



Agenda

**MEETING OF THE MINTURN PLANNING COMMISSION
Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645**

Wednesday March 8, 2017

Regular Session – 6:30 pm

CHAIR – Lynn Teach

COMMISSION MEMBERS:

Greg Gastineau

Bobby Head

Jeff Armistead

Burke Harrington

Planning Director Janet Hawkinson

When addressing the Commission, please state your name and your address for the record prior to providing your comments. Please address the Commission as a whole through the Chair. 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 – 6:30 pm

1. Call to Order

- Roll Call
- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

3. Approval of Minutes

- February 22, 2017

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

PUBLIC HEARINGS, DISCUSSION, AND ACTION ITEMS

- 1. Peace-Love-Yoga Sign Application**
- 2. Design Review: 992 Main Street, Minturn, CO**

STAFF REPORTS

- 5. Town Planner**

FUTURE AGENDA ITEMS

- 6. Next Meeting – March 22, 2017**
 - Elect Planning Commission Chair
- 7. Future Meetings:**
 - Bellim Bridge
- 8. Set Future Meeting Dates**
 - a) Council Meetings:
 - March 22, 2017
 - April 12, 2017
 - April 26, 2017
- 9. Adjournment**



Official Minutes

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Wednesday February 22, 2017

Regular Session – 6:30 pm

CHAIR – Lynn Teach

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Hawkinson

These minutes are formally submitted to the Town of Minturn Planning Commission for approval as the official written record of the proceedings at the identified Meeting. Additionally, all Planning Commission meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Planning Office at 970/827-5645 302 Pine St. Minturn, CO 81645.

Regular Session – 6:30 pm

1. Call to Order

Chair L. Teach called the meeting to order at 6:35pm

- Roll Call

Those present included Chair Lynn Teach, Greg Gastineau, Bobby Head, Jeff Armistead, and Burke Harrington.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Greg G., second by Burke H., to approve the agenda as presented. Motion passed 5-0.

3. Approval of Minutes

- February 8, 2017

Motion by Burke H., second by Greg G., to approve the minutes of February 8, 2017 as presented. Motion passed 4-0. Note: Bobby H. was excused absent.

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

**PUBLIC HEARINGS, DISCUSSION, AND ACTION ITEMS
FUTURE AGENDA ITEMS**

5. AEC - Architectural Engineering Lighting Presentation

Electrical Lighting Engineer Stanton Humphries and Town Engineer Jeff Spanel explained the attributes and characteristics of dark sky lighting. A replica of the town light was on display. It was turned on to show the light pattern and recessed light. It was explained through engineering and light distribution the downtown street lights are dark sky rated. An electrical engineering report was provided.

6. Sign Approval: EDAC Minturn Community Message Board

Michelle Metteer, Minturn's Economic developer, described the use of the board as a public use for communication purposes. The board was in Council to show for approval.

Motion by Jeff A., second by Greg G., to approve the Sign EDAC Minturn Community Message Board as presented. Motion passed 5-0.

7. Sign Approval: Peace * Love Yoga Sign Approval

Greg G. asked about the material being used to build the sign, which was unknown at the moment. He suggested the applicant to add additional information to the sign such as: "yoga studio", as the words "peace-love" don't quite reflect the type of business conducted at the store.

Commission agreed that a 14" tall x 8' long sign size, doesn't seem big enough for that kind of building.

Planning Commission would like further information on the kind of materials that will be used to build the sign, before they make a motion.

Sign was tabled until next meeting.

8. Subdivision Approval - RBLA Subdivision Lot 721 Main Street, Minturn, CO

Janet H. introduced the Subdivision Application. She described the lots and the staff recommendation for conditions of approval for the subdivision. Applicant Representative, Tom Sullivan, 116 Nelson Ave., described the history of the land and the objectives the owner has had, as well as the taxes and fees paid by him over the years. He clarified that there is a potential buyer who intends to build small developments, most likely for employee housing. Which will be individually developed. There is no water line easements currently on the property. Mr. Sullivan stated that a 10' instead of 15' setback for the water easement is something they can probably work with, but no buyer would want a snow storage for the Town at the end of their lot.

Public comments:

Mr. Sorensen, 671 Boulder St., requested to be able to look at the building envelope for potential construction in specific areas.

The owner of lot 711 Main St. expressed his distress about the 10' setback, whether it is in the front yard, backyard or on the side. Feels as new construction will end up very constraining.

