

Minturn Planning Department
Minturn Town Center
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Minturn, Colorado 81645



Minturn Planning Commission
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Tom Priest

Design Review Board Hearing

Final Plan Review for New Maintenance and Storage Building

806 Cemetery Road

Hearing Date:	January 24, 2024
File Name and Process:	Maintenance and Storage Building Final Plan Review
Owner/Applicant:	Riverview Cemetery
Representative:	Pedro Campos, Zehren and Associates
Legal Description:	Subdivision: River View Cemetery Lot: 2
Address:	806 Cemetery Road
Zoning:	Lionshead Character Area – No Zoning
Staff Member:	Madison Harris, Planner I
Recommendation:	Approval, with Conditions

Staff Report

I. Summary of Request:

The Applicant requests Final Plan review of a new, 864 square foot maintenance and storage building located at 806 Cemetery Road in the Lionshead Character Area. Although the DRB has not reviewed any conceptual plans, the Applicant's representative, Pedro Campos, has been proactive in meeting with Town staff prior to submitting plans for a new building and has provided a complete and thorough set of site, landscaping, and architectural plans allowing staff to conduct a final plan level review of the project.

Proposed Plans

The plans show a single-level structure with a maximum height measured to the midpoint of the roof of 14 feet 3 inches above proposed grade.

Parking is not an issue as this is a storage and maintenance building.

According to staff's analysis of development standards and dimensional limitations in Section III below, the project meets the Town's standards.

Staff believes that the Applicant and their representative have provided a complete, detailed set of plans necessary to complete a thorough final plan review.

As a reminder, the Planning Commission has the option to review the proposal as a “conceptual” plan review if the Commission feels that the plans are *not* sufficient or are in need of revisions and additional review prior to final plan approval; or, the Commission may take action to approve, approve with conditions, or deny the Final Plans.

Staff is **recommending approval**, with conditions.

II. Summary of Process and Code Requirements:

This is a final plan-level of review for a new maintenance and storage building on a legally created lot within the Town of Minturn. This is a formal hearing providing the Applicant and staff the opportunity to discuss the proposal with the Planning Commission, acting as the Design Review Board, and to address the DRB’s concerns or feedback regarding suggested revisions to the project.

If the DRB feels that the plans are complete, appropriate, and meet the intent and purposes of the Minturn Municipal Code, Chapter 16, the DRB has the option to take final action to approve or approve with specific conditions and giving the Applicant and staff clear direction on any recommended revisions to the plans.

No variances are required or requested at this time.

Design Review Process

Appendix ‘B’ of the Minturn Municipal Code, Section 16-21-615 - *Design Review Applications*, subsection “d” below outlines the criteria and findings necessary for DRB review and approval of all new, major development proposals:

(d) Administrative procedure.

- (1) Upon receipt of a completed and proper application, the application for Design Review will be scheduled for a public hearing. The hearing will be conducted in accordance with the procedures set forth in this Chapter.*
- (2) Criteria and findings. Before acting on a Design Review application, the Planning Commission, acting as the Design Review Board (DRB), shall consider the following factors with respect to the proposal:*
 - a. The proposal's adherence to the Town's zoning regulations.*
 - b. The proposal's adherence to the applicable goals and objectives of the Community Plan.*
 - c. The proposal's adherence to the Design Standards.*
- (3) Necessary findings. The Design Review Board shall make the following findings before approving a Design Review application:*
 - a. That the proposal is in conformance with the Town zoning regulations.*

- b. That the proposal helps achieve the goals and objectives of the Community Plan.
- c. That the proposal complies with the Design Standards.

Staff suggests that the final plans for 806 Cemetery Road meet or can be revised to meet the required findings ‘a,’ ‘b,’ and ‘c’ of subparagraph 3 – *Necessary findings*.

III. Zoning Analysis:

Zoning

The subject property is located within the “Lionshead Character Area”. This property does not have any zoning standards governing it at this time.

