

Memorandum

To: Planning and Zoning Commission
From: Sally Vecchio, Asst Town Mgr/ Community Development
Report Date: May 14, 2010
Re: Land Development Code – Pre-Hearing Review

Summary

As part of the Land Development Code (the Code) public review process, the Town Council and Planning and Zoning Commission (PZC) completed a series of six work sessions to discuss the major changes to the Code and whether the revisions have adequately addressed the "themes" identified in the Code Diagnosis prepared by Clarion & Associates in January, 2009.

At their final joint work session on May 11th, 2010, the Council and PZC agreed on additional changes and a time schedule that included a public hearing with PZC on June 15, 2010. The additional changes are noted in **RED** below.

The purpose of this memorandum is to review with PZC the sections of the Code that staff will be revising pursuant to direction given during the work sessions.

Background

The Town Council and PZC have held five work sessions including two joint work sessions on the following regulations in the proposed Land Development Code:

1. The new commercial zone districts
2. Bonus density formulas
3. Parking regulations in the Town Center
4. The PUD regulations
5. The development standards
6. Sustainability; and
7. The Alternative Equivalent Compliance (AEC) process

The purpose of the work sessions was to receive guidance on the following issues related to those regulations:

1. What is the appropriate **Floor Area Ratio (FAR)** to assign to the commercial zone districts?
2. Do the **Bonus Development** formulas and related public benefits represent the Town's current policies and long-range goals?
3. How should the Code address **Parking Requirements** in the Town Core?
4. Do the **Design Standards** support the design and development patterns articulated in the Comprehensive Plan and the East Town Center District Plan and West Town Center District Investment Plan?
5. Should the **Sustainability Index Score** requirement remain in the Code with a different menu of choices or should the scoring provision be eliminate altogether?
6. Does the **AEC Process** provide sufficient flexibility to ensure that creative design proposals can be accommodated within the framework of the standards?

In response to the issues described above, the following conclusions and observations were shared by the Council and PZC:

1. The baseline density permitted in the Town Center Zone District should be set at a 2:1FAR. This would permit density consistent with current conditions and recently approved PUDs in Town Center. In addition, design standards will be included which required retail uses on certain streets in Town Center and a special use permit for office uses at ground level.
2. The Bonus Density formulas are consistent with the town's current policies and long range goals, including a desire for more attainable housing opportunities, and public plazas, transportation improvements and civic facilities in Town Center. The LEED bonus should be removed, because the requirements relate more to Building Code than planning and zoning. Council and PZC both agree that more information is needed to evaluate the formulas and the "Percentage Multiplier", which is currently set at 85% and adjusts the formula so that the resulting Development Bonus provides an appropriate incentive for the public capital improvement. Staff will provide language for a development bonus for business incubators and leave an environment "place holder" for certain above sustainable design.
3. The parking regulations must be enforced in Town Center. If enforcement of the parking regulations will make higher density development more difficult to park in Town Center, then the Town should consider forming a parking district and using a pay-in-lieu program to help pay for a shared public parking facility.
4. The Design Standards do support the design and development patterns articulated in the Comprehensive Plan and the East and West Town Center Investment Plans. Staff and PZC should continue refining the standards, including new standards to address the massing issues with duplex homes, and the size and scale of the garages located on front facades.
5. The concept of the Sustainability Index Score is compelling; however, the list of sustainable features required to obtain a score is redundant with other regulations in the Code or would be more appropriate in the Building Code. Remove the entire program from the Code and review the International Green Code when it is ready for public review.
6. Alternative Equivalent Compliance provides sufficient flexibility to accommodate alternative design solutions, although the issue of who the decision-maker is in the Town Core remained unclear. The some PZC members expressed concern with the Council's desire to have final design approval for projects in the Town Core.

Discussion

Given that this will be the final work session on the Code with PZC before the public hearing, PZC should provide direction on the following remaining topics:

1. The percentage multiplier used in the bonus density formulae. (**Attachment A**)
2. Design standards for single family and duplex units. (**see Attachment B**)
3. Intent statements for the Development Standards. (**Attachment B**)
4. An Alternative Equivalent Compliance process for Town Core properties. (**Attachment C**)
5. Various comments from the PZC work sessions. (**Attachment D**)
6. Identifying "primary streets" for ground floor retail in Town Center. (**Attachment E**).

