

**TOWN OF MINTURN, COLORADO
RESOLUTION 14 – SERIES 2015**

**A RESOLUTION APPROVING VARIANCE APPLICATION FOR
175 Williams Street, Molly G Building, Minturn, CO**

WHEREAS, Nancy & Ryan Richards, 175 William Street, Minturn, CO 81645; and

WHEREAS, The Town of Minturn Town Council is commissioned with certain powers and duties contained in the Minturn Municipal Code Sec. 16-21-30; and

WHEREAS, public notice was given pursuant to Minturn Municipal Code Sec. 16.21.610; and

WHEREAS, on October 14, 2015 the Planning Commission held a public hearing on the application pursuant to Minturn Municipal Code Section 16-21-620 and recommended approval of the application to the Minturn Town Council; and

WHEREAS, on October 21, 2015 the Town Council held a public hearing on the application pursuant to Minturn Municipal Code Section 16-21-620; and

WHEREAS, pursuant to Minturn Municipal Code Section 16-21-230, the Town Council makes the following findings:

- There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance
- The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this chapter;
- That the granting of the variance would not be materially injurious to properties or improvements in the vicinity and would not result in substantial impairment to the purposes of the zoning code;
- There is no substantial impairment to the public that would result from the granting of the variance.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COUNTY OF EAGLE, STATE OF COLORADO:

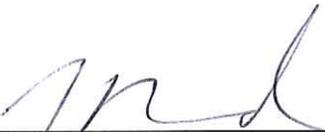
That variance application Nancy and Ryan Richards is approved with the following conditions:

1. Sunset Provision: this variance will be reviewed for renewal on June 1, 2018. Unless reviewed and renewed for approval by that date the variance is revoked. Review of the variance is to determine if the Bunkhouse has complied with the conditions of this variance listed below.
2. The Bunkhouse will lease 20 parking spaces from the Town of Minturn at the municipal lot at the Town rate set by the Treasurer.

3. The Bunkhouse will be responsible for all snow removal and maintenance of their rented section of the municipal town parking lot.
4. The Bunkhouse will place signs delineating their parking area at the far end of the municipal lot (see attachment 2)
5. The Bunkhouse will place a sign in front of the 2 designated check-in, drop-off, parking spaces, designating them as short term check-in parking only.
6. The Bunkhouse will have valet parking to ensure all guest vehicles are parked in the Bunkhouse parking lot located at the far end of the municipal lot.
7. The employee and manager will park in the 2 underground parking spaces or at the leased parking.
8. The Bunkhouse will notify the Town of any changes to their lease agreement or change in size of operations.

INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 21st day of OCTOBER, 2015.

ATTEST:



Town Clerk





Mayor



Town of Minturn
302 Pine Street
Minturn, CO 81645

Planner – J. Hawkinson

Request for a Variance at the Molly G. Building, 175 Williams Street

Planning Commission Approval of Variance on 10/14/2015

Town Council Review of Variance on 10/21/2015

Variance Approval with the Following Conditions:

1. Sunset Provision: this variance will be reviewed for renewal on April 30, 2018 (staff recommends being changed to June 1, 2018 after ski season). Unless reviewed and renewed for approval by that date the variance is revoked. Review of the variance is to determine if the Bunkhouse has complied with the conditions of this variance listed below.
2. The Bunkhouse will lease 20 parking spaces from the Town of Minturn at the municipal lot at the Town rate set by the Treasurer (with a deduction per space from market rate, for the Bunkhouse removing their own snow) (see attachment 1)
3. The Bunkhouse will be responsible for all snow removal and maintenance of their rented section of the municipal town parking lot.
4. The Bunkhouse will place signs delineating their parking area at the far end of the municipal lot (see attachment 2)
5. The Bunkhouse will place a sign in front of the 2 designated check-in, drop-off, parking spaces, designating them as short term check-in parking only.
6. The Bunkhouse will have valet parking to ensure all guest vehicles are parked in the Bunkhouse parking lot located at the far end of the municipal lot.
7. The employee and manager will park in the 2 underground parking spaces that are part of the building and rental space.

8. The Bunkhouse will log all license plates at check-in. If a vehicle is parked on private parking or long term on any neighborhood streets and needs to be towed, the Bunkhouse will be fined \$100.00 and the owner will pay for ticket and towing.

