



OFFICIAL MINUTES Planning Commission Meeting

Wednesday, September 25, 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/82832018272>

Zoom Call-In Information: 1 651 372 8299 or 1 301 715 8592 **Webinar ID:** 828 3201 8272

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, Eric Rippeth, and Darell Wegert.

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

Note: Jeff Armistead and Amanda Mire are excused absent.

3. APPROVAL OF REGULAR AGENDA

Opportunity for amendment or deletions to the agenda.

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

Note: Jeff A. and Amanda M. are excused absent.

4. APPROVAL OF MINUTES

A. September 11, 2024

Motion by Michael B., second by Eric R., to approve the minutes of September 11, 2024 as presented. Motion passed 4-0.

Note: Jeff A. and Amanda M. are 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. 996 Main Street - Changes to Approved Plans

Scot H. introduced the agenda item. The building was approved in April 2021, and then came in for changes to approved plans in October 2021, then we didn't hear from them for a while. When staff was called out to do a Temporary Certificate of Occupancy we discovered some changes. The rear patio changed, and a hot tub added. These do not encroach into the 30' river setback. There was discussion about whether sand set pavers counted towards impervious which historically have not.

Michael Pukas, PO Box 288 Gypsum, CO 81637

Simplified and made more homogeneous the exterior material so that the majority of the building is vertical wood siding. No change to the building footprint or massing. The window configuration changed a little. The patio originally was a deck, and then was revised to a patio on grade, and then a third time to be lower to the original grade. It's made out of a paver on a sand bed. This encroaches into an ERWSD sewer easement and they have received approval with the conditions that it not be a concrete pad or a boulder retaining wall. Planning on having the patio treated as pervious so that they can have a functional driveway and parking area which can accommodate the turning radius of an emergency vehicle.

Lynn T. asked if all three lots would be using the same emergency vehicle staging area.

- Mr. Pukas said that they could get down to lot 3 and then back into the parking area of lot 2.

Darell W. asked about the increase in doors/windows on the rear.

- Mr. Pukas described the changes.

Michael B. said that changing windows and siding is typical when building. He asked Scot H. what he would rather see the process be so that this doesn't happen again.

- Scot H. said that it is incumbent on the applicant that as they make changes they submit plans to the Town. Staff doesn't really get involved until the TCO inspection. Maybe we add another step in there to catch this earlier.
- Michael B. believes that everything has been addressed that needs to be.

Darell W. asked if there could be a more efficient process for changes to approved plans.

- Scot H. pointed out that as we are addressing Chapter 16 we can continue looking at the definition of major and minor construction.

Eric R. appreciates the oversight process. Only has concerns about the pavers.

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

Motion by Michael B., second by Eric R., to approve 996 Main Street – Changes to Approved Plans. Motion passed 4-0.

Note: Jeff A. and Amanda M. are excused absent.

B. 0013 Belden Way - New Single Family Residence

Madison H. introduced the topic. This is a four bedroom, 3,193 (gross) square foot single-family building located at 0013 Belden Way in the South Town Belden Place PUD Zone District. The plans show a three-story with a basement single family residence with a maximum building height - measured via a weighted height calculation approved in the Belden Place PUD Guide – of 27 feet and 11 inches, under the maximum allowable 28-foot limit within the South Town Belden Place PUD Zone District for single-family units. Parking is adequate, with three off-street spaces, one of which is provided within the garage and two at surface level in front of the garage. This proposal respects all setbacks, lot and impervious coverage limitations, and snow storage requirements. Per the approved PUD Guide, staircases are allowed to encroach into the side setback as long as it is not within 24” of the property line. The staircase encroaches approximately half a foot (.5’) and remains 4.5’ away from the property line. Staff is recommending approval of the plans.

Greg Macik, 56 Edwards Blvd, TAB Assoc.

Public comment opened.
Christian Kaslin PO Box 65 Minturn, Christiansen’s attorney.
Been working on this deal since 2017. They sold off their land to the Belden development reserving a portion of it for their home at 1201/1207 Main. Here to put us on notice that there is still a lot of items for the Christiansen’s to have taken care of by the developer.
Public comment closed.

Motion by Eric R., second by Michael B., to approve 0013 Belden Way – New Single Family Residence. Motion passed 4-0.

Note: Jeff A. and Amanda M. are excused absent.

C. 0015 Belden Way - New Single Family Residence

Madison H. introduced the topic. This is a four bedroom, 3,040 (gross) square foot single-family building located at 0013 Belden Way in the South Town Belden Place PUD Zone District. The plans show a three-story with a basement single family residence with a maximum building height - measured via a weighted height calculation approved in the Belden Place PUD Guide – of 27 feet and 11 inches, under the maximum allowable 28-foot limit within the South Town Belden Place PUD Zone District for single-family units. Parking is adequate, with three off-street spaces, one of which is provided within the garage and two at surface level in front of the garage. This proposal respects all setbacks, lot and impervious coverage limitations, and snow storage requirements. Per the approved PUD Guide, staircases are allowed to encroach into the side setback as long as it is not within 24” of the property line. The staircase encroaches approximately one and a half feet (1.5’) and remains 3.5’ away from the property line. Staff is recommending approval of the plans.