Staff will complete a public hearing draft of the Code on or before May 28, 2010. Hard copies of the Code will be provided to the PZC and Council. The Code will also be available for downloading from the Town's website.

MEMORANDUM

TO: Planning and Zoning Commission members

CC: Sally Vecchio, Director of Community Development; Larry Brooks, Town Manager

FROM: Eric Heil, Town Attorney

DATE: May 14, 2010

SUBJECT: Development Bonus for Public Capital Improvements

Summary: The PZC and Town Council desired additional consideration with regard to the formula for calculating a development bonus for a "public capital improvement." This memorandum revisits the concept of development bonuses for public capital improvements.

Overview: §7.20.100 Development Bonus Requirements of the Avon Development Code permits *payment-in-lieu* of dedications or direct public capital improvements for nearly all potential Development Bonuses. The charts below illustrate the potential Development Bonus which may result from a \$1,000,000 public capital improvement or payment-in-lieu. NOTE that a payment-in-lieu would be required to be placed into a separate capital improvement fund for the designated public benefit.

The charts below use an average estimated cost per square foot for new construction of \$234/sq.ft. which is based on the building plans for the most recent large scale mixed-use commercial project. There are many more variables associated with property development which affect cost. The following charts are intended to illustrate the potential effect of the "Percentage Multiplier."

The Percentage Multiplier adjusts the formula so that the resulting Development Bonus provides an appropriate incentive for the public capital improvement. The Development Code currently proposes a Percentage Multiplier of **85%**. The Development Bonus resulting from a Percentage Multiplier of **75%, 65% and 50%** are also provided to illustrate the effect of adjusting the Percentage Multiplier. ***A lower Percentage Multiplier provides a greater incentive for a Development Bonus.***

The second chart illustrates the cost to the developer who seeks a Development Bonus for a public capital improvement. In addition to incurring the cost of the public capital improvement, the developer must also incur the cost of additional construction to realize the value of the Development Bonus (but does not incur additional land costs). The total cost per square foot for additional development should be considered against the potential market value for real estate. If the market value of real estate is sufficiently higher than the total cost for additional development, then a developer should have the incentive to seek a Development Bonus through a Public Capital Improvement.

Purpose: There are three purposes for a development bonus formula for public capital improvements. First, is to provide some predictability for the developer as to what amount of development bonus may be achieved with a public capital improvement contribution. Second, is to promote fair and consistent treatment amongst developers. Third, is to establish a formula that provides an appropriate incentive.

Financial Analysis: A developer will not utilize a development bonus if the cost equals or exceeds the value (potential profit) from the development bonus. Therefore, it is important to consider not only the cost of a public capital improvement but also the cost of construction for the additional square footage of the development bonus. If the total cost to the developer is less than the market rate for sales, then the developer should be able to realize a profit by utilizing the development bonus (and will thus have an incentive). The incentive for development bonuses through public capital improvements increases the more the market rate for sales exceeds the total cost per square foot of a development bonus. Older real estate product in Avon is listed in the range of \$200-\$350 per square foot whereas new real estate product is listed in the range of \$400-\$1,000 per square foot.

Hypothetical Example

Cost of Public Improvement	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
Average Estimated Cost per sq.ft. of finished construction	\$ 234.00	\$ 234.00	\$ 234.00	\$ 234.00
Percentage multiplier	85%	75%	65%	50%
Average Estimated Cost Adjusted per Multiplier	\$ 198.90	\$ 175.50	\$ 152.10	\$ 117.00
Additional square feet allowed as development bonus	5,028	5,698	6,575	8,547

Developer's total cost for Development Bonus

Cost of Public Improvement	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00	\$ 1,000,000.00
Cost to Construct Additional Square Footage	\$ 1,176,470.59	\$ 1,333,333.33	\$ 1,538,461.54	\$ 2,000,000.00
Total Cost	\$ 2,176,470.59	\$ 2,333,333.33	\$ 2,538,461.54	\$ 3,000,000.00
Total Cost per Square Foot for additional development	\$ 432.90	\$ 409.50	\$ 386.10	\$ 351.00

Recommendation: The Town has a long list of desired public capital improvements (pavilion, Nottingham Park playground, Main Street improvements and public art, public parking garages) which amounts to many millions of dollars. Considering that the Town's plans support additional density in the Town Core area and that the impacts of development bonuses must be addressed, it would seem to be to the Town's advantage to provide a strong incentive (i.e. low multiplier) for a public capital improvement development bonus.