9. The Bunkhouse will notify the Town of any changes to their lease agreement, change in size of operations or ownership of building. Upon these changes, this variance may become void or need to be modified.



TOWN OF MINTURN
P.O. Box 309 (302 Pine Street)
Minturn, Colorado 81645-0309
970-827-5645 Fax: 970-827-5545
treasurer@minturn.org

**FROM THE DESK OF
JAY BRUNVAND, CLERK/TREASURER**

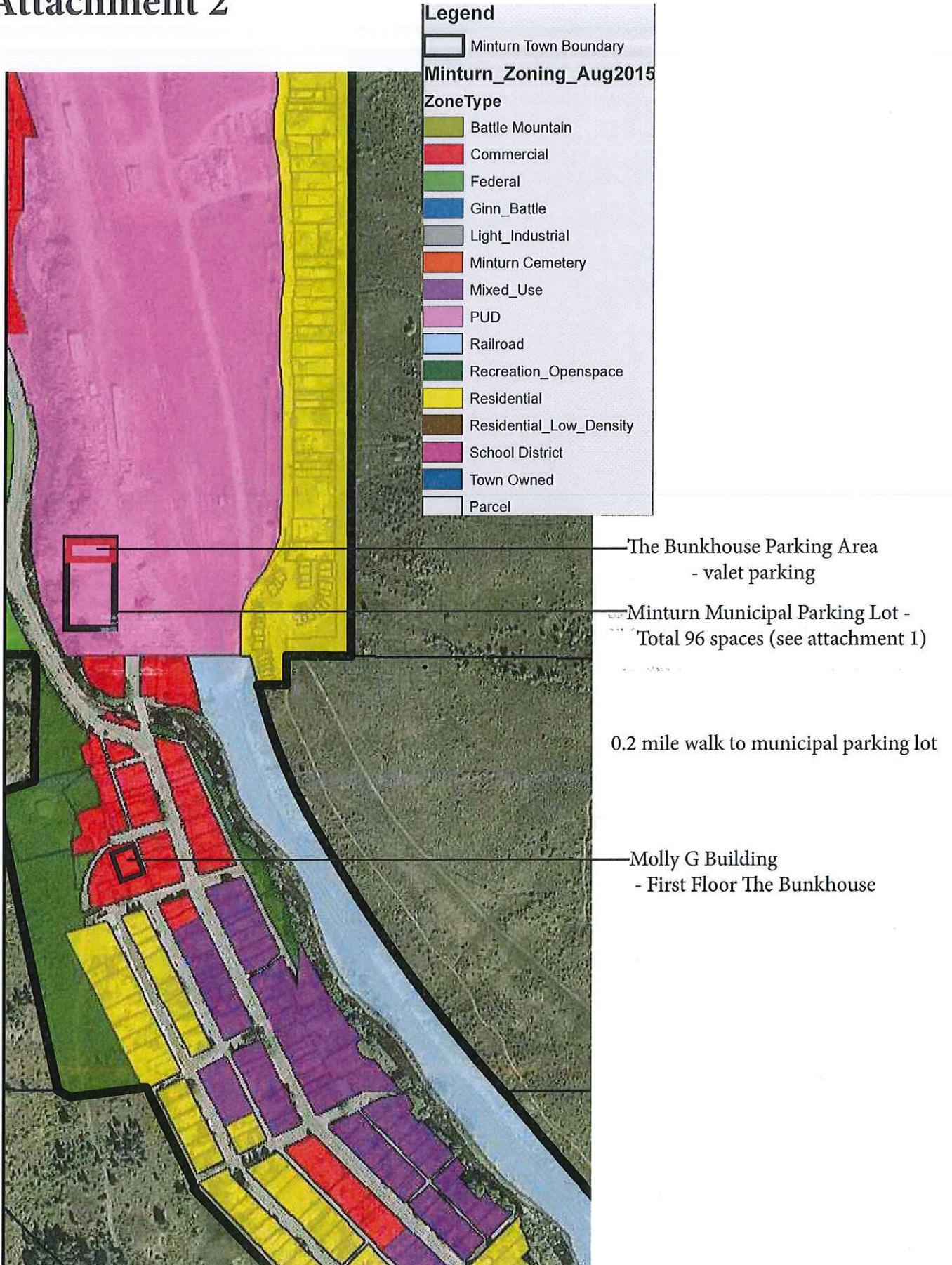
MEMORANDUM

TO: Janet H - Planner
FROM: Jay Brunvand, Treasurer/Clerk
CC:
DATE: October 15, 2015
RE: Municipal Lot

