



Official Minutes

MEETING OF THE MINTURN TOWN COUNCIL
Minturn Town Center, 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday February 18, 2015

Work Session – 5:30pm
Regular Session – 6:30pm

MAYOR – Gordon “Hawkeye” Flaherty
MAYOR PRO TEM – George Brodin

COUNCIL MEMBERS:

Shelley Bellm
Earle Bidez
John Rosenfeld
Matt Scherr
Jason Osborne

These minutes are formally submitted to the Town of Minturn Town Council for approval as the official written record of the proceedings at the identified Council Meeting. Additionally, all Council meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/827-5645 302 Pine St. Minturn, CO 81645.

Work Session – 5:30pm

- Zoning Code Moratorium: Survey Review – Hawkinson

Regular Session – 6:30pm

1. Call to Order

The meeting was called to order by Mayor Hawkeye Flaherty at 6:40pm

- Roll Call

Those present included: Mayor Hawkeye Flaherty, Town Council members, George Brodin, Matt Scherr, John Rosenfeld, Ozzy Osborne, Earle Bidez, and Shelley Bellm.

Staff present: Town Manager Willy Powell, Town Attorney Michael Sawyer, Town Treasurer/Clerk Jay Brunvand, and Town Planner Janet Hawkinson.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Shelley B., second by Johnie R., to approve the agenda as presented. Motion passed 7-0.

3. Approval of Minutes

- January 21, 2015

Motion by Johnie R., second by Ozzy O., to approve the minutes of January 21, 2015 as amended. Motion passed 7-0

4. Public comments on items, which are NOT on the agenda (5 minute time limit per person)

Mr. Geoff Grimmer, Headmaster VSSA, gave a brief update on the school and its successes.

5. Special Presentations

PUBLIC HEARINGS AND ACTION ITEMS

6. Discussion/Action Item: Resolution No. 03 – Series 2015 A Resolution in support of the Great Outdoors Colorado Trust Fund Financial Grant to the Town of Minturn – Hawkinson

Funding for the town's portion comes from the BMR Reserve funds. Janet H. outlined the benefits of the grant and that it would assist us with the completion of Little Beach Park. Updates would also be made to the park to make it more ADA compliant.

Motion by Shelley B., second by George B., to approve Resolution 2 – Series 2015 a Resolution in support of the Great Outdoors Colorado Trust Fund Financial Grant to the Town of Minturn as presented. Motion passed (7-0).

7. Discussion/Action Item: Zoning Code Discussion and Direction to Staff – Hawkinson

Direction Given:

Zoning Changes that are part of the moratorium

1. Dimensional Standards – Section 16-17-190 – Table 16-15

- a. Total Maximum Building Lot Coverage: 35% (*bonus for garages)

- b. Total Impervious lot coverage: 50% - includes aggregate parking surfaces
- c. Side yard setbacks: no buildings or impervious surface allowed in side yard setbacks. They are reserved for storm water drainage and snow from roofs and property.
- d. Eave lengths are allowed 1' into the setbacks.
- e. Cantilever over maximum building footprint is not allowed.

Direction given by Council:

- Total maximum Lot coverage in Taylor, Old Town, and South Town: 50% maximum impervious across the board
- Side yard setback should not be strictly pervious; however the drainage plan should address these issues.
- Eave lengths allowed 1' into the setback
- Cantilever over maximum building footprint is not allowed.

2. Duplex, Multi-family

- a. The minimal lot size for a duplex is a 5,000 sq. ft. lot
- b. Joining requirements: shared party wall of a minimum of 10% of a living space (kitchen, living room or bedroom) or a shared roof line (buildings connected by a roof, including covered walkways or decks) or shared party wall splitting building in half either by sides or floors.
- c. Duplexes allowed in South Minturn and Game Creek Character Areas (not allowed in Old Town Character area).

Direction given by Council:

- No changes

3. Accessory Apartments – Section 16-2-20 and “Use by Right” in Character Area Tables

- a. Allow with Single Family as use by right.
- b. Accessory apartment maintains appearance of single family home
- c. Conditional Use Permit for accessory apartments with duplexes on lots over 7,000 sq ft in Character areas: South Minturn and Game Creek.
- d. Must meet parking requirements.

Direction given by Council:

- No changes to a, b, and d; strike c.

