

Staff Report

Rezoning to New PUD

June 3, 2008 Planning & Zoning Commission Meeting

Report date	May 29, 2008
Project type	Planned Unit Development (PUD) Application
Legal description	Lots 21, 65A and 65B; Tracts Q & R; And Parcel No. TK-3, Benchmark at Beaver Creek Subdivision
Current zoning	Town Center (TC)
Address	182 Benchmark Road, 68 and 82 Beaver Creek Blvd (respectively)

Introduction

The applicant, Pedro Campos of the Vail Architecture Group, representing the owner of the property, EAH, LLC, is proposing a new Planned Unit Development (PUD) and a concurrent Preliminary Plan for Subdivision on a new development site comprised of the properties listed above, which are currently zoned Town Center (TC). The proposed PUD is envisioned to be a contemporary mixed-use development including retail space, office space, residential and lodging in three new development buildings to be located on the site. More specifically, the PUD would consist of a maximum of 105,860 square feet of commercial, retail and guest-oriented space; 118 Lodging Units, 237 Residential Units, and twelve (12) "Professional Employee Housing Units" that would collectively comprise approximately 759,150 square feet. The parking proposed with this project consists of a combination of surface and structured, underground spaces totaling 628 parking spaces, the majority of which are to be below-grade structured spaces. The proposed PUD is purported to be a vibrant, year-round attraction for residents offering a mixed-use, pedestrian oriented development with the potential to become a key architectural landmark and a focal point of community activity. While the tallest of the three new buildings (East Building) would be eight (8) levels above grade, the maximum height proposed is 110 feet due to ceiling-to-floor plate heights of at least fourteen feet (14') in all at-grade commercial / retail space. The application states the overarching intent of the proposed PUD is to create a cohesive community core with visually intuitive street patterns and pedestrian walkways in a manner consistent with the 2006 Town of Avon Comprehensive Plan and the East Town Center District Plan.

During this first public hearing on the Avon 21 PUD and Preliminary Plan, the applicants will be giving a detailed presentation including a three-dimensional, digital model to provide a better understanding of how the bulk, mass, height, and architectural style will read from various perspectives in and around the proposed development site. The purpose of this first public hearing on the Avon PUD and Preliminary Plan applications is to introduce the Commission and interested citizens to the look and feel of this substantial and complex development proposal, and to provide the applicant with specific direction on the critical components of the project. Given the size, scope and complexity of the subject applications for a new PUD and concurrent Preliminary Plan for Subdivision, this Staff Report and the applicant's presentation during the

hearing are meant to educate the Commission and members of the public, elicit feedback, and answer questions. Numerous details related to increased traffic generation, provision of employee housing, technical engineering concerns (Exhibit C), parking calculations, fiscal impact analysis, and an appropriately worded and written development agreement will be worked out as this proposal moves through the development review process.

Staff recommends the Commission **TABLE** the subject applications to the June 17, 2008 Commission meeting to allow the applicant time to adequately respond to the comments made by Staff, including those made by the Engineering Department, and the feedback provided by the Commission during this first hearing on June 3, 2008.

Preliminary Plan for Subdivision Plat:

The newly subdivided lots, as depicted on Sheet C1.07 of the attached, reduced plan sets (Exhibit B) are proposed as follows:

Lot 1 (East): 1.104 acres

Lot 2 (North): 1.515 acres

Lot 3 (South): 1.935 acres

Lot 4 (Main Street Right of Way) is proposed to comprise 0.868 of an acre and will be a properly dedicated public Right of Way.

As enumerated in greater detail below, the total acreage of the development site, as proposed in the Preliminary Plan for Subdivision and inclusive of the existing Town of Avon-owned land, is 5.484 acres.

Existing Conditions Analysis

Lot and Parcel Summary:

Lot 21, Block 2 Benchmark at Beaver Creek:	0.928 acres
Lot 65-A the Annex at Avon*:	0.613 acres
Lot 65-B the Annex at Avon:	1.496 acres
Tract Q Benchmark at Beaver Creek:	2.131 acres
Tract R Benchmark at Beaver Creek:	0.060 acres
Parcel No. TK-3*:	0.256 acres

(*Indicates land owned by the Town of Avon included as part of the proposed development site)

Total Area (gross)	=	5.484 acres
EAH LLC land	=	4.615 acres
Town land	=	0.869 acres

Town Center (TC) Zone District Development Standards:

Minimum Lot Size:	30,000 sq ft
Maximum Building Height:	80'
Minimum Building Setbacks:	25' front, 7.5' side, 10' rear
Maximum Site Coverage:	50%

Minimum Landscaped Area: 20%
Maximum Density: 30 dwelling units (DU) per acre of build-able area / or 90 accommodation units (AU) per acre

Maximum Allowable Development Standards (Parcels in EAH LLC Ownership only):

Site Coverage: 2.308 acres (or 100,536 sq ft)
Gross Floor Area: 603,087 sq ft (6 stories at 50% Site Coverage)
Density: (138) dwelling units or (414) accommodation units

Current Land Uses:

Retail Shops; Professional Offices; Personal Service Shop; Restaurants; Cocktail Lounges;
Medical Center

Current Land Use / Density Breakdown

Lot 21: 14,314 sq ft Gross Floor Area (7,386 sq ft Retail, 6,928 sq ft Office)
Lot 65B: 13,940 sq ft Gross Floor Area (11,540 sq ft Retail, 2,400 sq ft Office)
Tract Q: 24,521 sq ft Gross Floor Area (6,824 sq ft Retail, 6,479 sq ft Office, and 11,218 sq ft Restaurant)

Total All (3) Parcels: 52,775 sq ft Gross Floor Area (25,750 sq ft Retail, 15,807 sq ft Office, 11,218 sq ft Restaurant) No residential or lodging units currently located on the proposed development site.

