



## OFFICIAL MINUTES Planning Commission Meeting

Wednesday, June 12, 2024

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

---

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/85460387240>

**Zoom Call-In Information:** 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 854 6038 7240

**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 Jeff Armistead, Michael Boyd, Amanda Mire, Eric Rippeth, and Darell Wegert. Staff members present: Planning Director Scot Hunn, Economic Development Coordinator Cindy Krieg, and Planner I Madison Harris.

#### 3. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

Motion by Amanda M., second by Darell W., to approve the agenda as presented. Motion passed 5-0.

*Note: Eric R. is attending in his status as an alternate.*

#### 4. APPROVAL OF MINUTES

A. May 22, 2024

Lynn T. requested that the fact that she clarified the bedroom numbers and related parking spaces be added to the minutes.

Motion by Jeff A., second by Amanda M., to approve the minutes of May 22, 2024 as amended. Motion passed 5-0.

*Note: Eric R. is attending in his status as an alternate.*

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

- A.** 171 Main Street and 191 Main Street - Temporary Use Permit - Summer Bike Parking  
Cindy K. introduced the agenda item. The Town is requesting to erect a temporary 20x20 tent that is primarily on 171 Main Street next to the Colorado Mattress store. Trying to create a sense of place with fun signage and painting the bike racks a fun color. Have a tent that requires being staked in the ground that will remain up through the end of September.

Michael B. asked whose property this is.

- Cindy K. said that MR Minturn owns the primary property and we have permission from them and it might encroach on 191 Main and have permission from Holy Toledo as well.

Amanda M. asked how many bikes will be able to fit under the tent.

- Cindy K. said that she anticipates that forty will be able to fit.
- Amanda M. asked how there will be control over the people crossing outside the street
- Cindy K. said that via wayfinding signage they'll be directing people to cross via the crosswalks.
- Amanda M. said that with parking still allowed in front of where this tent is going there will be a lot of congestion. Said that the bike shop is looking at putting bike parking behind their building. Asked how close to the sidewalk and if there is any barrier to people parking their bikes on the sidewalk.
- Cindy K. said there can be a barrier added to the plan as well as revegetation.

Lynn T. said that there will be congestion on the sidewalk so maybe we don't allow people to put their tables and chairs on the sidewalk. Requested that there be someone check that there's no sign on Frank's house, and utility locates be called before staking.

Public comment opened.

No public comment.

Public comment closed.

Michael B. said that stuff on the sidewalks can be sorted out, but thinks this is a good spot for people to park their bikes.

Motion by Michael B., second by Jeff A., to forward a recommendation of approval to the Town Council of 171 Main Street and 191 Main Street - Temporary Use Permit - Summer Bike Parking with the recommendations of:

1. That the Temporary Use Permit shall expire October 3<sup>rd</sup>, 2024.

2. That a fence be erected along the sidewalk to prevent bikes from being parked on the sidewalk.
3. That there be wayfinding signage erected to direct people to the parking area.
4. That at the end of the approved term, staff evaluate the property for any needed revegetation, and, if so determined, revegetate the site where the tent covered.

Motion passed 5-0.

*Note: Eric R. is attending in his status as an alternate.*

**B. 1014 Two Elk Lane - Exterior Modifications**

Madison H. introduced the agenda item. This is a relatively small modification. They are enclosing about 100 square feet of their deck so while the roof line is changing to cover this enclosure, not much else on the site is affected. They will be using the same or similar materials to what is already there so visually, this will not look all that different.

Kevin Stephenson, 620 Ivy Street, Denver, Architect

This is a small change to a 2019 build. The existing deck is underutilized space due to orientation so the owner would like to capture this to make a better dining space and small office space.

Jeff A. thinks the NE elevation looks better than is what is there now.

Darell W. likes the look.

Public comment opened.

No public comment.

Public comment closed.

Motion by Jeff A., second by Amanda M., to approve 1014 Two Elk Lane – Exterior Modifications as presented. Motion passed 5-0.

*Note: Eric R. is attending in his status as an alternate.*

**C. 0036 Silver Star Trail - New Single Family Residence**

Madison H. introduced the agenda item. This is the first of the Minturn North DRB applications. This is a three-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 three 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. They have more snow storage than is required by the code at 285 square feet. Staff has identified no issues and recommends approval of the plans.

