



## OFFICIAL MINUTES Planning Commission Meeting

Wednesday, June 26, 2024

Town Hall / Council Chambers - 302 Pine St Minturn, CO

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The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order of agenda items listed are approximate.

This agenda and meetings can be viewed at [www.minturn.org](http://www.minturn.org).

### MEETING ACCESS INFORMATION AND PUBLIC PARTICIPATION:

This will be an in-person meeting with access for the public to attend in person or via the Zoom link included. Zoom Link: <https://us02web.zoom.us/j/87021187870>

**Zoom Call-In Information:** 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 870 2118 7870

**Please note:** All virtual participants are muted. In order to be called upon an unmuted, you will need to use the “raise hand” feature in the Zoom platform. When it’s your turn to speak, the moderator will unmute your line and you will have five (5) minutes for public comment.

**Public Comments:** If you are unable to attend, public comments regarding any items on the agenda can be submitted to Madison Harris, Planner 1, prior to the meeting and will be included as part of the record.

#### 1. CALL TO ORDER - 5:30 PM

Lynn Teach called the meeting to order at 5:30 p.m.

#### 2. ROLL CALL AND PLEDGE OF ALLEGIANCE

Those present at roll call: Planning Commission Chair Lynn Teach, and Planning Commission Members Michael Boyd, Amanda Mire, and Darell Wegert.

Staff members present: Planning Director Scot Hunn and Planner I Madison Harris.

*Note: Eric Rippeth and Jeff Armistead are excused absent.*

#### 3. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

Motion by Amanda M., second by Michael B., to approve the agenda as presented. Motion passed 4-0.

*Note: Eric R. and Jeff A. are excused absent.*

#### 4. APPROVAL OF MINUTES

A. June 12, 2024

Motion by Darell W., second by Amanda M., to approve the minutes of June 12, 2024 as presented. Motion passed 4-0.

*Note: Eric R. and Jeff A. excused absent.*

**5. DECLARATION OF CONFLICTS OF INTEREST**

No conflicts of interest.

**6. PUBLIC COMMENT**

Citizens are invited to comment on any item not on the regular Agenda subject to a public hearing. Please limit your comments to five (5) minutes per person unless arrangements have been made for a presentation with the Town Planner. Those who are speaking are requested to state their name and address for the record.

No public comment.

**7. SPECIAL PRESENTATIONS**

Presentations are limited to 5 minutes unless prior arrangements are made with the Town Planner.

**8. DESIGN REVIEW AND LAND USE PUBLIC HEARINGS**

**A. 0030 Silver Star Trail - New Single Family Residence**

Madison H. introduced the agenda item. This is a four-bedroom, 3,305 square foot single family home measured to the midpoint of the roof at 27 feet 11 and ¼ inches under the 28 foot height limit. Parking is adequate, with four off-street spaces, two of which are provided in the garage which is allowed per the approved PUD Guide. All setbacks are respected and the proposal is under the allowable lot and impervious coverage limitations. As a point of note, there is a typo in the staff report which states that the required front setback is 00 feet when it should say 20 feet. They have more snow storage than is required by the code at 265 square feet. Staff has identified no issues and recommends approval of the plans.

Public comment opened.

No public comment.

Public comment closed.

Motion by Amanda M., second by Michael B., to approve 0030 Silver Star Trail – New Single Family Residence as presented. Motion passed 4-0.

*Note: Eric R. and Jeff A. are excused absent.*

**B. 0003 Miles End Lane - New Single Family Residence**

Madison H. introduced the agenda item. This is a two-bedroom, 3,512 square foot single family home measured to the midpoint of the roof at 27 feet 11 inches under the 28 foot height limit. Staff did note that there is an office that could be turned into a bedroom making this a three-bedroom house. Parking is adequate, with four off-street spaces, two of which are provided in the garage which is allowed per the approved PUD Guide. All setbacks are respected and the proposal is under the allowable lot and impervious coverage limitations. They have more snow storage than is required by the code at 517 square feet. Staff has identified no issues and recommends approval of the plans.

Public comment opened.

No public comment.

Public comment closed.

Amanda M. clarified that the parking wouldn't change even if the office is converted to a bedroom.