Janet, per our discussion:

- The Municipal Lot has approximately 96 spaces. This has been disputed over the years but we actually counted them and it may have had some lost when the ropes were put in but I use 96 for cost calculations.
- The cost of the muni lot is divided by 96 giving me a price of about \$191 per space per year. This gives me a standard cost for parking fees that can be used town wide.
- Any fees collected go toward the cost of the muni lease with the railroad and to maintain on street parking in town.
- Each lease is based on this price but it is stated in the leases that it is for Non Exclusive customer parking. Meaning, there are no assigned spaces and their patrons can park anywhere in town, they are NOT limited to the muni lot.
- Currently the Town has three parking leases.
 - Ironworks: Pays \$2,952 annually for approximately 16 spaces (his actual count is a fraction of a space due to a tangent line that makes up his lot line)
 - Simon Ent: Pays \$1,337 for 7 spaces.
 - The Saloon: Pays \$4,940 for 26 spaces

Attachment 2



PARKING VARIANCE

- The owners of the Molly G building are providing 4 spaces in the underground garage.
- Any spaces in front of the building are to be used for check-in and check-out purposes only.
- We are asking to lease 17 additional spaces from the town (in the dirt lot) to accommodate guests.
- According to Longwoods International, a travel market research firm hired by the Colorado Tourism Bureau, the average overnight traveler to the Vail Valley by means of an automobile, consists of 3.2 persons per vehicle.





LAND DEVELOPMENT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street
Minturn, Colorado 81645-0309
Phone: 970-827-5645 Fax: 970-827-4262 Email: planner@minturn.org

APPLICANT:	ADDRESS: 511 West Beaver Creek Blvd #C-7 P.O. BOX 1496 Avon, CO 81620 PHONE: 970-353-5103 FAX: EMAIL: nancy richards 730@gmail.com	SIGNATURE: Nancy Richards Ryan Richards NAME: THE BUNKHOUSE TITLE: Owners / operator
OWNER(S) OF RECORD:	ADDRESS:	SIGNATURE:
	PHONE: FAX:	NAME:
	EMAIL:	TITLE:
DEVELOPER:	ADDRESS:	CONTACT PERSON:
	PHONE: FAX:	
	EMAIL:	
ENGINEERING FIRM:	ADDRESS:	CONTACT PERSON:
	PHONE: FAX:	
	EMAIL:	

Presubmittal Date	9-22-2015	Presubmittal Planner:	HAWKINSON
Parcel ID Number	210326323001	<small>(Example: 210326323001) from your fill card printout</small>	
Address or Intersection	175 Williams St. Minturn, CO 81645		
Brief Legal Description	Short term Lodging		
Subdivision Name & Filing #	N/A		
Project Description	Boutique Hostel		

	Existing		Proposed:
Zoning:	OLD TOWN MIXED USE		
Land Use:	-		
Total Acres:	~115 ACRES		SAME
F.A.R./Density:	NA		
Project Name:	THE BUNKHOUSE		
Related Case #'s:	N/A		

CASE TYPE			
PUD CDP: Concept Dev. Plan	FP: Prelim. Subdivision Plat	DRB - P: Des. Rev. Bd. Prelim	A-TP: Fence Permit
PUD FDP: Prelim. Dev. Plan	FP: Final Subdivision Plat	DRB - F: Des. Rev. Bd. Final	A-MOD: Modification/Add
PUD FDP: Final Dev. Plan	MS: Minor Subdivision	ADM: Admin. Des. Review	A-MIN: Minor Ext. Mod.
PUD ASP: Admin. Site Plan	ASR: Admin. Subdivision Replat	A-SIGN: Admin. Sign Review	ANNEX: Annexation
PUD FDP A: Amendment	V: Vacation of Easement	A-DIG: Admin. Dig Permit	TU: Temporary Use
LU-V: Land Use - Variance	R.O.W. Vacation	A-DEMO: Admin. Demo Per.	CU: Conditional Use
NU-V: Non Use - Variance	REZ - Rezoning - Straight Zoned	A-LTD: Admin. Limited Use	APPLS: Appeals