4. River Set Back

- a. 30' river setbacks are not allowed to be included in the maximum square footage of building lot coverage of the 35% or impervious surface coverage of 50%.

Direction given by Council:

- Change 35% to 40% lot coverage and consistently define how the 30' river setbacks are measured

5. 60' Maximum Roof Length

- a. A maximum roof length of 60' in one direction at 28' maximum roof height, until the roof length needs to be lowered or run in a different direction.
- b. 60' is specific to Minturn's rectangle lots and minimum lot size of 5,000 sq ft. This is the greatest length a residents could be built at on a 5,000 sq ft lot. Controls mass & scale on larger lots next to smaller lots.

Direction given by Council:

- No change

Zoning Changes that are NOT part of the moratorium

1. Landscape Requirements Section 16-17-140

- a. 14' standard curb cut or 'driveway' entrance in Old Town Character Area
- b. 16' standard curb cut or 'driveway' entrance in South Minturn and Game Creek Character area – includes all zoning areas (commercial, residential, mixed use)
- c. Landscape plans to only have species to Zone 2 – (this includes: trees, shrubs, perennials and native grasses). Must include botanical names on plans.
- d. 1 tree must be planted for every 1,000 square feet of lot – 5,000 sq ft lot = 5 trees.
- e. Minimum size of tree is 2" caliber deciduous tree and 4' pine tree.
- f. Maximum of 50% impervious surface coverage ratio on all lots.
- g. Definition of green space: a pervious surface that has native plant species growing. The 'green space' can be fescue sod, native grass, wildflowers, ground covers, green plant life, and existing natural vegetation.
- h. Landscaping and Setbacks: On any lot the required yard setbacks and all non-impervious areas shall be landscaped. Landscape requirements shall also include landscaping of the public right of way as follows:
*Old Town Character Area: to the sidewalk, curb and gutter, or street pavement, as appropriate.
*South Minturn Character Area: to within 10 feet of the paved surface. Any existing parking areas in the right of way or front yard setback are to be removed and replaced with landscaping.

*Game Creek Character Area: to within 5 feet of the paved surface. Any existing parking areas in the right of way or front yard setback are to be removed and replaced with landscaping.

Direction given by Council:

- Rework C
- Change E to 1.5in and 4in evergreen
- Strike G
- Rework H

2. Sheds

- a. Sheds in commercial zone need a conditional use permit.
- b. Sheds over 120' need a building permit. Sheds are part of the impervious surface lot coverage maximum of 50%.
- c. Sheds not to be over 15' in height from finish or natural grade, whichever is more restrictive.

Direction given by Council:

- Rework to recognize the residential grandfathered in the commercial zone.

3. Height Measurements

- a. The maximum building height is 28' mid-roof line.
- b. Homes built into a hillside must comply with the 28' mid-roof line. It is not an average of roof height.
- c. The tallest part of any building can only be 28' mid-roof line from finished grade, or natural grade, whichever is more restrictive.
- d. Finished grade is defined as the grade that the house will be set on and completed with landscape.

Direction given by Council:

- No change

4. Notifications

- a. New projects applying for Design Review have to notify adjacent property owners within approximately 250' of the project and Planning Commission design review of project within 10 days of design review meeting.

Direction given by Council:

- Strike

5. New Diagrams for Zoning Codes (drawings to come)

- a. Various roof types and where to measure 'mid-roof line' height

- b. Plan view of duplexes
- c. Hillside construction and maximum building height
- d. 10' front landscaping in front yard landscaping and right of way
- e. 35% maximum building lot coverage and 50% impervious surface with garage bonus.

Direction given by Council:

- Change E to 40%

6. Required Parking Spaces

- a. Parking shown on plans must have an aggregate surface.

Direction given by Council:

- No change
- Increase the required spaces as discussed. No onstreet parking is to be included in the calculation

7. Financial Guarantee

- a. Landscaping and completion any approved outdoor structure or siding: Upon filing for a Temporary Occupancy Certificate, the owner will need to place 125% of remaining construction in escrow. An expiration date will be set by the owner and the Town on reasonable time to complete remaining work on the TCO. Money will be returned upon completion of work and Certificate of Occupancy filed.

