



Agenda

MEETING OF THE MINTURN PLANNING COMMISSION

Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday, February 24, 2016

Regular Session – 6:30 pm

PLANNING COMMISSION:

Lynn Teach – Chair
Burke Harrington
Bobby Head
Brad Bickerton
Justin Carter

Planning Director – Janet Hawkinson

When addressing the Planning Commission, please state your name and your address for the record prior to providing your comments. Please address the Planning Commission as a whole. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Regular Session – 6:30pm

- 1. Call to Order**
 - Roll Call
 - Pledge of Allegiance
- 2. Approval of Agenda**
 - Items to be Pulled or Added
- 3. Approval of Minutes**
 - February 10, 2016

4. **Public comments on items, which are not on the agenda (5 minute time limit per person)**

DESIGN REVIEW

5. **Variance:** A variance application for 386 & 392 Taylor Avenue, Minturn, CO for a front setback of 10 feet from the south west corner of property and to be parallel to Taylor Avenue.

PROJECTS

6. **Town Entrance Phase 2 – update**
7. **Minturn Master Plan – Phase 1 – Main Street Designing in Commercial District and review of Commercial Zoning Codes**



Official Minutes

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Regular Session – 6:30 pm

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These minutes are formally submitted to the Town of Minturn Planning & Zoning Commission for approval as the official written record of the proceedings at the identified Planning & Zoning Meeting.
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Regular Session – 6:30pm

1. Call to Order

Lynn Teach called the meeting to order at 6:31 pm.

- Roll Call

Those present included: Planning Commission members Lynn Teach, Burke Harrington, Bobby Head, Brad Bickerton and Justin Carter.

Staff present: Janet Hawkinson, Town Planner, Economic Development/Deputy Clerk Michelle Metteer.

- Pledge of Allegiance
- Introduction & Pledge of New Planning Commissioner – Justin Carter

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Burke Harrington, Second by Bobby Head, to approve the agenda as presented. All voted in favor.

3. Approval of Minutes

- January 13, 2016

Motion by Burke Harrington, second by Brad Bickerton to approve the minutes of January 13, 2016 as presented. All voted in favor.

4. Public Comments

(on items which are not on the agenda - 5 minute time per person)

No public comments

DESIGN REVIEW

5. Design Review: Final Subdivision Plat: Highway 24, Game Creek Character Intermountain Landscape & UPRR

Zoning Change from Game Creek PUD to Grouse Creek Commercial zoning at Highway 24, Intermountain Landscape & UPRR

Rick Pileman, 137 Main St, Edwards, Colorado provided a presentation on the landscaping and maintenance of the above proposed project.

Key changes: Aspen trees added to parking islands, fencing where requested along the North West side of the property, and larger materials moved closer to the buildings to the norther section of the property.

Bobby Head recommended a potential mix of aspen and spruce trees in the parking islands. Lynn Teach is in agreement and provided additional feedback for vertical height, yet narrow space for parking.

Lou Meskiman, 23698 HWY 24, requested trees or possibly high shrubs toward the north end of the plot to block the view for adjoining offices. Lou also asked about future plans for the property and if office space will be involved.

Ziggy (last name not provided) spoke with people within the Meadow Mountain Business area and will look to coordinate a future plan, meeting the needs of both parties. It was indicated there are no future plans for permanent structure offices on the property.

Motion by Brad Bickerton, second by Burke Harrington to accept the zoning change. All voted in favor

Motion by Brad Bickerton, second by Burke Harrington to approve the Final Subdivision Plat with the following conditions: the approved landscape plans for screening is installed, that snow is not to be pushed into the river, building permits need to be obtained for greenhouses, sheds and fencing, and the site plan for greenhouse and storage is approved the the Planning Department before installation. All voted in favor.

SPECIAL PRESENTATIONS

6. Crave Communities – Eagle Street, Minturn CO – special presentation on a possible land trade of a parcel of land within Minturn Town Boundaries and the US National Forest

There was an estimated 60 people who attended the meeting.

Janet Hawkinson provided a brief outline on the Planning Commission's role in the process and offered feedback options for the attendees. As per the Minturn Zoning Code, the Planning Commission is a recommendation body to the Town Council. The presentation is a land use matter. It is appropriate for Planning Commission to consider and provide a recommendation to the Council on: Crave Communities request that a letter be sent to the US Forest Service consenting to the initiation of a land exchange process.

