

Town of Minturn
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Town Council
MR. GORDON FLAHERTY, MAYOR
MR. DARELL WEGERT, MAYOR PRO TEM
MR. GEORGE BRODIN
MR. TOM SULLIVAN
MR. FRED HASLEE
MR. JERRY BUMGARNER
MR. BILL BURNETT

Town of Minturn
Planning and Zoning Commission Minutes
Wednesday, February 08, 2006

Regular Meeting (7:00)

Minturn Town Center – 302 Pine Street

Meeting called to order

Bill Sisk called the meeting to order at 7:08pm

Roll Call

Those present included Bill Sisk, Kristi Boulle, and Rob Davis. Robert Martinez is an excused absence and Karen Briggs is absent.

Staff members present included Town Planner Wiley Smith, Planner I Derrick Slocum, and Court Clerk/Office Technician, Torrey Maxwell

Approval of Agenda Items

Motion by K. Boulle, and second by R. Davis to approve the agenda; all voted in favor.

Robert Martinez and Karen Briggs were absent.

Approval of Minutes – Minutes from January 25, 2006

B. Sisk stated that they do not have a quorum to approve the minutes. Approval of the minutes was tabled until the next meeting.

New Business

ACTION ITEM #1 Final Subdivision Plat

Applicant: C&B Development Company LLC

Address of Property: 100 block along Taylor Avenue

Zoning: Game Creek Character Area

Proposal: To seek approval for Final Subdivision

Summary: The applicant is requesting approval of a Final Subdivision Plat for Buildings D and E, a total of 9 units, of Block A, Taylor Addition in the 100 block along Taylor Avenue.

W. Smith introduced Action Item #1 and Mike Wheelersburg, C&B Development Company, 1849 Oden Drive, Silt, Colorado.

Mike W. explained he is here for approval of Phase 2. Getting ready to start Bldg E TCO. R. Davis questioned staff on if the final plat consist of each bldg as they were originally proposed. W. Smith there was a minor change, one of the buildings was moved. Mike W. said yes. W. Smith but this plat remains unchanged from the original approval. R Davis seems to me to be a very simple thing. We are dependant on the surveyors, Alpine Engineers, and we need to assume that they have done a professional job. Would there be any liability on the town if we approve it and then down the road there is a problem. W. Smith when the town signs off and then it goes through the county records it and they would let the survey company know if there were any problems or changes. You are right; we do have to take the surveyors word for it. We can use our checklist, but we do not have the expertise to know if there are errors. If it was a great enough error, we good make the changes here administratively. R. Davis said that is what he wanted to know; to make sure the town would not be held liable. B. Sisk opened for Public hearing at 7:16pm and closed at 7:17pm. B. Sisk added that the Town Staff does an excellent job reviewing prior to the commission seeing it and that it is very helpful and saves the commission time.

Discussion: Staff review of this application includes a comparison of the policies outlined in the Comprehensive Plan, pertinent zoning regulations, background activity, and analysis of referral comments including a comparison of the project to policies and goals outlined in the Minturn Land Development Code. The applicant has demonstrated meeting the Final Plat requirements as stated in Section Sec. 17.7 Final plat application of the Minturn Zoning Code.

Recommendation: The Planning and Zoning Commission grant approval to the application subject to the following conditions.

1. The applicant agrees to address the Planning Commission comments and concerns as identified within this report.
2. The applicant making any modifications to the plan document as requested by the Planning Staff and Building Inspector, Town Clerk, 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.

Motion by R. Davis to approve the Final Subdivision Plat for Buildings D and E, a total of 9 units, of Block A, Taylor Addition in the 100 block along Taylor Avenue with the recommended conditions 1) the applicant agrees to address the Planning Commission comments and concerns as identified within this report, 2) the applicant making any modifications to the plan document as requested by the Planning Staff and Building Inspector, Town Clerk, and Eagle River Fire Protection District prior to Certificate of Occupancy and, 3) the applicant shall pay all required fees and charges related to development of the subject property, second by B. Sisk; all voted in favor.

Robert Martinez and Karen Briggs were absent.

ACTION ITEM #2 Final Subdivision Plat

Applicant: Wind River Land Company

Address of Property: 1800 block of Main Street

Zoning: Cross Creek Character Area – Residential Zone “S”

Proposal: The applicant is requesting approval of a Final Plat Subdivision

Summary: Wind River Land Company, also known as Minturn Racquet and Trout Club is requesting approval of a Final Plat Subdivision for 14 log homes, a four-plex and a club facility located on lots 1 through 15.

W. Smith introduced Cynthia Lepthien, 409 Brooks Lane, Eagle stated she is not sure if she should be up here she was here to help out the developer. W. Smith suggested that if Cynthia is uncomfortable answering the questions as they are asked, we can table this for another time. R. Davis stated he didn't have any questions. B Sisk wanted to make sure that it was noted he is very dissatisfied that the owner is not present for this. R. Davis suggested tabling it. B. Sisk stated he would not table it because he knows that the staff has done a good job and that the development itself is going along fine.