Requested Action: Policy direction is requested regarding the appropriate Percentage Multiplier.

Development Bonus Calculations

Public Parking and/or Transit Improvements

$$\frac{\text{Cost of public parking and/or transit improvement}}{\text{the average estimated cost per square foot of finished construction for the property * eighty-five percent (85\%)}} = \text{additional square footage}$$

Pedestrian Enhancements

$$\frac{\text{Cost of pedestrian enhancement}}{\text{the average estimated cost per square foot of finished construction for the property * eighty-five percent (85\%)}} = \text{additional square footage}$$

Streetscape Enhancements Improvement

$$\frac{\text{Cost of streetscape enhancement improvement}}{\text{the average estimated cost per square foot of finished construction for the property * eighty-five percent (85\%)}} = \text{additional square footage}$$

Civic Facility Improvement

$$\frac{\text{Cost of civic facility improvement}}{\text{the average estimated cost per square foot of finished construction for the property * eighty-five percent (85\%)}} = \text{additional square footage}$$

**PROPOSED DESIGN STANDARDS
FOR
SINGLE FAMILY AND DUPLEX LOTS
IN THE WILDRIDGE SUBDIVISION**

Attachment B

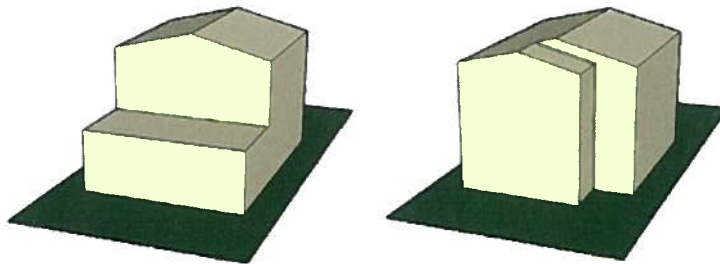
The purpose and intent of establishing specific standards for lots in the Wildridge Subdivision is to preserve the character of the hillsides, minimize grading impacts, and ensure that new houses are visually compatible with the surrounding area.

BUILDING DESIGN

INTENT: REDUCE A STRUCTURE'S VISUAL IMPACT BY MINIMIZING THE IMPACT OF HEIGHT AND MASSING FRONTING THE STREET.

Standard

1a. Proportional Stories Option – The total Residential Floor Area of each story other than the Base Floor in a multi-story building does not exceed 75% of the Base Floor area; this option is only available for buildings on a natural/existing "flat" (less than 15% slope) pad. OR



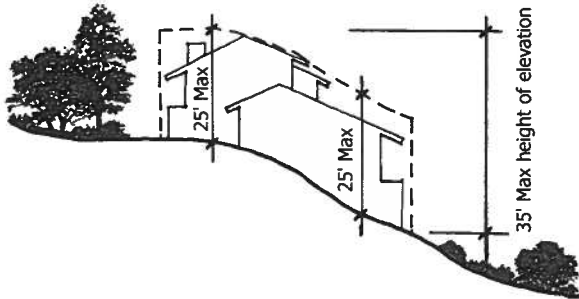
1b. Front Facade Step back Option – At least 25% of the front facade of a building is stepped-back a distance of at least 20% of the building depth; this option is only available for buildings on a natural/existing "flat" (less than 15% slope) pad.

INTENT: ENSURE THAT MASS OF BUILDINGS IS BROKEN UP. LIMIT MASSING OF BOX-LIKE STRUCTURES. AVOID OVERHEIGHT BUILDINGS.

