



AGENDA

MEETING OF THE MINTURN PLANNING COMMISSION Minturn, CO 81645 • (970) 827-5645

Wednesday, February 12, 2020

Work Session – 5:30 PM
Regular Session – 6:30 PM

CHAIR – Lynn Teach

COMMISSION MEMBERS:

Jeff Armistead
Lauren Dickie
Burke Harrington
Christopher Manning
Jena Skinner

When addressing the Commission, please state your name and your address for the record prior to providing your comments. Please address the Commission as a whole through the Chair. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Work Session – 5:30pm

1. Old Town Zoning and Development Standards – Chapter 16 Amendment Project

Regular Session – 6:30pm

1. Call to Order

- Roll Call
- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

3. Approval of Minutes

- January 22, 2020

4. Public comments on items, which are NOT on the agenda (5min time limit per person)

5. Planning Commission Comments

DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

6. **232 Main Street – Bloodworth Addition Final Review** (Tabled from December 11th, January 8th and January 22nd, 2020 Meetings; To be Tabled to February 26th Regular Meeting)
7. **302 Main Street – Minturn Gallery Final Plan and Conditional Use Permit Review**
Final review of architectural detailing for a new accessory building including an art studio, storage, and accessory dwelling unit; review of CUP to allow for third dwelling unit as multifamily use within the Old Town Character Area – Mixed-Use Zone District.

Recommendation: Approval, with condition.

8. **291 Main Street – Rocky Mountain Taco Outdoor Patio Fence and New Sign**
Review of proposed fence enclosure for outdoor seating and liquor license boundary and new sign.

Recommendation: Approval.

PROJECTS AND UPDATES

9. Project Updates

- Three Mile Plan – Review Draft 2020 Three Mile Plan

10. Planning Director Report & Minor DRB Approvals by Director

- None

11. Future Meetings

- February 26, 2020
- March 11, 2020

12. Adjournment



OFFICIAL MINUTES

MEETING OF THE MINTURN PLANNING COMMISSION Minturn, CO 81645 • (970) 827-5645

Wednesday, January 22, 2020

Work Session – 5:30 PM
Regular Session – 6:30 PM

CHAIR – Lynn Teach

COMMISSION MEMBERS:

Jeff Armistead
Lauren Dickie
Burke Harrington
Christopher Manning
Jena Skinner

When addressing the Commission, please state your name and your address for the record prior to providing your comments. Please address the Commission as a whole through the Chair. All supporting documents are available for public review in the Town Offices – located at 302 Pine Street, Minturn CO 81645 – during regular business hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, excluding holidays.

Work Session – 5:30pm

1. Old Town Zoning and Development Standards – Chapter 16 Amendment Project

Regular Session – 6:30pm

1. Call to Order

Lynn T. called the meeting to order at 6:34 p.m.

- Roll Call

Those present at roll call: Lynn T., Burke H., Jena S., Chris M., and Jeff A.

Staff Members Present: Town Planner Scot Hunn, and Economic Development Coordinator Cindy Krieg.

- Pledge of Allegiance

2. Approval of Agenda

- Items to be Pulled or Added

Motion by Jena S., second by Burke H., to approve the agenda as presented. Motion passed 5-0.

3. Approval of Minutes

- January 8, 2020

Lynn T. pointed out one correction.

Jeff A. had noted that he recommends a higher percentage of snow storage (10 – 12% vs. current code of 5%).

Motion by Jeff A., second by Jena S., to approve the minutes of January 8, 2020 as amended. Motion passed 5-0.

4. Public comments on items, which are NOT on the agenda (5min time limit per person)

Greg Sparhawk
245 Pine St.

Greg recently reached out to Scot H. regarding the process of designating historic buildings downtown. Greg is interested in designating a structure in downtown.

Hockey rink – loves the informal hockey / ice rink being here, hoping that the Town can find a permanent location / option for this.

Jena S. noted that MCF was discussing use of the parking lot above Little Beach Park for something like that.

5. Planning Commission Comments

Jeff A. thanked the Town (Public Works) for the Christmas Tree collection.

Welcomed Chris Manning, new Planning Commissioner.

Jena S. noted that she has seen the mountain lion that's been sighted, near Cemetery Road and Hwy 24. The fact that it's hanging around is concerning. There have been several sightings in that area.

DESIGN REVIEW AND LAND USE PUBLIC HEARINGS

6. **232 Main Street – Bloodworth Addition Final Review** (Tabled from December 11th Meeting and January 8, 2020 Meeting; To be Tabled to February 12th Regular Meeting)

Motion by Jeff A., second by Jena S., to table to the 232 Main St. Bloodworth Addition Final Review, to February 12th. Motion passed 5-0.

7. **1041 Main Street – Conville Property Redevelopment Conceptual Plan Review**
Conceptual review of development options for new yoga studio, employee housing units and parking. Purpose of review is to gain feedback on conceptual plans and specifically to receive direction on building height calculations.

Recommendation: N/A (conceptual review – no formal recommendation or action requested).

Scot H. introduced the project.

The applicants are looking for some direction on how the building can comply with current building height regulations.

There is currently no definition for natural grade in our code, nor a definition for finished grade.

The applicants (Thom Conville and Tracy Long, 515 King Ranch) addressed the commission.

The applicants own the property at 1041 Main St. They are in the process of planning for the building of an Aerial Arts Studio. They would like to remove the 1964 trailer and replace it with a Post and Beam barn. The barn will have a large open area for doing aerial art coaching, meetings, and other events that would need such a space. They would also like to build two employee housing units and some parking under the building.

For the Aerial component of the building they need a minimum of 25 feet of height clearance up to a rigging beam to hang different apparatus. This has caused some challenges navigating the aerial requirements, town building height code, and the sloping elevation of the lot. They have come up with two design proposals. One design keeps within the height code, the other does not. The applicants preferred design is the one that does not meet the height code. They have a driveway easement down one side of the property for Bill Reis and the Trading Post. Because of the slope of the easement it causes the original design to be 2 to 3 feet beyond the building code. It is a short area on

one side of the building. The other design gets them within the height code by changing the roof structure and adding a couple of dormers to the building.

The parking garage is meant to clear up the back half of the lot. They need 11 parking spaces to satisfy the towns commercial and residential code. With a garage they will be able to accommodate indoor and outdoor special events. Additionally, there is an ERWSD easement across the back of the property which shrinks the building site possibilities.

The aesthetic goal with the Barn is that it will fit in with the South Town area. It will look original to the area as if it has been around since the beginning of the town of Minturn. Setting it next to the Trading Post will also be beneficial for the businesses in the area. The 2019 Housing Action Plan is part of the applicants' inspiration for adding residential units. They plan to provide two single bedroom apartments. This will increase the number of local residences and give a couple of instructors a great place to reside in Minturn.

The Applicants shared a design photo reflecting what they would like to do.

They noted that you can't push the building to the back of the lot, as the building would disappear due to the slope - they would lose the frontage exposure (ability to show / advertise the business from Main St).

The applicant also discussed the idea of extending the roof vs. doing the shed roof. This would move the mid-point, which would allow them fall within code. But they don't really like that design.

Jena S. asked if the applicants had already had the soils tested. The applicants replied that yes, they have. No soils need to be replaced.

Due to the housing units, the applicant needs to satisfy 11 parking spaces on the lot. If they did all the parking outside the building (vs. doing a garage), it makes the building a lot less green and attractive (not their desired choice). A building, but mostly a parking lot.

Public Comment:

Public Comment Opened and Closed.
No public comment.

Planning Commission comments:

Jeff A. -

Loves the barn idea.

He did inquire if the applicant had considered lowering the ridge beams.
Flattening the ridge (roof peak) would take the high point and average down, thereby allowing the height to come into compliance.

Regarding the access drive into the property, Jeff A. suggested flattening / amending the grade.

Loves the underground parking.

Chris M. -

Loves the underground parking.

Agrees with Jeff's suggestions about building height.

Jena S. -

Also loves the barn concept.

Jena brought up concerns re. CDOT – access point (Highway Access Control)
Suggested their engineer follow up with CDOT, will need to apply for access permit.
Will need approval for the parking spaces in front.

If CDOT won't approve the parking in front, would need to move the building up and put parking in back. This could be an issue due to setback.
CDOT changed road drainage with recent road project; this may affect access to the site.

Jena also asked about being a "destination" venue vs. a drive-up (people don't just drop in, they are going to a destination – seeking out the destination).
Obviously still want visibility, but Jena felt that the visibility / advertising from Main St. is not as vital for a destination venue.

Burke H. –

Asked regarding Building height – Did we determine where we are measuring from?

Scot H. – would measure from the most restrictive point (lower side where easement / garage entry is).

Lynn T. – if the building height suggestions made tonight don't work, the other option would be a variance. Would suggest avoiding this if possible.

Jena S. – another option would be a garage with a ramp down from the front of the building.

Scot H. noted that in looking at code revisions, we could consider an “average” building / roof height.

Burke H.

Regarding parking out front, he suggests changing the design to not have parking out front (due to safety concerns). He thinks doing this preemptively before approaching CDOT would be best. He also personally does not like parking out front due to safety (backing out onto Hwy 24 right of way).

Jeff A. agreed.

No formal recommendation / motion needed as this was a conceptual review.

8. Ordinance No 2 – Series 2020 Chapter 16 Amendments

Review of a draft ordinance addressing multiple amendments to the Minturn Municipal Code, Chapter 16:

- **Sec. 16-2-50. - Specific Lot Requirements and Dimensional Standards**
- **Article 22 - Legal Nonconforming Uses, Structures and Lots**
- **Appendix C – Minturn Engineering Standards and Specifications**

Recommendation: Approval.

