



**Minutes of the Town of Minturn
Planning and Zoning Commission**

Wednesday, September 13, 2006

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

REGULAR MEETING (7:00 P.M.)

Call to Order

Chairman Woody Woodruff called the meeting to order at 7:04pm. Roll call showed the following members present: Co-Chair Kristie Bloodworth, Lynn Teach, Ernie Glesner and Woody Woodruff. (Jim Brinkerhoff excused absence)

Staff present included Town Planner Wiley Smith and Office Technician/Court Clerk Torrey Maxwell.

Discussion of the Agenda

- a. Items to be pulled from Action Calendar - *None*
- b. Items to be pulled from the Discussion Calendar - *None*
- c. Items to be pulled from the Consent Calendar - *None*
- d. Emergency Items to be added - *None*
- e. Order of the Agenda Items – *As presented*
- f. Approval of the agenda

Motion by K. Bloodworth, second by L. Teach to **approve** the agenda as presented; **Motion passed 5-0**

Approval of Minutes

- Minutes from August 23, 2006

- Motion by L. Teach, second by K. Bloodworth to **approve** the minutes of August 23, 2006 as presented; **Motion passed 5-0**

DISCUSSION/ACTION ITEM #1 FINAL DESIGN REVIEW

Applicant: Steve Knutson

Address of Property:791 Main Street

Zoning: South Town Character Area in a Residential Zone

Proposal: Design Review approval for an accessory residential structure.

Summary: Design Review approval for an accessory residential structure at 1,125 square feet, with one bedroom and parking for 2 standard parking spaces. The development, at full build-out with the addition of the existing structure, will

cover 28% of the site. Dimensional Standards for Maximum Lot Coverage in the South Town Character Area is 50%.

Discussion:

The applicant has submitted the required documentation for a Development Review Board Application as stated in the Minturn Design Guidelines. The application is complete and is found to comply with the design standards and guidelines, codes and other regulations of the Town.

Recommendation:

Considering the findings and other information provided herein, the staff recommends **approval** of this application, subject to the following conditions:

1. The DRB grant final approval to the applicant meeting in a general fashion the design and other regulations of the Town.
2. The applicant making any modifications to the plan document as requested by the Planning Staff, Building Inspector, and Eagle River Fire Protection District prior to Certificate of Occupancy.
3. The applicant shall pay all required fees and charges related to development of the subject property.

Steve Knutson started by stating that Excel does not want people to drive under guy wires. The area under the guy wires will be flat, and we will have to deal with C-DOT pushing the snow into the driveways.

Steve Richardson stated that with the driveway and parking area, you'll be able to pull in and turn to the left and there will be two parking spaces, then will be able to back out into the hammerhead beside the stairs and then be able to exit in forwards. There should be space both on the north and south area of the drive way for snow storage. The ground to the south end of the two parking spaces will be dug down for room to put snow because there will be snow from both the duplex parking area and this parking area, there will be snow from both directions. The desire is to dig it down to grade so maybe in the future one can connect the driveways. Trying to make sure we maximize the parking so that there are no issues with too many vehicles driving in there, if they are connected right now, there is more of a possibility of a driveway and less of a possibility of parking. Want to create a place to pull in and back up to be able to exit forward. Defer to the site plans that you were given tonight, not the ones in your packet, due to some changes that have been made in the parking design in order to maximize the parking and to be able to exit in forward gear and for a place for some snow. There is still some dirt to be move; it is a challenge due to being a rocky site, so there will be some bigger machinery to finish up. In the parking area we have been able to move the rubble. During excavation we are encountering the rock we will use for the siding. The site of the house will make it look like the house has grown out of the ground. This is how people used to build their houses, using the material that is on site.

W. Woodruff stated that the town has specific standards in the amount of snow storage area in relation to the parking area. There has to be so many square feet of storage area. The snow can also be stored on the landscaped area. I don't see where this is delineated on the site plan.