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

Motion by Michael B., second by Darell W., to approve 0015 Belden Way – New Single Family Residence. Motion passed 4-0.

Note: Jeff A. and Amanda M. are excused absent.

9. DISCUSSION / DIRECTION ITEMS

- a. Lynn T. frustrated with the way that Applicant of 996 Main handled the situation. Would like to address this in the future. Asking staff to check the code for possible repercussions. Changes should be applied for before being implemented.
 - Michael B. and Darell W. agree.
 - Lynn T. would like to look into the new glass developed that doesn't reflect for wildlife purposes in the code.

10. STAFF REPORTS

A. Planning Department Update

43 Miles End Lane - Minor DRB Permit

Taylor Hermes recently applied for a building permit and for minor changes to the approved plans for 43 Miles End. The changes specifically are to Sheet A1.3: A shed roof element was added over the gas meter and electrical service, and Sheet A2.1: The gas meter and electrical service moved as well as the front door changed. This was approved September 17, 2024.

Scot gave an update on the Regional Housing Authority and Minturn Forward.

B. Manager's Report

Bellm Bridge Feasibility Study & Grant Opportunity

Jeff Spanel, Inter-Mountain Engineering and I met with SEH Engineering who is conducting the Bellm Bridge Feasibility Study as well as Sarah Marin, with Sustainable Strategies who is tasked with Minturn's grant application for any bridge repairs. The group reviewed the current progress of the Feasibility Study along with the timeline for the CDOT Bridge grant application.

The above group has tentatively scheduled to bring this matter before the Council at the October 2, 2024, meeting for consideration of either a repair or replacement of the bridge. The grant application process is highly competitive and the costs for either repair or replacement will be extensive – meaning, at this point, Minturn will not be able to conduct the infrastructure improvements without a loan or a grant.

HWY 24/Main Street Phase II Sidewalk Project Update

As the project nears construction, scheduled for the spring of 2025, costs continue to increase. Currently the sidewalk is estimated at \$1000 per linear foot. With this updated construction cost, the Town will only have funds for the east (river) side of the road and the sidewalk, originally scoped to be built to the entrance of the Boneyard Open Space, will end well before that location. I am scheduling Stolfus Engineering to attend an upcoming Council meeting and provide a more detailed update.

Tank #3 (New Concrete Water Tank) Project Closeout

Staff are working toward the project close out of the concrete water tank (tank #3). This includes the finalization of the State Revolving Fund (SRF) loan. The loan was originally approved for \$3M and the town has been paying on the loan at a total assumed project cost of \$3M (as required until project close out). With the total project cost coming in at \$2,265,112.96, the SRF loan, and subsequent debt repayment will be decreased by \$734,887.04. Once these internal project close-out transactions are completed, Council will have the option of decreasing the debt repayment currently billed to the utility customers or absorbing this difference to minimize any future rate increases required for new infrastructure.

First Friday Event

Success! The September First Friday, held at the Eagle River Inn, had over 200 attendees. The October First Friday event will be at Kirby Cosmos BBQ and include a pig roast. Thus far, after extensive outreach by Cindy Krieg, no other businesses have expressed interest in hosting the event, which is sponsored by the Town of Minturn, so unfortunately October may be the last First Friday.

Public Utilities Commission – Railroad Ave Pedestrian Improvements Application

The application for installing a sidewalk over the rail line at Railroad Ave and Taylor St has been submitted. Once approved, the Town can move forward with the pedestrian improvements awarded through the CDOT Revitalization grant.

Battle Mountain Settlement/Closing

All closing documents by both parties were submitted to the title companies on September 12, 2024. We anticipate the recording of the documents to be completed prior to this council meeting. Additionally, the stipulation for dismissal with prejudice will be filed with the court at which point we expect the courts' acknowledgement/stamp thereby resolving all court matters related to the lawsuit.

High Five Media Board Representation

If the Council is unable to appoint a representative, I recommend the Town relinquish its seat on the High Five Media Board.

Little Beach Park Grant Application

An application for the Phase I improvements to Little Beach Park has been submitted to Great Outdoors Colorado (GOCO) for consideration. Included with this manager's report is a copy of the application and improvements to be made if the application is approved. The Town should know later this fall if the application is awarded by GOCO however, the process is very competitive and there are not enough funds to support the number of applications submitted, so an approval is unknown.

11. PLANNING COMMISSION COMMENTS

Halloween is coming up.

12. FUTURE MEETINGS

- A.** October 9, 2024
- B.** October 23, 2024

13. ADJOURN

Motion by Michael B., second by Darell W., to adjourn the regular meeting of September 25, 2024 at 6:42 p.m. Motion passed 4-0.

Note: Jeff A. and Amanda M. are excused absent.

Lynn Teach, Commission Chair

ATTEST:

Scot Hunn, Planning Director