Sec. 16-2-50 - Specific lot requirements and dimensional standards

The Planning Commission has been reviewing Chapter 16 – Zoning, for several months starting in August 2019. The focus of the Commission’s review has been to examine permitted uses within each existing zone district, as well as associated development and/or design standards.

The ultimate goal of the Chapter 16 Update Project will be to adopt a significantly reformatted zoning document. Staff intends to complete the update project and present a draft Chapter 16 document by April 2020.

However, over the course of several work sessions to consider existing regulations as well as proposed changes, the Planning Commission has identified one particular section – Specific Lot Requirements and Dimensional Standards – needing immediate attention to amend certain provisions that no longer reflect the Town’s best interests; are extraneous; or, are problematic from the standpoint of interpretation and enforcement.

Therefore, the first section of Ordinance No. 2 – Series 2020 sets forth a draft of proposed changes where certain provisions are eliminated, and others are amended through changes in the text. Additional amendments to Chapter 16 will be forthcoming

following the public review and adoption of the comprehensive update to the zoning document and zoning maps.

Article 22 - Legal Nonconforming Uses, Structures and Lots

In response to a recent application and zoning interpretation involving a proposed addition to a pre-existing, nonconforming structure within Old Town, the Planning Commission and staff engaged a discussion about the Town's existing nonconformities regulations (Chapter 16, Article 22), holding a work session at the Planning Commission's meeting of January 8, 2020.

Following the work session, staff was directed to draft amendments to Article 22 to address situations whereby the Town may wish to entertain vertical additions to nonconforming structures as a matter of protecting and enhancing community character and investment in private property, but provide criteria whereby any proposed vertical addition is considered against factors such as adverse impacts to neighboring properties. The second section of Ordinance No. 2 – Series 2020 addresses proposed changes to Article 22 and sets forth specific language allowing for review by the Planning Commission of vertical additions to pre-existing nonconforming structures.

Appendix C - Minturn Engineering Standards and Specifications

The Minturn Engineering Standards currently require significant and detailed engineering plans and studies for most development proposals, regardless of the scale and scope of a project (e.g. a new major subdivision vs. new single-family home).

This presents practical issues and difficulties for property owners and for Town Staff as each project is unique and, with the exception of major PUD developments or subdivisions, many smaller projects typically do not require the same level of engineering plans and specifications.

The proposed amendment to Appendix C – Minturn Engineering Standards and Specifications, is intended to allow the Planning Director and/or Town Engineer to waive certain submittal requirements from a list that currently is presented in a 'one-size-fits-all' manner. The goal is to ensure that the Town receives the engineering information that is most pertinent to a project based on the type of project (new home vs. new subdivision), site conditions (sloped lots vs. flat lots) and scale of project (single building vs. multi-structure development).

Sec. 16-2-50 - Specific lot requirements and dimensional standards

New subparagraph k – there was some confusion over the term "building elements" – does this include or exclude decks? Reviewed the definition of a building. Suggested to strike the word "elements" and leave as building.

Jeff A.

Regarding subparagraph m - Pointed out that Old Town Character Area is still noted, although we are eliminating character areas. This will be corrected.

Regarding subparagraph a– do we need to specify high water mark when defining a river or creek? (So someone can't argue where the river / creek bed is)?

Greg S.
245 Pine St.

New subparagraph e (Minimum distance between structures) – Greg has seen people use a breezeway or trellis to get around this (to argue that it's the same structure).
Scot H. feels that building code addresses this.

Height of fences – 6 ft.

Greg S. noted that someone put up a fence on a retaining wall. So it's 6' from the retaining wall, but obviously higher overall.
Does more description need to be added?

Scot H. agreed and is working on revising that language. Also need to develop a definition of natural grade.

Greg S. - Regarding encroachments in front yard – can there be an allowance for porches?

Scot H - covered or uncovered?

Greg S. – Covered.

If meeting lot coverage and impervious requirements, it might be more appropriate to have the porch line up with the streetscape.

Jena S. asked about covered doorways / entryways.

Jena S. also suggested that non-enclosed decks be addressed specifically, as a separate item.

Scot H – suggested revisiting the fence guidelines / definition of natural grade, at a later date.

Article 22

Scot H discussed changes to intent.

Following the recent work session, staff was directed to draft amendments to Article 22 to address situations whereby the Town may wish to entertain vertical additions to nonconforming structures as a matter of protecting and enhancing community character and investment in private property, but provide criteria whereby any proposed vertical addition is considered against factors such as adverse impacts to neighboring properties.

Public Comment

Joe Bianchi
222 Main St.

How do you curtail expansions of non-conformities and promote reinvestment (additions to existing non conforming structures) at the same time?

Mr. Bianchi cited section 16-22-30, a & b. There was some discussion about the difference between a non-conforming use and a non-conforming structure. Scot H. clarified that the proposed changes are not addressing non-conforming uses, they are only addressing non-conforming structures.

Mr. Bianchi also expressed concern over 16-22-40, b(1) – exceptions, specifically he questioned the new vertical addition language.

Jena S. expressed a concern regarding valuation.
A mobile home has little to no value from an appraisal standpoint, so how would it be valued? What would someone be able to build on a small lot, assuming a mobile home cannot be replaced. **What if the lot doesn't offer another alternate conforming spot?**

Scot H. clarified that the section on non-conforming lots does allow for development in such situations.

Joe Bianchi
222 Main St.

He feels that section 16-22-30 and 16-22-40 are contradictory in nature.

Greg Sparhawk
245 Pine St.

Agrees with Joe Bianchi's comments regarding the contradiction.

Greg feels that the way Planning Commission has interpreted in the past, and what he's seen in other jurisdictions, does not support the proposed language or current interpretation (Greg clarified that in his opinion, someone should not be able to increase the volume of a non-conforming structure).

He knows the problems / challenges of our Town with regard to this, but Greg questioned the language of new subparagraph B, allowing for vertical additions. He feels the language regarding the 25% increase is ambiguous.

Greg also pointed out that under ii (a) – reduction of solar exposure on adjacent properties – recommends an illustration.

Greg also asked how under subparagraph v, how will this be interpreted? (addition protects a valuable property investment of the applicant)?

Planning Commission Comments:

Burke H.

Does not think vertical additions should be allowed to go into the setbacks.
He feels it exacerbates the non-conformity.

Question re. non-conforming structure:

What will dictate what you can do in the conforming section?

Scot H. clarified that any additions to a conforming portion of a building need to meet all zoning requirements.

Regarding subparagraph v, (addition protects a valuable property investment of the applicant). Feels that getting into financial considerations can get messy; as with variance considerations, financial matters are not to be considered.

Jena S.

Regarding subparagraph (i)

Understood how the 25% limitation would not preclude someone from doing routine maintenance (such as roof repair), however she did question the 25% and how that would be interpreted for additions. Anything more than 25%, would that require a variance?

Asked about the spirit of the 25% rule.

Scot H. noted that we can revisit this, as it's an arbitrary number. **Artificial imitation on the addition.?**

Jeff A.

Is in agreement with Burke H. and Greg S. regarding the language in section B.
(Vertical additions)

Does not feel you should be able to go up into a setback at all.

Agrees that's what setbacks are for.

As we infill and redevelop, it's going to be important to bring non-conformities into compliance.

OK with the 50% valuation, he knows it doesn't work for mobile homes. Still on the fence about whether to allow trailers in Town.

Chris M.

Agrees with Burke and Jeff comments regarding vertical.

Lynn T.

Agrees with Jeff.

She's been here a long time, and has dealt with this a lot.

She feels that non conforming should be brought back into compliance as much as possible. Would prefer structures come into conformity before going up.

Scot H.

Will strike the entire proposed Article 22 language from the ordinance.

Noted that the Town attorney's input was that this will have an affect on renovations / investment in Town.

Jena S. does not necessarily have a problem with vertical in non-conforming situations.

Jeff A. asked about the criteria for "adverse impact".

Suggested that we may need to define what that means.

Jena S. feels that this suggested change provides criteria.

It's a very complex issue, it's hard not to take it case by case.

Burke H.

Asked why the 50% rule needs to exist.

Jena S. agreed, wondered the same thing.

Jeff A. feels that was added to the code to eliminate unsafe mobile homes.

Value of the property vs. value of the structure???

Scot H. answered that as written, it is defined as the value of the structure.

Burke H. stated that if this is holding up future redevelopment, perhaps the 50% rule should be reconsidered.

Scot H. suggested we either strike this section (50% rule), or revise it.

Jena S. noted that we also don't want to amend our code to contradict with case law if case law supports flexibility to allow for vertical additions.

Scot H. suggested another work session with the Town attorney to discuss case law and how it relates to the items of concern.

The Planning Commission agreed.

Joe Bianchi
222 Main St.

Asked about examples of the Town approving vertical. In those examples they went up and stepped back away from setbacks. He does not feel it's a fair comparison to the Bloodworth project).

He also cited cases where people want to cantilever a structure. Can a cantilever go into setbacks?

The Planning Commission and staff clarified that cantilevered elements cannot encroach into a setback.

In one example a structure already exists, in the other someone is proposing to create a non -conformity.

Appendix C **Engineering Standards and Specifications**

Scot added one edit, adding Town Engineer after Planning Director in cases where discretion is used.

Jeff A asked about intent – to streamline smaller projects?

Scot H – yes, to allow for discretion when dealing with smaller projects (based on scale and scope).

Planning Commission was OK with the proposed changes to this section.

Scot reiterated that an applicant still has the right to appeal something that the Planning Director and/or the Town Engineer require or waive.

Jena S.