Direction given by Council:

- Rework the verbage to reflect 125% to complete

COUNCIL AND STAFF REPORTS

8. Town Planner

- GOCO Grant
- Beginning History Walk Signs

9. Town Attorney

10. Town Manager

- Battle Mountain Resort update

Willy P. stated the project is no longer for sale. The remaining legal issues will run approximately two more years. They are reviewing the existing development plans and will get back with the Town later this winter.

Mr. Dave Kleinkopf is resigning his daily activities position and they have brought on Mr. Tim McGuire to assume those duties.

- Manager's Report

Funding Requests

1. An individual—Rose Martinez
2. A non-profit—Battle Mountain High School

Please see attached requests. In talking with Staff members I understand the town does not have specific policies regarding mid-year funding requests. I believe a policy would assist staff in responding to mid-year requests and not burden Council with such requests. I recommend a policy as follows be instituted. If Council agrees, staff will come back with a written policy to be adopted at the March 4 meeting.

- Individual funding requests are not allowed at any time of year other than Minturn Education Fund requests.
- All non-profit requests are to be submitted to the town no later than August 1 to be considered during the budget and funded for the subsequent year. No mid-year requests are to be considered.

Council may want to consider appointing a committee to hear the non-profit funding requests during August, and then report to Council for any final approval. This may save Council's time during budget worksessions and hearings.

Willy P. noted that we have two funding requests from BMHS for the same program, we do not have funds available for requests such as this that come in during the fiscal year. Direction was to maintain our current annual funding process within the budget.

Council directed to add a discussion to a future Worksession to discuss funding options.

CAST REQUEST—On-Line Vacations Rentals—Impacts

See attached for a request of \$1950. The Study will likely provide interesting information. Currently Jay is requiring vacation rentals to pay taxes and licenses.

Council declined to fund this study.

Proposed Trail Eagle Vail—Meadow Mountain, Letter of Support

Eagle Vail Metropolitan District is proposing to build a trail from Eagle Vail to Meadow Mountain. They will take the lead in permitting and construction, if the permit is granted. This is a bike/hike trail. I was asked to submit a letter of support to be included in the application package. See attached.

- Action Report

11. Town Council Comments

A big thank you to the Vail Valley Foundation and the major sponsors for the World Cup. The program was a huge success. Shelley B. updated on some of the event statistics:

- More than 200,000 spectators
- 70 hours of live coverage over the course of 14 days
- Live broadcasts in 27 countries
- 10.1 million social media impressions as well as the official event hashtag, #vail2015m trending as a top 10 topic on Twitter.
- Athletic participation from 68 nations
- more than 1,200 accredited media covering the event onsite
- Occupancy rates of roughly 95% on weekends throughout the Vail Valley during the event window

EXECUTIVE SESSION

12. Executive Session: Executive Session pursuant to C.R.S. §24-6-402(4)(b) – to conference with the Town attorney for purpose of receiving legal advise on a specific legal question related to quieting title to property near Little Beach Park

The Council determined the Executive Session was not necessary; therefore, it was not convened.

REGULAR SESSION ACTION ITEM

13. Approval of litigation by the Town of Minturn to quiet title to property near Little Beach Park

Motion by Ozzy O., second by Shelley B., to direct the Town Attorney to file for a quiet title on Little Beach Park Ozzy/Shelley

FUTURE AGENDA ITEMS

14. Next Meeting – March 4, 2015

- Discussion: Guide Signs

- Discussion: Water Rate review and recommendation
- One book one valley proclamation

15. Future Meetings:

- 2015 Building Code update – Charlie Davis
- Discussion of outside funding request process

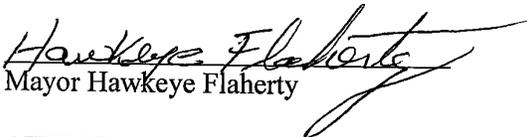
16. Set Future Meeting Dates

- March 4, 2015
 - March 18, 2015
 - April 1, 2015
- a) Planning & Zoning Commission Meetings:
- March 11, 2015
 - April 8, 2015
 - May 13, 2015

17. Other Dates:

18. Adjournment

Motion by Johnie R., second by Ozzy O., to adjourn the meeting at 10:15pm.


Mayor Hawkeye Flaherty

ATTEST:


Jay Brunvand, Town Clerk