Proposed Conditions Analysis

Lots resulting from Avon 21 PUD / Subdivision:

Lot 1 East (1.104 acres)
Lot 2 North (1.515 acres)
Lot 3 South (1.935 acres)
Lot 4 Main Street Right of Way* (0.868 acres)
* To remain under Town of Avon ownership

Total Area (all parcels) = 5.484 acres
EAH LLC Parcels = 4.615 acres
Town Parcels = 0.869 acres

Planned Unit Development (PUD) Zoning Designation

Site Development Standards:

Minimum Lot Size: Not Applicable
Maximum Building Height: 110'
Minimum Building Setbacks: Variable & close to zero lot line at certain points
Maximum Site Coverage: 3.260 acres (59% of Total PUD Area)
Open Space: 2.164 acres (41% of Total PUD Area)
Impervious Open Space: TBD (Main Street, Other Streets, Sidewalks, Hardscape Plaza)
Pervious Open Space: TBD (Lawn areas / Planting areas)

Structured Open Space: TBD (Outdoor Terraces / Patios within Site Coverage)
Proposed Gross Floor Area: 865,012 sq ft above grade
Maximum Density: 50 Dwelling Units (DU) per acre
Parking: 628 spaces (286,500 sq ft below grade)*

* The gross total number of parking spaces required by Section 17.24.020, AMC, broken out and calculated by use, is 781. After applying the 15% mixed-use reduction, which accounts for 117.15 spaces, the total number of parking spaces required goes down to 664 without factoring in required Guest parking spaces (17).

Maximum Allowable Development Rights if applying straight TC Zoning Designations

Site Coverage: 50%
Gross Floor Area: 603,087 sq ft (or 6 stories at 50% Site Coverage)
Density: 138 Dwelling Units (DU) or 414 Accommodation Units (AU)
Maximum Density: 30 Dwelling Units (DU) per acre of build-able area, or 90 Accommodation Units (AU) per acre

Site Coverage

The entire project area included in the PUD application is 5.484 acres and comprised of Lots 21, 65A, Lot 65 B, Tract Q, Benchmark at Beaver Creek, Tract R Benchmark at Beaver Creek, and Parcel No. TK-3. The total combined building footprint area at the street level is 142,005 sq ft, or 59% of the total site area. The buildings begin to reduce and shift alignment of the floor plates at the third and fourth floors above street level to create articulation, the architectural effect of movement and articulation of sheer mass. The gross site coverage expressed in square footage (sq ft) corresponds to the total area of impervious improvement footprint for the entire development. It is worth noting that just the East Building has maximums of seven and eight levels above grade while the North and South Buildings are proposed at a maximum of six (6) levels above grade.

The total proposed site coverage of 59% represents a 9% increase in the 50% site coverage maximum allowed under existing Town Center zoning. The other 96,878 sq ft, or 41% of the total site area, would be covered by a mix of exterior amenities, open space, the new Main Street and a multi-events plaza.

Building Height

A significant portion of the project abutting street level is shown at two (2) stories and less than forty feet (40') in height. The majority of the project is depicted at six (6) stories and measures eighty feet (80') in height. There is one area of the project, a portion of the East Building, which is depicted as being eight (8) stories and measures 110 feet in height. The site coverage underneath the portion of the project that rises above eighty (80) feet comprises approximately seven percent (7%) of the total site area. Levels 7 and 8 are proposed to create visual interest and contain substantial density. The Town Center (TC) zoning designation has an eighty foot (80') maximum allowable height. The maximum height of the project is proposed to be eight (8) stories at 110 feet. A majority (94.2% or 544,681 sq ft) of the above grade gross floor area proposed is located in the first six (6) stories of the project at a building height of eighty (80) feet. Only 5.84%, or 33,812 sq ft, of the above grade gross floor area proposed is located in Levels 7 and 8 of the North Building and measure 110 feet in height.

Gross Floor Area

The total gross floor area reflected in the submitted plans is 865,000 sq ft (100%), with 286,500 sq ft (33%) situated below grade to be used as parking, and 578,500 sq ft (67%) above grade with a mix of land uses detailed later in this report. The above grade Gross Floor Area (GFA) proposed is 24,587 sq ft less than the maximum allowable gross floor area of 603,087 sq ft under Town Center (TC) zoning standards for the combined three parcels (4.615 acres) owned by the Applicant.

Bulk, Mass, Views, Solar Aspect

According to the applicant, the building mass has been developed to avoid the casting of shadows onto integral areas of the proposed development during the most critical times of the year, especially along the new Main Street and multi-events plaza. The buildings have been designed to deliberately step back away from the street above the 2nd story to respond to view corridors and solar conditions. The plan is intended to create sun-filled southern and south western outdoor spaces and maximize the most desirable solar exposure aspects. Solar massing studies at various times of year are analyzed in drawings sheets A-C-11.01, A-C-11.02, and A-C-11.03. These studies are intended to be used as massing models and do not reflect architectural character, final form or articulation.

The orientation and configuration of buildings establish a development pattern focusing on improved pedestrian and automobile circulation; creates ground floor space with a pedestrian scale and proportion; attempts to maximize views into and out of the project; and maximizes solar exposure. Emphasis has been placed on orienting certain elements to create a cohesive street fabric at the ground level and to frame primary and secondary views to, from and through the project. Relationships to existing streets and the interface between the buildings, sidewalks, streets, and parking are depicted on drawing sheets L1.02 and L1.03.