Asked about the language: Approvals will be required for a geotechnical report? ...
Scot H. noted that this should be removed.

Motion by Lynn T., second by Jeff A.

To recommend the acceptance of Ordinance No 2, with the suggested changes:

Revisions to 16-2-50 as amended,

Revisions to Appendix C as amended

Removal of Article 22

PROJECTS AND UPDATES

9. Project Updates

- **Three Mile Plan** – Scot H. has submitted a draft to Town Manager and Town Attorney. Working on preliminary comments. Should be ready for Planning Commission review soon.
- **100-Block Existing Conditions and Transportation Study**
- The Town has approached MR Minturn to discuss existing conditions in the 100 block (including traffic, parking, snow storage, etc). Ask Scot to clarify what consultants ran the workshop.
- Held a recent workshop to discuss challenges, and some potential solutions.
- Will be getting a report of findings from the initial study. Will possibly be on the agenda for the 2/26 Work Session.

10. Planning Director Report & Minor DRB Approvals by Director

- None

11. Future Meetings

- February 12, 2020
- February 26, 2020

12. Adjournment

Motion by Chris M., second by Burke H., to adjourn the meeting of January 22, 2020 at 9:21pm. Motion passed 5-0.

Lynn Teach, Commission Chair

ATTEST:

Scot Hunn, Planning Director

Minturn Planning Department
 Minturn Town Center
 302 Pine Street
 Minturn, Colorado 81645



Minturn Planning Commission
 Chair – Lynn Teach
 Jeff Armistead
 Lauren Dickie
 Burke Harrington
 Chris Manning
 Jena Skinner

Planning Commission Public Hearing

Minturn Gallery

Conditional Use Permit For Multi-Family Use in the Mixed-Use Zone District

Final Plan Review for Architectural Details

Hearing Date:	February 12, 2020
File Name and Process:	Minturn Gallery (Woodruff-Feiger Property) Final Plan Review & Conditional Use Permit Request
Owner/Applicant:	John (“Woody”) Woodruff and Lynn Feiger
Representative:	Woody Woodruff
Legal Description:	Lots 1-3, Booco Subdivision, Block G
Zoning:	Old Town Character Area - Mixed Use Zone District
Staff:	Scot Hunn, Planning Director
Recommendation:	Approval, with Conditions

Staff Report

I. Summary of Request:

The Applicants, John (“Woody”) Woodruff and Lynn Feiger, request review of final architectural detailing for a project that received conceptual approval in 2018, along with

a Conditional Use Permit to allow for a third dwelling unit on this mixed-use zoned property located at 302 Main Street.

Background

In May 2018, Mr. Woodruff and Ms. Feiger received approval from the Minturn Planning Commission for improvements to their property including the demolition of an existing shed structure and the construction of a new 3 story accessory building to include a storage area within a basement area, an art studio (a commercial use) on the main level of the structure, and an accessory dwelling unit located on the second and third levels. At that time, the DRB approved of the site plan (building location, building size and dimensional limitations such as setbacks, lot coverage and impervious coverage) and uses, including the accessory dwelling unit, but required that the Applicants return to the DRB for final plan approval of “finish materials” once architectural drawings and materials selections were complete.

At the time the property owners received their site plan and zoning approval, they were not properly informed by the Town that the proposed accessory dwelling unit proposed on the second and third levels of the building required additional zoning approval via the Conditional Use Permit (CUP) process. This is due to the fact that the existing residential structure on the property currently has two rental units, bringing the total units on the subject property to three if the accessory dwelling unit above the art studio is constructed. Therefore, the Applicants have submitted a CUP application for a multi-family use, to be reviewed in conjunction with their final plan application for DRB review of architecture and materials.

The Old Town Character Area Mixed Use Zone District allows for single-family and duplex uses ‘by right’ with no further zoning review or approval required prior to a property owner applying for a building permit. The Mixed-Use District also allows for multi-family (defined as a residential development with three or more units) via the Conditional Use Permit process. This is to ensure that the density, intensity of uses, as well as the bulk and mass of structures are appropriate for the area and that site improvement standards such as lot coverage, setbacks, building height and required parking are met.

It appears from the May 2018 approval, such issues and standards were addressed and approved by the Planning Commission. The site plan details have not changed since original conceptual approval (other than the submittal of a landscape plan) and staff re-confirmed that applicable standards and dimensional limitations are still being met. Therefore, this report will focus instead on the architectural details provided on the plans (Sheets A-2.0 and A-3.0) and the criteria and standards for the granting of a Conditional Use Permit.

II. Summary of Process and Code Requirements:

This is a Final Plan review by the Design Review Board as well as a Conditional Use Permit (CUP) review by the Town of Minturn Planning Commission. Following review of the request, the DRB will vote to approve or deny the final plans and architectural details.

In a separate motion, the Planning Commission will vote to forward a recommendation to the Town of Minturn Town Council for approval, for approval with conditions, or denial of the CUP request in accordance with the standards, criteria and findings outlined in Section 16-21-620 – *Conditional Use*, Minturn Municipal Code.

With regard to the Conditional Use Permit, the Planning Commission's recommendation and any action of the Town of Minturn Town Council should be based on the following standards and findings:

“(e) *Conditions and procedure of issuance.*

- (1) *The Town Council may approve the application as submitted or may approve the application subject to such modifications or conditions as it deems necessary to accomplish the purpose of this Article, or the Town Council may deny the application*

“(d) *Administrative procedure.*

- (1) *Upon receipt of a completed and proper application, the Planning Director shall set a public hearing for the Planning Commission and give public notice as required by this Chapter.*
- (2) *Criteria; findings. Before acting on a conditional use permit application, the Planning Commission and Town Council shall consider the following factors with respect to the proposed use:*
 - a. *The relationship and impact of the use on the community development objectives of the Town.*
 - b. *The effect of the use on distribution of population, transportation, utilities, schools, parks and recreational facilities and other public facilities and public facility needs.*
 - c. *The effect upon traffic, with particular reference to congestion, automotive and pedestrian safety, traffic flow and control, access, maneuverability and snow removal.*
 - d. *The effect upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation*

to surrounding uses, the amount of noise, lighting and glare, dust and compatibility of the use with the Character Area it is in and surrounding areas.

e. Necessary findings. The Planning Commission and Town Council shall make the following findings before making a recommendation or decision that a conditional use permit be granted:

- 1. That the proposed location of the use is in accordance with the purposes of this Chapter, the Community Plan and the purposes of the zone in which the site is located.*
- 2. That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*
- 3. That the proposed use will comply with each of the applicable provisions of this Chapter.”*

III. Zoning Analysis:

Zoning

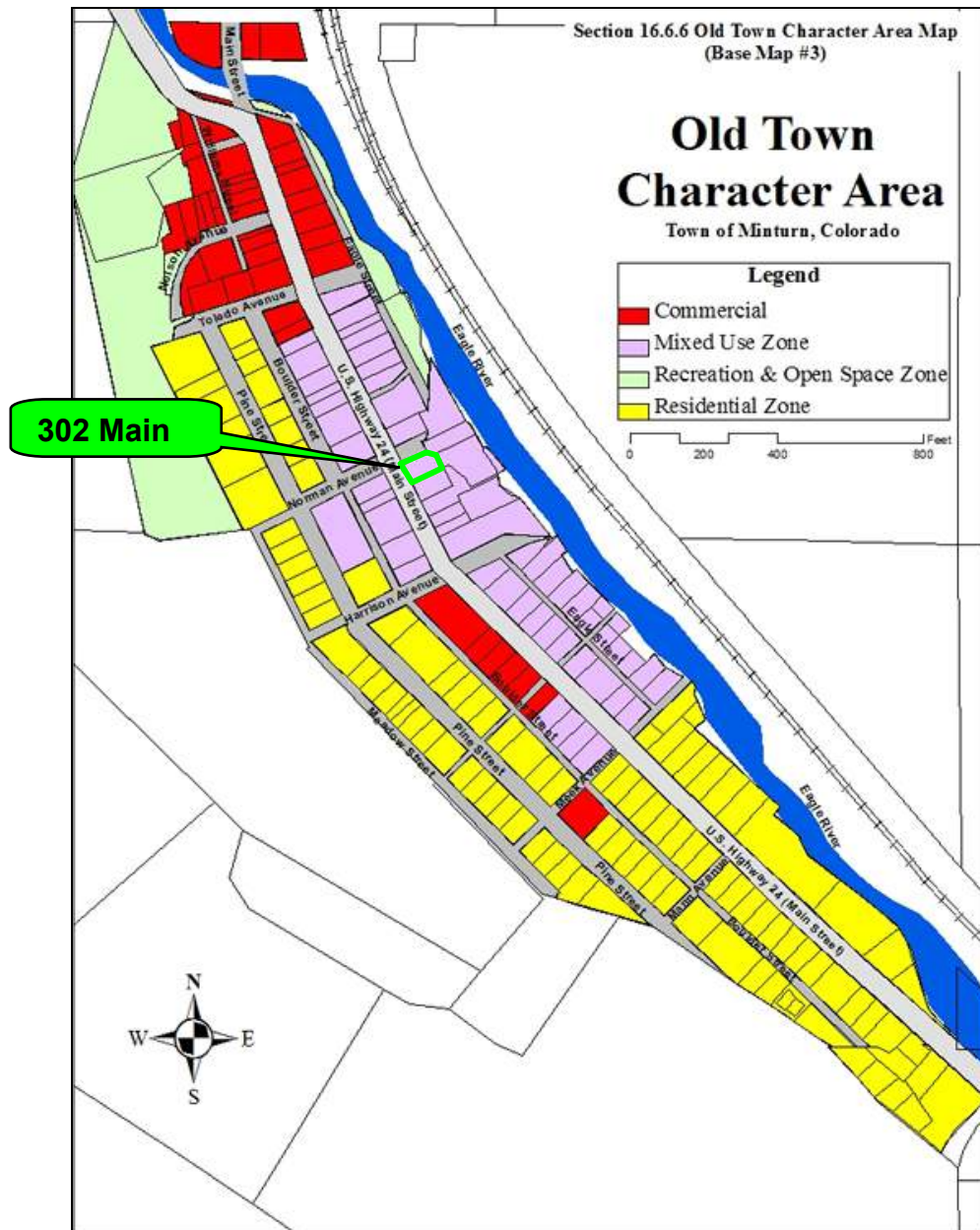
The subject property is located within the “Old Town Character Area” Mixed-Use Zone District. The purpose of the Old Town Mixed-Use Zone District is to:

“...provide sites for combined residential and low-impact commercial and service uses which maintain a predominantly residential appearance. This area can accommodate reasonable growth where land and services are available and when services and amenities are needed for residents and visitors.”