Public hearing opened and closed, as there was no public present.

Discussion: Staff review of this application includes a comparison of the policies outlined in the Comprehensive Plan, pertinent zoning regulations, background activity, and analysis of referral comments including a comparison of the project to policies and goals outlined in the Minturn Land Development Code. The applicant has demonstrated meeting the Final Plat requirements as stated in Section Sec. 17.7 Final plat application of the Minturn Zoning Code.

Recommendation: The Planning and Zoning Commission grant approval to the application subject to the following conditions.

1. The applicant agrees to address the Planning Commission comments and concerns as identified within this report.
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3. The applicant shall pay all required fees and charges related to development of the subject property.

Motion by R. Davis to approve the Final Plat Subdivision for 14 log homes, a four-plex and a club facility located on lots 1 through 15 with the recommended conditions that 1) the applicant agrees to address the Planning Commission comments and concerns as identified within this report, 2) the applicant making any modifications to the plan document as requested by the Planning Staff and Building Inspector, Town Clerk, and Eagle River Fire Protection District prior to Certificate of Occupancy and 3) the applicant shall pay all required fees and charges related to development of the subject property., second by K. Boulle; all voted in favor.

Robert Martinez and Karen Briggs were absent.

Old Business: Review revised Definitions section in Chapter 16.

W. Smith stated he took the notes from previous meetings and wants now to present it to the commission again for their thoughts. B. Sisk shared that it is always going to be difficult here in Minturn to measure height. With the terrain, it makes for some odd looking buildings. How do you get around that? With different slopes all over town, how do you do it? The Town homes, for example they are stepped, that works. Bill doesn't think that we will ever come up with a solution that will fit everything that we have. He feels that what the staff has presented is as close as it has ever been. In the past, there was too much left to interpretation. W. Smith a second option would be to measure all four corners existing grade. R. Davis I think they (town council) wants the front of the building that faces Boulder or Main and they want it to be 28'. I can see their logic but it doesn't balance the building. If it were a rectangular building, it would make more sense to use the four-corner system that you recommended. And from the finished grade, one of the problems we had was what was the grade to measure from. Some builders may adjust the grade to what they want versus what was grade. B. Sisk added that Boulder street was built by the old timers to come up to meet Main Street. It was actually filled with boulders. Natural grade would have been a hole. W. Smith most plans have existing grade and final grade

included in it. B. Sisk noticed that he made the distinction between finished grade and existing grade. W. Smith yes. B. Sisk stated that is proper. W. Smith stated that council continued to go back to the developer they continued to ask if it was finished grade or existing grade. This will go to Town Council in March, these three sections, Definitions, Signage, and Non-conforming. Then we hope to bring back to the P&Z for approval in April 06'. B. Sisk questioned maximum width of 16'. I think 16' is not a good figure. If you had two SUVs you are not going to get them in there. He thinks 20' would be better. W. Smith stated that that is not a magical number; it can be changed to whatever they like. B. Sisk added that it shows 20' for commercial. R. Davis as a matter of practicality it would be ok with him. Dominic stated that in Vail 20' is the minimum. B. Sisk stated he thinks 20' is a good figure. Illus # 8 I am not totally sure I understand it, but from the diagram you have a clear vision area that is 20' from the intersection but the setback is only 10', how do you do that? W. Smith said what you are asking for is there seems to be a discrepancy between measuring the entire triangle from corner to corner and my diagram. B. Sisk asked are you talking about the center of the intersection, the corner of the intersection. Clear vision as it compares to our whole town. W. Smith stated that he feels the diagram is confusing and he would like to make it better. It should just be one triangle from one street to the other street. It is 15' back from each of the curb lines. And the triangle will be 15' from that street. B. Sisk if it is from the curb line, then intersection is not the word, we should spell it out. If it does, does 15' infringe on our setback codes? W. Smith from the curb? No. B. Sisk our setback from the front is 10'; from the side is 5'. R. Davis you should illustrate that also, but on some places it is going to change because main street has 0 setback. W. Smith they would still have to met the clear vision triangle. It wouldn't matter in the middle of the street, just at the corners. B. Sisk stated he is just concerned that we are going to contradict ourselves. And it also states about other obstructions, trees in clear view area. That means landscaping. R. Davis asked does landscaping have to be below 4'. W. Smith yes, you could have trees, but they would have to be trimmed up. W. Smith stated that he will probably have the same questions from the town council and this helps him be prepared.

Informational:

W. Smith brought to the attention of the P&Z Commission that on the 15th of February will be the first time the Ginn Companies comes before the town. It will be a couple of months before P&Z becomes more involved but we want P&Z and Town Council to be on the same page as far as process. The Town Manager and the Town Attorney will join us for a meeting to go over process and the scripts that Town Council has been using. Basically what P&Z is doing now but the script will be more defined.

Attachments: None

ADJOURNMENT

B Sisk adjourned the meeting at 7:58pm.