The South building is offset from the eastern-most lane of Avon Road at a minimum of 105 feet with a majority of the building at least 135 feet back from the road. The new Main Street right-of-way is 87 feet wide and the space between the buildings to be situated north and south of Main Street varies between 94 and 200 feet. Main Street could create a corridor for views and allow for a visual relationship and connection between Avon Road, West Main Street, and the future Town Square conceptually planned to the east of the project.

Proposed Land Uses

The proposed mix of land uses contemplated includes a combination of retail, restaurant, conference, spa, residential (market rate condominium and professional housing), and accommodation (hotel and timeshare). The following is a breakdown of uses by type (figures have been rounded):

- Retail: 36,500 sq ft
- Restaurant: 15,600 sq ft
- 2nd Floor Commercial: 11,000 sq ft
- Conference Facility: 25,200 sq ft
- Spa: 17,600 sq ft
- Residential: 318,400 sq ft
- Accommodation: 80,500 sq ft

Proposed Unit Mix and Density

A total of 237 residential dwelling units is proposed in the project and located in the three buildings: East, North, and South. In further detail, 59 studios; 94 one bedroom condominiums; and 84 two and three-bedroom condominium units comprise the total residential unit count. Also, twelve (12) of these units are included in the professional (attainable) housing program proposed with this PUD application. Additionally, 118 accommodation units (AUs) have been proposed with this development application. The average square footage of an accommodation unit is 682 sq ft. Pursuant to how the AMC calls for the accounting of density, 276 dwelling units are being proposed with this PUD application making for a total project density of 50 dwelling units (DUs) per acre. The Town Center (TC) zone district allows for a maximum 30 dwelling units per acre. The subject PUD application proposes to increase density in keeping with the applicant's interpretation of the applicable planning documents, the 2006 Town of Avon Comprehensive Plan and the East Town Center District Plan.

Background:

The applicant has gone before the Commission and Council on three separate occasions for Joint Work Session reviews and comments. Concerns related to building height, bulk and mass were prevalent at all the meetings held to review the concepts brought forth by the applicant's representatives.

Surrounding Land Uses:

The existing land use and zoning for the surrounding properties are as follows:

- North: Christie Lodge / Town Center (TC) Zoning
- South: Denver Rio Grande Western Railroad
- West: Benchmark Plaza / TC Zoning
- East: Chapel Square / PUD

This application is a noticed public hearing with written notice provided to property owners within 300' of the subject property. To date staff has received no public comments regarding the applicant's requests. In addition to the required public notice, staff has transmitted the application material to the following agencies, with their comments summarized below:

Eagle County School District Comments

To date, staff has not received a response to our request for comments.

Eagle River Water and Sanitation District

To date, staff has not received a response to our request for comments.

Colorado Department of Transportation

To date, staff has not received a response to our request for comments.

Eagle County Planning Department

Eagle County did not have specific referral comments related to this application.

Eagle County Fire Protection District

To date, staff has not received a response to our request for comments.

Colorado Department of Wildlife

To date, staff has not received a response to our request for comments.

Eagle County Health Services District

To date, staff has not received a response to our request for comments.

ECO Trails

To date, staff has not received a response to our request for comments.

PUD Design Criteria

According to the Town of Avon Zoning Code, Section 17.20.110, the following criteria shall be used as the principal criteria in evaluating a PUD. It shall be the burden of the applicant to demonstrate that submittal material and the proposed development plan comply with each of the following design criteria, or demonstrate that one or more of them is not applicable, or that a particular development solution is consistent with the public interest.

1. Conformance with the Town of Avon Comprehensive Plan's Goals and Objectives.

The proposed development site is designated as being within a High Priority District (District 2) in the Town of Avon Comprehensive Plan and is referred to as the East Town Center District. The specific language for District 2 is as follows:

District 2: East Town Center District

The East Town Center District is a key revitalization prospect for the community. Significant redevelopment opportunities exist in the district, and must be considered comprehensively with concern for the needs and desires of the community. This district also abuts the Village at Avon and its associated future development. Strong pedestrian and street connections should be established so that these districts create a consistent and cohesive community core.

The size of the parcels provides an opportunity for a variety of redevelopment opportunities. The challenge will be to overcome the confusing street patterns, indirect pedestrian walkways, diminished sight corridors, and to entice people out of their car to experience the entire Town Center.

A mix of uses, including major retail establishments, smaller retail shops, personal services, offices, and supporting residential/lodging uses will be essential for the district.

Also relevant to the subject application are the Planning Principles listed on Page 74 of the Comprehensive Plan, which are listed verbatim and in their entirety as follows:

Planning Principles:

- Develop a mix of commercial uses with supporting residential/lodging development.
- Implement a street pattern that functionally extends "Main Street" across Avon Road.
- Plan for public plazas and other community gathering places.
- Develop structured parking facilities to make parking less obtrusive to the pedestrian.
- Accommodate anchor retailers without large expanses of parking to ensure these uses are