- Town of Minturn Town Code Section 16-6-40

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

Figure 1: Old Town Character Area Zoning Map



Dimensional Limitations and Development Standards

The following table summarizes the lot, development and dimensional standards and limitations applicable to the subject property pursuant to Sections 16-2-40. - *General lot requirements and dimensional standards* and 16-16-20 – *Parking Required for Residential and Lodging Uses*.

Regulation	Allowed/Required	Proposed/Existing
Minimum Lot Area:	5,000 sq. ft.	.127 acres/5,532 sq. ft.
Maximum Building Height:	28 feet	28 feet
Minimum Front Setback:	10 feet	N/A
Minimum Side Setback:	5 feet	5 feet +
Minimum Rear Setback:	10 feet	12.5 feet
Maximum Lot Coverage:	45% (2,222 sq. ft.)	1,327 sq. ft. (27%) Existing 1,890 sq. ft. (38%) Proposed
Maximum Impervious Coverage:	No Limit	2,231 sq. ft. (45%) Existing 3,032 sq. ft. (%) Proposed
Minimum Snow Storage Area:	5% of Driveway Area (21 sq. ft.)	210 sq. ft. (50%)
Parking:	6-8 spaces	6-8 spaces

IV. Outstanding Issues and Suggested Mitigation:

On and Off-Site Parking

The conceptual plans approved in 2018 by the Planning Commission showed essentially the same parking configuration as is being proposed with these final plans, including recognition of perpendicular parking that historically has occurred partially on the subject property, and partially within the Norman Avenue right-of-way to the north of the existing residential structure. The original plans listed two residential units and the art gallery as the basis for providing six (6) spaces on the site. However, staff now calculates that the existing residential structure has two units and with the addition of a new accessory dwelling unit the total (residential) parking requirement is six, plus two more for the proposed commercial art studio use.

Because the art gallery is a commercial use, and because the Old Town Character Area – Mixed-Use Zone District is specifically intended to allow for residential and commercial uses, staff interprets the Minturn Municipal Code parking requirements as allowing for a portion of the commercial parking requirement to be met by parking on Main Street.

Section 16-16-60 – Main Street (Highway 24) Parking provides the following direction:

“For any business located in a commercial zone in the Old Town Character Area, off-site parking on Main Street (Highway 24) may be counted toward the required number

of parking spaces, provided that the off-site parking shall not exceed six (6) spaces nor shall off-site parking exceed fifty percent (50%) of the total required parking, whichever is less. Off-site parking for multiple businesses on a single property on Main Street (Highway 24) shall be determined by the length of business frontage for each individual business that borders Main Street (Highway 24). Off-site parking for an individual business on a single property shall be determined by the length of the property frontage that borders Main Street (Highway 24)."

Fifty (50%) percent of the required commercial parking (one space) is the lesser of the two on-street parking allowances in this instance. Therefore, staff suggests that the code allows for one on-street parking space to count toward the required commercial parking for the art gallery. Meaning, the site will need to accommodate 6-7 spaces, with one provided on Main Street.

As plans for this project move forward to building permit application, staff recommends that the Applicant be required to enter into an encroachment agreement between the Town and the Applicant to allow for the continued use of Town right of way to meet the parking needs of the property.

Architectural Detailing

Staff believes the proposed exterior materials, textures and colors presented in the final plans reflect the character of the surrounding neighborhood while furthering the design related goals and policies of the Town. Specifically, the following observations relating to Appendix 'B' – Minturn Design Standards and Guidelines are pertinent:

- Roof forms and pitches present a unifying element among the existing buildings in the area, while being responsive to snow accumulation and shedding, and the use of a dormer element provides "individual identity" of the building and delineates the upper story from lower building levels.
- Each façade is interrupted through the use of window and door openings, materials and architectural forms such as balconies or roof forms. Additionally, windows are generally small, and larger expanses of windows are divided into smaller panes via muntins and mullions
- Simple forms are used to reflect the character of Minturn while materials, window and door openings are provided to accentuate these forms.
- Materials are natural, reflective of the Town's history, and complimentary in relation to surrounding materials used on adjacent structures in the neighborhood. Colors and textures further the design intents of the Town.

VI. Staff Findings and Analysis – Conditional Use Permit:

The following is a brief summary of staff's findings and analysis of applicable Conditional Use criteria and standards:

- a. *The relationship and impact of the use on the community development objectives of the Town.*

Staff Response:

Under “Community Character / Urban Design” of the 2009 Town of Minturn Community Plan, the following strategies are applicable to this proposal:

- CCS 1.4 – “Develop and implement methods to maintain the town’s eclectic architecture, scale and vibrant color palette.”
- CCS 1.6 - “Incorporate local public art into new development and public improvements.”

Under “Land Use / Transportation” of the Community Plan, the following strategies are applicable to this proposal:

- LUS 1.1 – “Develop and comply with a future land use plan for the entire town (land use element of this Community Plan) which encourages a compatible mix of land uses promoting mass transit, the use of bicycles and increased walkability/accessibility.”
- LUS 1.5 – “Promote redevelopment areas as mixed-use centers.”

Under “Affordable Housing” of the Community Plan, the following strategies are applicable to this proposal:

- AHS 1.1 – “Promote the development of housing opportunities for all income levels throughout all areas of town.”

Under “Economy” of the Community Plan, the Economy vision statement states, in part, that “A diverse mix of businesses catering to the local community and tourist are necessary for a stable, year-round economy. Special efforts should be made to promote the existing businesses in town and to also facilitate new business development.” Additionally, the following strategies are applicable to this proposal:

- EDS 1.1 – Encourage and provide incentives for business to locate in the downtown area.”
- EDS 1.2 – Encourage the development of flexible space in commercial areas – space which can be easily adjusted as market conditions permit (office to retail to restaurant).”
- EDS 1.5 – “Utilize redevelopment opportunities to help expand and diversify the town’s economic/employment base.”
- EDS 1.6 – “Support and promote practices which are attractive to small business – infrastructure, taxes, city services.”

Staff suggests that the proposed mixed-use building and specifically the introduction of a commercial use on the main level along with the provision of a long-term rental unit in close proximity to Old Town and mass transit will add to the diversity and mix of businesses; will contribute to the year-round economy; and, can serve to protect the health, safety, welfare and aesthetic of the town.

- b. *The effect of the use on distribution of population, transportation, utilities, schools, parks and recreational facilities and other public facilities and public facility needs.*

Staff Response:

The introduction of a new 1-bedroom accessory dwelling unit within the 300 Block of the Mixed-Use Zone District will likely have minimal direct impact or effect on the distribution of population, transportation, utilities, schools, parks and recreational facilities and other public facilities and/or needs. Yet, the proposed residential unit, combined with the proposed introduction of commercial use in this area of Old Town aligns with the Town's policy goals to "*encourage residential and low-impact commercial and service uses which maintain a predominantly residential appearance*" in the Mixed-Use Zone District; encouraging the provision of accessory dwelling units as a means to provide housing for locals; and, ensuring that population is distributed within the town in a manner that utilizes existing infrastructure and public facilities.

- c. *The effect upon traffic, with particular reference to congestion, automotive and pedestrian safety, traffic flow and control, access, maneuverability and snow removal.*

Staff Response:

The proposed use – an accessory dwelling unit - will likely have minimal impact on traffic, congestion, pedestrian safety, traffic flow and control, access, maneuverability and snow removal in the immediate vicinity of the subject property.

However, staff recommends that the Applicants be required to work with the Town prior to or concurrent with building permit application to execute an encroachment agreement for the continued use of a small portion of the Norman Avenue right-of-way for parking associated with the uses on the site.

- d. *The effect upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation to surrounding uses, the amount of noise, lighting and glare, dust and compatibility of the use with the Character Area it is in and surrounding areas.*

Staff Response:

Staff believes that proposed accessory dwelling unit located on the second and third floor of the structure as a third dwelling unit on the subject property is appropriate and that the location, scale and architectural design of the proposed accessory building on the lot is compatible with and complimentary to surrounding neighborhood and architectural character. The final plans provided for review by the Minturn DRB as part of this CUP review demonstrate compatibility by way of proposed exterior materials, textures, colors and exterior lighting.

e. *Necessary findings. The Planning Commission and Town Council shall make the following findings before making a recommendation or decision that a conditional use permit be granted:*

1. *That the proposed location of the use is in accordance with the purposes of this Chapter, the Community Plan and the purposes of the zone in which the site is located.*

Staff Response:

The purpose of the Old Town Character Area Mixed-Use Zone District is to permit the integration (mixing) of historic residential uses with new and/or existing “low-impact” commercial uses. The Town defines mixed use as:

“Mixed-use development means the development of a tract of land, building or structure with a variety of complementary and integrated uses such as, but not limited to, residential, office, manufacturing, retail, public or entertainment in a compact urban form.”

