

**Town of Minturn
Planning Commission Agenda
January 12, 2011**

Regular Session - 7:00 p.m.

Minturn Town Hall – 302 Pine Street

Call to Order/Roll Call

Chairman Stuart Brummett called the meeting to order at 7:02 pm. All of the Commissioners were present including Lynn Teach, Melissa Decker, Tim Osborne and Michael Gallagher.

Town Planner Chris Cerimele was also present. Town Manager Jim White was present through Action Item # 1.

Approval of Agenda Items

M. Gallagher made a motion to approve the agenda. L. Teach seconded the motion. The motion passed 5-0.

Approval of Minutes – Minutes from December 15, 2010

L. Teach made a motion to approve the minutes from 12.15.10. T. Osborne seconded the motion. The motion passed 4-0. (M. Decker abstained due to her absence from the 12.15.10 meeting.)

Public Comment – Members of the public may have 5 minutes to comment on any item they wish that is not on the agenda

No public comments were made.

Action Items

1. **DRB 2009-06; Hotel Minturn Project.** The applicant is requesting a minor design change to the originally approved building.

Chris Cerimele introduced this item and explained that Mr. Sullivan made exterior modifications to the approved building design and was requesting approval for these changes. C. Cerimele stated that these changes were

already performed without staff approval. However, Chris stated that he authorized Mr. Sullivan to change the use of the ground-level space from retail / commercial space to an additional hotel room. Chris went on to state that a hotel space was a use by right and therefore he approved the change administratively. He reiterated that the Planning Commission was not ruling on this point but the fact that Mr. Sullivan made design changes that were not approved by the Planning Commission. The extent of the exterior modifications include: installing a single window in place of a door and window on the Williams Street level.

Tom Sullivan, applicant, addressed the Planning Commission. He stated that he has been in the lodging business for more than 20 years and he felt that an additional hotel space on the ground level was in the best interests of himself and the Town. He stated that he understands the retail environment in Town and that a 200 square foot retail space there would not work. Since staff approved the additional hotel space, he felt that he was within his right to modify the design by replacing the door with a window. He stated that a large door opening onto Williams Street was not an appropriate feature for a hotel room. Therefore, he changed the design. He stated that the new configuration was more visually appealing in his mind. He also stated that he felt he was being overly scrutinized on this project.

Chairman Stuart Brummett stated that the crux of the issue was the Planning Commission made significant concessions by approving the building and he felt that the current design goes against the Commissions' desire to keep the street level inviting in nature. He conceded the fact that staff approved the ground floor hotel space but was disappointed that the Commission lost the one thing they wanted from this project- ground floor commercial / retail space. He stated that he felt the Town was getting a single family house.

T. Sullivan stated that he felt it was better to have a hotel room that would bring more people and lodging tax revenue to the Town.

L. Teach stated that her issue was wanting the building to appear more "street friendly". The deletion of the large French door negates that and the building looks more like a block.

T. Sullivan stated that no one would want to stay in a room that has a large door opening onto a street and that the Commission was setting him up for failure by requiring him to install the door and window. S. Brummett added that staff approved the change of use from a retail space to an additional hotel unit, not the Planning Commission.

M. Gallagher advised the applicant that he could install curtains to prevent people from looking into the space. Mr. Sullivan reiterated that no guest would want to stay in a space with a large door.

M. Gallagher then stated that since staff approved the hotel space, the new window design was appropriate and that he didn't have a problem with it.

S. Brummett reiterated the point that the Planning Commission made numerous concessions and the Commission was led to believe that the applicant intended to maintain the wine bar / retail space at the ground level. He advised the applicant that he had the opportunity to appeal any decision of the Planning Commission / Design Review Board.

Mr. Sullivan then stated that he felt that Ms. Teach and Mr. Brummett think that he duped them.

Commissioner Brummett stated that he felt duped.

T. Osborne stated that he understood that economic factors of the applicant should not be of concern to the Planning Commission. He went on to say that he would like to have more eyes on this issue and suggested the request be sent to the Town Council for further review.

T. Sullivan left the meeting at this point.

T. Osborne made a motion to deny the requested change. L. Teach seconded the motion. The motion passed 4-1. (Michael Gallagher voted nay)

Discussion Items

1. Design Review Board procedure

Chris Cerimele provided an overview of the proposed DRB procedures. He stated that these changes have been evolving over the course of the past few months and he would like the Commission to have a final review before these changes were brought back as a zoning text amendment.

M. Gallagher stated he would like a procedure added for continuing a hearing and conducting a site visit. He also said he would like to see scaled elevations of a proposed project in relation to adjacent structures.

The Planning Commission and staff proceeded to review the proposed guidelines. Minor changes were made and the following provision was added: Color chips and a materials board shall be required for all projects.

2. Lot coverage definition

Chris Cerimele advised the Commission that he was working a new lot coverage definition for the Town. He stated that recent projects have made it necessary to revise this definition. Currently, the definition does not take into account second and third level overhanging spaces. Chris stated that the proposed definition would account for these spaces. The Commissioners stated that they were generally receptive to the proposed definition but would like to continue revising it. S. Brummett requested that the word arcade be replaced with porch. A discussion ensued regarding how to verify the lot coverage. Stuart suggested added a requirement that an applicant submit .dwg CAD files that show all overhanging portions of a building.

Commissioner Comments

M. Gallagher stated it would have been helpful to have the approval documents from the Hotel Minturn Project in front of him for this meeting.

S. Brummett requested that staff provide the meeting minutes and approval documents for the next meeting.

Adjournment

M. Gallagher made a motion to adjourn the meeting at 8:21 pm. The motion was seconded by L. Teach. The motion passed 5-0.