Tim McGuire provided an informational presentation for the proposed land swap including over 7000 ac of protected open space, with Crave Communities, formerly Battle Mountain, and the USFS.

www.cravecommunity.com is available for information and contact.

Dave Flaherty, Magellan Strategies, provided data on recent surveys conducted in the eastern Eagle County area.

Pedro Campos, landscape architect with Zehren and Associates, provided a broad overview of the planning studies conducted for the potential land exchange.

Upon completion of the presentation, Tim McGuire proceeded to explain the two year process of a potential land exchange to occur.

Cliff Thompson requested that a recess be taken so that the chairs could be rearranged for more seating. Lynn Teach called a recess.

The Planning Commission met at the front of the room, behind their seats and discussed the administrative process for the Public Comment & Questions Presentation and their role as a recommendation body.

7. Public Comment & Questions on Presentation

Lynn Teach outlined the process of the public comment section, Commission questions first, followed by public comments, including a three minute time limit per comment in order to allow all interested parties to comment given such a large number of people in attendance.

Burke Harrington asked for further detail regarding the density of the project and potential traffic congestion issues specifically at the Trailhead community area.

Mr. McGuire explained the need for a full traffic study as well as studies for additional public transportation options. Additionally, a park & ride option may be feasible.

Brad Bickerton asked about the numbers of people who would be potentially moving to the area and if the valley is able to sustain that number.

Tim McGuire estimated approximately 1000 homes are in the initial plan, however all would be at the discretion of the approval of the Town.

Bobby Head asked about the Trailhead project and if it might be deed-restricted of some kind. And if public parking would be provided at the Martin Creek trailhead. – Mr. McGuire confirmed both.

Justin Carter asked about the level of transparency between Crave, the Town of Minturn, and the US Forest Service.

Tom Glass, Western Land Group, explained the high level of transparency and the opportunity to discuss project modifications throughout. Two primary factors for a land exchange: fair market value for fair market value as determined by appraisals, and the second is that the value the public receives must meet or exceed the value of the land exchanged.

Jeff Miller, 350 King Ranch Road inquired about Forest Service “say” regarding the development.

Lynn Teach proceeded to ask several questions brought forward by the audience including any involvement

Michael Cacioppo, Avon, CO asked about the rumored 1700 units and asked about alternative access points from Minturn to I70? –No. Tim McGuire indicated there are currently no alternative access points.

Mr. Cacioppo stated, in reference to the discussion by the Planning Commission at the front of the room, that a higher level of transparency from the Planning and Zoning Commission is needed. He further requested an update as to the content of the discussion during recess.

At which point Lynn Teach provided Mr. Cacioppo with her hand written notes of her introduction to the audience, that she read publicly when the meeting re-adjourned for the Public Question and Answers. The notes and discussion were about how the public question and answers were to be managed, the Planning Commissions role as a recommendation body, the discussion being about administrative procedure.

Leo Vasquez, 1019 Mountain Drive expressed concern regarding the effects of development on wildlife and residents who have already built houses in the wildlife area.

Lynn Feiger, 344 Eagle St, expressed that it is not Minturn’s responsibility to solve the county’s affordable housing problem. She also expressed concerns regarding traffic.

Tim McGuire expressed that this is a very long-term project.

Virginia Olsen, 298 Eagle St wanted to continue with the question as to why the land swap would be necessary. She asked why the initial Battle Mountain project couldn’t continue.

Chris (last name not provided) 79 Mann Ave asked about the crime rate in Minturn and if the kind of folks who would move into affordable/attainable housing would attract a higher crime rate.

Mr. McGuire explained to Chris that an increased population would allow for the funding of additional town services, such as its own police force.

Woody Woodruff, 344 Eagle St, expressed the consolidated tailings environmental problem, and there being no cap. He also expressed that the initial

project was geared primarily toward second homeowners and the new proposal would be available for local residents which would increase the level of traffic in town.

Ben Zatsky, 531 Red Cliff asked about where the water from the mine is going to go? He provided a brief example of why the Minturn community does not need affordable housing, and that places such as Carbondale and Grand Junction are a better option for people looking for attainable housing.

Rob Dishesky, 550 Taylor St, does not believe the land swap holds equal value to the community. He also asked for a land appraisal for the two pieces of land from Tom Glass. Tom Glass expressed he is not an expert on land values or appraisals.