The proposed development of an art studio, storage and accessory dwelling unit in combination with existing residential uses on the subject property align with the Town’s definition of Mixed-Use and the purpose of the Mixed-Use Zone District. Further, the 2009 Town of Minturn Community Plan as well as the 2019 Minturn Housing Action Plan call for the creation of additional accessory dwelling units (ADUs) within existing neighborhoods as a direct means to provide locals housing options in walking distance to services, retail areas and mass transit.

2. *That the proposed location of the use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*

Staff Response:

Generally, the continued use of the subject property for residential use is supported by the policies of the development and zoning policies of the Town as described within the purpose statement of the Mixed-Use Zone District. The introduction of a third dwelling unit on the subject property should not be detrimental to the public health, safety or welfare, so long as the accessory building and accessory dwelling unit is properly permitted, constructed and inspected according to applicable code provisions prior to occupancy and provided that required parking and snow storage can be maintained and properly managed by the property owner. The minimal increase in density on a lot that exceeds the minimum lot size for the Mixed-Use Zone District and which is surrounded by properties with similar densities and intensity of uses suggests that the use is compatible and will not be materially injurious to properties or improvements in the vicinity.

3. *That the proposed use will comply with each of the applicable provisions of this Chapter.*

Staff Response:

The design of the accessory building and site plans have previously been deemed to comply with the Town's development standards and dimensional limitations by the Design Review Board. Staff has verified that the proposal still complies with applicable provisions for development of the site and that the proposal meets the criteria and standards for a Conditional Use Permit.

V. Staff Recommendation and Suggested Conditions:

Staff **recommends approval**, with the following conditions, of the Minturn Gallery Conditional Use Permit:

1. The Applicant shall work with the Town to execute an encroachment agreement for any parking associated with 302 Main Street within the Norman Avenue right-of-way. Any agreement shall be executed and recorded prior to or concurrent with the issuance of any permits for the construction of the accessory building.



DESIGN REVIEW APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street Minturn, Colorado 81649-0309
 Phone: 970-827-5645 Fax: 970-827-5545 Email: planner@minturn.org

Project Name:

Minturn Gallery

Project Location

Street Address: 302 Main Street

Zoning:

Mixed Use

Parcel Number(s):

2103-263-04-007

Application Request:

Final approval of architectural plans for an Art Gallery/Studio with single family residence above. Previously, 5/9/18, Minturn Planning Commission approved the site plan, parking, snow storage and Mixed Use zoning.

Applicant:

Name: Woody Woodruff

Mailing Address:

 POB 910
 Minturn, CO 81645

Phone:

303 898-7870

Email:

woodruffwoody@comcast.net

Property Owner:

Name: John A Woodruff and Lynn D Feiger

Mailing Address: Same

Phone:

Same

Email:

Same

Required Information:

Lot Size: 5578 sf	Type of Residence (Single Family, ADU, Duplex) Commercial + single family	# of Bedrooms 1	# On-site Parking Spaces 3
# of Stories: 2.5	Snow storage sq ft: 418 sf	Building Footprint sq ft: 912 sf	Total sq ft Impervious Surface: 2932 sf

Signature:

Fee Paid:

Date Received:

Planner:



CONDITIONAL USE PERMIT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 - 302 Pine Street - Minturn, Colorado 81649-0309

Phone: 970-827-5645

Email: planner@minturn.org

Project Name:

Minturn Gallery

Project Location

Street Address: 302 Main Street

Legal Description (Lot, Block, Subdivision):

1-3, G, Bocco

Parcel Number(s):

2103-263-04-007

Application Request:

Approval of Multi-family permit as this building will bring total units on the lot to 3

Applicant:

Name: Woody Woodruff

Mailing Address: POB 910

Minturn, CO 81645

Phone:

303 898-7870

Email:

woodruffwoody@comcast.net

Property Owner:

Name:

John A Woodruff and Lynn D Feiger

Mailing Address: Same

Phone:

Same

Email:

Same

Required Information:

Lot Size: 5578 sf

Type of Residence (Single
Family, ADU, Duplex)
commercial + single family

of Bedrooms 1

On-site Parking Spaces 3

of Stories: 2.5

Snow storage sq ft: 418 sf

Building Footprint sq ft:

912 sf

Total sq ft Impervious Surface:

2932 sf

Signature:

Woody Woodruff

\$750.00 (\$50 per each commercial, industrial or residential unit)

Fee Paid: _____

Date Received: _____

Planner: _____

Woodruff Gallery**31 January 2020**Sec. 16-21-620. - Conditional use. – *outline responses / reference*

(c)

Conditional use permit application. Each application for a conditional use permit shall be in writing on such forms and in accordance with such procedures as prescribed by the Town and shall be supported by documents, maps, plans and other material containing, at a minimum, the following information:

(1) The name and address of the owner and/or applicant and a statement that the applicant, if not the owner, has the permission of the owner to make the application and act as agent for the owner.

Included on application and cover sheet of drawings

(2) A copy of the Town Zoning Map or portion thereof, with the subject parcel indicated and a legal description, street address and other identifying data concerning the site.

Included on cover sheet of drawings

(3) A description of the precise nature of the proposed use and its operating characteristics and measures proposed to make the use compatible with other properties in the vicinity.

Included in Narrative

(4) A site plan showing proposed development of the site, including topography, building locations, parking, traffic, circulation, usable open space, landscaped area, utilities and drainage features.

Included on Cover Sheet

(5) Preliminary building plans and elevations sufficient to indicate the dimensions, general appearance, scale and interior plan of the buildings.

Included

(6) Such additional material as the Planning Director may prescribe or the applicant may submit pertinent to the application. For example, the applicant may be required to submit an improvements location certificate if there appear to be setback or property line encroachments.

Previous approval letter as requested by Planner

(d) Administrative procedure.

(1) Upon receipt of a completed and proper application, the Planning Director shall set a public hearing for the Planning Commission and give public notice as required by this Chapter.

(2) Criteria; findings. Before acting on a conditional use permit application, the Planning Commission and Town Council shall consider the following factors with respect to the proposed use:

a. The relationship and impact of the use on the community development objectives of the Town.

We feel this project furthers the intent of the mixed use zone and will allow the owners to move into the next phase of the re-development of the lots along Main Street. With the Community Fund gallery across the street, we feel this will help strengthen Minturn's image as an artist community. This location serves to fill in a gap between our downtown and commercial properties south of Nelson.

b. The effect of the use on distribution of population, transportation, utilities, schools, parks and recreational facilities and other public facilities and public facility needs.

This project will create a long term rental unit within walking distance to public transportation and downtown amenities. This project will also improve additional existing infrastructure on private property.

c. The effect upon traffic, with particular reference to congestion, automotive and pedestrian safety, traffic flow and control, access, maneuverability and snow removal.

Parking is accounted for and in an area where pedestrian walking traffic should be further encouraged.

d. The effect upon the character of the area in which the proposed use is to be located, including the scale and bulk of the proposed use in relation to surrounding uses, the amount of noise, lighting and glare, dust and compatibility of the use with the Character Area it is in and surrounding areas.

The existing area is surrounded by one story and up to 3 story buildings. This site benefits from a large right of way on its north side which helps to eliminate the shadowing effects of new buildings. The existing dilapidated shed will be removed. This gallery will have somewhat limited hours and therefore will not have a large impact on the surrounding area, especially as it relates to off-hours noise and light impact.

Woodruff Gallery

Narrative for Gallery/Studio and 1-bedroom apartment at 302 Main St, Minturn
January 30, 2020

This project is to construct a building containing an Art Gallery/Studio and 1-bedroom apartment at 302 Main Street, Minturn. It will replace a shed which is currently sits opposite our garage at 344 Eagle River Street. Our plan is to make this the first step towards a future redevelopment of the three trailers and two small houses in the 302 to 332 Main Street block.

We are aware that this is not a use by right in the Old Town Mixed Use District and that approvals are not guaranteed. With this in mind we held off spending the time and money of preparing a complete presentation until we received preliminary approval. We approached the Planning and Zoning Commission with the building concept, survey of the building's footprint, and a plan for parking and snow storage; along with a verbal explanation of our architectural concepts, potential future plans for the adjacent properties and how we felt the project would enhance the town of Minturn.

This initial proposal was approved unanimously by the P&Z board at their meeting on May 9, 2018. With this approval and the encouragement of both the then planning director Janet Hawkinson and the current director Scot Hunn, we have moved ahead and completed our architectural plans for final approval. We are asking for no variances, as the building sits within all set-backs and the 28' height restriction. This project is a first step in promoting the goal of mixed use plans on this side of Main and Scot has asked that we apply for a Conditional Use Permit, as this building will bring the number of units on this lot to 3, which by code, makes it a Multi-family project.

Thank you,
Woody Woodruff

Minturn Planning Department
Minturn Town Center
302 Pine Street
Minturn, Colorado 81645



Minturn Planning Commission
Chair – Lynn Teach
Jeff Armistead
Lauren Dickie
Burke Harrington
Greg Gastineau
Greg Sparhawk

May 26, 2018

Woody Woodruff
302 Main Street
Minturn, CO 81632

Re: 302 Main Street Site Plan and Use Review by Planning Commission – Letter of Approval

Woody,

Thank you for your recent application for proposed improvements at your property located at 302 Main Street.