Mr. Richards apologized for not having the snow storage area on the site plan, but it would be the width of the space then as far as we could push it. And we will verify that area to be used.

Mr. Knutson stated if we take the cliff back to the vertical, excavated, then clean it out between the tree and the cliff then we should have at least 20 to 22 feet for snow storage.

W. Woodruff stated that the code requires the commission to make sure there is sufficient space for snow storage.

W. Woodruff stated that there were two issues that we were talking about last week.

E. Glesner said one was the grades.

Mr. Knutson stated that you also wanted an elevation down to the road.

E. Glesner asked if they had a finished on the site plan or just the existing.

Mr. Richards stated that there is a topo showing the walls that will retain dirt and we will be down to that lower elevation and he will put some spot elevations to define the exact elevations. We will actually build up about 3-4' on the back side of the building and then it steps down to the level of the building on the two sides, then it drops off sheer on the front.

E. Glesner asked if the water runs back to the highway.

Mr. Knutson said yes and there is a gentle swale.

W. Woodruff asked if it will all be paved right, shaded area will be paved?

Mr. Knutson said yes.

W. Woodruff asked if there will be a little gravel between the driveway and the highway.

Mr. Knutson said there would have to be because you can't pave into the right-of-way.

W. Woodruff stated that if it was paved the CDOT snow plow could catch it.

E. Glesner asked if a drainage plan was required.

W. Smith said that if the Commission wants a drainage plan they can request one.

E. Glesner thought they did request one at the last meeting.

K. Bloodworth said that the list of item that were request at the last meeting were further details for the driveway, full elevation from the highway, finished topo with proposed and existing grade.

E. Glesner asked if they were planning on doing this or just wing it as you build it.

Mr. Knutson stated that they have a much larger master topo map showing all the retaining walls from the south unit. Is that not on there?

Mr. Richards said he thought they done that.

Mr. Knutson said that they had both a landscape plan and topo map for the first two units.

Mr. Richards stated that we will have that and once we get the engineer for the structure involved, we get more specific guidance on how they want they grading to work. That will be added into the drawings.

E. Glesner mentioned that it was steep on the back side retaining wall to drain around the structures because the pitch is like a dry river bed.

W. Woodruff stated that in the future we should reiterate that they will need show existing topo and final topo.

W. Woodruff suggested they approve with the conditions that they satisfy Wiley's needs on snow storage and provide Wiley with a final topo and drainage plan.

Mr. Knutson asked about a landscape plan including drainage.

Mr. Richards mentioned that the landscape and drainage should probably be separate drawings.

W. Woodruff asked if they are concerned about the large rock that fell out and if it is stable.

Mr. Knutson stated he feels it's pretty stable and that it has been weather for a long time, but once drainage is diverted around it and covered with concrete, it should be stable.

W. Woodruff asked there is any timeline.

W. Smith said there is no timeline.

W. Woodruff said that the plans should make Wiley happy so we won't have to look at it again.

Motion by E. Glesner, second by L. Teach, in the application for a residential use at 791 Main Street, we have read the staff report. We find ourselves in agreement with staff findings including all plans and attachments as set forth in the report dated August 23, 2006, and recommend **approval** of this application subject to the following conditions:

1. The DRB grant final approval to the applicant meeting in a general fashion the design and other regulations of the Town.
2. The applicant making any modifications to the plan document as requested by the Planning Staff, Building Inspector, and Eagle River Fire Protection District prior to Certificate of Occupancy.
3. The applicant shall pay all required fees and charges related to development of the subject property.
4. An a final drainage plan and snow storage plan to be approved by W. Smith; **Motion Approved 4-0**

CONCEPT DESIGN REVIEW DISCUSSION (NO ACTION)

W. Smith stated that the Planning Commission needs to discuss whether to hear a conceptual Design Review plan that came in that afternoon and whether they want to hear it this evening and discuss the concept.

