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**Town of Minturn  
Planning Commission Agenda  
January 26, 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 7:01 p.m. All Commissioners were present including Vice-Chair Lynn Teach, Melissa Decker, Tim Osborne and Michael Gallagher.

Staff present included: Chris Cerimele, Town Planner; Jim White, Town Manager; Allen Christensen, Town Attorney.

**Approval of Agenda Items**

M. Gallagher made a motion to approve the agenda with the following change- Action Item # 2 to be discussed prior to Action Item # 1. The motion was seconded by L. Teach. The motion passed 5-0.

**Approval of Minutes – Minutes from January 12, 2011**

Michael Gallagher made a motion to approve the minutes from 1.12.11 with the following revisions:

Pg. 2 – paragraph 3 – it was the Commission’s desire to keep the street level inviting in nature.

Pg. 2 – paragraph 6 - add - staff approved the change from a retail space to a hotel room, not the Planning Commission.

Pg. 3 – paragraph 2 – revise to say 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.

Pg. 3.- add S. Brummett state the applicant had the opportunity to appeal the decision to Town Council.

Pg. 3 – paragraph 5- add T. Osborne stated he suggested the issue be sent to Town Council for further review.

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

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

### **Action Items**

1. **DRB 2010-01; A request for a change to the previously approved design**

Applicant: Sean and Ginger Cozzens

Property Location: 601 Main Street

Proposal: The applicant is requesting an exterior change to the previously approved building design.

Chris Cerimele introduced the agenda item. He stated that Mr. Cozzens contacted him the previous Friday to request a design change. Chris stated that the Planning Commission added a condition of approval to the project requiring Mr. Cozzens to use a corrugated metal material on the Mann Street dormer. Mr. Cozzens was present to ask the Planning Commission to rescind the condition and allow him to use reclaimed barn wood siding in place of the corrugated metal.

Sean Cozzens, applicant - 601 Main Street, described the proposed change he was requested. He stated that he and his wife strongly preferred to use the barn wood siding.

A discussion ensued regarding the proposed change. M. Gallagher said the protrusion of the dormer provided enough differentiation to the building. S. Brummett stated that the proposed change was not an issue.

Michael Gallagher made a motion to approve the change. It was seconded by T. Osborne. The motion passed 5-0.

2. **AZDM 2011-01; Amendment to the Zone District Map**

Applicant: Eagle County School District

Property Location: 1951 US 24 – Maloit Park

Property Size: 104.5 acres

Proposal: The applicant is proposing the following zoning classifications on the 104.5 acre parcel: Mixed-Use, Light Industrial / Public Facilities, Recreation and Open Space.

Chris Cerimele introduced the application. He informed the Commission that the Town would like to reserve the possibility to construct a minimal number of

employee housing units on the 18 acres that were being deeded to the Town. This was a new development that was not previously discussed. He also stated that there were some minor changes to the proposal that addressed the Commission's concerns from the December work session. He then recommended approval of the proposed amendment to the zone district map and introduced Tom Braun and Ray Scott, representatives for the Eagle County School District.

Tom Braun went through a presentation outlining the history of Maloit Park and details of the annexation and zoning proposal. The presentation included the history of the annexation process, an overview of the property, the proposed Maloit Park Character Area, issues raised from the December work session and an overview of the next steps. He also mentioned that a master plan was completed for the property approximately 10 years ago and that document has been helpful in this process.

T. Braun outlined the proposed Maloit Park Character Area. He stated the new Character Area would contain a mixed-use zone, public facilities zone and a recreation and open space zone. He then provided an overview of the site characteristics and constraints.

A discussion ensued regarding the site constraints and the area available for housing on the 18 acre public facilities parcel. Tom Braun stated that the area was constrained due to the Town's water treatment facilities, steep topography and riparian corridor. M. Gallagher inquired whether the mixed-use zone contained any portions of the Cross Creek river setback. T. Braun responded that he was fairly certain that it did not but he would verify that point and produce a map for the next meeting. T. Braun explained that the mixed-use area generally coincides with the unconstrained, buildable area of the site.

T. Braun provided an overview of the table of development standards that will govern the development of the Maloit Park Character Area. He stated he would revise the table so that the maximum lot coverage requirement for the mixed use zone would be 40% and the minimum lot dimension would be 50 feet. The Commission also pointed out that the setback from Cross Creek should be 50 feet instead of the stated 30 feet. T. Braun agreed to revise it to 50 feet for the following meeting.

A discussion ensued regarding the proposed density and amount of open space associated with the proposal. Tom Braun stated that the recreation and open space zone contained 39.5 acres and the public facilities zone contained approximately 18 acres. This is a total of 55.2% of the site that is either open space or dedicated to the Town. Of the land the School District retains, 45.7% is open space. He pointed out that the number of units was capped at 150 per

the annexation agreement. In the 46.9 acre mixed use zone, this equates to 3.2 units per acre. The gross site density equals 1.4 units per acre. Tom pointed out that the typical town standard of 1 unit per 5,000 square foot lot equals approximately 8 units per acre.

M. Decker inquired how the boundaries were set for each zone. She expressed her displeasure with the fact that the recreational fields were included in the mixed-use area and that the Town would lose their only ball fields. T. Braun stated that the School District wants to retain maximum flexibility for future development. While he could not guarantee that a developer would include recreation fields with a development proposal, he felt that it was highly probable that they would. M. Decker felt that everyone should know that the Town was giving up a lot of existing active recreation with this proposal. S. Brummett stated that with the proposal, the school district gets the right to develop the property and the Town gets the 18 acres. M. Gallagher stated he was uncomfortable with giving the school district a use-by-right for the 150 units. He felt that a Planned Unit Development (PUD) zoning designation would be more appropriate and that the Town would be able to require a certain amount of open space with a development proposal under the PUD guidelines.

A discussion ensued regarding the subdivision process. Chris Cerimele said he would research the open space requirements for a subdivision prior to the next meeting.

Tom Braun summarized the issues raised and stated that he would address as many as possible prior to the February 9<sup>th</sup> meeting. S. Brummett said that he would like to drop the words light industrial from the proposed light industrial / public facilities zone. Chris Cerimele was in agreement. Tom Braun concluded that he would prepare a revised submittal for the next meeting.

M. Gallagher made a motion to table the application until the February 9, 2011 meeting. T. Osborne seconded the motion. The motion passed 5-0.

## **Discussion Items**

## **Commissioner Comments**

The Commission conducted a general conversation with Town Attorney Allen Christensen regarding the role and authority of the Design Review Board. He stated that the DRB has the authority to add conditions to project approvals. One example would be to require that any design change be brought back to the DRB for their approval.

## **Adjournment**

M. Gallagher made a motion to adjourn the meeting at 9:04 p.m. T. Osborne seconded the motion. The motion passed 5-0