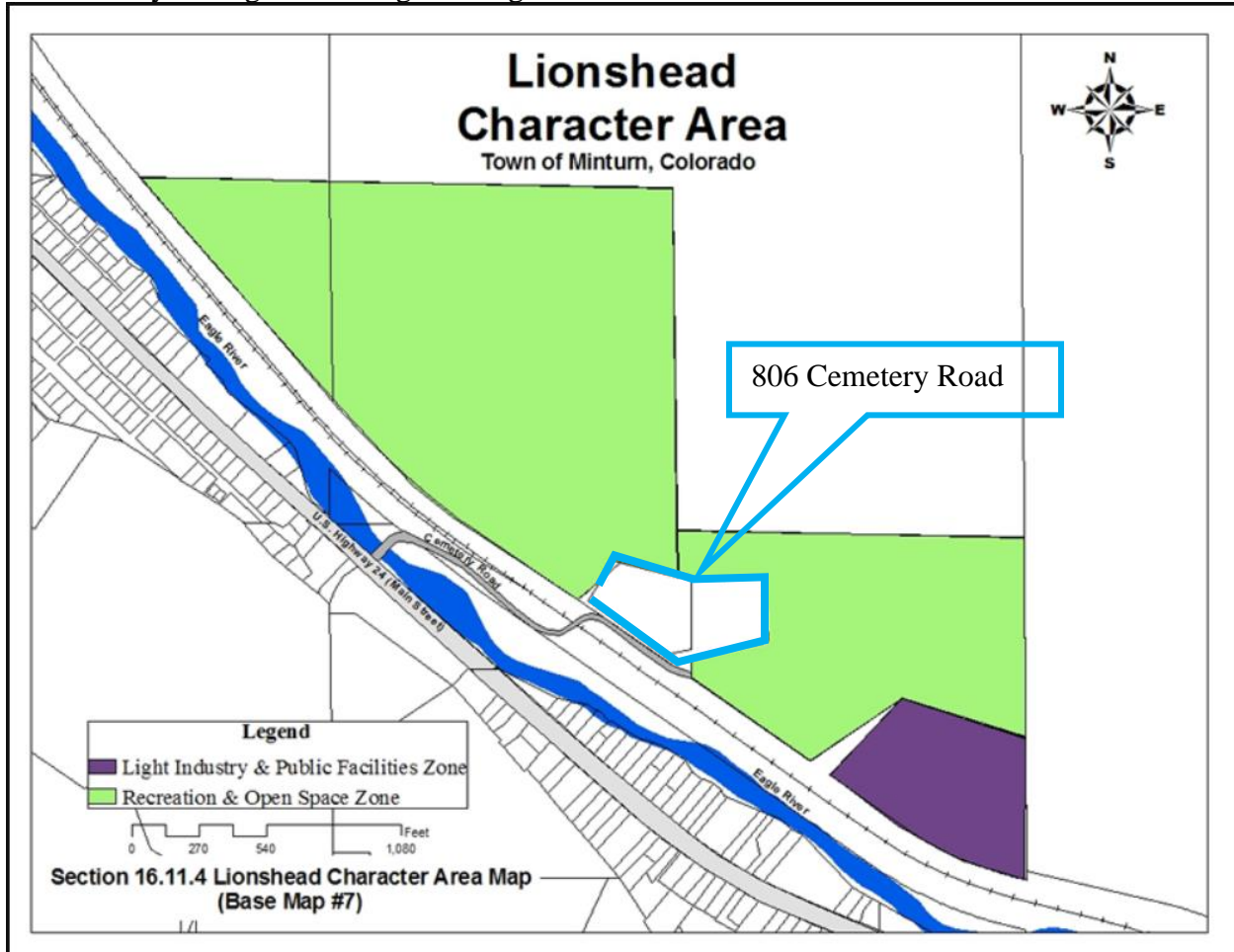


Figure 1: Lionshead Character Area Zoning Map

Dimensional Limitations and Development Standards

As evidenced in Figure 1 above, 806 Cemetery Road is not zoned. There are no dimensional limitations or development standards that apply to this property currently. It is staff’s recommendation that a condition of approval be added to ensure that zoning standards i.e. uses, dimensional limitations, and development standards, be implemented in a timely fashion otherwise DRB approval is extinguished.

IV. Applicable Standards and Design Guideline Criteria:

Final Site, Grading and Drainage Design

The design guidelines encourage designs that integrate or account for snow storage and snow shed from roof structures, along with ensuring that the orientation of buildings is considered.

The proposed design maintains the structures 15 feet away from the property line, thus allowing for use of that area for snow shed and drainage. Likewise, the site plan and final grading details generally demonstrate that proper (positive) grading will be directed away from the structure; that drainage is handled on the subject property. The Town Engineer has provided a comment in the attached letter dated January 8, 2024, regarding drainage.

Mass and Form

Staff believes that the design and scale of the proposed structure is typical of storage and maintenance buildings. Staff further suggests that the scale of the project is appropriate and will not overpower surrounding natural and build environments.

V. Issues and Areas of Non-Conformance:

Issues or Required Plan Revisions

The following issues or areas of refinement have been identified by staff that must be addressed prior to any building permit submittal:

Zoning Standards

As mentioned earlier in this staff report, the subject property is not subject to zoning as the property, upon annexation, was not zoned. This means that there are no setbacks, height restrictions, impervious coverage limitations, or allowed uses formally expressed within the Minturn Municipal Code. However, what is being proposed would likely conform to typical standards applicable to other zone districts in Town: this building is 15 feet away from the rear property line when the most common rear setback in town is 10 feet, the building height is well under 28 feet which is the most common height restriction, and a building that allow the Cemetery to store their equipment away from the elements would likely be an allowed use. Still, it is necessary to formalize zoning on this property. Staff will work with the property owner to facilitate the initiation of a zone district amendment to create a new zone district. Standards would need to be applied and added to the Municipal Code to ensure the DRB approval is valid.

VI. Staff Recommendation and Suggested Conditions:

Staff suggests that the Final Plans for 806 Cemetery Road **comply** with applicable provisions of Chapter 16 and the Town of Minturn Design Standards (Appendix 'B') of the Minturn Town Code.

In the event the Planning Commission, acting as the Town of Minturn Design Review Board, recommends approval of the Final Plans, staff respectfully suggests the following conditions of approval.

1. The Applicant shall work with the Town of Minturn to initiate a zone district amendment for the subject property within 3 months of any DRB approval.