Mrs. Lochhead, Ian's Lochhead mother at 711A Main St. expressed her son's concerns about the proposed lot #2 regarding: drainage, snow storage behind his property, right away access, turnaround for fire trucks and maintaining trees to preserve the natural environment as well as privacy. Please see attached statements.

Anne Hutchinson, representing seller, as the attorney. Exposed the plans of the first subdivision application which would be divided into 6 subdivisions, spending money on developing and building permits fees of the Town. Stated it will go in foreclosure if not sold. Burke asked her about the snow storage being utilize in the lot.

Janet H. affirmed section 16-17-18 has been reviewed and they do comply with the Code. Therefore it is recommended by Town staff to approve the subdivision.

Lynn T. called a recess at 8:05pm.
Meeting was called back to order at 8:10pm.

Burke H. appreciated all the real concerns from residents about setbacks, drainage, snow storage, fire, though is up to the new owners to determine what they can build in the future. All those issues are not being decided right now.
Bobby H. identified the fact that the Town has been using that lot for snow storage over the years, is not a necessity but a convenience, it can be figure out differently.

Motion by Greg G., second by Bobby H., to approve the RBLA Subdivision Lot 721 Main St, Minturn CO as presented with the following conditions:

1. The subdivision plat will be amended to depict an easement dedicated to the Town of Minturn on through the rear of Lots 2 and 3, and amended Lot 1 of the McFarlane Minor Subdivision. The easement will be 10 feet in width for the construction, operation, maintenance and replacement of a water line. This easement is required to allow Minturn to loop water lines in this area which is needed to provide adequate supply and pressure to the newly created lots and in the event water needs to be temporarily turned off in an adjoining town zone.

2. The subdivision plat contains drainage and utility easements along common lot lines for the benefit of each lot depicted on the plat. The plat will be amended to contain a plat note stating "It is anticipated that sidewalks will be constructed along Highway 24 and the Highway 24 roadway will be resurfaced in 2019. In order to prevent damaging cuts into the new sidewalk and roadway, utility service extensions from Highway 24 will be constructed onto each Lot prior to the sidewalk/resurfacing work. In the event that any utility is not extended from Highway 24 onto the Lot prior to the sidewalk/resurfacing work, the owner of said Lot will be required to obtain access to such utility from Boulder Street by way of the utility and drainage easements depicted on the plat." The individual lots will not be granted street cut permits to attach to water, sewer and other utilities on Highway 24 after the new paving and sidewalks are installed with the CDOT - Minturn South Sidewalk & Road Reconstruction Project.

3. The subdivision plat will be modified consistent with comments of the Town Attorney and the Town Engineer.

(*the snow storage easement is not part of the motion for approval of the subdivision).

Motion passed 5-0.

STAFF REPORTS

- 9. Town Planner** - Bobby Head announced he is resigning from Planning Commission do to his expanding business – everyone congratulated him on his success.

Planning Commission applications will be accepted

Meeting of March 22 Planning Commission needs to vote on Chair.

FUTURE AGENDA ITEMS

10. Next Meeting – March 8, 2017

11. Future Meetings:

12. Set Future Meeting Dates

- a) Commission Meetings:
- March 22, 2017
 - April 12, 2017
 - April 26, 2017

13. Adjournment

Motion by Jeff A., second by Greg G., to adjourn at 8:40pm. Motion passed 5-0.

Lynn Teach, Chair

Janet Hawkinson, Planning Director

Submittal to the minutes by Public – read into the minutes by the signer:

I am here on behalf of my son Ian Lochhead, who owns one of the properties adjoining Lots 1 and 2 of the proposed subdivision. My son's property is 711A Main St., Lot 21 Block 3 to the Bauldauf Addition to the Town of Minturn. His comments to the proposed subdivision are as follows:

1. Currently there are 2 access points from the Applicants' properties to Hwy 24. Approving the proposed subdivision would create an additional 3rd access point within a short distance of the existing access points including at 711 Main St. Creating additional lots fronting along Hwy 24 adds to the proliferation of access points and creates traffic conflicts onto what is already an increasingly busy highway, causing safety issues. I also question whether a Colorado Department of Transportation access permit is required for this additional access point onto a US highway.