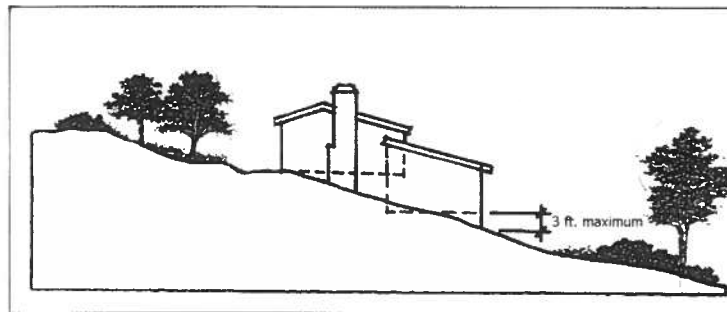
Standards

1. Buildings shall be designed to minimize bulk, mass and volume so as not to be prominently visible from a distance or from surrounding properties.
2. Buildings shall be designed to conform to the natural topography of the site and run with the contours. Blending with the existing terrain reduces the appearance of bulk.
3. Building or portions of buildings with flat roofs shall have the following height requirements:
 - a. 4:1 roof slope or greater 35 ft
 - b. Less than 4:1 roof slope 30 ft

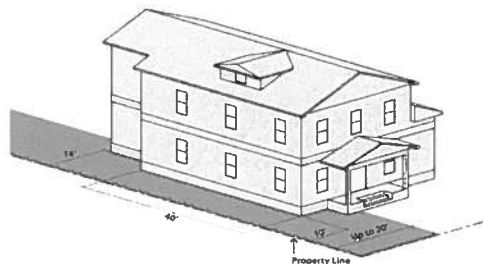
2. The maximum height of a building's tallest elevation shall not exceed 35 feet measured from the lowest part of the building to the highest part



3. The height of the lowest finished floor(s) of a structure, excluding basements, shall not be more than three feet above the existing grade to ensure that buildings follow slopes.



4. No single building wall on the downhill side of a house can exceed 20 feet in height or two stories above grade. Additional walls must be stepped back every 15 feet with a minimum step back of at least 10 feet.



Guidelines:

The building design should incorporate but not be limited to, the following techniques to effectively reduce the appearance of mass, bulk and volume:

- Keep building forms simple.
- Avoid architectural styles that are inherently viewed as massive and bulky.
- Minimize square footage.
- Minimize volume; avoid large volume buildings.
- Avoid overhanging decks, large staircases and patios formed by retaining walls that make buildings appear more massive. Avoid use of balustrades and solid wall railings that add to the mass of the design.

- f. Step the building foundation and roofs with the natural slope.
- g. Use horizontal and vertical building components to reduce bulk. Avoid two story wall planes.
- h. Create light and shadow by providing modest overhangs, projections, alcoves, and plane offsets, and varying elevations such as stepping second stories.
- i. Vary elevations, such as stepping back second stories, to conform with topography.
- j. Excavate or use below-grade rooms to reduce effective bulk. The visual area of the building can be minimized through a combined use of grading and landscaping techniques.
- k. Use vaulted ceilings rather than high walls and ceilings with attics above to achieve a feeling of volume.
- l. Second stories should be stepped back so the difference in wall planes is visible from a distance.
- m. Roof forms and rooflines shall be broken into smaller building components to reflect the irregular forms of surrounding natural features.
- n. The slope of the main roof shall generally be oriented in the same direction as the natural slope of the terrain.

INTENT: MINIMIZE LONG LOOMING WALLS ALONG PRIMARY ROAD FRONTAGE.

Standard

Walls taller than 20 ft in height and within 35 ft of the front property line shall be limited to a cumulative wall length of 50 ft. If a wall is longer than 50 ft it must set back from the property line by an additional 14 ft.

INTENT: MINIMIZE THE PRESENCE OF GARAGE ALONG THE STREETScape. ENTRANCES SHOULD BE THE DOMINANT ELEMENT FACING THE STREET, WITH GARAGE DOORS AS A SUBSIDIARY ELEMENT.

Standards:

1. All single family and duplex structures shall have a street oriented entrance and a street facing window.
2. The front façade of the garage shall be set back at least 10 ft further from the street than the front-most wall of the house. The garage may be located forward on the front façade of the house only if the garage doors are perpendicular to the street (side loaded).
3. Duplex units on corner lots shall have garages oriented on separate streets.
4. On the street facing façade(s), the width of the garage(s) shall not occupy more than 30% of the front façade.