Eric R. said that this goes well with the scenery.

Michael B. thinks the house looks good. Reminded the applicant of the ILC requirements for building height.

Darell W. has concerns about the height.

Jeff A. thinks the look is great. Since this is the first of a bunch there will be eyes on this. As a matter of suggestion, it would be smart to show somewhere on one of the elevations illustrate where the most restrictive point is where your going to measure to on the ILC.

Amanda M. requested that perspectives show that actual colors of surrounding properties so that there is an understanding of what will be planned.

Jeff A. asked about the disclaimer on all the plans.

- Scot H. said that staff is hoping to discuss this with the Planning Commission. Their plans can say what they want, but we still have a Town code that they have to adhere to.
- Rick Hermes said they will revisit that disclaimer on the building permit set, as that came from marketing, not trying to supercede the Town.

Public comment opened.

No public comment.

Public comment closed.

Scot H. pointed out that in the review letters staff has made comments about color. Staff has worked closely with the applicant to get to this point.

- Rick Hermes gave an example of changing a door where they would like staff to be able to say yes or no.

Motion by Jeff A., second by Amanda M., to approve 0036 Silver Star Trail – New Single Family Residence as presented. Motion passed 5-0.

*Note: Eric R. is attending in his status as an alternate.*

**D. 0095 Miles End Lane - New Single Family Residence**

Madison H. introduced the agenda item. This is a four-bedroom, 4,711 square foot single family home measured to the midpoint of the roof at 27 feet 6 and 7/8 inches under the 28 foot height limit. Parking is adequate, with four off-street spaces, two of which are provided within the garage and two in front of the garage. The plans show an unfinished basement, the main level with one bedroom, garage, and living room, and the upper level has the three remaining bedrooms. All setbacks are respected and the proposal is under the allowable lot and impervious coverage. They have more snow storage than is required by the code at 562 square feet. Staff has identified no issues and recommends approval of the plans.

Jeff A. likes the look of the house.

Everyone agreed.

Public comment opened.

No public comment.

Public comment closed.

Motion by Michael B., second by Amanda M., to approve 0095 Miles End Lane – New Single Family Residence as presented. Motion passed 5-0.

*Note: Eric R. is attending in his status as an alternate.*

**E. 0196 Miles End Lane - New Single Family Residence**

Madison H. introduced the agenda item. This is a four-bedroom, 5,299 square foot single family home measured to the midpoint of the roof at 27 feet 10 and 3/4 inches under the 28 foot height limit. Parking is adequate, with four off-street spaces, two of which are provided within the garage and two in front of the garage. The plans show the entry level with one bedroom, garage, and entertainment lounge, and the upper level has the three remaining bedrooms and primary living area. All setbacks are respected by the finished project and the proposal is under the allowable lot and impervious coverage. They have more snow storage than is required by the code at 562 square feet. Due to the proximity of Game Creek, staff and the Town Engineer recommend providing the layback distance needed and potential disturbance between the proposed MSE wall and the Game Creek Live Stream Setback area as well as showing the limits of the Debris Flow area on the site plan.

Don Eggers, PO Box 798, Kremling

With the MSE wall, it's a foot off the wall. They will be vertically cutting at the property line, and will be an extent of 6 feet of layback distance.

Mr. Hermes said that they will show all of this on the building permit set. Will be using a shockcrete wall so that it doesn't collapse on workers. Essentially injecting rods into the soil.

- Amanda M. asked for clarification on where this shockcrete wall goes.
- Mr. Hermes said that it will only be on lots 5, 6, and 7.

Darell W. clarified that the floodplain is ok.

- Scot H. said that there was considerable time spent during the PUD process discussing floodplains and debris flow and the installation of a berm to divert mudflow.

Jeff A. said that this is probably the closest to the live stream setback. Assuming that the MSE wall will be built as far down as needed before any foundation is laid. Asked if the MSE walls over 4' will need to be fenced.

- Mr. Eggers said that it's not needed because it's into the hill.

Public comment opened.

No public comment.

Public comment closed.

Motion by Michael B., second by Jeff A., to approve 0196 Miles End Lane – New Single Family Residence with conditions.