This section for OFFICE USE ONLY

Case No:	Case Mgr.	Case Eng.	
Fees Paid: <input checked="" type="checkbox"/> Y <input type="checkbox"/> N \$ 250.00	Dates Referred Out:		
Dates to be Returned:	Planning Comm Date:		

This development application shall be accompanied with the applicable fee and shall not be considered valid until the total application fee is received. Submittal of this application does not mean you will receive automatic approval, nor does it establish a vested property right in accordance with C.R.S. 24-68-105(1). Further processing and review of this application may require additional information, and/or meetings, as outlined in the Town of Minturn Zoning and Development Code



VARIANCE APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

302 Pine Street - PO Box 309

Minturn, CO 81645

(p) 970-827-5645

(f) 970-827-5545

Applicant: <u>Nancy + Ryan Richard</u>	Address of: <u>175 Williams St.</u>
Signature: <u>[Signature]</u>	Requested Variance: <u>Additional Parking at town</u>
Property Owner (if different from applicant): (an affidavit of authorization must be included)	(name) <u>Nelson Avenue Family Partners LLC</u>
	(signature) <u>See Affidavit</u>

Please respond to the following questions regarding the variance request (attach additional sheets if necessary)

Please describe the nature of the requested variance:

- Addition Parking @ Town Lot (MISS MARKET TRAFFIC)
 *MINTURN MARKET: CHECK OUT IS AT 10:00 - CHECK-IN IS AT 3:00
 2 OUTSIDE - EXISTING - CHECK-IN PARKING - 1 ADA PARKING
 2 UNDERGROUND - FOR STAFF PARKING

Are there exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone? (if yes, please elaborate)

- Property lacks adequate parking for the needs of our overnight guests. Our business requires access to 17 spaces 24 hours a day.

Do the exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning code? (if yes, please elaborate)

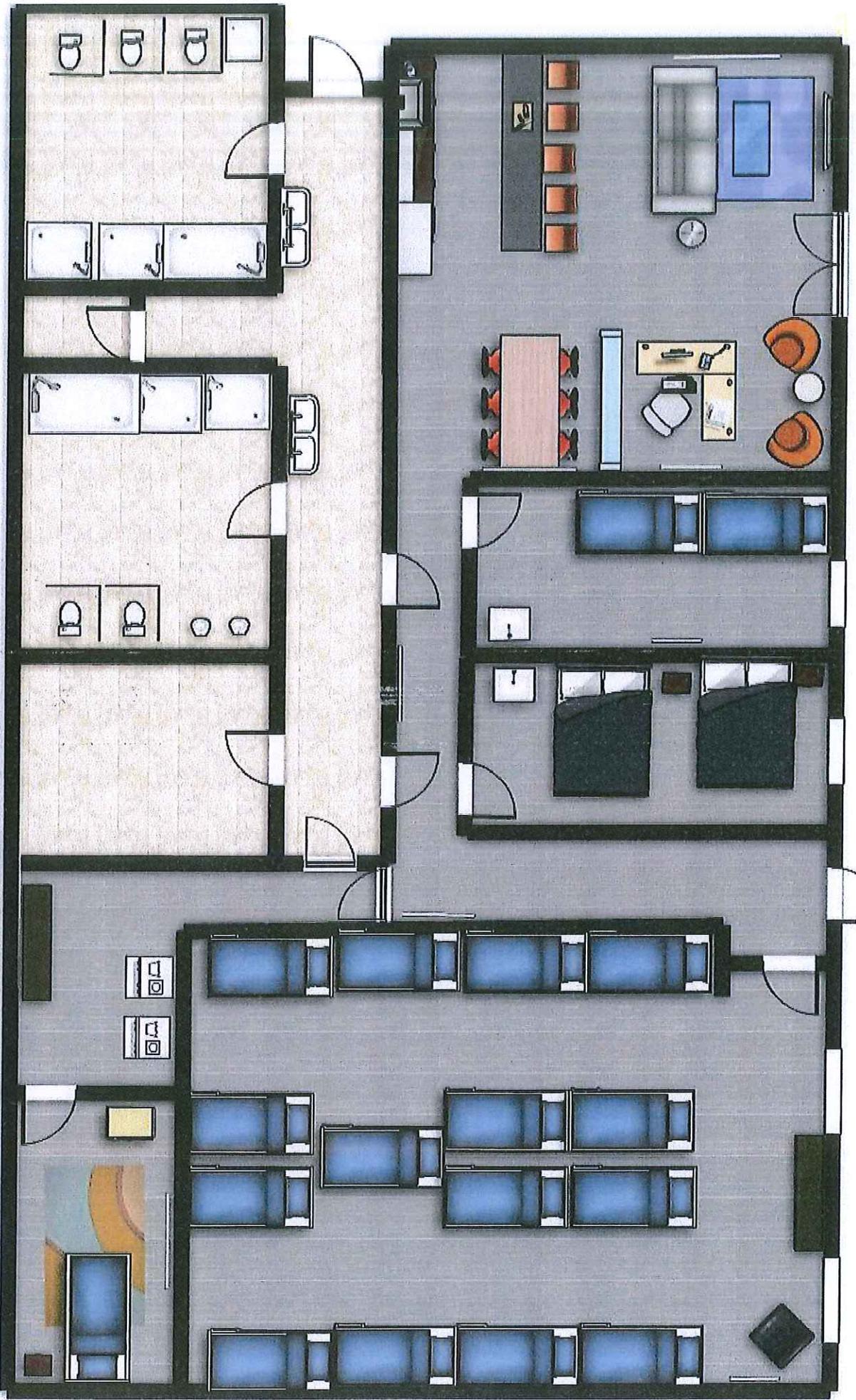
We do not wish to occupy the already limited on-street parking of old town Minturn.