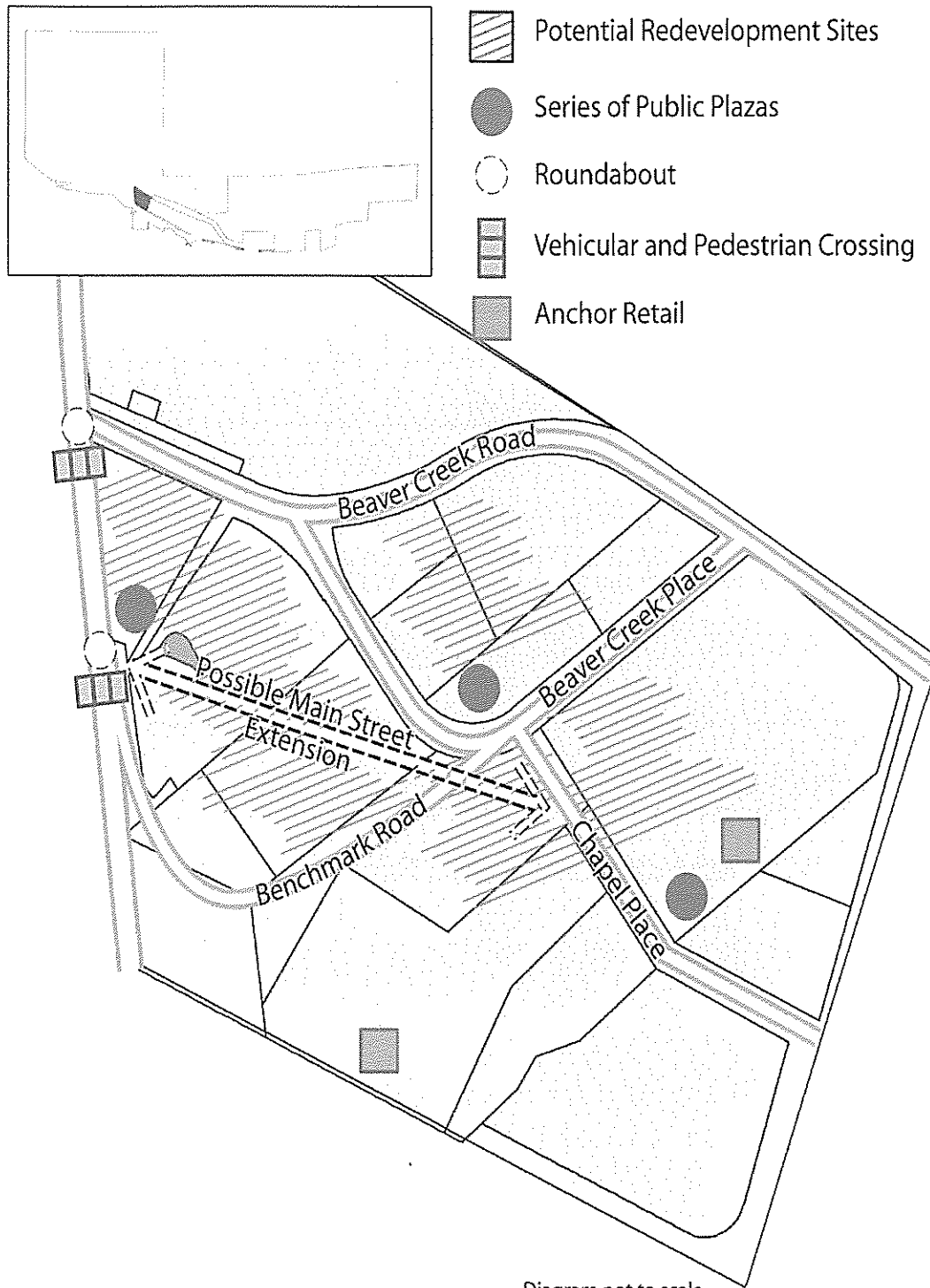
integrated into a unifying framework.

- Create a cohesive physical framework and community image (compatible building orientation, scale, massing, siting, street alignments, streetscape furnishings, signage, lighting, etc.) between the Town Center Districts and the Village at Avon.
- Use architectural detailing on ground level/first floor to enhance the pedestrian environment that includes a human scale, display windows, appropriate lighting, and other pedestrian amenities.
- Site buildings of varying sizes along the street to maximize sun exposure, protect views, and break up building bulk.
- Ensure convenient pedestrian and auto access to the entire Town Center.

The Staff, Commission and Council are to utilize these Planning Principles while reviewing the subject PUD and Preliminary Plan applications, and staff has provided a detailed analysis of each one starting on Page 10 of this Staff Report.

Additionally, as can be easily discerned from the graphic depicted below and extracted directly from the Comprehensive Plan (Page 73), the applicant's proposal demonstrates cohesion with the layout and general intent for the proposed development site shown in context with the remainder of the surrounding properties located within District 2.

The recently adopted East Town Center District Plan contains nineteen Planning Principles which are distinctly pertinent and applicable to the subject development proposal. These Planning Principles are refinements of those listed in the 2006 Town of Avon Comprehensive Plan and are to be addressed in the same manner.



Adherence to Planning Principles of the High Priority East Town Center District

- **Develop a mix of commercial uses with supporting residential / lodging development**

As proposed, Avon 21 is a comparatively high-density mixed-use redevelopment project comprised of a variety of use types, including commercial retail and restaurant/bar/cafe uses on the ground level; and office, residential, and lodging units on the upper levels. The additional density proposed above the existing Town Center (TC) zoning designation will purportedly allow the Town to capture a portion of the growing "hot bed" base in the Eagle River Valley, thereby meeting the intent of this principle.

- **Implement a street pattern that functionally extends "Main Street" across Avon Road.**

The proposed Avon 21 PUD has been designed and configured to effectively create an extension of West Town Center's "Main Street" across Avon Road into the East Town Center District. A key aspect of this application is the consolidated ownership of the primary lots of the proposed development site which seems a logical prerequisite in order to pursue a properly aligned and straightened Main Street. The applicant has stated an intention to establish a clear circulation pattern that will simplify and improve automobile and pedestrian circulation, as well as to increase the overall quality and character of the built environment.