Jeff Miller, 350 King Ranch Rd, expressed that large amounts of affordable housing is not Minturn's problem, and needs to be solved by Vail Resorts.

Charles Overy, 500 Pine St expressed that this is not about Vail Resorts. He explained that if the current environment of the room is the message Minturn wants to give, than many of us don't belong in Minturn, but rather Minturn is wanting to turn into a second homeowner destination and not a local community.

Dave Klapp, 392 Taylor St, asked what would be considered a "consensus of the town?"

Emily Martinez, 1010 Mountain Drive, stated that having homes on the mountain by town would take away from recreational activities. She also stated that open space is not "private yards" in reference to the conceptual Trailhead Community. Mr. McGuire explained that the 40% open space for the Trailhead Community is in the project as publicly accessible land, not private yards.

Earle Bidez, 449 Pine St answered a question regarding the consent from the town. Consent would require an endorsement by the majority of the town council.

Mr. Bidez asked how we can maintain our vibrancy as a community without a middle-class?

Mr. Cacioppo explained how the Chamonix project in Vail is better geared toward young doctors and lawyers rather than affordable housing for the community.

Colleen Bouchesky, 560 Taylor, asked about the length of the "loop" and Mr. McGuire expressed approximately 5 miles.

Ernesto (last name not provided) from 1012 Mountain Drive, believes we need some housing for folks who will be here for more than a couple weeks a year. He explained that his community put in the water line, gas line, road, and more in the proposed Trailhead Community area and the proposal needs to be scaled down.

Lynn Teach explained that when she first moved here and bought a home, Minturn had many amenities, such as a grocery store, pharmacy and more that have been lost since the expansion of the western side of the county. She described the failing infrastructure, low tax base, and difficulty for the small businesses. She further expressed that a wise decision is important for the future of Minturn.

Brad Bickerton thanked the audience for their involvement and love of the community. He further expressed the need for the community to stay open minded and considering of the overall future of Minturn.

Lynn Feiger, 344 Eagle St told the story of how the town once had the option of an RV Park and had to fight and spend significant amounts of energy for the project to be turned down. She also would like to see slow growth.

Burke Harrington was appreciative to have the pros and cons expressed by the community.

Motion by Brad Bickerton, second by Bobby Head:

'To recommend that a letter be sent to the US Forest Service consenting to the initiation of a land exchange process with Crave Communities.'

Brad Bickerton yes, Burke Harrington nay, Lynn Teach yes, Bobby Head, yes, Justin Carter, yes.

PROJECTS

8. Town Entrance Phase 2

Staff and CDOT are working out final details to the entrance plan. Construction is still planned to start this spring.

The Saturday before July 4th will be the first Minturn Market. The market will also continue to have two entry and exit points thru Williams and Nelson St. for vendor loading and unloading.

9. 2016 Master Planning per code

Motion by Brad Bickerton, second by Bobby Head to adjourn the meeting at 9:57 pm. All voted in favor.

February 11, 2016

To Whom It May Concern,

I, David Clapp, have applied for a variance through the Town of Minturn regarding the front setback at 386 and 392 Taylor Street, Lots 10A and 7A, Block C. Minturn, Colorado. There are two public meetings scheduled. The Planning Commission on February 24, 2016 and then Town Council on March 2, 2016. Both hearings are at the Minturn Town Hall. 302 Pine Street. Minturn, Colorado. Thank you.

David Clapp
392 Taylor Street
Minturn, CO 81645

February 11, 2016

Applying for this variance my intent is to have my property conform with Taylor Street and the Game Creek neighborhood, making the front of the property visually pleasing and functional. The property to the north has a retaining wall/driveway that encroaches 20 feet into Taylor Street. Couple this with my front property line at an angle not parallel to Taylor Street, the result being an actual setback of 45 feet. Currently the properties have structures that I eventually want to replace. 392 Taylor Street has an old "miner" house without a foundation in the front that I want to replace with a Garage with living space above. 386 Taylor Street currently is home to a trailer where I would like to build a duplex. I would like to move forward and start the planning process with the front setback not being the burden that it is now. I would also like to note that the front setback for the Game Creek neighborhood is twenty feet, which is inconsistent with other areas of Minturn. The previous five town planners have told me they don't know the reasoning behind this. Thank you.