The Planning Commission and Town Council are required to make the following findings before granting a variance:

1. There are exceptional or extraordinary circumstances or conditions applicable to the site of the variance that do not apply generally to other properties in the same zone;
2. The exceptional or extraordinary circumstances of the site create a situation in which the strict, literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning code;
3. That the granting of the variance will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity and will not result in substantial impairment to the purposes of the zoning code;
4. There is no substantial impairment to the public that would result from the granting of the variance

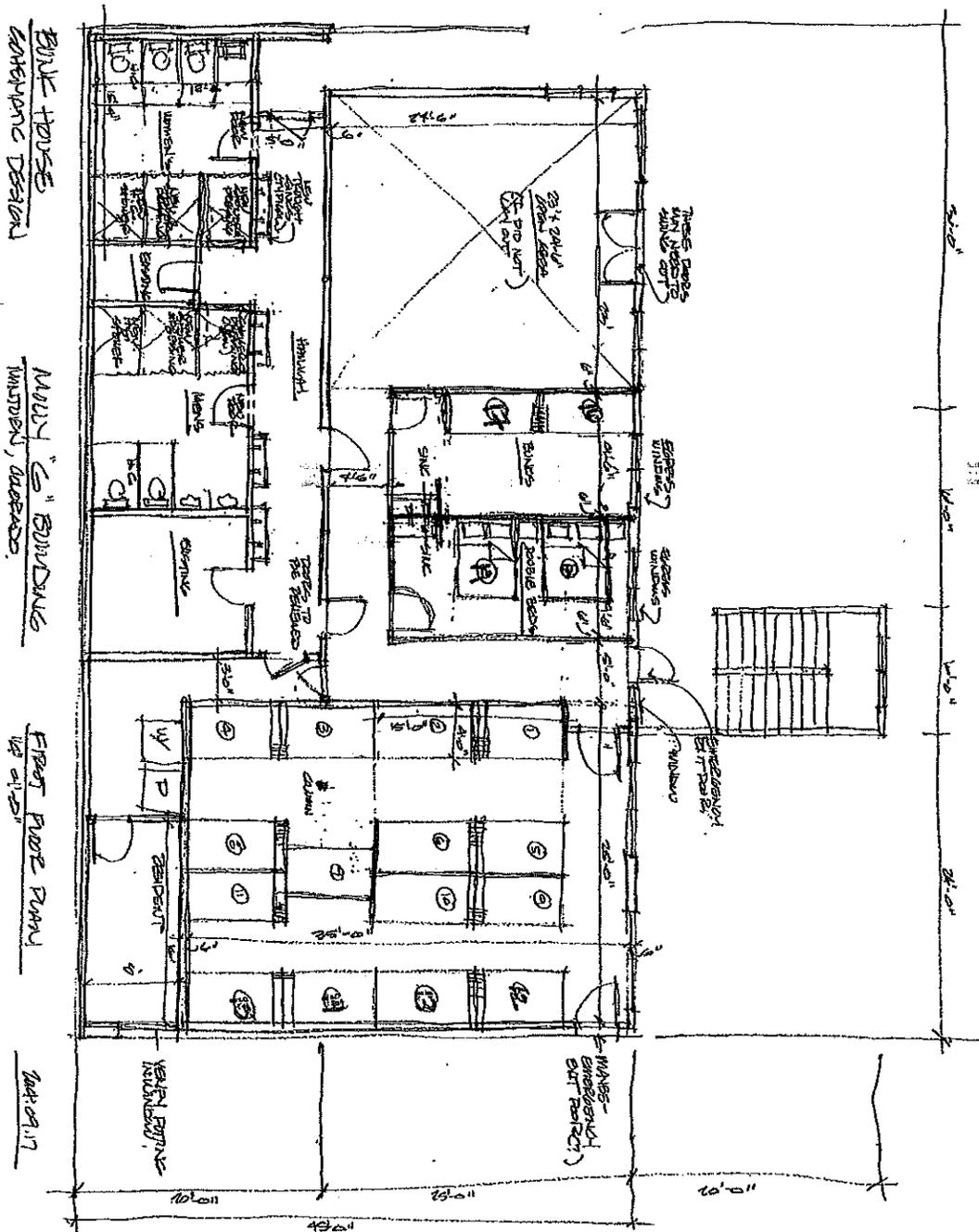
Town Use Only

Date received <u>9-22-2015</u>	Planner <u>HAWKINS</u>
Fee Paid <u>\$700.00</u>	Signature <u>[Signature]</u>



Architectural floor plan showing room layouts, furniture, and fixtures.

Beds for 38 people



The Bunkhouse Parking Information, Policy, and Procedures

1. The Bunkhouse will provide two short term parking spaces in the front of the building for guest check-in and check-out process.
2. All guests shall provide license plate numbers upon check-in and receive a Bunkhouse parking permit to be displayed on rear view mirror. This permit shall indicate dates of lodging.
3. All guests shall be instructed to park in the dirt lot on the edge of town, and that on street parking is not permitted. This information will be clearly indicated on our website and reiterated upon check-in.
4. Check-in and check-out spaces in the front of the building will be unavailable for use during the 13 Saturdays of the Minturn Market, and any Winter Markets as they occur. These dates will be clearly indicated on The Bunkhouse website, and discussed during guest check-in and check-out procedure.
5. During the Summer months we expect to run about a 50% occupancy resulting in 6 to 7 cars in designated lot. If The Bunkhouse were to be at full occupancy during winter months, we expected approximately 12 to 13 cars in shared lot.