INTENT: ENSURE THAT EACH RESIDENTIAL BUILDING HAS STREET-FACING ARCHITECTURAL DETAILS AND ELEMENTS WHICH PROVIDE HUMAN SCALE TO THE FAÇADE. AVOID FLAT, MONOTONOUS FACADES.

Standard

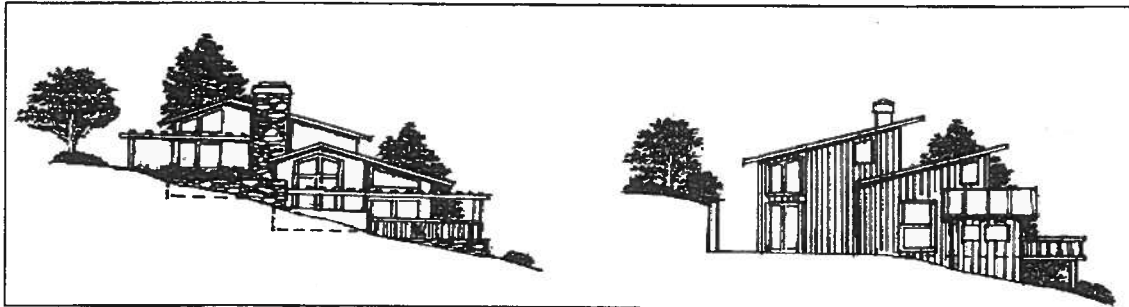
The design of structure shall be varied along the street elevation to create variety and interest. A significant alteration of the massing and composition (not just the exterior colors and materials) of each adjacent house must be accomplished.

SITE DESIGN

INTENT: TO MINIMIZE THE IMPACT OF GRADING AND RETAIN THE NATURAL TOPOGRAPHIC CHARACTER OF THE SITE.

Standards

1. Steep Slope Standards



Do this

Don't do this

2. Driveway Access Requirement

MATERIALS AND COLORS

INTENT: THE CONTRAST BETWEEN MANMADE BUILDINGS AND THE ENVIRONMENT SHALL BE MINIMIZED. A BUILDING'S COLOR AND MATERIALS SHALL COMPLEMENT AND BLEND WITH THE PREDOMINANT COLORS AND VALUES OF THE SURROUNDING NATURAL ENVIRONMENT.

Standards:

1. Exterior colors shall not exceed a reflectivity value of 30 and shall blend with the natural vegetation.
2. Roofs shall be a dark earth tone color with a variety of shades of that color that blend with the environment.
3. Exposed metal surfaces shall be painted to compliment adjacent materials, be anodized a dark color, or have the ability to develop a patina (e.g., copper).
4. Mirror-like window tinting is prohibited.
5. Contrasting color accents shall be kept to a minimum.

City of Fort Collins / Land Use Code (excerpts):

3.2.1 Landscaping and Tree Protection

B) ***Purpose.*** The intent of this Section is to require preparation of landscape and tree protection plans that ensure significant canopy shading to reduce glare and heat build-up, contribute to visual quality and continuity within and between developments, provide screening and mitigation of potential conflicts between activity areas and site elements, enhance outdoor spaces, reduce erosion and storm-water runoff, encourage water conservation and mitigate air pollution.

(N) ***Alternative Compliance.*** Upon request by an applicant, the decision maker may approve an alternative landscape and tree protection plan that may be substituted in whole or in part for a landscape plan meeting the standards of this Section.

(1) ***Procedure.*** Alternative landscape plans shall be prepared and submitted in accordance with submittal requirements for landscape plans. Each such plan shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will **better accomplish the purposes of this Section** than would a plan which complies with the standards of this Section.

(2) ***Review Criteria.*** To approve an alternative plan, the decision maker must first find that the proposed alternative plan accomplishes the purposes of this Section **equally well or better** than would a plan which complies with the standards of this Section. In reviewing the proposed alternative plan for purposes of determining whether it accomplishes the purposes of this Section as required above, the decision maker shall take into account whether the alternative preserves and incorporates existing vegetation in excess of minimum standards, protects natural areas and features, maximizes tree canopy cover, enhances neighborhood continuity and connectivity, fosters non-vehicular access, or demonstrates innovative design and use of plant materials and other landscape elements.