1. The Applicant shall provide details on the site plan regarding the layback distance needed and potential disturbance between the proposed MSE wall and the Game Creek Live Stream Setback area as well as showing the limits of the Debris Flow area on the site plan prior to or concurrent with building permit application.

Motion passed 5-0.

*Note: Eric R. is attending in his status as an alternate.*

*Note: 5 minute recess called at 6:30 p.m.*

## **8. SPECIAL PRESENTATIONS**

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

### **A. Planning Commissioner Training**

Sam Light, CIRSA gave a presentation for Planning Commission training that covered topics such as quasi-judicial and legislative roles, rules of engagement, conduct issues, ex parte contact, ethics, running meetings, and what happens after hearings. Discussion ensued.

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

## **10. STAFF REPORTS**

### **A. Manager's Report**

#### **Tract C (South of Minturn North Development)**

Tract C: The Town is now the owner of Tract C, a parcel of land immediately adjacent to the southern end of the Minturn North project. See final plat for reference. The Council and public will need to conduct a public process which we expect to begin later this fall/early winter to determine the future use of this parcel. In the meantime, there is an opportunity to receive fill dirt from the Minturn North project that would allow the creation of parking and snow storage along the southern end of Taylor Ave which would support almost any future use, see included overall site plan which shows the establishment of a 25' wide by approximately 125' long

shaded area. Although Jeff Spanel has indicated this tract is NOT an ideal area for a pocket park given the slopes of the parcel, by creating this parking/shoulder, the Town leaves open the option for almost any use while simultaneously increasing off-road parking on Taylor St and additional snow storage. I would like to take this opportunity for the free fill to create the parking and snow storage area as homes get developed. Here are a few more details from Jeff Spanel:

- The plan shows the shoulder extending 25' from the edge of asphalt on Taylor.
- The grade shown for the first 25' is 4% and then steepens to 2:1 to catch the existing ground surface.
- It will require about 700 Cubic Yards of material to construct the widened shoulder.
- About 80 Cubic yards of material would be required to build a 4" deep surface of gravel or asphalt millings.
- This could create about 25 parking spaces.
- Future access to Tract C will likely be from Taylor, so the shoulder widening could serve as access for a future use.
- Based on Minturn North estimates, removing the fill and reseeding the ground would cost about \$50,000.

### **Bulb Outs**

I have attached the most up to date submittal to CDOT for the temporary bulb outs on Main Street. You will see that Mann Ave has been added to the design.

### **Community Events**

With the results of the Community Survey, staff will be reevaluating the community events to ensure the events being offered by the town are in alignment with the interests of the community. We anticipate a brief survey to go live in the coming weeks asking the public for their feedback on what community events they would propose. Any proposed changes to the annual event lineup will be brought to the Council and public for consideration.

### **Safe Streets 4 All (SS4A)**

Brian Rodine, Jeff Spanel, and I conducted interviews for three of the five SS4A firm proposals. We anticipate selecting a firm, the three interviews and moving forward with a proposal which will require approval by the Town Council before the project can get underway.

### **Out of Office**

I will be out of the office June 17-21 and not attending the June 19th Council meeting. Mike Sawyer will attend that meeting, in person, in my absence.

### **Minor Changes to Approved Plans for Minturn North**

Lynn T. requested a list of things that will be approved by staff and things that will not be approved by staff.

Jeff A. pointed out that staff can give updates in "Staff Reports" where the Planning Commission can discuss if they want.

## **11. PLANNING COMMISSION COMMENTS**

Darell W. talked with the Fire Chief about the construction on the Highway. They are in daily contact with CDOT and if anything comes up they will inform CDOT and change traffic patterns. The Fire District always prefers two access points.

## **12. FUTURE MEETINGS**

- a. June 26, 2024
  - i. Jeff A. will not be here, can zoom

**13. ADJOURN**

Motion by Amanda M., second by Jeff A., to adjourn the regular meeting of June 12, 2024 at 8:48 p.m. Motion passed 5-0.

*Note: Eric R. is attending in his status as an alternate.*

---

Lynn Teach, Commission Chair

ATTEST:

---

Scot Hunn, Planning Director