2. The access to proposed Lot 2 is from Boulder St., which dead-ends into the proposed Lot 2. The dead-end is only 25 feet wide. Boulder St. appears to currently be only a secondary access point to the property, but under the proposed subdivision would be the primary and only access point to Lot 2. There are several concerns with this access:

a. The Town currently uses the Boulder St. right-of-way for snow storage, right behind my property. Following the January snow storms, the snow storage was approximately 10 feet or more in height, and took up the entire 25-foot right-of-way (or more). Staff recommends a snow storage easement on proposed Lot 2 to allow the Town to continue to store snow at the end of Boulder St. However, if snow is stored in this easement, it will completely block access from Lot 2 to Boulder St. As a result, there is no way to access that lot from a public street.

b. Additionally, if the Town is storing snow on Lot 2, it would seem impossible for Lot 2 itself to have adequate snow storage, as required by Sec. 16-16-130.

c. Sec. 16-17-40 of the Town Code requires that "(e)ach lot in separate ownership . . . shall have at least twenty-five (25) lineal feet of frontage on a street right-of-way." In this case, the words "lineal" and "frontage" mean "along" (not at the end of). Proposed Lot 2 is not "along" any street, and therefore would not have any lineal frontage onto a street right-of-way. The dead-end of Boulder St. does not comply with the requirements for a lot to have lineal frontage.

d. Sec. 16-17-40 also requires that "(e)ach building devoted wholly or in part to residential use shall front on a street or road..." Any building on proposed Lot 2 would not front on any street or road.

e. Access and turn-around for fire or other emergency vehicles would be impossible without a 50-foot radius cul-de-sac. Combined with the snow storage problem, it would seem impossible for emergency vehicles to have any access to Lot 2. The staff recommends excusing a 50-foot cul-de-sac by stating that "Minturn's historic character and layout has made this a dead end street into Lot 2 with only 25' of frontage." As mentioned above, the dead-end of Boulder St. is currently only a secondary, not primary, access to the property, and is not "frontage." Creating Lot 2 would make Boulder St. the primary access to Lot 2. There is no justification for creating an impossible emergency access problem to this new lot. Because a substandard dead-end is "historic" does not make it safe.

f. The potential for a disastrous fire is made worse by the fact that – to the best of my recollection – there are no fire hydrants near the subdivision, except along Main St.

3. I am very concerned about the impacts of altered drainage from the proposed subdivision onto my lot. The existing drainage slopes from the property through my lot toward Main St. Staff exempted the applicant from several submittal requirements, including submitting a slope map, grading and drainage plan and drainage study. Access and building construction on the proposed subdivision will certainly alter drainage on the property. Snow storage will create additional drainage issues. The applicant should be required to submit appropriate drainage studies and a mitigation plan to assure no damage to my property from altered drainage patterns.

4. There are a couple of large conifer trees on the property abutting my lot. The Town should require that these trees be maintained and not removed. As addressed in the Town's subdivision regulations this will help preserve the natural environment as well as provide privacy to me as well as any other use of the property.

Sign Application: Tracy Long - Yoga Studio

Minturn Business Center - Highway 24, Minturn

Materials: Painted Mural on Building

Size: 14" tall x 8' long

Peace  Love





Town of Minturn
 302 Pine Street
 Minturn, Colorado
 81654
 970-827-5645

Design Review
Planner Report

2/8/2017

J Hawkinson, Planning Director

APPLICANT: **Brightwell Residence**

ARCHITECT: **David Burns - Gies Architects - Eagle, CO 970-328-9280**

REQUEST: New residential construction of a single family residence

LOCATION: **992 Main Street, Minturn, CO**

DATE SUBMITTED: January 10, 2017

ZONING: Residential - South Minturn Character Area

PUBLIC NOTICE: Agenda posted at Town Hall and on website

PLANNER RECOMMENDATION: Approve Application

PLANNING COMMISSION MOTION:

SITE & BUILDING ANALYSIS:

BUILDING HEIGHT: Maximum Allowed: Actual:
 28' at mid-roof line 28' at mid-roof line as per natural grade

LOT AREA: .172 acres sq ft 7,492 sq ft - subtract 30' river setback = 6,764 sq ft

40% MAXIMUM BUILDING LOT COVERAGE: 2,705 SQ FT
 Total Site Coverage: 1,688 sq ft - deck: 46 sf rear deck: 99sf = 1,978 sq ft

50% MAXIMUM IMPERVIOUS SURFACE COVERAGE: 3,382 sq ft
 Actual: 1,978 sq ft

SETBACKS: Meets required setbacks: -20' front -5' side yards -10' rear yards - 30' river

TOTAL BEDROOMS: 4 bedrooms

PARKING SPACES: Required: 4 spaces for each side
 Actual: 5 spaces - 1 extra space to accomodate 'study'

SNOW STORAGE: Required: 5% - 338 sq ft - proposed 340 sq ft

LANDSCAPING REQUIREMENTS: meets 5 trees required and pervious surface percentage