W. Woodruff stated that the Commission would hear the concept.

W. Smith introduced the audience member as Jill Koelhoffer and stated that she will talk about property that they own on Taylor Street.

Jill Koelhoffer, 1010 Main Street, Minturn, CO. The property is at 432 Taylor Street, and currently there is a stucco one-level residence on the property and land behind it which is where these will be going. The model houses are a little larger than scale, everything is on the board as well, it is just the houses that are a little bit larger. We are asking what the Commission thinks of the concept. I think we have met all the requirements, setbacks, coverage, and building size.

W. Woodruff asked if this is two more units on the same lot as the existing house.

Ms. Koelhoffer stated that they will subdivide. She described Lot A where the current residence is and then the back portion will be lot B where we will be building.

E. Glesner spoke (not audible)

Ms. Koelhoffer responded no this is current residence.

E. Glesner spoke (not audible)

Ms. Koelhoffer this is the front part and then there is a small grassy area. There is a topo

W. Smith stated he had the topo and asked that the commission pass it around. It will give them a better idea of the location of the proposal. What they are planning on doing is an access on the northern part of the property to access the property that will be subdivided in the rear.

Ms. Koelhoffer there are actually two current driveways; there is a driveway (here) that this house uses and there is a driveway over (here) as well, with a small little wood residence which we will probably end up tearing down towards the end of the project, but also you can still access the whole back of it by the driveway here.

W. Woodruff inquired of W. Smith as far as code, does that fit as far as sub-dividing without being facing on Main Street, without facing a street, can they subdivide? Do they turn the driveway over to the town or how does that work?

W. Smith stated I have not looked into it that much, Derrick has talked with Garth and Jill and if he was here he could answer that. What I am doing is offering an opportunity for the applicant to talk to the commission this evening.

W. Woodruff continued that one of the issues is that you have to have 50' frontage on the street to have another lot. I know that because we own a lot up Taylor and we had to get a variance, when we subdivided because there is an issue about 50' of frontage. The reason for that is to keep houses from stacking up, one right after another. The problem I see is house in front and house behind which has already happened up there and I don't know if it is conducive.

As the note take and since I was watching Ms. Koelhoffer's child, I must recommend that each of you be responsible for speaking clearly into your microphones and making sure that they are on. When you move away from your microphone, lean back in your chair or speak softly your words are lost and can not be recorded for future reference.

Ms. Koelhoffer said so you are stating we need 50' of Taylor Street or 50' of....

W. Woodruff that is the question, if it faces Taylor, how wide is the lot?

Ms. Koelhoffer the lot is...

E. Glesner (not audible)

W. Woodruff said I don't know how you can put three residences ... (not audible)

E. Glesner (not audible)

W. Woodruff interjected that he was not referring to set back, he is talking about...the front of the lot is 105', the rule says one house per 50'. You might have to go to a variance to do that and I am not sure the council is going to go for it. It is one of the issues, putting houses in front of houses.

Ms. Koelhoffer responded that prior to purchasing the lot they went through a lot of preliminary; can this be done, can that be done and this issue has never come up before. It is news to me.

W. Woodruff said it was news to us when we wanted to subdivide

Ms. Koelhoffer inquired if he was able to get his variance.

W. Woodruff responded but we got the variance, our lots were 43' and change and we gave up the ability to have a mother-in-law house (not audible) and that was our trade off (not audible).

E. Glesner (not audible)

W. Woodruff said that this is a question for Wiley as far as how the code addresses this. Wiley will have to look into this. The condos they are building down there are one in front of the other.

E. Glesner and Ms. Koelhoffer responded that it is a PUD.

Ms. Koelhoffer inquired what a PUD means exactly.

W. Woodruff stated that means you take your piece of land and actually designate it outside of the zoning, your own private zoning, I don't know if you need a certain size. He inquired of Wiley what his PUD was called.

W. Smith responded that it was a straight subdivision with a variance for that lot width that was all, you didn't do anything other than that.

