



OFFICIAL MINUTES Planning Commission Meeting

Wednesday, August 14, 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.

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/85787325771>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 857 8732 5771

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, Eric Rippeth, and Darell Wegert.

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

Note: Amanda Mire is excused absent.

3. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

Motion by Jeff A., second by Eric R., to approve the agenda as presented. Motion passed 5-0.

Note: Amanda M. is excused absent.

4. APPROVAL OF MINUTES

A. July 24, 2024

Motion by Darell W., second by Michael B., to approve the minutes of July 24, 2024 as presented. Motion passed 5-0.

Note: Amanda M. is 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. 0017 Miles End Lane - New Single Family Residence

Note: Amanda M. arrived at 5:32 pm.

Madison H. introduced the agenda item. This is a three-bedroom, 3,429 square foot single family home measured to the midpoint of the roof at 25 feet 11 and 7/8 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. They have more snow storage than is required by the code at 407 square feet. Staff has identified no issues and recommends approval of the plans.

Public comment opened.

No public comment.

Public comment closed.

Motion by Michael B., second by Darell W., to approve 0017 Miles End Lane – New Single Family Residence as presented. Motion passed 5-0.

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

B. 0031 Miles End Lane - New Single Family Residence

Madison H. introduced the agenda item. This is a four-bedroom, 4,356 square foot single family home measured to the midpoint of the roof at 27 feet 4 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. They have more snow storage than is required by the code at 445 square feet. Staff has identified no issues and recommends approval of the plans.

Public comment opened.

No public comment.

Public comment closed.

Motion by Michael B., second by Darell W., to approve 0031 Miles End Lane – New Single Family Residence as presented. Motion passed 5-0.

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

C. 0171 Miles End Lane - New Single Family Residence

Madison H. introduced the agenda item. This is a four-bedroom, 3,708 square foot single family home measured to the midpoint of the roof at 27 feet 3 and 1/2 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. They have more snow storage than is required by the code at 383 square feet. Staff has identified no issues and recommends approval of the plans.

Public comment opened.
No public comment.
Public comment closed.

Motion by Darell W., second by Amanda M., to approve 0171 Miles End Lane – New Single Family Residence as presented. Motion passed 5-0.

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

D. 0176 Miles End Lane - New Single Family Residence

Madison H. introduced the agenda item. This is a four-bedroom, 3,560 square foot single family home measured to the midpoint of the roof at 27 feet 11 and 1/2 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. They have more snow storage than is required by the code at 402 square feet. Staff has identified no issues and recommends approval of the plans.

Public comment opened.
No public comment.
Public comment closed.

Motion by Eric R., second by Amanda M., to approve 0176 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. 0201 Miles End Lane - New Single Family Residence

Madison H. introduced the agenda item. This is a four-bedroom, 3,736 square foot single family home measured to the midpoint of the roof at 27 feet and 1/8 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. They have more snow storage than is required by the code at 365 square feet. Staff has identified no issues and recommends approval of the plans.

Darell W. asked for an update on the wood mulch under the decks

- Mr. Eggers said that currently that is what is proposed because there's no restrictions, and they are looking into changing it but there might be costs prohibiting.

Amanda M. asked if the exterior firepit is gas.

- Mr. Eggers said that it is.

Scot H. gave an update on Wildland Urban Interface.

- Mr. Eggers said that Eagle County has a good basis to pull from.

Public comment opened.
No public comment.
Public comment closed.

Motion by Amanda M., second by Jeff A., to approve 0201 Miles End Lane – New Single Family Residence as presented. Motion passed 5-0.