- **Plan for public plazas and other community gathering places**

The submitted plans depict an area described as being designed to function as a multi-events plaza, in addition to designated outdoor seating and similar gathering spaces. The creation of inviting portals and gateways for pedestrians has been identified as a goal in order to link together these spaces. It appears the placement of such spaces has been done with consideration of what areas will receive the most sunshine along the new Main Street on the east side of Avon Road. Outdoor seating areas have been proposed as Special Review Uses to correspond with Avon Municipal Code (AMC) requirements. The applicant's proposal also appears to anticipate the future "Town Square" park on the adjacent property to the east as contemplated in the East Town Center District Plan.

- **Develop structured parking facilities to make parking less obtrusive to the pedestrian**

The Avon 21 PUD application plans depict the majority of required parking to be located in a series of underground structured parking facilities. In each of the three proposed buildings, two levels of sub-grade parking are shown on the plans. In this regard, the stated goals of the applicant are to make parking convenient and give the project a highly pedestrian-oriented focus on the street level. A limited number of surface parking spaces have been proposed along Main Street for convenient, short-term errand access, and on streets around the perimeter of the proposed project site.

- **Accommodate anchor retailers without large expanses of (surface) to ensure these uses are integrated into a unifying framework.**

The preponderance of floor space located on the street grade has been proposed to accommodate commercial land uses. The individual commercial tenant spaces have been programmed in a variety of sizes and a number of these spaces are designed and oriented to house anchor retailers while maintaining a pedestrian scale.

- **Create a cohesive physical framework and community image (compatible building orientation, scale, massing, site, street alignment, streetscape furnishings, signage, lighting, etc.) between the Town Center Districts and the Village at Avon).**

The Avon 21 PUD proposal cites the cohesive physical framework established by the realigned Main Street design, associated roads and the enhanced pedestrian network depicted in the submitted plans. The alignment of the road that is proposed to become the western most expanse of the east side of Main Street apparently dictates the orientation and massing of the proposed buildings. The proposed road alignment also has the potential to increase the connectivity of the East Town Center District with Town Center West and the Village at Avon. The proposed roadway framework is likely to improve automobile and pedestrian circulation while improving the aesthetic character of the built environment.

The proposed building bulk, mass and scale, particularly with respect to the maximum height of the East Building (110'), exceed the maximum allowable development standards of the existing Town Center (TC) zone district. However, it is important to note the maximum of eight (8) stories does relate back to the Town of Avon's Comprehensive Plan Built Form Diagram. All three proposed buildings are shown as stepping back upon reaching the fourth level in a manner to break up monolithic appearing masses, create articulation, visual interest, and enhanced solar exposure to the street level. Streetscape furnishings, signage, and lighting have been proposed in an attempt to provide an orchestrated aesthetic experience. These surface elements are proposed cohesively with the guidelines and standards adopted in the West and East Town Center Design Guidelines and work toward the creation of a unique sense of place.

- **Use architectural detailing on ground level/first floor to enhance the pedestrian environment that includes a human scale, display windows, appropriate lighting, and other pedestrian amenities.**

The fourteen foot (14') minimum floor-to-ceiling plate height for all at grade square footage has been designed to optimize display space, provide ample light penetration, and enhance the sense of proportion and scale along the street level. Architectural elements such as awnings, light fixtures, and signs with substantial detailing and distinct characteristics should be considered during the design stages of the project to increase the aesthetic appeal.

- **Site buildings of varying sizes along the street to maximize sun exposure, protect views, and break up building bulk.**

As stated previously in this report, a total of three separate buildings varying in size and shape are proposed in this project, with each one presenting a unique form and variation of articulation and steps back to break up an imposing visual presence of bulk and mass. The proposed buildings are oriented on the plans with a focus on Main Street' and have been sized in order for the majority of the project to conform to the existing Town Center height limit of eighty feet 80', with a smaller portion of building height reaching 110 feet. Gaps between buildings along the main street façade are proposed in order to facilitate efficient automobile and pedestrian access throughout the vicinity of the proposed project while still maintaining a continuous retail experience. An emphasis has been placed on maximizing the commercial space on the perimeter of the North Building and all south-facing facades to take advantage of solar exposure. The proposed plaza is designed to expose the ground floor spaces in the North building to sunlight at different times of day throughout the year.

- **Ensure convenient pedestrian and auto access to the entire Town Center.**

The proposed, straight 'Main Street' running through the East Town Center District appears to potentially improve pedestrian and automobile access on the east side of town. Since the proposed project, if approved, would effectively extend Main Street from the West Town Center to the East, the development application has the potential to vastly improve pedestrian and automobile circulation throughout the center of town. In order to encourage pedestrians to cross Avon Road, the applicant has offered to enhance the cross walks with additional signage, lighting, and other such improvements. The proposed roads and sidewalks appear to have been designed to facilitate access for both pedestrian and automobiles through and around the development site to create a fluid circulation network. Given the close proximity of the proposed development site to other core area attractions, the application focuses on pedestrian movement instead of automobile traffic. As mentioned earlier, the structured parking will help achieve the intent of this criterion as well.

Comprehensive Plan Goal B.1: Promote a compact community form.

The proposal appears to adhere to the following applicable policies listed for this goal:

Policy B.1.1: *"Require that development throughout the community fit the overall Built Form according to the Built Form Diagrams in this plan."*

Staff Response: The Avon 21 PUD, as depicted, appears to generally conform to the Built Form Diagram on Page 33 of the Town of Avon Comprehensive Plan, in the sense that the proposed buildings step down in height from east to west.

