

**MINUTES OF THE REGULAR MEETING OF THE AVON TOWN COUNCIL  
HELD AUGUST 11, 2009**

---

A regular meeting of the Town of Avon, Colorado was held at the Avon Municipal Building, One Lake Street, Avon, Colorado in the Council Chambers.

Mayor Ron Wolfe called the meeting to order at 5:30 PM. A roll call was taken and Council members present were Rich Carroll, Dave Dantas, Kristi Ferraro, Amy Phillips, Buz Reynolds and Brian Sipes. Also present were Town Attorney Eric Heil, Town Manager Larry Brooks, Director Administrative Services Patty McKenny, Town Engineer Justin Hildreth, Planning Manager Matt Gennett, Assistant Town Manager Finance Scott Wright, Police Chief Brian Kozak, and Public Works and Transportation Director Jenny Strehler as well as members of the public.

**INQUIRE OF THE PUBLIC FOR COMMENT AND APPROVAL OF AGENDA**

Mayor Wolfe noted that Councilor Sipes had a conflict of interest with the Buck Creek PUD project and would step down. It was also noted that neither Councilor Dantas nor Reynolds would have to be excluded from the discussion on the reduction of the community development fees.

**COMMUNITY INPUT**

- Rick MacCutcheon, new Community Manager of Eagle Vail Metro District, introduced himself and noted his strong commitment as the manager to be very actively engaged in discussion with Eagle County and Town of Avon on planning issues.
- Charlie Moore, ERFPD, noted a Wildridge fire that was prevented from getting out of control by local resident Mr. Blankett, he was commended for his action.
- Mike Dantas asked if council would comment on the building permit fess requested that the town consider deferring the building permit fee until the temporary certificate of occupancy was issued and then require the fee be paid..

**CONSENT AGENDA**

Mayor Wolfe asked for a motion on the consent agenda. Councilor Reynolds moved to approve the consent agenda; Councilor Ferraro seconded the motion and it passed unanimously.

- a. Minutes from July 28, 2009

**RECOMMENDATIONS OF PLANNING & ZONING COMMISSION**

Mayor Pro Tem Sipes stepped down from the podium at this time. Matt Gennett, Planning Manager, presented Ordinance No. 09-08, Series of 2009, Second Reading, Ordinance Approving The Planned Unit Development (PUD) Application For The Buck Creek PUD, Lots 1, 2, 3, & 4, Wildwood Resort, Town Of Avon, Eagle County, Colorado, And Setting Forth Details In Regard Thereto. The proposal is to allow for new land uses, including but not limited to: fire station hub with separate administration building, 42 single-family, duplex, or triplex units, a Montessori school with office space, and natural science school campus with employee housing

It was noted that the ordinance had been tabled on several occasions in order for the applicant to respond to the conditions of approval. The additional time was also to allow the applicant and ERFPD time to finalize agreements relative to closing the land purchase. He noted the items to be addressed by the applicant in the memo. Jay Peterson, representing Tannabaum Corporation, commented on several items in the ordinance as follows:

- ❖ Section 1, A: correct the lot number from 5 to 3,
- ❖ Section 2, A: suggestion for the trail dedication that they be able to walk the trail first, agree to creating the trail to confirm the 15 foot easement
- ❖ correcting the maintenance agreement regarding the internal roadway open to the public
- ❖ right of way dedication

Mayor Wolfe opened the public hearing. No comments were made, the hearing was closed. Some closing remarks were made and it was noted that the project would be a very positive one for the Town of Avon. Councilor Dantas moved to approve Ordinance No. 09-08, Series of 2009, Second Reading, Ordinance Approving The Planned Unit Development (PUD) Application For The Buck Creek PUD, Lots 1, 2, 3, & 4, Wildwood Resort, Town Of Avon, Eagle County, Colorado, And Setting Forth Details In Regard Thereto, with the following revisions:

1. Section 1, A: correct the lot number from 5 to 3
2. Section 2, C: delete last sentence

Councilor Phillips seconded the motion and it passed unanimously (Sipes recused).

Jenny Strehler, Director of Transportation, presented Resolution No. 09-24, Series of 2009, A Resolution Adopting the Town of Avon Comprehensive Transportation Plan dated July 29, 2009 with a brief overview of the purpose of the document, a plan that addresses current and future status of the vehicular, bicycle, transit and pedestrian infrastructure for the town. She noted that it is a tool used by staff to help them evaluate future development for the town. Justin Hildreth, Town Engineer, also commented on the plan in summary. Charles Buck, Felsburg, Holt & Ullevig, presented the document as well. Todd Goulding presented questions from the P&Z Commission at this time. Comments were trying to address the need for a visionary mobility type of document for the town. Town Manager Larry Brooks suggested staff take more time to discuss the document and how to proceed with matching the needs of the staff, the needs of the P&Z Commission, and the state and federal funding sources with various document requirements.

#### **RESOLUTIONS**

Matt Gennett, Planning Manager, presented Resolution No. 09-25, Series of 2009, Resolution Adopting a Temporary Fee Reduction and Waiver Program for Zoning, Design Review, and Building Permit. He noted that the proposed resolution establishes a temporary fee reduction and waiver program for zoning, design review, and building permit applications in response to the recent economic climate and downturn in the construction industry. Council had expressed an interest in evaluating the merits of a permit fee reduction or waiver policy in an effort to stimulate construction activity. The following waivers were suggested and outlined in the memo as follows:

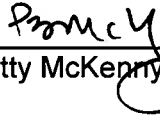
1. waive 100% of all Zoning Fees until February 12, 2010
2. waive 100% of all Design Review Fees until February 12, 2010
3. waive 100% of all Building Permit Fees for interior remodels, replacement of exterior of stucco and/or siding and roof covering repair and replacement until February 12, 2010
4. waive 10% of all other Building Permit Fees until February 12, 2010

Scott Wright, Assistant Town Manager Finance, commented on a suggestion to "postpone the building permit fee and deferred it until the time of TCO is issued" as not in the best interest of the town. He outlined several concerns related to reporting requirements, no means of insuring that the builder/developer is in need of this type of financing.

Councilor Phillips moved to approve Resolution No. 09-25, Series of 2009, Resolution Adopting a Temporary Fee Reduction and Waiver Program for Zoning, Design Review, and Building Permit. Councilor Ferraro seconded the motion and it passed unanimously.

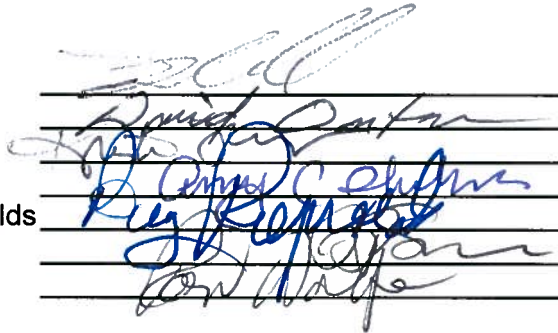
There being no further business to come before the Council, the regular meeting adjourned at 8 PM

**RESPECTFULLY SUBMITTED:**

  
\_\_\_\_\_  
Patty McKenny, Town Clerk

**APPROVED:**

Rich Carroll  
Dave Dantas  
Kristi Ferraro  
Amy Phillips  
Albert "Buz" Reynolds  
Brian Sipes  
Ron Wolfe

  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

