

## **Town of Minturn Planning Commission Agenda August 26, 2009**

**Site Visit – 6:30 p.m. – 115 Nelson Ave**  
**Regular Session - 7:00 p.m.**  
Minturn Town Center – 302 Pine Street

### **Call to Order/Roll Call**

The meeting was called to order at 7:04 pm by Chairman Stuart Brummett. Other Commissioner present included: Tim Osborne, Michael Gallagher and Lael Engstrom. Vice-Chair Lynn Teach was absent.

Staff present included Victor Villarreal and Chris Cerimele.

### **Approval of Agenda Items**

M. Gallagher made a motion to approve the agenda as presented. It was seconded by T. Osborne. The motion passed 4-0

### **Approval of Minutes – Minutes from August 12, 2009**

M. Gallagher made a motion to approve the minutes as presented. It was seconded by T. Osborne. The motion passed 4-0

**Public Comment – 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. Tom Sullivan - Applicant**

Chris Cerimele introduced the application and stated that staff was recommending approval of the variance since the small size of the parcel creates exceptional circumstances that do not generally apply to other properties in the area.

M. Gallagher inquired whether the fire dept. had reviewed the application. He was concerned with the distance between the proposed building and the existing residence to the west. C. Cerimele stated that Carol Mulson had reviewed the proposal and determined that special fire rated material would need to be used in the new structure. The building official would need to sign off on the construction drawings prior to the issuance of a building permit. Prior to his sign off, he would consult with the fire department.

T. Sullivan, applicant- Minturn, CO, provided a brief history of the project. He stated that at a previous meeting the Planning Commission introduced the idea of a setback variance to make the project more visually appealing and commercially viable.

M. Gallagher inquired about the awning overhangs. T. Sullivan stated that they were completely inside the property boundaries on the northern and eastern (Williams St) side.

M. Gallagher commented on the constrained nature of the site and inquired how the project would be built. T. Sullivan stated that Williams St. would probably need to be closed for a week. L. Engstrom stated that this would be an inconvenience to the businesses that use Williams Street. T. Sullivan responded that the intent would be to have the street closed during the offseason.

A discussion ensued regarding landscaping. S. Brummett stated that he would like to see landscaping in front of the building on the Nelson Ave. side. T. Sullivan stated that he understood the concerns of the Commission and would add window boxes when he is working on the final design.

The next topic of discussion was the narrow width of Williams St. There was concern among the commission that traffic flow along the street would be severely limited due to the location of the utility pole in the right-of-way. C. Cerimele stated that the pole would need to be relocated. The Commission stressed that the cost of the relocation should be paid for by the applicant. There was also concern with vehicles backing out of the rear parking spaces of the building directly across Williams Street.

L. Engstrom stated that she would prefer if the project only encroached into the western setback. She asked the applicant what his intentions were with the adjacent property and whether he would entertain the idea of just building into the western setback. T. Sullivan responded that a residential use made the most sense and that if he had to build further into the west setback that he probably wouldn't do the project. It would be too expensive to fire rate the entire building and would create too many problems. T. Sullivan further stated that he wasn't building into the right-of-way and that he felt the building should have 2 front setbacks since it is a corner lot. Michael Pukas, project architect, added that the requested variances are not out of character for an urban setting.

A discussion ensued regarding the garage. The Planning Commission revised the setbacks so that the garage would not protrude further from the rest of the building face. They amended the western setback to accommodate the size of the garage.

M. Gallagher made a motion to approve VAR 09-02 with the following setbacks:

- 3' 6" on the north side – excluding the awning
- 0' on the south side
- 1' on the west side
- 3' 6" on the east side – excluding the awning and dormer.

T. Osborne seconded the motion.

The motion passed 4-0. The Commission emphasized the fact that they approved the variance because they wanted to meet the Town goal of creating viable commercial space in the downtown core.

The Commission then commented on design changes they would like to see prior to the Design Review Board hearing. These included: adding more windows to the commercial space; adding support columns to the awnings; and raising the awning on Williams Street.

**Discussion Items:** Community Plan – Future Land Use Definitions

V. Villarreal led the Planning Commission through a discussion on future land use definitions. M. Gallagher suggested added verbiage about trails to the open space definition. S. Brummett wanted neighborhood commercial to be a light purple color on the map. M. Gallagher suggested reclassifying the residential categories to help sell the plan. His fear was that people would be put off by the words high density. He suggested reclassifying high density to medium density and medium density to low density.

**Planning Director’s Report**

Victor Villarreal informed the Planning Commission of the upcoming Town Council work session. He stated that it would be a chance for the staff to update the Council and talk about the future land use map. He encouraged the Planning Commissioners to attend.

**Commissioner Comments**

**Adjournment - 8:48**