



**Town of Minturn
Planning and Zoning Commission Agenda
Wednesday, September 12, 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 7:03 p.m. by Chairman Woody Woodruff. Roll call showed Woody Woodruff, Kristi Bloodworth, Ernie Glessner, Lynn Teach and Tim Osborne were present.

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 K. Bloodworth, 2nd by L. Teach to approve the agenda as presented. Motion passed 5-0

Approval of Minutes – Minutes from August 22, 2007.

Motion by L. Teach, 2nd by T. Osborne to approve the minutes from 8/22/07. Motion passed 5-0

ACTION ITEM #1 DRB 07-12 – DESIGN REVIEW FOR A MULTI-FAMILY UNIT AT 271 MAIN ST.

Applicant: El Dorado Development
Address: 271 Main Street
Zoning: Mixed Use Zone of the Old Town Character Area
Proposal: To obtain Design Review approval for a multi-family residential building.
Recommendation: Approval with conditions.

ACTION ITEM #2 CU 07-07 – CONDITIONAL USE APPROVAL FOR A MULTI-FAMILY BUILDING AT 271 MAIN ST.

Applicant: El Dorado Development
Address: 271 Main Street
Zoning: Mixed Use Zone of the Old Town Character Area
Proposal: To obtain Conditional Use approval for a multi-family residential building in a mixed use zone.

Recommendation: Approval with conditions.

Interim Town Planner Chris Cerimele introduced the two land use applications and asked that they be heard concurrently. He stated that the proposal is a multi-family residential development requiring DRB and Conditional Use approval. He recommended approval of both applications with conditions. He then introduced the representative for El Dorado Development, Stuart Brummet.

S. Brummet. 421 Main Street – Minturn

The development was scaled back in size from 4 to 3 units. The building height was reduced and there are only two levels to each unit.

The scale of the buildings is similar to other houses on Main Street. In response to the issues on the Boulder Street side, there is only a garage.

There is now a greater buffer between the adjacent buildings. None of the windows are looking directly into Cissy's House.

There is no tandem parking with this proposal and there are 3 more additional spaces on the road in front of the lot that are not included in the parking calculation.

I understand there is a potential problem with the porch being in the front setback. In response to that I propose that it be converted to a shade trellis.

W. Woodruff- Do we have any questions from the board?

E. Glessner- It looks like part of the front porch is in the setback

S. Brummet- The front setback is 10 feet and the porch extends approx, 4 feet into it.

W. Woodruff – that is an issue because I had to get a variance for a similar instance. The issue is the porch and railings in the setback. I think an awning is a perfectly acceptable solution. At this point I would like to invite the public to speak.

Brian Kanapa – Boulder Street – You said you went from 8000 to 4000 to sf. Is that living space or building footage.

S. Brummet – non garage square footage.

Brian Kanapa – In reality the footprint of the building is the same. You didn't downside the square footage.

S. Brummet- We lowered the building height but the footprint is a similar size.

B. Kanapa – My point is we are changing this great little town. We are starting to change single family residences to multi-family residences. There is no green space at your other project in town. We are creating things in Minturn that are taking advantage of mass build out. We are sending the wrong message if you approve this project.

C. Cerimele- The zoning on Pine Street and Boulder is different than the zoning on Main Street. Duplexes are not allowed in residential zones of the Old Town Character Area.

B Kanapa – Is conditional use a right or something we approve? If it's a right, then we should make our stand now and deny this.

Cerimele- the Town Council makes the ultimate decision. They will decide at the 10/3 meeting.

Michael Gallager – Pine Street – What is mixed use?

Cerimele – chris cerimele read the old town use table from the municipal code.

Chris Manning – Boulder Street – Is there enough room for parking?

Stuart Brummet- I believe so. I used the standard vehicle size. I don't know the curve radius off the top of my head.

C Manning. I like this one better than the other one but it is still too big.

Cissy Olson- Main Street – This looks better than the other proposal and I am happy there isn't a building right next to my house. I do have concerns with snow storage.

Brian Kanapa – Are the 3 spaces in the courtyard required for the residents?

Cerimele- Yes

B Kanapa – I don't think there is enough space there. It is a safety issue.

Cerimele – CDOT is reviewing the plan and won't approve it if cars need to back onto Main Street. I see no scenario where a car needs to back onto Main Street.

W. Woodruff – We will make a condition of approval that a parking study be completed with successful results.

B Kanapa – If this goes through, i will put a duplex on my lot.

Ernie Glessner- You're not zoned to put a duplex on your lot.

B. Kanapa- I have 2 lots.

E. Glessner – I agree that the zoning is a little odd in Town but we have to follow the code.

B. Kanapa – I am dead set against this proposal and this is my forum to speak and you don't have to approve this.

Linda Brodin – Boulder Street – What is the impact to Boulder Street? Can residents access Boulder St?

Cerimele- there is a walkway from the auto court to Boulder Street.

Woody Woodruff closed the public hearing. Let's here from the board.

Tim Osborne – I am concerned with drainage. Does it go onto the street?

Stuart Brummet – It will drain under the sidewalk and into the gutter.

Kristi Bloodworth – The front of this property was an ice rink last winter.

Cerimele – it is the property owners responsibility to maintain the sidewalk and keep snow and ice clear. There are drainage trenches at on the north and south side of the lot.

W. Woodruff – Good- drainage has been addressed.

A discussion on roofs ensued between Lynn Teach, W. Woodruff and Cissy Olson.

Lynn Teach expressed her concern for snow storage.

W. Woodruff – let’s vote.

Motion by Ernie Glessner, Second by Tim Osborne to approve the application with the following conditions. |

In the application for a multi-family residential development at 271 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 September 7, 2007, and recommend approval of this application subject to the following conditions:

1. *The applicant must obtain a CDOT State Highway Access Permit and Notice to Proceed before construction begins;*
2. *Major changes to the approved design will require Design Review Board approval;*
3. *The applicant shall pay all required fees and charges related to development of the subject property.*
4. *That an engineered turning radius study be completed to the satisfaction of the Town Planner to clarify whether there is adequate room in the auto court for vehicle egress from the garage of unit 1 and 2.*

Motion passed 5-0

ACTION ITEM #2 CU 07-07 – CONDITIONAL USE APPROVAL FOR A MULTI-FAMILY BUILDING AT 271 MAIN ST.

Motion by Ernie Glessner,

In the application for a Conditional Use for a multi-family residential development at 271 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 September 7, 2007, and recommend approval of this application subject to the following conditions:

1. *The applicant must obtain a CDOT State Highway Access Permit and Notice to Proceed before construction begins;*
2. *The applicant shall pay all required fees and charges related to development of the subject property.*

Second by **Tim Osborne**

Motion passed 5-0

Following the land use hearings, Carter Burgess provided an update on the Town engineering standards. A draft will be made available shortly.