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

- F.** Ordinance TBD - Series 2024 An Ordinance Amending Chapter 16, Article 17 of the Minturn Municipal Code Regarding Lighting Standards
- Scot H. introduced the agenda item. Ordinance No. TBD, Series 2024 is being presented to the Planning Commission as an amendment to the Town's existing exterior lighting regulations, Section 16-17-180 – *Exterior illumination standards*. Section 16-17-180(f) includes "exemptions" from the Town's exterior lighting standards (which otherwise prohibit uplighting) for things like illumination of the United States Flag; for holiday or ornamental lighting; and for lighting associated with Town of Minturn events. The Town recently conducted a town survey wherein respondents expressed support for certain Town led initiatives such as seasonal, aesthetic lighting of the Minturn Water Tank, a historically designated and iconic structure within the Town. For these reasons, the Town desires to provide professionally designed lighting of the water tank for seasonal celebrations and events. Therefore, the proposed amendments to the lighting standards aim to clarify that, in addition to Town events, exemptions that may be granted to the Town of Minturn include lighting for "displays." Such exemptions would be allowable or granted on a "seasonal" or "periodic" basis. The proposed expansion of the exemption provisions will allow the Town the flexibility to illuminate the water tank on a seasonal, periodic basis for public purposes related to and in conformance with the tank's historic designation; to enhance community character and celebrate those things that "keep Minturn, Minturn;" for economic development; and to promote the general health, safety, and welfare of the Town.

Lynn T. asked if there would be a timer on the water tank lighting.

Amanda M. asked if we've consulted with USFS/CPW on how this might affect the wildlife.

Public comment opened.

No public comment.

Public comment closed.

Motion by Michael B., second by Darell W., to forward a recommendation of approval to the Town Council of Ordinance TBD - Series 2024 An Ordinance Amending Chapter 16, Article 17 of the Minturn Municipal Code Regarding Lighting Standards. Motion passed 5-0.

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

9. DISCUSSION / DIRECTION ITEMS

- A.** Minturn Forward: Draft Article 5 - Land Use Application Requirements & Procedures
- Scot H. and Matt Farrar, Western Consulting went through the changes proposed to the Land Use Application Requirements and Procedures. The goal is to create a standard way for how to accept and review applications in easy to understand language.
- Sec. 16-5-10: General Provisions
 - Amanda M. questioned if there is any scenario where an application would not be made public.
 - Scot H. does not believe so, but will check with Mike Sawyer.
 - Amanda M. asked if we keep things private even though the applicant might be advertising it.
 - Scot H. said this is to protect the process and the applicant.
 - Amanda M. made the comment that she's unsure about the written record, wants to ensure that it encompasses electronic delivery.
 - Michael B. would like to ensure that the Town Engineer's comments are more addressed before they get to Planning Commission.

- Mr. Farrar said that we can add additional items within reason to ensure that everyone is getting the information they need to make an informed decision
 - Lynn T. asked if we would be going through the definitions soon.
 - Mr. Farrar said that we would be going through the definitions last so that the update can address definitions all at once. We can work on pulling together a copy of the existing definitions for the Planning Commission.
- Sec. 16-5-20: Land Use Application Types & Review Procedures
 - Amanda M. asked what had changed between the code assessment table and this table. She also asked about the “Agreement to Pay Review Costs” section. She asked about the requirement for “preliminary environmental assessment” as a minimum content of application.
 - Jeff A. also has concerns about the “list of mineral estate owners and lessees” so that it doesn’t run afoul of the state statute.
 - Lynn T. asked why public notice has been shrunk from 250 ft to 100 ft.
- Sec. 16-5-30: Public Notice Requirements
 - Jeff A. pointed out the discrepancy of C(2) still says 250 feet.
 - Lynn T. asked for clarification on the posting requirements for town initiated rezonings. Would like to suggest that mailing notices be required.
 - Eric R. suggested that if there are no properties within 100 feet that they go out to the nearest property.
 - Amanda M. would like to add public notice requirements for Minor PUD Amendments.
- Sec. 16-5-40: Public Hearing Requirements
 - Jeff A. suggested referencing that there is a policy in Section B.
 - Amanda M. asked if the applicant is responsible for public notice, then how do we handle the request to receive notice of public hearings.
 - Mr. Farrar said that this is a general statement that encourages people to sign up to the Town’s eblast.
 - Amanda M. recommended that we clarify this language.
- Sec. 16-5-50: Code Amendment
 - Michael B. asked for an example of the waiver of application submittal requirements.
 - Mr. Farrar said that if a code amendment doesn’t affect the environment, then the Planner could waive the environmental assessment.
 - Amanda M. recommends in D(3) that the authorized waiver be put in writing.
- Sec. 16-5-60: Conditional Use
 - Jeff A. clarified that conditional uses can have time limits on them.
 - Michael B. clarified what C(1)(d)(ii) means.
 - Lynn T. asked about the allowance of sub-leasing.
 - Scot H. recommended that we look into an abandonment clause.
 - Amanda M. said that in D(3)(a) it should be specified “in writing”.