David Clapp
392 Taylor Street
Minturn, CO 81645
(970)-390-3018



VARIANCE PERMIT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

302 Pine Street – PO Box 309

Minturn, CO 81645

(p) 970-827-5645

(f) 970-827-5545

Applicant: <u>David Clapp</u>	Address of: <u>386 + 392 Taylor Ave</u>
Signature: <u>[Signature]</u>	Requested Variance: <u>Lot 7A Block C, Lot 10A Block C</u>
Property Owner (if different from applicant): (an affidavit of authorization must be included)	(name) <u>MIXDBCLAPP@YAHOO.COM</u>
<u># 970-390-3018</u>	(signature) _____

Please respond to the following questions regarding the variance request

Please describe the nature of the requested variance: A front setback 10 feet from the South West corner of each property parallel with Taylor Avenue.

Are there exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone? (if yes, please elaborate) Yes, the front property line does not run parallel with Taylor Avenue. Coupled with a retaining wall encroaching 18 feet onto Taylor Avenue after the North West property corner.

Do the exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning code? (if yes, please elaborate) Yes, these circumstances result in a front setback of 40 to 30 feet from Taylor Avenue.

The Planning Commission and Town Council are required to make the following findings before granting a variance:

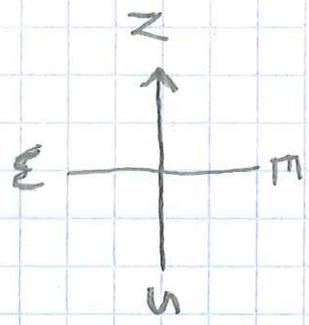
1. There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
2. The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning code;
3. That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity and will not result in substantial impairment to the purposes of the zoning code;
4. There is no substantial impairment to the public that would result from the granting of the variance

Town Use Only

Date received <u>8-10-15</u>	Planner <u>[Signature]</u>
Fee Paid <u>\$700.00</u>	Signature _____

PAID \$700.00 ON FEBRUARY 5, 2016
JA

4 Feet sq. ft



Lot 11, Block C

36 x 36, 2 story
wood frame,
Stucco dwelling,
with foundation

392 Taylor Avenue

Lot 10 A, Block C

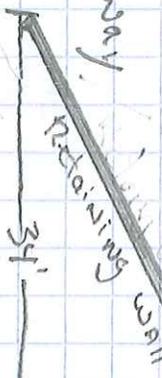
386 Taylor Ave.

Lot 7A, Block C

Pictures 1+2

Retaining wall

Driveway



Picture #6

Property line

Proposed setback 10'

20' Property setback

Property line

Proposed setback 10'