At their regular meeting of May 9, 2018, the Minturn Planning Commission **approved** the site plan and the mixed-use proposal for an art studio, apartment and storage space to be constructed at the rear of your property. Please be advised that in approving the site plan and proposed uses, the Planning Commission will require Design Review Board review of the completed building design and proposed exterior materials, lighting and other details.

Please do not hesitate to contact me at (970) 827-5645 if you have any questions or require additional information regarding your next steps in the design review process.

Kindest regards,

Scot Hunn, AICP
Interim Town Planning Director

Cc: Kathy Biggs
File

TOWN OF MINTURN
Design Review Application
Letter of Intent
4/2/18

To: Planning Department
Town of Minturn
Attn: Janet Hawkinson

From: Woody Woodruff
WOODRUFF ENTERPRISES, LLC
POB 910
Minturn, CO 81645
303 898-7870
woodruffwoody@comcast.net

re: Minturn Gallery Building

Relevant Background:

The Minturn Gallery Building will replace a storage shed on a Mixed Use zoned lot in Old Town District of the Town of Minturn.

Current Status of the Site:

The lot has a long-term rental unit facing Main Street that will remain on the lot with the Gallery.

All Proposed Uses and Structures:

The Gallery Building will consist of a commercial Art Gallery/Studio on the ground floor with a long-term rental unit above.

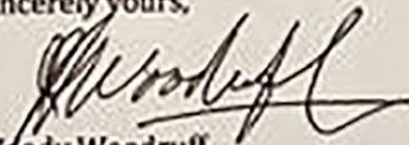
How the Proposal Differs from already exists:

The Gallery Building will replace a storage shed with a retail Art Gallery/Studio with a long-term rental unit above.

Information regarding Easements or Dedicated Tracts, etc.:

See Sight Plan enclosed.

Sincerely yours,


Woody Woodruff

35 SITE INFORMATION:

PARCEL NUMBER:
2103-263-04-007

LEGAL SUMMARY:
BOOCO
Block: G
Lot: 1 - 3

SITE PLAN NOTES:

- 1) LOCATE ALL UTILITIES PRIOR TO ANY DIGGING
2) DRIVEWAY REMOVAL TO BE PART OF CONSTRUCTION

BUILDING LOT COVERAGE:
MAXIMUM ALLOWED: - 2,222 s.f. - 45%

EXISTING:
2 EXIST. STRUCTURES - 1,327 s.f. - 27%

PROPOSED:
1 EXIST. + 1 NEW - 1,890 s.f. - 38%

IMPERVIOUS SITE AREA:
ALLOWED - NO LIMIT
EXISTING - 2,231 s.f. - 45%
PROPOSED - 3,032 s.f. - 61%

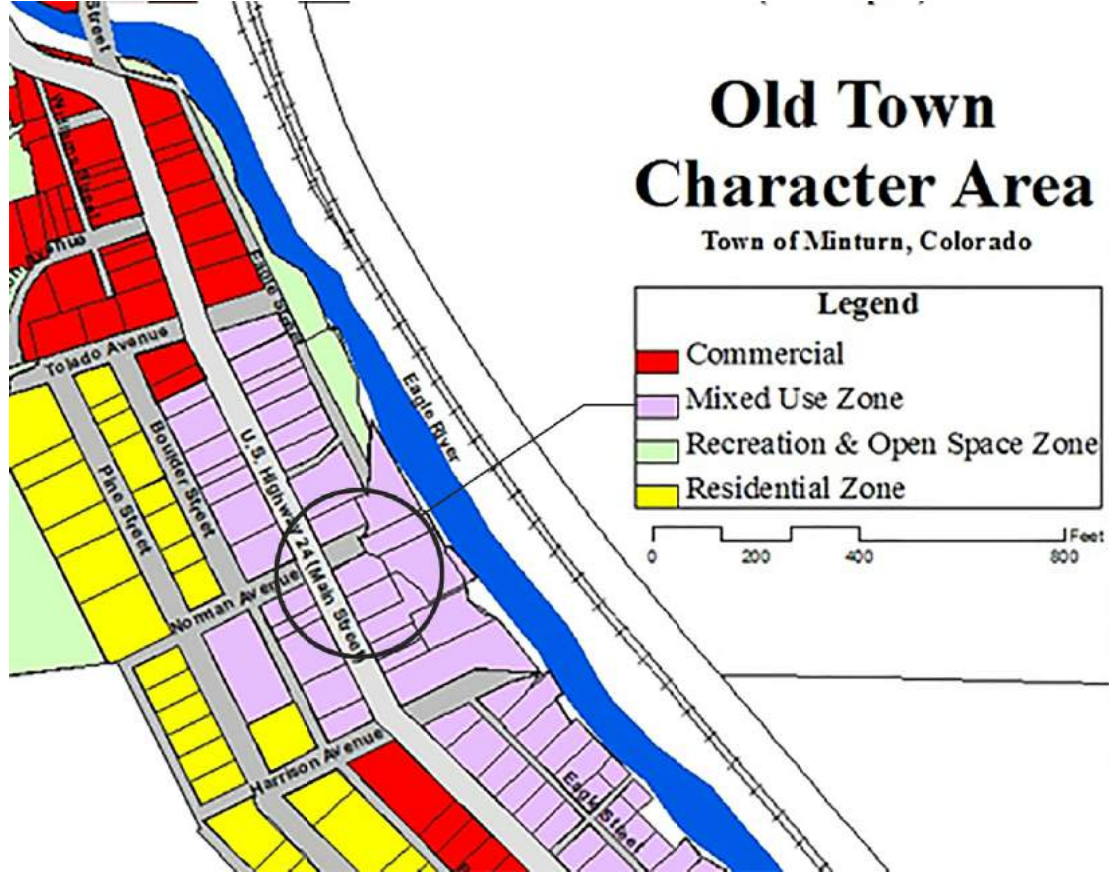
SETBACKS:

FRONT - 10'
REAR - 10'
SIDES - 5'

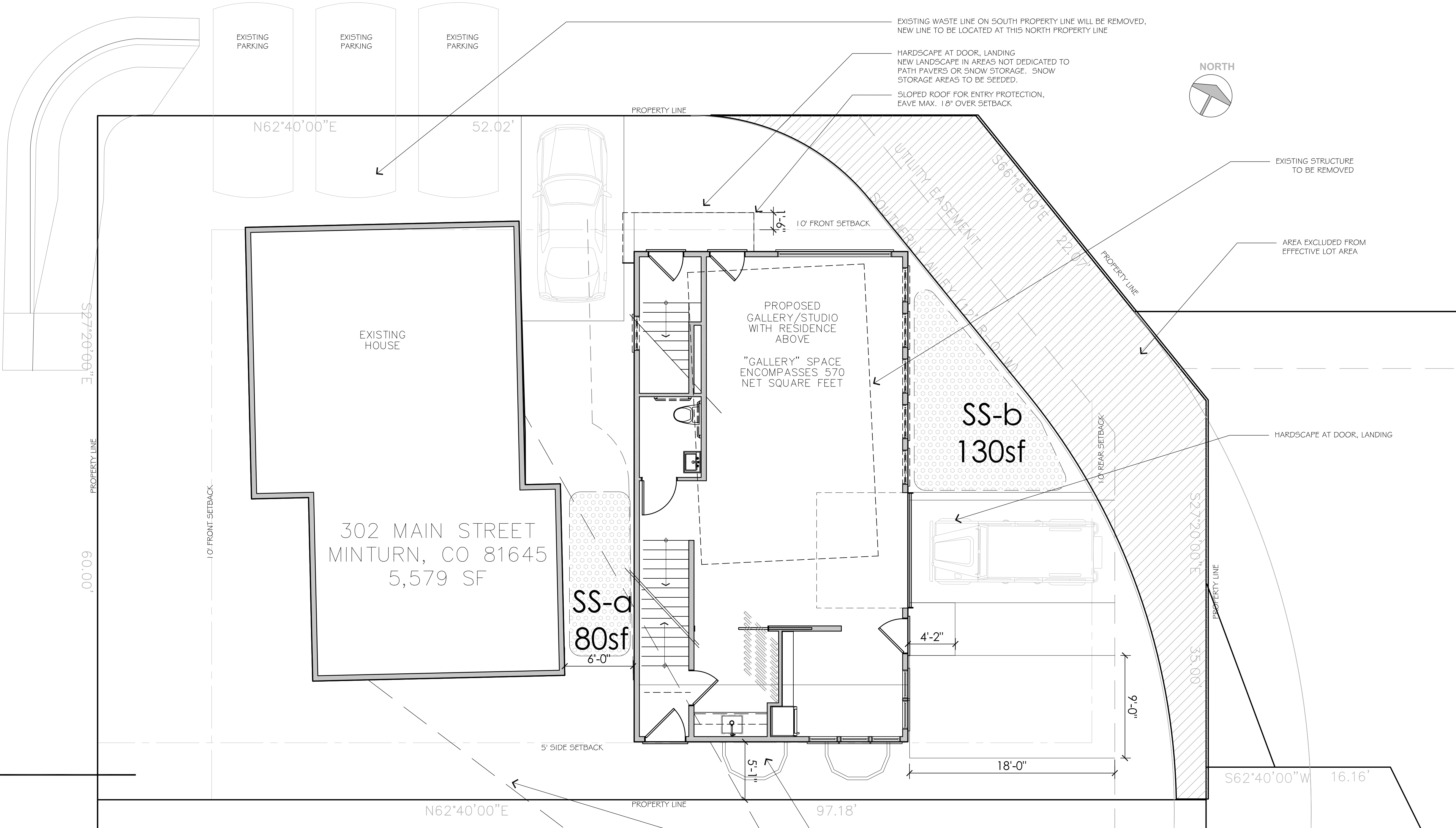
SNOW STORAGE:
TOTAL AREA OF DRIVE, PKG, SIDEWALK - 418sf
REQUIRED 5% SNOW STORAGE - 21sf (5%)
SNOW STORAGE PROVIDED - 210sf (50%)
SS-a 80sf
SS-b 130sf