3.2.2 Access, Circulation and Parking

(A) **Purpose.** This Section is intended to ensure that the parking and circulation aspects of all developments are well designed with regard to safety, efficiency and convenience for vehicles, bicycles, pedestrians and transit, both within the development and to and from surrounding areas. Sidewalk or bikeway extensions off-site may be required based on needs created by the proposed development. This Section sets forth parking requirements in terms of numbers and dimensions of parking stalls, landscaping and shared parking. It also addresses the placement of drive-in facilities and loading zones.

(K) (3) **Alternative Compliance.** Upon written request by the applicant, the decision maker may approve an alternative parking ratio (as measured by the number of parking spaces based on the applicable unit of measurement established in the table contained in Section 3.2.2(K)(2)(a) for nonresidential land uses or the number of parking spaces based on use for recreational and institutional land uses) that may be substituted in whole or in part for a ratio meeting the standards of this Section.

(a) Procedure. Alternative compliance parking ratio plans shall be prepared and submitted in accordance with the submittal requirements for plans as set forth in this Section. Each such plan shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will **better accomplish the purpose** of this Section than would a plan which complies with the standards of this Section. The request for alternative compliance must be accompanied by either a traffic impact study containing a trip generation analysis or by other relevant data describing the traffic impacts of any proposed recreational or institutional land use or activity.

(b) Review Criteria. To approve an alternative plan, the decision maker must first find that the proposed alternative plan accomplishes the purposes of this Section **equally well or better** than would a plan which complies with the standards of this Section. In reviewing the request for an alternative parking ratio plan in order to determine whether it accomplishes the purposes of this Section, as required above, the decision maker shall take into account the number of employees occupying the building or land use, the number of expected customers or clients, the availability of nearby on-street parking (if any), the availability of shared parking with abutting, adjacent or surrounding land uses (if any), the provision of purchased or leased parking spaces in a municipal or private parking lot meeting the requirements of the city, trip reduction programs (if any), or any other factors that may be unique to the applicant's development request. The

decision maker shall not approve the alternative parking ratio plan unless it:

1. Does not detract from continuity, connectivity and convenient proximity for pedestrians between or among existing or future uses in the vicinity,
2. Minimizes the visual and aesthetic impact along the public street by placing parking lots to the rear or along the side of buildings, to the maximum extent feasible,
3. Minimizes the visual and aesthetic impact on the surrounding neighborhood,
4. Creates no physical impact on any facilities serving alternative modes of transportation,
5. Creates no detrimental impact on natural areas or features,
6. Maintains handicap parking ratios, and
7. For projects located in D, L-M-N, M-M-N and C-C zone districts, conforms with the established street and alley block patterns, and places parking lots across the side or to the rear of buildings.

3.2.3 Solar Access, Orientation, Shading

(A) *Purpose.* It is the city's intent to encourage the use of both active and passive solar energy systems for heating air and water in homes and businesses, as long as natural topography, soil or other subsurface conditions or other natural conditions peculiar to the site are preserved. While the use of solar energy systems is optional, the right to solar access is protected. Solar collectors require access to available sunshine during the entire year, including between the hours of 9:00 am and 3:00 pm, MST, on December 21, when the longest shadows occur. Additionally, a goal of this Section is to ensure that site plan elements do not excessively shade adjacent properties, creating a significant adverse impact upon adjacent property owners. Thus, standards are set forth to evaluate the potential impact of shade caused by buildings, structures and trees.

E) *Alternative Compliance.* Upon request by an applicant, the decision maker may approve an alternative site layout that may be substituted in whole or in part for a plan meeting the standards of this Section.

(1) *Procedure.* Alternative compliance plans shall be prepared and submitted in accordance with submittal requirements for plans as set forth in this Section. The plan shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will better accomplish the purpose of this Section than a plan which complies with the standards of this Section.