6. These numbers and occupancy estimates were taken from a 2013 tourism study done by Longwoods International for the Colorado Tourism Office. Their findings conclude the average overnight leisure party to consist of 3.2 people, and the average overnight ski party is 3.7 people.
7. The Bunkhouse staff will park in the two designated spaces in the Molly G. garage.
8. All of these facts, polices, and procedures have been reviewed and approved by Michelle Metteer, organizer of the Minturn Market to insure no conflicts of interests.

Noise Policy and Disruption Procedure

The Bunkhouse, boutique hostel and suites is committed to providing a safe, non-disruptive, and sustainable model for our guests, local community, and neighbors. It is our priority to emulate a professional business model that promotes a healthy image in the community; noise compliance is a primary concern for our stewardship within our community. The following model details our commitment to noise protection.

1. The Bunkhouse employs a year round staff who lives on property. Included in this model is 24 hour staffing to ensure the following policy is strictly enforced.
2. We maintain that a reasonable level of noise compliance should be maintained.
 - a. The common areas including but not limited to; the kitchen, living space, lounge area, restrooms, and check-in area will maintain quiet hours after 11pm, 7 days per week. The bunkrooms and private suites will maintain quiet hours after 10pm, 7 days per week. Guest use of the deck area closes at 9pm.
 - b. 7am will commence an increase in traffic through the Bunkhouse as guests prepare for activities that mountain travelers enjoy; a reasonable increase in noise will be expected.
3. Loud, disruptive behavior is strictly prohibited regardless of the time of day. Any patron who actively disrupts the community based on noise will be given a friendly warning to cease activity; if the disruption continues, the guest will be asked to leave the Bunkhouse without a refund.
4. Disorderly conduct shall be addressed by no less than two staff. The Eagle County Sherriff Officers shall be called to assist with the removal of any guest who is unable to comply with The Bunkhouse Noise Policy.