PARKING:
3 EXISTING SPOTS (TO BE RE-DESIGNED AT NEXT STAGE SITE DEVELOPMENT)
3 PROPOSED SPOTS (4 WITH GARAGE SPACE INCLUDED)

RQ'D EXISTING APARTMENT 2 SPOTS
APARTMENT 2 SPOTS
GALLERY 2 SPOTS (1 PER 300SF)



1 SITE PLAN
1" = 5'-0"



PROJECT DATA			
Project:	Removal of one existing structure and replacement with Art Gallery/Studio with living space above.		
PROJECT TEAM			
Owner:	John Woodruff & Lynn Feiger		
Builder:	Woodruff Enterprises, LLC PO Box 910 Minturn CO 81645 (303) 898 7870		
SHEET INDEX			
Arch.	CV1	Cover Sheet / Site Plan	1/03/20
	A0.1	Survey & Existing Conditions	X
	A1.0	Floor Plans	X
	A2.0	Elevations	X
	A3.0	Perspectives	X

MUNICIPAL		
Planning:	Town of Minturn Building and Planning Departments 302 Pine Street Minturn, Colorado 81645 (p) (970) 827-5645	
Code Enforced:	2009 International Residential Code all associated ICC codes local amendments per Town Code	
Address:	302 Main Street Minturn, CO 81645	
Zoning:	Mixed Use - Old Town Character Area	
Lot Size:	5,579 s.f. - gross 641 s.f. - access easement 4,938 s.f. - effective lot size	
Building Height:	28' to mean roof allowed 28' proposed	

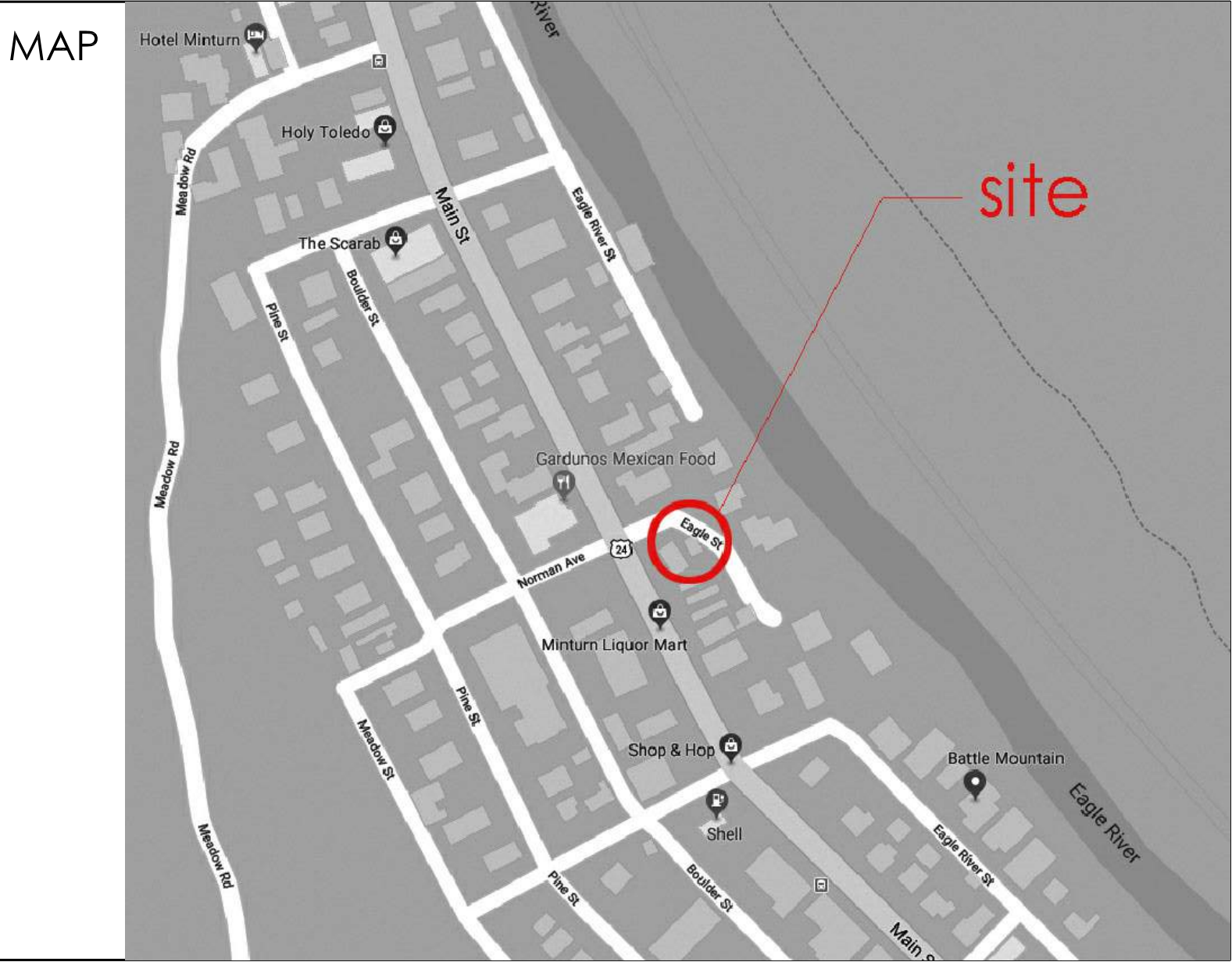
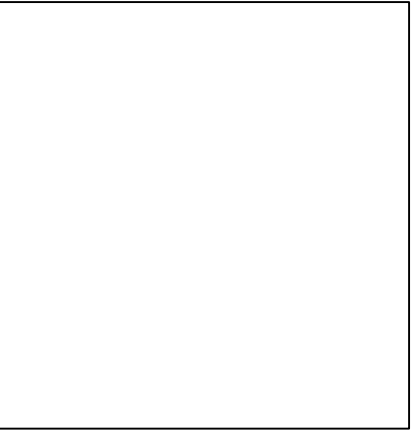


TABLE 16-2 Old Town Character Area Use Table							
Use	All Residential Zones	All Commercial Zones	All Mixed-Use Zones	All Recreation & Open Space Zones	All Federally Regulated Zones	All Industry and Public Facilities Zone	All Railroad Right-of-Way/Transportation Zone
R - Use by right			C - Conditional use	L - Limited use	N - Not allowed		
Accessory apartments	L	C	L	N	—	—	—
Accessory dwellings	L	C	L	N	—	—	—
Duplexes	N	C	C	N	—	—	—
Multi-family dwellings	N	C	C	N	—	—	—
Retail stores including: apparel stores; art supply stores and galleries; bookstores; camera stores and photographic studios; candy stores; chinaware and glassware stores; florists; gift stores; hobby stores; household appliance stores; jewelry stores; leather goods stores; luggage stores; music and record stores; newsstands and tobacco stores; sporting goods stores; stationery stores; toy stores;	N	R	R	N	—	—	—