(2) *Review Criteria.* In approving an alternative plan, the decision maker shall find that the proposed alternative plan accomplishes the purposes of this Section **equally or better** than a plan which complies with the standards of this Section. In reviewing the proposed alternative plan, the decision maker shall take into account whether the alternative design enhances neighborhood continuity and connectivity, fosters nonvehicular access, and preserves existing natural or topographic conditions on the site.

3.2.4 Site Lighting

(A) *Purpose.* The intent of this Section is to focus on the actual physical effects of lighting, as well as the effect that lighting may have on the surrounding neighborhood. Exterior lighting shall be evaluated in the development review process to ensure that the functional and security needs of the project are met in a way that does not adversely affect the adjacent properties or neighborhood. The degree to which exterior night lighting affects a property owner or neighborhood will be examined considering the light source, level of illumination, hours of illumination and need for illumination in relation to the effects of the lighting on adjacent property owners and the neighborhood.

(E) *Alternative Compliance.* Upon request by an applicant, the decision maker may approve an alternative lighting plan that may be substituted in whole or in part for a plan meeting the standards of this Section.

(1) *Procedure.* Alternative compliance lighting plans shall be prepared and submitted in accordance with submittal requirements for lighting plans as set forth in this Section. The plan shall clearly identify and discuss the modifications and alternatives proposed and the ways in which the plan will **better accomplish the purpose** of this Section than would a plan which complies with the standards of this Section.

(2) *Review Criteria.* To approve an alternative plan, the decision maker must first find that the proposed alternative plan accomplishes the purposes of this Section **equally well or better** than would a lighting plan which complies with the standards of this Section. In reviewing the proposed alternative plan, the decision maker shall consider the extent to which the proposed design protects natural areas from light intrusion, enhances neighborhood continuity and connectivity, fosters nonvehicular access, and demonstrates innovative design and use of fixtures or other elements.

PARKING, LOADING AND ACCESS

- Check out Eagle County diagrams and illustrations for parking and loading standards.

Staff Response: Engineering Staff has reviewed the Eagle County diagrams, and after further review, has decided to incorporate alternative dimensional parking standards. (See attached)

- Add parking garage standards for minimum inside clearance height for large profile vehicles, and dimensions for drive aisles and turn radius.

Staff Response: We will include appropriate standards to accommodate larger passenger vehicles, trucks and SUVs; a clearance of 8'6" for garages and parking lot dimensional standards that include turn radius.

- Should we add a requirement that limits surface parking on a lot in Town Center?

Staff Response: There are several factors that lead Staff to believe this is not necessary in Town Center zoned properties. By introducing a minimum FAR for TC properties, coupled with the fact that the site coverage allowance has increased to encourage development to maximize site coverage with buildings rather than surface parking.

- Add a lighting requirement specific for Town Center that limits pole height and the number of light fixtures in a surface parking lot. Stop over lighting.

Staff Response: Proper enforcement of the current Outdoor Lighting Ordinance (OLO) can achieve this goal. The OLO requires lighting plans to include fixture location and height, in addition to the standard manufacturer specifications. Matt - Do either of the Investment Plans recommend a type of light fixture and light pole for ROW and parking areas in Town Center? If so, make a copy of the illustration and explain PZC would use the Plan for guidance.

- Stacking requirements at driveway entrances?

Staff Response: We will include a minimum stacking requirement for parking garages or driveway entrance with gates.

- Snow storage – is 20% enough? Vail requires 30% for unheated surfaces and 10% for heated surface areas.

Staff Response: We do not want to incentivize heated surfaces because they are inconsistent with the Town's desire to ensure more sustainable development and design.

- Parking lot landscaping requirements – change 10 ft island requirement to 6 ft.

Staff Response: We agree and can incorporate this change.

- Sidewalk requirements – why is concrete not an approved material?

Staff Response: According to the Engineering Department, an asphalt surface is used for trails because of bicycle traffic. Sidewalks can be surfaced in concrete or other acceptable materials.

MOBILITY/CONNECTIVITY

- Do the standards allow paths and walkways to be located “where you walk” or do they have to be located along the perimeter of lots and along ROW only?

Staff Response: Town of Avon owned and maintained paths and walkways must follow Public Ways and ROW unless an easement is dedicated to the Town. Private walkways and paths on private property can be located in a manner that responds to the design of the project and the location of adjacent Public Ways and ROW.