Policy B.1.3: *"Ensure development protects the enjoyment of outdoor spaces by maximizing sun exposure and protecting views."*

Staff Response: The applicant intends to demonstrate the maximization of solar exposure and has designed a plaza space.

Policy B.1.4: *“Require that development throughout the community meet the density guidelines as indicated on the Future Land Use Map.”*

Staff Response: Avon 21 meets the density guidelines as indicated on the Future Land Use Map.

Policy B.1.6: *“Require that development within the Town Center Districts includes vertically mixed uses.”*

Staff Response: As proposed, the Avon 21 PUD will be a vertically integrated, mixed-use development.

Policy B.1.7: *“Require that development within the Town Center Districts maintain a strong street edge, however all floors above the third shall be setback and articulated.”*

Staff Response: The Avon 21 PUD proposal establishes a strong street edge throughout the applied for development and every floor above the third on each building are setback and articulated.

Policy B.1.8: *“Locate uses that generate traffic to areas near transit facilities or shared parking facilities to minimize automobile travel and ‘re-parking’ within the same area.”*

Staff Response: The proposed Avon 21 PUD will generate traffic near transit facilities and proposed shared parking facilities with the stated intention of minimizing automobile traffic and ‘re-parking’ within the immediate vicinity. Exhibit C to this report contains the Engineering Department’s comments for your reference.

Policy B.1.9: *“Encourage redevelopment and revitalization of currently outdated, rundown, or otherwise neglected areas.”*

Staff Response: The Avon 21 PUD will entirely redevelop and revitalize currently outdated, rundown, or otherwise neglected areas.

Goal C.1: Provide a balance of land uses that offers a range of housing options, diverse commercial and employment opportunities, inviting guest accommodations, and high quality civic and recreational facilities, working in concert to strengthen Avon’s identity as both a year-round residential community and as a commercial, tourism and economic center.

Review Comments:

The following policies listed for this Goal C.1 are relevant to the subject PUD proposal:

Policy C.1.1: *“Ensure that proposed development and redevelopment projects conform to the Future Land Use Plan’s designations and are a scale and intensity appropriate for the planning district in which they are located.”*

Staff Response: The Avon 21 PUD application conforms to the Future Land Use Plan’s designations and appears to exhibit a scale and intensity appropriate for the planning district. The proposal contemplates less than the maximum gross floor area currently permitted when applying the development standards of the current Town Center (TC) zoning designation.

Policy C.1.3: *“Focus lodging and guest accommodation in the Town Center Districts to take advantage of the proximity to retail, commercial and other community services.”*

Staff Response: The proposed PUD does focus lodging and guest accommodations in a High Priority Town Center District within close proximity to the amenities listed above.

Comprehensive Plan Goal C.3: Use mixed-use development to create a more balanced, sustainable system of land uses.

Review Comments:

The following policies of this goal are applicable to this application:

Policy C.3.1: *“Require vertical and/or horizontal mixed-use development to occur in those areas identified in the Future Land Use Plan for mixed-use to enhance the Town’s ability to respond to changing market conditions.”*

Staff Response: The Avon 21 PUD is proposed to be a vertical mixed-use development that appears to respond to ever-changing market conditions.

Policy C.3.2: *“Provide opportunities for short-term office and service uses in ground floor retail space when market demand is low, but retain permanent designation as retail.”*

Staff Response: As proposed, the Avon 21 PUD could provide opportunities for short-term office and service uses in ground floor retail spaces when the market demand for retail space is low, but the permanent designation for such space is retail.

Comprehensive Plan Goal C.4: Encourage a sustainable commercial development that enhances Avon’s overall economic health, contributes to the community’s image and character, and provides residents and visitors with increased choices and services.

Review Comments:

The following policies of this goal are applicable to this application:

Policy C.4.1: *“Develop a detailed District Master Plan for the East Town Center District identifying parcel configurations and new automobile and pedestrian circulation alignments to increase the district’s viability.”*

Staff Response: The Avon 21 PUD application depicts a reconfiguration of land in a manner that conforms to the Draft East Town Center District Plan and increases the District’s viability with potential clarification and increased efficiency of automobile and pedestrian circulation alignments.

Policy C.4.2: *“Require future commercial businesses, when appropriate, to cluster buildings and to provide publicly accessible amenities.”*

Staff Response: The proposed commercial businesses included in the project are clustered and oriented with publicly accessible amenities (sidewalks, outdoor seating areas, and multi-use event plaza).

Policy C.4.4: *“Encourage commercial developments to utilize innovative and environmentally friendly planning and construction techniques.”*

Staff Response: The Avon 21 PUD proposes to utilize innovative and environmentally friendly planning and construction techniques. The proposed development can be designed to a minimum LEEDS certification standard and endeavors to achieve one or more forms of USGBC LEEDS certification.

Comprehensive Plan Goal D.1: Ensure that development and redevelopment is compatible with existing and planned adjacent development and contributes to Avon's community image and character.

Review Comments:

The following policies of this goal are applicable to this application:

Policy D.1.1: *"Encourage creative, forward-thinking development consistent with adopted plans."*

Staff Response: The Avon 21 PUD seems to be a "forward-thinking development" compatible with adopted plans, and that could constitute a positive contribution to the image of the Town of Avon.

Policy D.1.2: *"Ensure that development and redevelopment responds appropriately to adjacent development."*

Staff Response: The relationship between the applications for the Avon 21 PUD responds and adjacent development is difficult to gauge because no other properties in the vicinity are contemplating redevelopment at this time.

