

Town of Minturn Planning Commission Agenda June 24, 2009

Work Session - 6:00 p.m.

Regular Meeting - 7:00 p.m.

Minturn Town Center – 302 Pine Street

Call to Order/Roll Call

The meeting was called to order by Chairman Stuart Brummett at 7:06. All members were present including: Vice-Chair Lynn Teach, Michael Gallagher, Tim Osborne and Lael Engstrom.

Staff present included Planning Director Victor Villarreal and Assistant Town Planner Chris Cerimele.

Approval of Agenda Items

M. Gallagher made a motion to approve the agenda as presented. It was seconded by L. Teach. The motion passed 5-0

Approval of Minutes – Minutes from June 10, 2009

L. Teach made a motion to approve the 6.10.09 minutes. It was seconded by M. Gallagher. The motion passed 4-0. L. Enstrom abstained due to the fact that she wasn't on the commission for the 6.10.09 meeting

Discussion Items: none

Action Items:

- 1. Consideration of Land Use Application CUP 09-04; A request for a conditional use permit for a mixed-use building in the commercial zone of the Old Town Character Area. The property is located at 115 Nelson Ave.**

Chris Cerimele introduced the application and provided a brief history of the project and a related case. He stated that an application for a conditional use permit to construct a single-family home on the site was denied by the Town Council in May due to the fact that there was no ground floor commercial space associated with the project. C. Cerimele added that the applicant has addressed the concerns of the Planning Commission and Town Council by adding commercial space on the bottom floor and therefore was recommending approval of the application. He noted that it would be important to examine the site plan and building architecture during the design review stage of the process to ensure that the neighboring properties would not be negatively impacted.

S. Brummett inquired about the variance process and if it would be possible for the applicant to obtain a variance to allow the building to be constructed in the side setback. Staff responded that it is something that the applicant could pursue.

Tom Sullivan, applicant, addressed questions from the Commission. When asked if he would consider combining the subject lot with the adjacent lot that he also owned, he replied that he wasn't convinced that the town could support additional commercial space. He stated that the parking requirements were too restrictive for commercial uses. He also stated that he would consider a variance but wasn't entirely convinced that he needed one because the code does not specifically say you cannot have 2 front setbacks.

Tim Osborne asked if there was any historical significance to the existing barn on the site. The applicant responded that he didn't know but if the town wanted it and was willing to pay for the removal, they could have it.

The Commission thanked the applicant for adding ground floor commercial space. They encouraged the applicant to pursue the setback variance so additional commercial space could be added to the project. T. Sullivan stated that the Town needs to consider designating dedicated handicap parking spaces throughout Town and take the burden away from the developers so that they do not need to use their own lot area to provide these spaces. He said this would go a long way towards creating a viable downtown business core.

L. Teach made a motion to approve CUP 09-04. It was seconded by M. Gallagher. The motion passed 4-0 (L. Engstrom abstained).

The applicant asked the Commission if they had any suggestions for the design of the building. They stated that they would like the door on the corner of the building and that the entire design should be funky, eclectic and colorful.

2. Consideration of Land Use Application DRB 09-02; A request for Design Review Board approval for a mixed-use, multi-family building at 1003 Main Street. The property is located in the commercial zone of the South Town Character Area.

Chris Cerimele introduced the application and stated that the applicants' have addressed the concerns of the Planning Commission from previous meetings. Chris thanked the applicant for addressing these issues and recommended approval of the application.

Jeff Armistead, applicant, stated that they would prefer to only have one garage door on the front unit and add additional landscaping in front of the rear side of the garage. Additionally, they added 50% more plantings to the drainage swale area.

S. Brummett suggested moving the handicap parking space so that there would be additional room for a vehicle to pull out of the front garage.

M. Gallagher made a motion to approve the application subject to the following conditions:

- The applicant is required to install a portion of sidewalk along the length of their property prior to the issuance of C.O.
- Any major modifications to the building design will require DRB approval.
- The applicant will submit revised plans that are consistent with the building elevations.

- The rear garage door on the front unit will be removed and additional landscaping will be added to that area.
- Thin veneer true stone will be used where stone is shown on the building elevations.

L. Teach seconded the motion. The motion passed 5-0

Planning Director's Report

1. 2009 Minturn Community Plan

Commissioner Comments

M. Gallagher stressed the need for the Town to begin planning for wildfires. He suggested that the staff review the Eagle County and Firewise guidelines.

Adjournment: 8:15