Note: 5 minute recess called at 7:50 pm.

- Sec. 16-5-70: Design Review
 - Jeff A. would like a definition for what is not major construction.
 - Mr. Farrar said that anything that doesn’t meet the definition for major construction, then it goes through the minor design review process.
 - Scot H. said that we should add the clause that Council can call up DRB decisions.
 - Amanda M. would like the definition of major construction tightened up.

- Michael B. would like flag the building height definition to discuss in the future.
 - Lynn T.: D(2)(a) ensured that it was written right.
- Sec. 16-5-80: Minor Design Review
 - Amanda M. said that Planning Commission should be able to call up staff decisions like Council can Planning Commission decisions.
- Sec. 16-5-90: Limited Review Use
 - Jeff A. asked for examples of limited uses.
- Sec. 16-5-100: Rezoning (Amendment to Zoning Map)
 - Jeff A. and Lynn T. would like to have something additional to public notice for Town initiated comprehensive rezonings
- Sec. 16-5-110: Temporary Use
 - Amanda M. clarified special event vs. temporary use.
 - Mr. Farrar suggested clarifying that special events are not temporary uses.
- Sec. 16-5-120: Zoning Variance
 - Jeff A. votes that Planning Commission still weigh in on variances as well as Town Council.
 - Michael B. agrees with Jeff A.
 - Lynn T. agrees with Jeff A. and Michael B.
 - Eric R. and Amanda M. agree.
 - Scot H. responded that staff is recommending this because it's a more streamlined, predictable process. However, we don't deal with that many variances so it might not be that big a deal.
 - Jeff A. wants to make sure that someone isn't getting denied a hearing based on the application not meeting the review criteria.
 - Lynn T. would like to clarify hardship, maybe add a due diligence comment.
 - Amanda M. questioned whether this should be tied to a DRB application.

10. STAFF REPORTS

A. Manager's Report

Bulb Outs

Temporary bollards will be installed in the coming weeks as part of the bulb out program to increase line of sight for pedestrians and vehicles utilizing side streets adjoining Main Street. Bulb outs were recommended in the Imagine Minturn Community Plan and have been requested by multiple residents. With this effort comes change, which has not been supported by all. There are some businesses on Main Street who have expressed concern about the loss of parking and the inability of customers to find parking, hence, not utilizing their establishments. As was stated when the program began, this is a temporary measure that will be reviewed by Council for considering the benefits vs drawbacks and addressed accordingly.

Community Events

With the results of the Community Survey, staff has reevaluated the community events to ensure the events being offered by the town are in alignment with the interests of the community. A brief survey was published to seek resident feedback on desired new community events. Included is a summary of the survey results. With Council's support and given the short turnaround for a "fall harvest" type event, staff looks to support Minturn's local businesses in scheduling a few "First Friday" events for the community.

Safe Streets 4 All (SS4A)

Staff are preparing for the kickoff meeting of the Safe Streets for All planning grant. All contracts and paperwork have been signed and residents have volunteered to take part in the initial stakeholder group. More to come.

Railroad Avenue Pedestrian Improvements

The initial Public Utilities Commission application has been submitted for review to allow for pedestrian access over the (already paved) railroad at Railroad Avenue and Taylor St. Once approved by the PUC, staff will put the project out to RFP and come before Council for contract approval before work can begin, hopefully later this fall.

11. PLANNING COMMISSION COMMENTS

Amanda M. questioned if we are still meeting at 5:30 pm.

Jeff A. invited everyone to see the last summer concert tomorrow.

12. FUTURE MEETINGS

A. August 28, 2024

B. September 11, 2024

a. Darell W. will not be here.

13. ADJOURN

Motion by Jeff A., second by Michael B., to adjourn the regular meeting of August 14, 2024 at 9:08 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