Policy D.1.3: *"Restrict large surface parking areas that directly abut local streets. If a large surface parking area is located next to a local street, use berms, plant materials of varying height, or other materials to buffer and screen these parking areas."*

Staff Response: The plans for Avon 21 appear to eliminate existing large surface parking areas and propose to locate the majority of required parking structures below grade.

Policy D.1.4: *"Create a unified and cohesive physical framework and community image by ensuring compatible building orientation, scale, massing, siting, street alignments, streetscape furnishings, signage, lighting, etc."*

Staff Response: The configuration, scale, massing, building sites, street alignments, and streetscape furnishings depicted in the proposed project appear to establish a cohesive and unified physical framework promoting the community's image.

Comprehensive Plan Goal D.2: Create community gateways and streetscapes that reflect and strengthen Avon's unique community character and image.

Review Comments:

The following policies of this goal are applicable to this application:

Policy D.2.1: *"Beautify the town with street trees, sidewalks, landscaping and public art."*

Staff Response: As depicted, the project clearly attempts to beautify the town and establish a new benchmark for the built environment and public space in the Town of Avon. Landscaping, street furnishing, and public art are all proposed for incorporation into the project.

Policy D.2.2: *"Design and maintain the Town's streets and walkways as safe, inviting, and pedestrian/bicycle friendly public spaces."*

Staff Response: The proposal demonstrates an effort toward redesigning the streets and walkways in a positive manner.

Comprehensive Plan Goal D.3: Develop new and continue to enhance existing cultural and heritage facilities, events, and programs that strengthen Avon's community character and image.

Review Comments:

The following policies of this goal are applicable to this application:

Policy D.3.3: *"Encourage development of civic and recreational amenities that benefit existing neighborhoods."*

Staff Response: The project proposes to create a public plaza that can be used as a venue for select community events at appropriate times.

Comprehensive Plan Goal E.3 Increase the number of visitors to Avon by enhancing our attractiveness as a destination resort community.

Review Comments:

The following policies of this goal are applicable to this application:

Policy E.3.3: *"Institute minimum density requirements in the Town Center Districts to achieve the needed critical mass of retail, residential, and accommodation units."*

Staff Response: The development standards proposed for the Avon 21 PUD exceed the minimum density standards in the Town Center District and increase the critical mass of retail, residential, and accommodation units correspondingly with the East Town Center District Plan.

Policy E.3.8: *"Ensure that the tourism and recreational attractions, shopping and dining areas, parks, transit stops, trails, and bicycle routes are coordinated within an integrated wayfinding signage program oriented towards both pedestrian and vehicular traffic."*

Staff Response: The application includes a statement regarding cohesion with the sign programming for the Town Center Districts as detailed in the West Town Center Design Guidelines.

Policy E3.10: *"Encourage and facilitate the creation of new tourist attractions relating to interesting, niche retail and/or manufacturing operations."*

Staff Response: The application refers to creating a high quality, pedestrian-oriented 'niche' retail shopping experience that can garner new interest in Avon as a tourist destination.

Comprehensive Plan Goal F.1: Achieve a diverse range of quality housing options to serve diverse segments of the population.

Staff Response: As stated above, this is an opportunity to make progress toward the Town of Avon's goal of achieving a diverse range of attainable housing within the core area of Avon. The applicant has proposed to provide twelve (12) "professional" housing units on the proposed development site. Given the recent revisions to the 2006 Town of Avon Comprehensive Plan and the detail provided therein related to Employee Generation Rates, the amount of new commercial and residential space are to be applied to quantify the impact this rezoning application will have on attainable housing needs. The Planning and Zoning Commission and Town Council will then consider the all of the public benefits inherent in the

subject rezoning application to determine the appropriate mitigation rate using the current commercial and residential employee generation calculations, which are as follows:

Comprehensive Plan Goal F.2: Provide a workforce housing program that incorporates both rental and ownership opportunities for residents that are attractive, safe, and integrated with the community.

Review Comments:

The following policies of this goal are applicable to this application:

Policy F.2.2: *“Calculate the impact generated by varying types of land use and development, specifically, commercial and residential linkage calculations. The most recent data available, as periodically updated by Eagle County and the State will be used in this regard. Alternative methods of providing attainable housing, including but not limited to: payment-in-lieu; land dedications; and public-private partnerships, may also be considered.”*

Staff Response: Please see Exhibit D for the spreadsheet showing the commercial linkage calculations accounting for 100% of the employees generated by the proposed mix of commercial uses. The residential figures are not available yet as the possible square footages of the various residential unit types have not been provided by the applicant as of this time.

Policy F.2.3: *“Ensure that attainable housing mitigation is applied at the most appropriate rate and is derived with full consideration of all other public benefits, as contemplated by the public benefits criteria referenced in Section 17.28.085 (AMC), provided by any proposal found to be subject to the rezoning and PUD criteria.”*

Staff Response: The proposed ‘local professional’ housing program amounts to approximately 5% of the total residential units proposed. The limited amount of ‘local professional’ housing proposed must be scrutinized and compared with the other public benefits being proposed as part of this new PUD.

Comprehensive Plan Goal G.5 Encourage a “park once/shop many” environment

Review Comments:

The following policies of this goal are applicable to this application:

Policy G.5.4: *“Require that all development or redevelopment in the Town Center Districts incorporate structured parking or contribute to a pay-in lieu program to develop joint private/public parking structures. Separate underground parking structures should share access and connect to adjacent underground parking structures.”*

The application proposes to incorporate the majority of required parking in structured parking facilities with the stated flexibility to share access and connect to future, adjacent underground parking structures.

2. Conformity and compliance with the overall design theme of the town, the sub-area design recommendations and design guidelines of the Town.