20' Property setback

Property line

Telephone pole

Picture #3

Picture #4

Functioning Taylor Avenue is 22 Feet wide paved

Picture #5



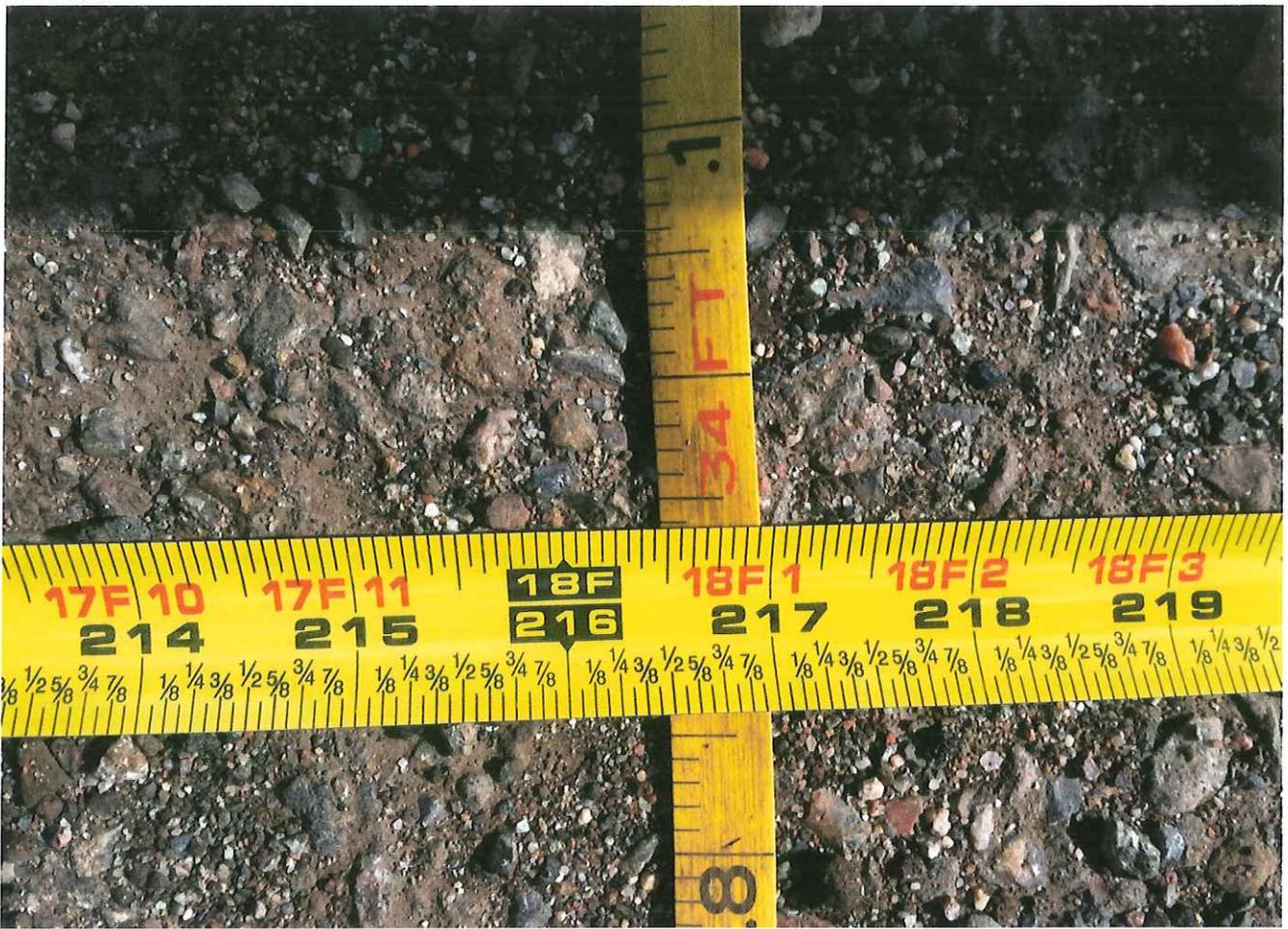
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#1