Motion by Michael B., second by Darell W., to approve 0003 Miles End Lane – New Single Family Residence as presented. Motion passed 4-0.

*Note: Eric R. and Jeff A. excused absent.*

**C. 0043 Miles End Lane - New Single Family Residence**

Madison H. introduced the agenda item. This is a four-bedroom, 4,908 square foot single family home measured to the midpoint of the roof at 24 feet 10 and 5/8 inches under the 28 foot height limit making this the shortest house so far. Staff did note that there is a flex room that could be turned into a bedroom making this a five-bedroom house. Parking is adequate, with four off-street spaces, two of which are provided in the garage which is allowed per the approved PUD Guide. All setbacks are respected and the proposal is under the allowable lot and impervious coverage limitations. They have more snow storage than is required by the code at 438 square feet. Staff has identified no issues and recommends approval of the plans.

Public comment opened.

No public comment.

Public comment closed.

Amanda M. clarified the building footprint square footage vs. the building square footage.

Motion by Amand M., second by Darell W., to approve 0043 Miles End Lane – New Single Family Residence as presented. Motion passed 4-0.

*Note: Eric R. and Jeff A. are excused absent.*

**D. 0186 Miles End Lane - New Single Family Residence**

Madison H. introduced the agenda item. This is a four-bedroom, 5,818 square foot single family home measured to the midpoint of the roof at 27 feet 9 and 5/8 inches under the 28 foot height limit. Parking is adequate, with four off-street spaces, two of which are provided in the garage which is allowed per the approved PUD Guide. All setbacks are respected and the proposal is under the allowable lot and impervious coverage limitations although staff would like to note that there is 2.5 square feet of wiggle room as the allowable impervious area is 4,129.49 square feet and the proposed impervious area is 4,127 square feet. They have more snow storage than is required by the code at 349 square feet. Staff has identified one issue/item of note and recommends approval of the plans with a condition. On Sheet C1, the plans show two-tiered boulder retaining wall structures that are partially on Lot 7 and within Tract B. Because this structure(s) is both on common property and private property, staff has requested demonstration of reciprocal construction and maintenance easements for the boulder wall. The developer has addressed this comment/request by drafting an Encroachment Agreement between the property owner and the HOA. Staff's recommended condition of approval is that the Applicant shall provide an executed encroachment agreement for the boulder retaining wall on Lot 7 and Tract B prior to, or concurrent with, building permit application.

Don Eggers clarified that the encroachment agreement is going back and forth between attorneys and that will be executed by building permit application.

Amanda M. asked if this is one of the lots with the MSE wall.

- Mr. Eggers said that it is, but didn't want an 8 foot tall wall, so split it into an two boulder walls which is more visually appealing

Public comment opened.

No public comment.

Public comment closed.

Motion by Michael B., second by Amanda M., to approve 0186 Miles End Lane – New Single Family Residence with conditions.

1. The Applicant shall provide an executed encroachment agreement for the boulder retaining wall on Lot 7 and Tract B prior to, or concurrent with, building permit application.

Motion passed 4-0.

*Note: Eric R. and Jeff A. are excused absent.*

## **9. DISCUSSION / DIRECTION ITEMS**

### **10. STAFF REPORTS**

#### **A. Planning Department Update**

##### **291 Main Street - Minor DRB Permit**

Rocky Mountain Taco recently applied to construct bike parking adjacent to their parking spaces as well as extend their fence in the front. That application was approved by the Planning Director on June 18, 2024.

### **11. PLANNING COMMISSION COMMENTS**

Michael B. clarified that the Town is requiring all ILCs to be submitted.

Darell W. asked how the high powered gas line are being addressed for the Minturn North project.

Lynn T. asked about Tract C.

### **12. FUTURE MEETINGS**

#### **A. July 10, 2024**

#### **B. July 24, 2024**

- a. Scot H. might not be available.

### **13. ADJOURN**

Motion by Amanda M., second by Darell W., to adjourn the regular meeting of June 26, 2024 at 5:53 p.m. Motion passed 4-0.

*Note: Eric R. and Jeff A. are excused absent.*

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Lynn Teach, Commission Chair

ATTEST:

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Scot Hunn, Planning Director