E. Glesner inquired what about the situation that we are doing right now with the duplex.

K. Bloodworth added the accessory building? It is probably too big to be an accessory building.

E. Glesner 26 x 52

Ms. Koelhoffer asked if it is possible to solve this problem.

General discussion ensued between members

E. Glesner (not audible)

W. Woodruff inquired of W. Smith does a duplex need 100' or can a duplex have 50'?

W. Smith responded a duplex can go back (*multiple people talking not audible*) it doesn't need, it is just the minimum.

W. Woodruff stated that each residence needs 50'

W. Smith added that a duplex needs the same requirements as a single family home.

W. Woodruff added so maybe a duplex could be 50'. So you have to figure out how to divide that, if you are going to subdivide it 50' of the duplex lot (not audible) I think, I don't know.

E. Glesner asked if there is any usable space above the garage?

Ms. Koelhoffer responded we were considering doing a second floor which would be kind of an office area. So you would drive into the driveway and it would be a half of a flight up the stairs into the house and then an area up above.

W. Woodruff inquired another words like a split level?

Ms. Koelhoffer said just a smaller room, we've got the dormers there, whatever they want to use it for, it is just adding more square footage.

W. Smith said why don't I check with Derrick when he gets back, I am sure he has talked with the family, before they have gotten this far they have had several talks, discussions. I am not sure what the reason was if there is any.

L. Teach inquired since she is not familiar with this particular area, what is back (there), is Grant Avenue public right of way (not audible)

W. Woodruff replied that it goes behind his lot and it would be quite the street, it is laid out but it is on ...down where you are it would be ...Also you have, where does the phone line come through, is there already a phone line.

Ms. Koelhoffer said I think there is already a phone cable on the property.

W. Woodruff ask if there is a optic cable that runs phone and (not audible) two cables that run (not audible) grandfathered in. Just sharing my experience, trying to give you a handle. That phone line is grandfathered in and if you have plans of building where that phone line is you will have to check and see if your footprint crosses that as it is fiber optics. Phone part isn't so bad but the fiber optics are.

W. Smith read from the code book and then there was general discussion.

W. Woodruff asked if that is saying that they can put it back up here as long as this is 25'. This house will have to go.

Ms. Koelhoffer said we were under the understanding that it was 20'. I think we talked about it the other day and were told we could keep it until the house was sold or until someone is living there.

W. Woodruff stated he was sorry to scare Ms. Koelhoffer.

W. Smith added that what they will be doing is coming back with the final design for their building, so this is the first step.

W. Woodruff asked how much higher will that be then the house?

Ms. Koelhoffer responded that the current house is one level and what they are thinking is that there will be a walk out basement in the bottom and then two levels but I think we have to wait until we get to the civil engineer because it is kind of a hill and we have to then figure out how high it is actually going to be.

W. Woodruff stated you understand how high it is, in that neighborhood it is 28'.

W. Smith said in most of that neighborhood I believe it is 28' except for the commercial zone.

W. Woodruff said that goes not from the top of the roof but to the middle.

Ms. Koelhoffer stated that we just have to figure it out, we could make it more level, we could go up more. If you look at the two houses that are next to it, they are high.

W. Woodruff stated that one thing that we looked at that lot (not audible) that one open thing is three lots. When we tried to go up (not audible) so it would not tower over, parallels not have to excavate as much, run into rock. Trying to dig into that hillside, you might step it back as you go up, it is a little more expensive (not audible)

Ms. Koelhoffer said the views are beautiful down valley so we would like to get some height but we will see how it goes. But in your general preliminary feelings ... (Not audible)

W. Woodruff added I like the shared drive.

W. Smith requested that the commission give their preliminary approval and then they can continue to process this through the planning department?

W. Woodruff responded yes, I think it is great, do we need a motion?

W. Smith responded no.

W. Woodruff added to remember about snow storage, parking, etc.

Ms. Koelhoffer said on the print out it shows about 300 sq ft of snow storage, four parking spaces including one garage space for each side.