- Ensure that we have trail standards for slope, width and separation (bike and pedestrian).

Staff Response: The Engineering Improvement Standards Chapter of the Code, references the (Spell out entire name) (AASHTO) trail manual and ECO standards, which include slope, width, separation, etc.

LANDSCAPE, SCREENING, WALLS & FENCES

- Retaining walls material should be “compatible” and “cohesive”.

Staff Response: Staff has added standards to the retaining wall subsection of the development standards to address this comment. (see attached)

- Add landscape standards that require cohesive, natural design.

Staff Response: Standards for Residential Landscaping can be added to the Design Standards of the Code.

- Retaining walls needs more standards to prevent tall, unattractive, poorly landscaped walls visible from public views. When is MSE material OK, when is it not? Need to address irrigation as well (plantings don't usually survive b/c we don't require irrigation).

Staff Response: Staff has added standards to the retaining wall subsection of the development standards to address this comment. (see attached)

- When is civil engineering required for retaining wall? Vail has a 6ft height limit.

Staff Response: Retaining walls over four feet high or any wall supporting a vehicle load or structure, must be structurally designed and certified by a Colorado licensed engineer.

DESIGN STANDARDS

Residential

- The pitched roof requirement is OK, and flat roofs should be exception – but under what conditions? True Pueblo architecture should be permitted.

Staff Response: Staff is exploring standards that would permit flat roof designs for single-family or duplex structures, with reduced building height (i.e. 35' to 30' max) to help minimize the massing and boxiness of the structure.

- Stone façade requirement is too much.

Staff Response: This section will be revised. Instead of mandating 30% stone for building elevations, Staff is proposing that at least two materials are present on every building elevation, and no more than 70% of any building elevation can be a single material.

- Massing of duplex units needs to be addressed, and all standards for duplexes should apply to single family units.

Staff Response: Design standards will be universal for either single-family or duplex structures. Staff is proposing several new standards to help address the massing of duplex structures. (See attached)

- Standards require “curb appeal”.

Staff Response: Standards to further address front (primary) building elevations for Single family and Duplex structures have been collated by Staff. Limiting garage frontage and requiring additional architectural treatments to this building elevation are being explored. (see attached)

- Repetition in building form and massing should be discouraged.

Staff Response: The current drafted standards address this comment.

- Front entrances to homes should dominate front façade – not the garage.

Staff Response: The current drafted standards address this comment.

Commercial

- Four sided architecture is fine, but what if the back side of the building is not visible?

Staff Response: It depends. If the back side of a building may be visible to another property at some future time, four-sided design will be required. If the backside of the building is not ever likely to be exposed to public view, the applicant can apply for Alternative Equivalent Compliance.

- Standards should support pedestrian scale

Staff Response: The standards are geared to achieving a pedestrian scale and feel from the street level, pedestrian perspective with building step-backs and further articulation at the on-grade (walking) levels.

- Define “articulation” and the intent of the articulation standards.

Staff Response: “Building Articulation” will be defined. .

- Define intent of the massing standards.

Staff Response: Intent Statements will be included with each Design Standards.

ALTERNATIVE EQ COMPLIANCE

- Process should make it difficult for applicant to get an AEC

Staff Response: AEC is intended to create flexibility and encourage creative design. It should not be difficult to obtain an AEC, provided the alternative is equal to or better solution than the standard.

- Each change in a standard should be separate application with big fee. \$1000 per application?

Staff Response: Staff will continue to refine this process given all of the comments from both PZC and TC to date.

- Make sure a clear and specific “intent” statement is included with each development standard, so it creates a standard by which to review an AEC application.

Staff Response: Intent statements will be included with each Design Standard.

- How can we be sure that this doesn't turn into a loophole for waiving the Development Standards?

Staff Response: The success of the AEC process is dependent on the specificity of the review criteria and the commitment of the decision-making body to uphold the criteria. If the PZC feels that the review criteria for ACE applications needs more refinement, staff will provide adjustments.

- Why does Town Council want to review Development Plans and AEC applications in Town Core?

Staff Response: This was discussed at the May 11th Joint Work Session with Council.

