

PLANNING AND ZONING COMMISSION MEETING MINUTES

TUESDAY, JANUARY 19, 2020

VIRTUAL MEETING ONLY



1. CALL TO ORDER AND ROLL CALL

Vice-Chairperson Jared Barnes called the regular meeting to order at 5:02 p.m. A roll call was taken, and Planning Commission members present were Donna Lang, Sara Lanious, Rebecca Smith and Steve Nusbaum. Also present were Town Planner David McWilliams, Planning Director Matt Pielsticker, and Paul Wisor with Garfield Hecht.

2. ELECTION OF NEW PZC CHAIRPERSON AND VICE-CHAIR

Action: Commissioner Lang motioned to elect Jared Barnes as PZC Chairperson. Commissioner Nusbaum seconded the motion and it carried unanimously 5-0.

Action: Commissioner Lang motioned to elect Steve Nusbaum as PZC Vice-chair. Commissioner Smith seconded the motion and it carried unanimously 5-0.

3. APPROVAL OF AGENDA

Action: Commissioner Nusbaum motioned to approve the agenda with the removal of item 5.5, which was withdrawn. Commissioner Smith seconded the motion and it carried unanimously 5-0.

4. DISCLOSURE OF ANY CONFLICTS OF INTEREST OR EX-PARTE COMMUNICATION RELATED TO AGENDA ITEMS

Action: Commissioner Smith noted a conflict with items 5.2 and 5.3. Commissioner Nusbaum motioned to accept the conflict. Commissioner Lanious seconded the motion and it carried unanimously 4-0.

5. BUSINESS ITEMS

5.1. 4311 EAGLEBEND DRIVE – TRACT A AND LOT 1 FILING 2 EAGLEBEND SUBDIVISION – CONTINUED PUBLIC HEARING – PROPOSAL TO AMEND THE SIZE OF TRACT A AND LOT 1 AND REVISE THE LOT LINES OF LOT 1 TO ACCOMMODATE AN ADDITION. (TOWN PLANNER DAVID MCWILLIAMS & ANGELO VERALDI AND JENNA SKINNER)

Public Comment: None.

Action: Commissioner Lanious motioned to approve Case #PUD20002 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 ADC §7.16.060(e)(4), *Review Criteria*. Specifically, for Criteria i:
 - a. the property is unique, with combined ownership of Tract A and Lot 1
 - b. the rear garage location is unique for the PUD
 - c. the ROWs behind the property are unique
4. The application complies with the goals and policies of the Avon Comprehensive Plan, including Policy A.1.4, A.1.5, B.1.3, E.1.2 and Goal B.2 and C.1;
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 Eaglebend PUD; and
7. The Minor PUD Amendment is not likely to result in significant adverse impacts upon the natural environment.

Conditions:

1. A non-buildable area along the former Tract A - Lot 1 property line is required to preserve unity between potential redevelopment on this property and the surrounding neighborhood; and
2. The non-build area shall be governed by the language suggested in the application narrative.

Commissioner Smith seconded the motion and it carried 3-2.

5.2. 950 WEST BEAVER CREEK BOULEVARD – TRACT N, BLOCK 3, BENCHMARK AT BEAVER CREEK SUBDIVISION – LANDSCAPING CONDITION OF APPROVAL ON THE EAGLE RIVER WATER AND SANITATION PROPERTY (TOWN PLANNER DAVID MCWILLIAMS & MELISSA MARTS)

Public Comment: None.

Action: Commissioner Lang motioned to approve the condition of approval for TEN19001 with the condition that Staff approve the planting plan notes and species before any work is completed. Commissioner Lanious seconded the motion and it carried unanimously 4-0.

5.3. 998 WEST BEAVER CREEK BOULEVARD - LOT 3, BLOCK 3, BENCHMARK AT BEAVER CREEK SUBDIVISION - PUBLIC HEARING MINOR DEVELOPMENT PLAN PROPOSAL TO AMEND LANDSCAPING ON THE LIFTVIEW PROPERTY (TOWN PLANNER DAVID MCWILLIAMS & MELISSA MARTS)

Public Comment: None.

Action: Commissioner Lang motioned to approve Case #MNR20051 with the following 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;
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.

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

5.4. 126 RIVERFRONT LANE- LOT 2 RIVERFRONT SUBDIVISION - PUBLIC HEARING – TEMPORARY USE PERMIT FOR A TENT STRUCTURE AT MAYA RESTAURANT (TOWN PLANNER DAVID MCWILLIAMS & KRIS FURNISS)

Public Comment: None.

Action: Commissioner Smith motioned to approve Case #TMP21001 with the following findings and condition:

Findings:

1. The application qualifies as a Temporary Use Permit subject to review according to §7.16.020 of the Development Code;
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; and
5. There is no extra demand for public services or infrastructure exceeding current capacity by the application.

Condition:

1. The approval is valid until November 1, 2021.

Commissioner Lanious seconded the motion and it carried unanimously 5-0.

6. CONSENT AGENDA

- 6.1. DECEMBER 15, 2020 MEETING MINUTES
- 6.2. RECORD OF DECISION FOR FILE #SRU20001 – 371 METCALF ACCESSORY DWELLING UNIT
- 6.3. VILLAGE (AT AVON) REFERRAL FOR MAVERICK GAS STATION

Action: Commissioner Nusbaum motioned to approve the consent agenda. Commissioner Lang seconded the motion and it carried unanimously 5-0.

7. STAFF UPDATES

- 7.1. PZC VACANCIES
- 7.2. BANG THE TABLE
- 7.3. EAST NOTTINGHAM PARK IMPROVEMENTS

8. ADJOURN

There being no further business before the Commission adjourned the meeting at 6:33 p.m.

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:

David McWilliams, Town Planner

APPROVED:



Chairperson