



**Town of Minturn
Planning and Zoning Commission Agenda
Wednesday, September 26, 2007**

Regular Meeting 7:00 p.m.
Minturn Town Center – 302 Pine Street

Call to Order/Roll Call

The meeting was called to order at 7:02 p.m. by Chairman Woody Woodruff. Roll call showed Woody Woodruff, Ernie Glessner, Lynn Teach and Tim Osborne present. Kristi Bloodworth was excused absent.

Also present was Chris Cerimele, Interim Town Planner.

Approval of Agenda Items

- a. Items to be pulled from Action Items
- b. Emergency Items to be added
- c. Order of the Agenda Items
- d. Approval of the agenda

Motion by L. Teach, 2nd by E. Glessner to approve the agenda as presented. Motion passed 4-0

Approval of Minutes – Minutes from September 12, 2007.

Motion by E Glessner, 2nd by T. Osborne to approve the Minutes from 9/12/07 as presented. Motion passed 4-0

ACTION ITEM #1 DRB 07-12 – DESIGN REVIEW

Applicant: Tom Sullivan

Address: 382 Main Street

Zoning: Mixed Use Zone of the Old Town Character Area

Proposal: To obtain Design Review approval for an addition to an existing residential building.

Recommendation: Denial.

Town Planner, Chris Cerimele, introduced the development proposal and asked that the hearings be held concurrently. He stated that the first application is for an addition to an existing single family home that will house an office, kitchen, and apartment. The second application is for a Conditional Use for commercial space greater than 901 square feet in the mixed use zone of the Old Town Character Area. The third application is for a Variance from the off street parking requirement. He recommended approval of the Conditional Use and Variance and denial for the Design Review application. He then introduced the applicant, Tom Sullivan.

Tom Sullivan- 120 Nelson Street- Tom provided a history of the house and his involvement in its ownership. He stated that it is one of Minturn's oldest homes and could become a focal point of the community by turning it into a restaurant. Minturn has a need for a more upscale restaurant. He felt the biggest hurdle would be whether the PZ and Council would allow all on-street parking. He was hopeful that the parking could go in the town right of way. It would be a benefit to the town by creating additional parking for everyone.

There was an issue with the accessory apartment being too big but it was brought to his attention late in the game and he doesn't see a problem with it. My proposal isn't the highest use of the lot but he thinks it will be good for the Town.

Woody Woodruff opened the public hearing.

Michael Gallagher- Pine Street- I am concerned with the separation between the buildings and the seating capacity of the restaurant.

T. Sullivan- There will be between 60-72 seats. I won't be in the restaurant business- I will rent the space.

Janice O'Kelly 434 Eagle Street- Will the street remain 2-way?

T. Sullivan – Yes

W. Woodruff closed the public hearing and asked the commissioners if they had any questions.

Ernie Glessner – Is the only on-site parking the spaces behind the trailer?

T. Sullivan – yes

E. Glessner – How many total spots are needed.

C. Cerimele- 13 spaces on site. Spaces can be shared between the office and restaurant.

T. Sullivan- This proposal is one way to capture more parking in Town. It won't be exclusively for the restaurant. It will be for anybody in town.

E. Glessner- If things like this project aren't allowed in town, everything will be residential.

Lynn Teach- Inquired where the trash will go.

T. Sullivan- Between the houses or in front of the mobile home.

L. Teach – What about the accessory apartment?

W. Woodruff- It is unclear in the code. Technically it could be a primary residence with an accessory commercial use.

L. Teach- Was concerned with the addition overshadowing the existing house

T. Sullivan- I will not redesign the structure. I think it is an attractive building.

A discussion ensued regarding the creation of an access drive behind the building and relocating the dumpster to this area. Additionally, W. Woodruff pointed out the importance of matching the facade and window details of both buildings. Tom Sullivan stated that he would put in matching windows and siding.

Ernie Glessner made an alternate motion to approve DRB 07-12 with the following conditions:

- **That siding, doors, and windows match on both structures;**
- **There will be an access drive off of Harrison Ave between the trailer and the proposed addition;**
- **That the property owner is responsible for snow removal;**
- **That the applicant obtains a Variance from the Town Council for the off-street parking.**

Motion was seconded by Tim Osborne. Motion passed 5-0

ACTION ITEM #2 CU 07-07 – CONDITIONAL USE

Applicant: Tom Sullivan
Address: 382 Main Street
Zoning: Mixed Use Zone of the Old Town Character Area
Proposal: To obtain Conditional Use approval for a commercial use in a mixed use zone.
Recommendation: Approval with conditions.

Chris Cerimele stated that this application coincided with the previous. Woody Woodruff then opened the public hearing.

Motion was made by Ernie Glessner to approve application CU 07-07 with the conditions stated in DRB 07-12. Lynn Teach seconded the motion. The motion passed 5-0

ACTION ITEM #3 VAR 07-01 – VARIANCE

Applicant: Tom Sullivan
Address: 382 Main Street
Zoning: Mixed Use Zone of the Old Town Character Area
Proposal: To obtain a Variance from the off-street parking requirement of the Minturn Municipal Code.
Recommendation: Approval with conditions.

Chris Cerimele stated that this application coincided with the previous two. Woody Woodruff then opened the public hearing.

Motion was made by Ernie Glessner to approve application VAR 07-01. The motion was seconded by Lynn Teach. The motion passed 5-0.

The meeting was adjourned at 8:15