The applicant is proposing a design style and thematic approach to the buildings reflective of more progressive, contemporary architectural forms and methodologies. It is important to note the PUD application is being reviewed for the first time and the architectural details are not required in this stage of the process, however, the applicant is making an attempt to demonstrate the basic visual form the proposed buildings will take and the architectural style they are endeavoring to achieve with this proposal. The use of materials, colors, and various architectural features does appear to conform to the Town of Avon Commercial Design Guidelines at this preliminary stage of review.

3. Design compatibility with the immediate environment, neighborhood, and adjacent properties relative to architectural design, scale, bulk, building height, buffer zones, character, and orientation.

The size and scope of the proposed physical improvements will be dominant in this part of Avon's core and will subsequently set the tone of future development. In comparison to the existing structures within the immediate vicinity of the application's development site, the scale, bulk and height of the proposed buildings bare no resemblance to those there today. There currently exists no cohesive architectural design theme in the immediate vicinity of the proposed development site for the Avon 21 PUD.

4. Uses, activity, and density provide a compatible, efficient, and workable relationship with surrounding uses and activity.

As outlined under criterion one (1), the uses, activity, and density that will result from this new PUD should provide a compatible, efficient, and workable relationship with surrounding uses and activity, especially when gauged against the applicable sections of the Town of Avon Comprehensive Plan and the Planning Principles found in the recently adopted East Town Center District Plan. With further regard to these policy documents, matters such as construction phasing sequence, transit, and attainable housing, require careful scrutiny by the Commission and Council during the review process.

5. Identification and mitigation or avoidance of natural and/or geologic hazards that affect the property upon which the PUD is proposed.

There do not appear to be any natural or geologic hazards on the area of property upon which this PUD amendment is proposed.

6. Site plan, building design and location and open space provisions designed to produce a functional development responsive and sensitive to natural features, vegetation and overall aesthetic quality of the community.

The proposed PUD amendment, as submitted, does not appear to negatively impact this criterion.

7. A circulation system designed for both vehicles and pedestrians addressing on and off site traffic circulation that is compatible with the Town Transportation Plan.

As detailed above, the changes proposed to the circulation system designed for the PUD, if incorporated with the pertinent comments from the Engineering Department, will achieve the purpose and intent of this criterion. Please refer to the comments made by the Engineering Department Staff on Pages 7-9 of this Staff Report for further information related to this criterion.

8. Functional and aesthetic landscaping and open space in order to optimize and preserve natural features, recreation, views and function.

The new landscaping and open space associated with the proposed development have not been planned beyond a conceptual level and the information provided thus far indicates the proposal should be able to meet the elements of this criterion.

- 9. Phasing plan or subdivision plan that will maintain a workable, functional, and efficient relationship throughout the development of the PUD. The phasing plan shall clearly demonstrate that each phase can be workable, functional and efficient without relying upon completion of future project phases.**

The phasing plan provided with this application appears to meet the intent of this criterion, but requires further refinement to ensure the functional independence of each proposed phase.

- 10. Adequacy of public services such as sewer, water, schools, transportation systems, roads, parks, and police and fire protection.**

Please see the comments of the Engineering Comments attached to this report as Exhibit C.

- 11. That the existing streets and roads are suitable and adequate to carry anticipated traffic within the proposed PUD and in the vicinity of the proposed PUD.**

The road and street improvements will be reviewed throughout the subdivision process associated with this development application. It should be noted however that the developer is required to complete the final construction of the roads in this area, complete with streetscape, concurrently with the subdivision process. Please refer to the comments made by the Engineering Department in Exhibit C.

- 12. That the PUD or amendment to PUD requested provides evidence of substantial compliance with the following public purpose provisions, as outlined in Section 17.28.085 of the Avon Municipal Code:**

A. The application demonstrates a public purpose, which the current zoning entitlements cannot achieve.

As more thoroughly detailed under Criterion 1, the policy tools used to review this PUD are the applicable elements of the Town of Avon Comprehensive Plan, High Priority District # 2 / East Town Center, and the East Town Center District Plan dated May 2008.

B. Approval of the zoning application provides long term economic, cultural or social community benefits that are equal to or greater than potential adverse impacts as a result of the changed zoning rights.

The economic modeling of this development application is in the preliminary stages of analysis and no formal determination has been made yet with respect to this public purpose provision.

C. The flexibility afforded in approval of the zoning application will result in better siting of the development, preserving valued environmental and cultural resources, and increasing the amount of public benefit consistent with the community master plan documents.

There exists no guarantee within the contents of the subject application, as submitted, that the approval of this proposal will result in an improved site orientation of future development; the preservation of valued environmental and cultural resources; and an increase in the amount of public benefit consistent with the community master plan documents. However,

there is potential for this criterion to be fully met with a tangible link to the elements contemplated herein.

Staff Recommendation:

Staff recommends the Commission **TABLE** the subject applications to the June 17, 2008 Commission meeting to allow the applicant time to adequately respond to the comments made by Staff, particularly those made by the Engineering Department, and the feedback provided by the Commission during this first hearing on June 3, 2008.

If you have any questions regarding this project or any planning matter, please call me at 748-4002, or stop by the Community Development Department.

Respectfully submitted,



Matthew R. Gennett, AICP
Planning Manager

Exhibits:

Exhibit A: PUD Amendment & Preliminary Plan for Subdivision Application Binder

Exhibit B: Vicinity Map

Exhibit C: Engineering Department Comments

Exhibit D: Commercial Linkage Calculations

Exhibit E: Letter from Public Works & Transportation Department

Exhibit F: Other Correspondence