

FINDINGS:

1. THE PROPOSED APPLICATION WAS REVIEWED PURSUANT TO §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 4:12 ROOF DESIGN STANDARDS;
4. THE AEC RESULTS IN BENEFITS TO THE COMMUNITY BY LOWERING THE PROMINENCE OF THIS SERVICE BUILDING; AND
5. BY LIMITING THE HEIGHT OF THE BUILDING AND PROVIDING A DESIGN THAT INCORPORATES LIVING "GREEN" APPEARANCE, THE AEC IMPOSES FEWER IMPACTS ON ADJACENT PROPERTIES THAN WOULD OCCUR THROUGH COMPLIANCE WITH THE 3:12 OR 4:12 REQUIREMENTS OF THE AVON DEVELOPMENT CODE.

THE MOTION PASSED WAS SECONDED BY COMMISSIONER SEKINGER AND IT PASSED UNANIMOUSLY WITH 4-0 VOTE.

MJR21009 ACTION: COMMISSIONER SEKINGER MOTIONED TO RECOMMEND TOWN COUNCIL APPROVAL OF THE MAJOR DEVELOPMENT PLAN APPLICATION WITH THE FOLLOWING FINDINGS AND CONDITIONS:

FINDINGS:

1. THE PROPOSED APPLICATION WAS REVIEWED PURSUANT TO §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 4:12 ROOF DESIGN STANDARDS;
4. THE AEC RESULTS IN BENEFITS TO THE COMMUNITY BY LOWERING THE PROMINENCE OF THIS SERVICE BUILDING; AND
5. BY LIMITING THE HEIGHT OF THE BUILDING AND PROVIDING A DESIGN THAT INCORPORATES LIVING "GREEN" APPEARANCE, THE AEC IMPOSES FEWER IMPACTS ON ADJACENT PROPERTIES THAN WOULD OCCUR THROUGH COMPLIANCE WITH THE 3:12 OR 4:12 REQUIREMENTS OF THE AVON DEVELOPMENT CODE.

CONDITIONS:

1. IRRIGATION PLAN WITH HYDROZONES WILL BE APPROVED BY STAFF.
2. LIGHTING PLAN WILL BE REVIEWED AND APPROVED BY PZC.

THE MOTION PASSED WAS SECONDED BY COMMISSIONER MACALLISTER AND IT PASSED UNANIMOUSLY WITH 4-0 VOTE.

5. CONSENT AGENDA

- 5.1. APPROVAL OF MINUTES FROM OCTOBER 5, 2021 PZC MEETING
- 5.2. APPROVAL OF RECORD OF DECISION FOR 2841 DRAW SPUR, UNIT 3 FENCE / MNR21034 & AEC21007
- 5.3. APPROVAL OF RECORD OF DECISION FOR COMMUNITY HOUSING PLAN AMENDMENTS / CPA21001
- 5.4. APPROVAL OF MINUTES FROM DECEMBER 7, 2021 PZC MEETING

ACTION: COMMISSIONER BARNES MOTIONED TO APPROVE THE CONSENT AGENDA; SECONDED BY COMMISSIONER LANG. THE MOTION PASSED UNANIMOUSLY WITH 4-0 VOTE.

6. STAFF UPDATES

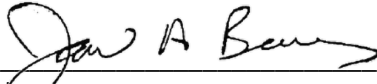
- TRACT Y
- SWIFT GULCH HOUSING

7. ADJOURN

THE MEETING WAS ADJOURNED AT 7:30PM.

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.

APPROVED:



Chairperson