W. Woodruff added work with Derrick and Wiley, they will give you a list and packet that will list everything that you need. You submit to them and they will prepare a report.

W. Woodruff requested a ten minute break.

OLD BUSINESS: Discussion and Recommendation of Town of Minturn Engineering Standards

Chad Ermel 291Main Minturn, first draft, engineering standards town didn't really have any engineering standards. We put something together to start with and they are open to any comments or suggestions. You really don't know how good they are until you start using them. Guidelines are what they are, subject to interpretation. When they met with Bill McFee with the state, water quality erosion control, sediment, etc BMP that part is beefed up a little because they have seen it as an issue around here. They have tried to make sure it is covered

W. Smith said there is a difference between guidelines and standards. These are standards that will be adhered to. Guidelines give people a choice. Standards are something everyone will have to do.

E. Glesner asked about the final grading, erosion control plan, fence, site plan, final landscape plan, before they get permitting.

W. Smith stated that PUD's have a more stringent set of standards than straight zoning.

E. Glesner asked about a utility plan.

- C. Ermel stated a 24x36 etc, throughout the first section it gives you what you need to submit..
- W. Smith stated a DRB is just a plan of what their building looks like and then there are setbacks, heights, materials, etc. Don't really get into anything until they get into a PUD or Subdivision. Anything with a public hearing is stricter. A DRB is very loose; from what Steve presented this evening is what we asked for.
- E. Glesner (Not audible)
- W. Smith said you would have to change the code.
- E. Glesner stated we had questions about utilities.
- W. Smith asked what if someone comes to you and wants to add a deck. How extensive do you want to go, change the code?
- E. Glesner stated livable space. How about adding a bedroom. Steep slopes have to be engineered.
- W. Smith stated that the people building in the future are anticipated to be more sophisticated people who will know what they need to do.
- E. Glesner stated the PUD on Battle Mountain will be over the top, done well.
- E. Glesner stated that he was concern with the lack of plans required for some applications.
- W. Woodruff stated contractors have to have different license. Licensed people that do the work.
- C. Ermel stated that these standards are not for the vertical part of the building, but more on the infrastructure, grading
- W. Woodruff stated if the homeowner to build something, this is intimidating. Sub-contractor's could understand about half of it. Take this document and make it user friendly.
- C. Ermel suggested Ginn are using these, they have had decent success. Make a separate document for 5 acres or less. But Ginn is using these formulas. Work with Wiley take a first stab at what you are looking for.
- W. Woodruff stated that Vail's is much more user friendly. Way it is presented and you can go through it as a homeowner not an engineer, much more user friendly
- C. Ermel said he has read Vail's and feels it lacks in certain aspects.
- W. Woodruff said that he isn't talking about taking anything out, just making it where it is more usable. The document needs to be translated. The everyday Joe has land here to develop, he doesn't have the money like Ginn. He read through it and found it hard to understand. We need to get it more users friendly and take it piece by piece.
- E. Glesner thinks this one should be for all PUD and then make another that is just for a single family residence.
- C. Ermel said it becomes subjective. Personally would rather have it in there. Utility plan, erosion control, etc
(Not Audible)

(This section was not audible due to the open discussion!)

Dominic Mauriello stated that Ginn is using these standards.

W. Woodruff stated that maybe we should work in concert with Ginn and let that be the testing ground.

E. Glesner asked if they are definitely using them?

C. Ermel respond that they are using it

(This section was not audible due to the open discussion!)

W. Smith stated that these standards should be put aside and to concentrate on smaller document.

C. Ermel stated that the technical writers will work on it and to email him directly with comments? He will work on it and bring it back.

W. Smith said it was ok for Jim Brinkerhoff to email Chad directly.

INFORMATIONAL: None

ADJOURNMENT

As there was no additional business, the meeting was adjourned at **9:05pm**.

Johy "Woody" Woodruff

Chairman, Woody Woodruff