#2

#2





#5

#5

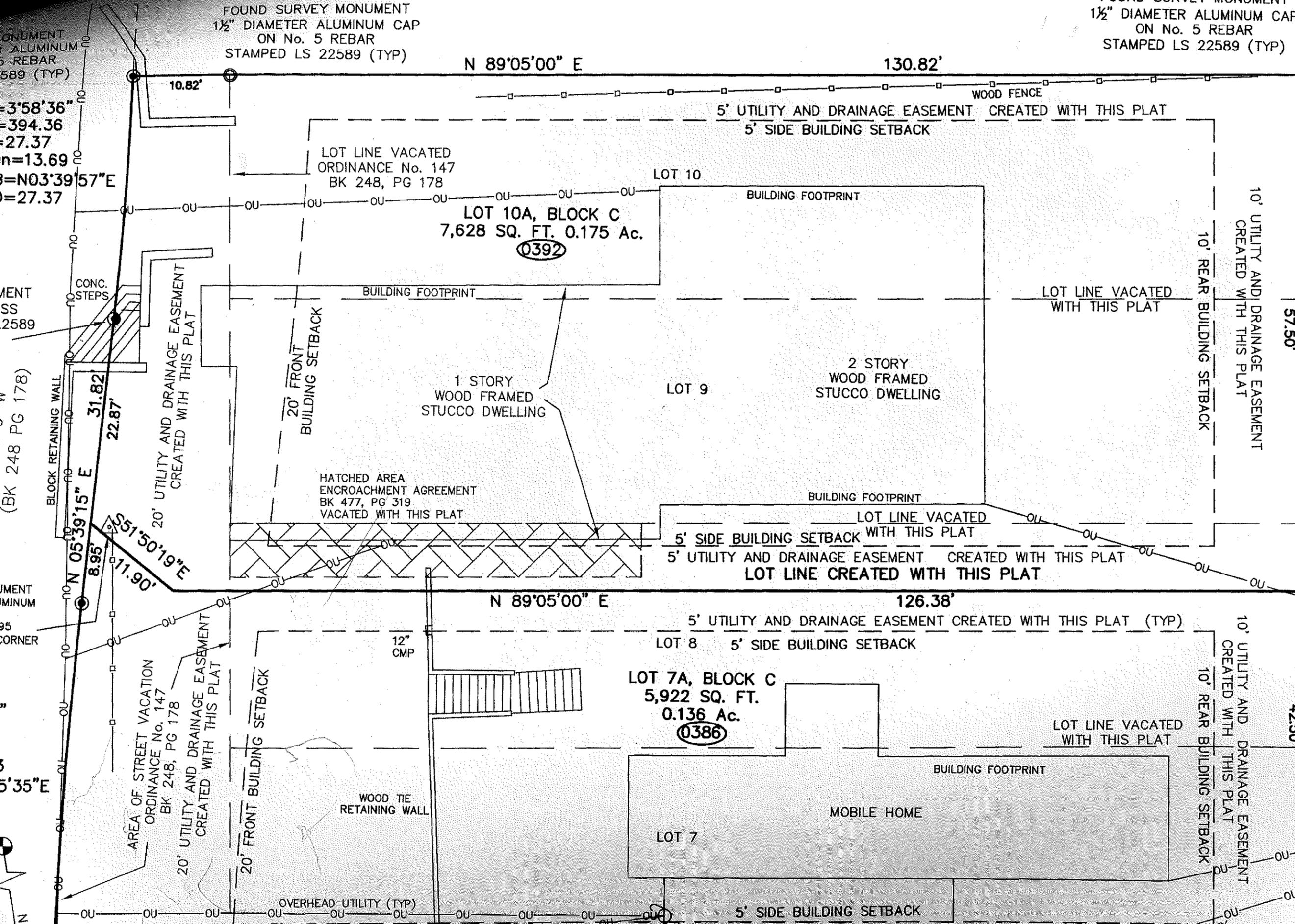


#6

#6

LOT 11, BLOCK C
BK 668, PG 895

FOUND SURVEY MONUMENT
1 1/2" DIAMETER ALUMINUM CAP
ON No. 5 REBAR
STAMPED LS 22589 (TYP)



- NOTES:
- 1) The purpose of this plat is to show the platted lot lines in Book 477 at Page 178. Drainage easements are shown.
 - 2) Survey Date: _____
 - 3) Basis of bearing and distance were marking the west line of the Addition to Minturn Office dated June _____
 - 4) The legal descriptions were derived from the Title Commitment of the Eagle County Company, dated _____ 1976 and recorded in the Eagle County _____
 - 5) There are no _____
 - 6) Addresses are _____ Eagle County _____
 - 7) Due to three _____ certain improvements _____
 - 8) NOTICE: According to _____ based upon any _____ discovered such _____ in this survey be _____ certification shown _____

(TIE)
FOUND SURVEY MONUMENT
1 1/2" DIAMETER ALUMINUM
CAP ON REBAR
STAMPED LS 20695
N85°03'E 12.22' FROM CORNER

CERTIFICATE OF TA
I, the undersigned,
assessments due _____
upon all parcels of _____
Dated this 19th _____
Karen J. Ph...
Treasurer of Eagle _____

CLERK AND RECORD
This Plat was filed _____
1:23 o'clock

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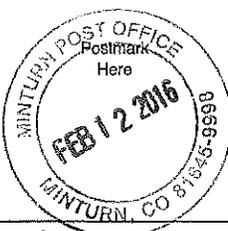
Adult Signature Restricted Delivery \$

Postage
 \$.49

Total Postage and Fees
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Box 67
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1857 S Lincoln St
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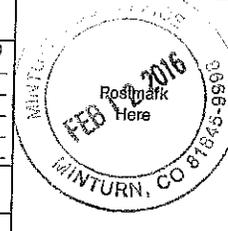
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Box 235
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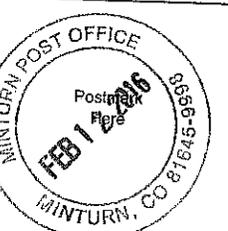
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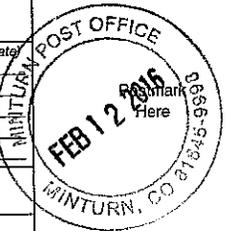
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Postage \$.49	
Total Postage and Fees \$ 3.94	
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