

Town of Minturn Planning Commission Agenda August 12, 2009

Work Session -6:00 p.m. (Community Plan Discussion)

Regular Session - 7:00 p.m.

Call to Order/Roll Call

The meeting was called to order at 7:07 p.m. by Chairman Stuart Brummett. Other Commissioners present included: Vice-Chair Lynn Teach, Michael Gallagher, Tim Osborne and Lael Engstrom

Approval of Agenda Items

L. Engstrom made a motion to approve the agenda. It was seconded by L. Teach. The motion passed 5-0

Approval of Minutes – Minutes from July 22, 2009

Tim Osborne made a motion to approve the minutes from 7.22.09 as presented. It was seconded by L. Teach. The motion passed 5-0

Public Comment

Dan Holtcamp, Vail, CO expressed interest in moving his motorcycle repair shop from Eagle to Jerry Sibley's building in Minturn.

Marka Brenner, Vail, CO, vocalized her support for this business.

Discussion Items: None

Action Items:

- 1. Consideration of Land Use Applications VAR 09-02; A Request for a Variance to construct a portion of a mixed-use building in the side-yard setbacks at 115 Nelson Ave. The parcel is located in the commercial zone of the Old Town Character Area**

Chris Cerimele introduced the application and provided a brief history of the project. He stated that this proposal for setback variances will create a more viable commercial space and a more visually appealing project for the town. Since there are exceptional circumstances particular to this site that do not generally apply to other properties in the area, staff is supporting this application.

Michael Pukas, project architect and representative for the applicant. He stated that the building was originally going to be only 14' wide but with a variance it would be approximately 16'.

A discussion ensued regarding the setbacks and the distance between the proposed building and the blue house on the adjacent property. Staff stated the distance is approximately 5' and that this would necessitate the use of

fire rated materials on the new building. Additionally, the mixed-use nature of the proposed building requires the installation of a sprinkler system.

Chairman Brummett asked staff if they would be voting on exact setbacks. Planning Director Villarreal stated that the applicant could not build further into the setbacks than what is being presented but they could build less into the setbacks.

Commissioner Gallagher stated that he was concerned with the awning. He also stated that he would be more inclined to approve the application if a sidewalk or patio area along Nelson Avenue was included in the proposal.

V. Villarreal stated that a site visit is necessary to completely understand the issues. Staff is going to request that the site be staked prior to the August 26th Planning Commission meeting. With the site staked, everyone can get a better feel for where the building will be sited and if a parking space along Nelson Ave. would be appropriate. Furthermore, the Commission will be able to see that a sidewalk along Nelson Ave. would serve no legitimate purpose.

The hearing was opened up for public comment.

M. Brenner stated her two concerns were parking and snow removal.

A discussion ensued regarding parking and snow storage. Chris Cerimele stated that he thought it would be possible to include a space along Nelson Ave. He was going to have the Eagle River Fire Protection District re-evaluate this issue once the property has been staked. Regarding snow-storage and shedding, Chris stated that the building would have snow hangers to prevent shedding onto adjacent properties and these issues would be addressed in a more comprehensive manner during the design review stage.

The Commissioners requested that the site be staked prior to the August 26th meeting. Tim Osborne made a motion to continue the hearing until the 8.26 meeting. It was seconded by L. Teach. The motion passed 5-0

2. Consideration of Ordinance No. 5 – Series 2009 – An ordinance amending Chapter 1, Chapter 7 and Chapter 16 of the MMC by repealing Section 1-5-20 and repealing and re-enacting Sections 1-5-10, 7-2-30, 7-2-40, 16-1-20, 16-1-40, 16-1-50 and 16-1-90 to revise the procedures for code enforcement within the Town of Minturn

V. Villarreal introduced the item. He stated that this was an amendment to modify the way that the town handles code enforcement. As it is currently written, staff does not have the power to enforce Chapters 7 and 16 of the Municipal Code. That power rests with the Town Council. The new ordinance will give staff the authority to cite violators.

M. Gallagher thought this was a great idea and something that staff should have been doing all along.

M. Gallagher made a motion to recommend approval to Town Council. It was seconded by L. Teach. The motion passed 5-0

3. Consideration of Ordinance No. 6 – Series 2009 – An ordinance amending the land use tables of Chapter 16 to include some uses already present in certain character areas.

Victor Villarreal withdrew this item stating it will come back before the commission as a more comprehensive amendment at a future date.

Planning Director's Report

V. Villarreal reminded the commission on the upcoming community plan meeting on Thursday August 20th at 6:00 pm.

Commissioner Comments

The commission welcomed the new town manager, Jim White.

Adjournment: 8:40 p.m