Woodruff Studio
302 Main Street
Minturn, CO 81645

PROJECT
Woodruff Studio
PROJECT NO.
17_WW-000

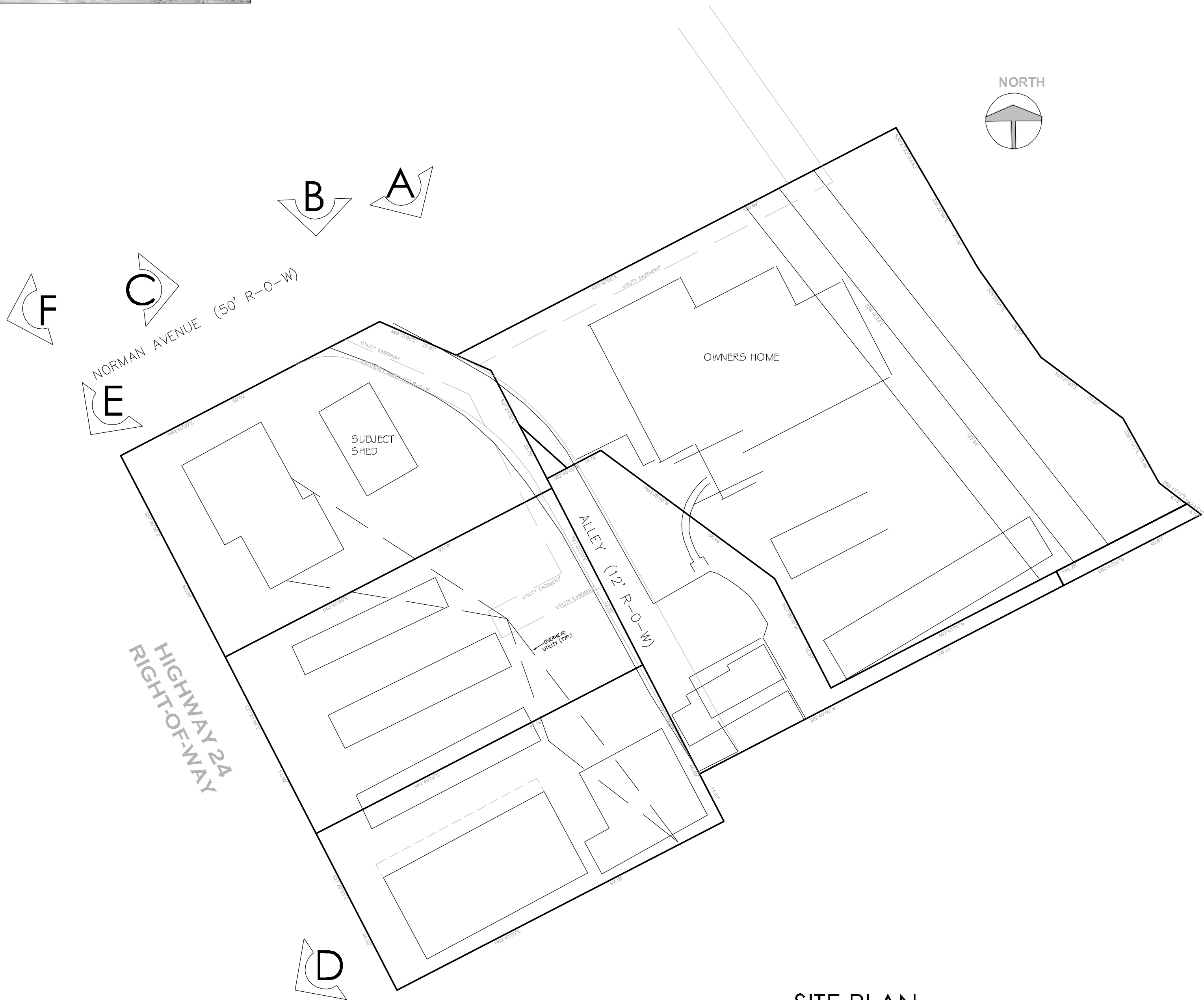
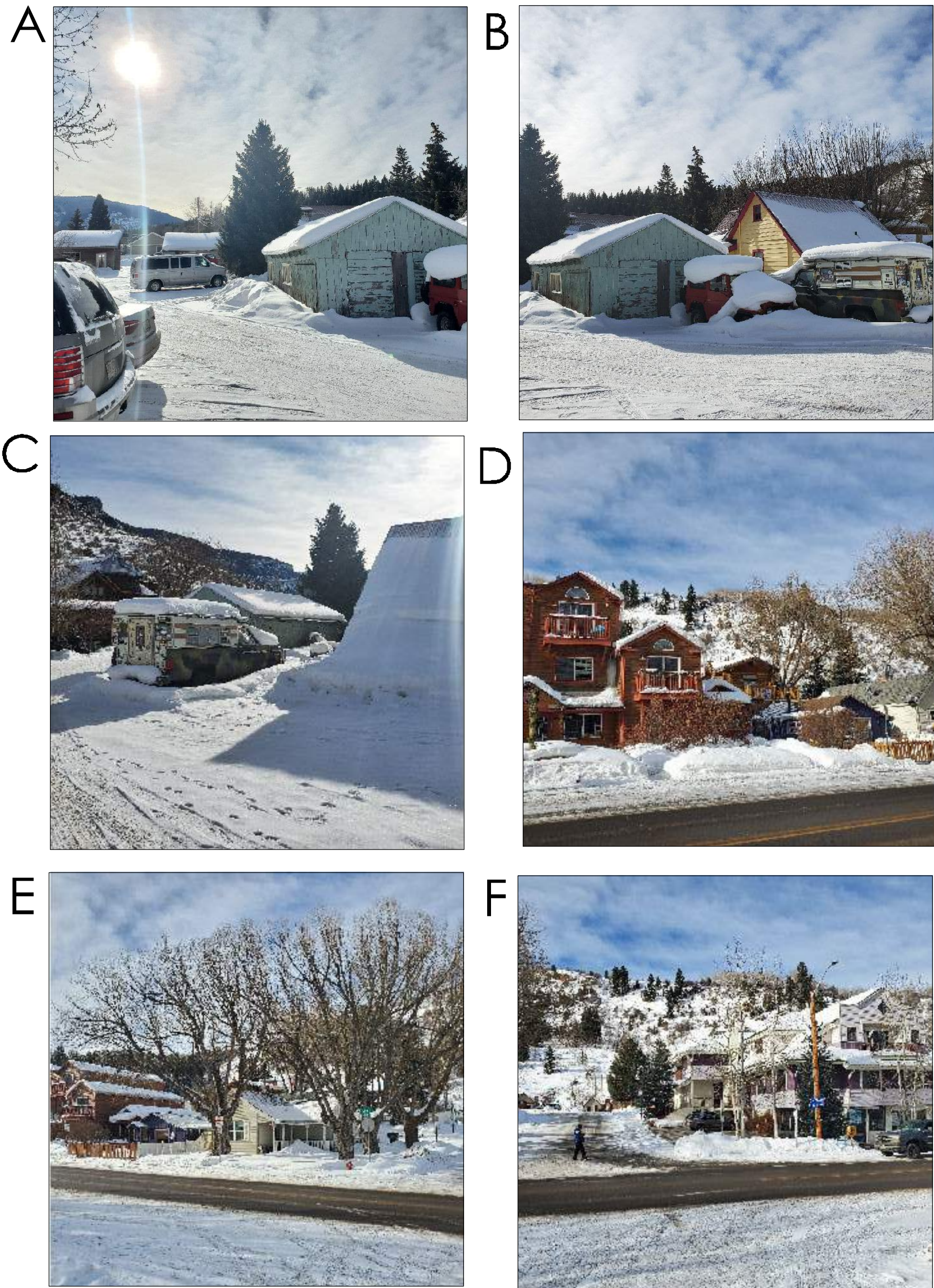
ISSUE
31 January 2020

RELEASE
CUP & DRB

COVER

SHED TO BE REMOVED WHERE GALLERY WILL BE LOCATED

301 Boulder St, #333
Minturn CO 81645



1 SITE PLAN
1" = 10'-0"

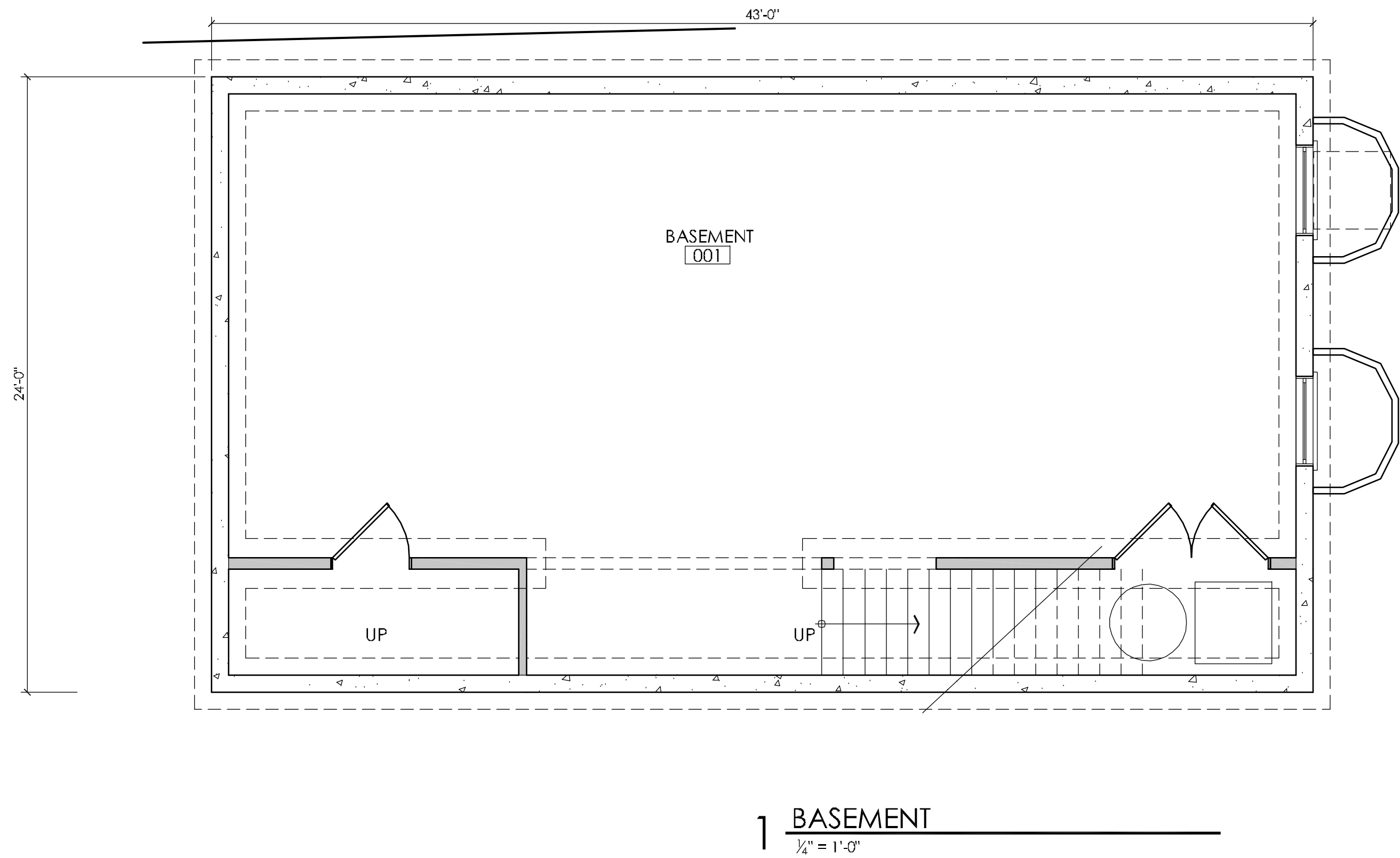
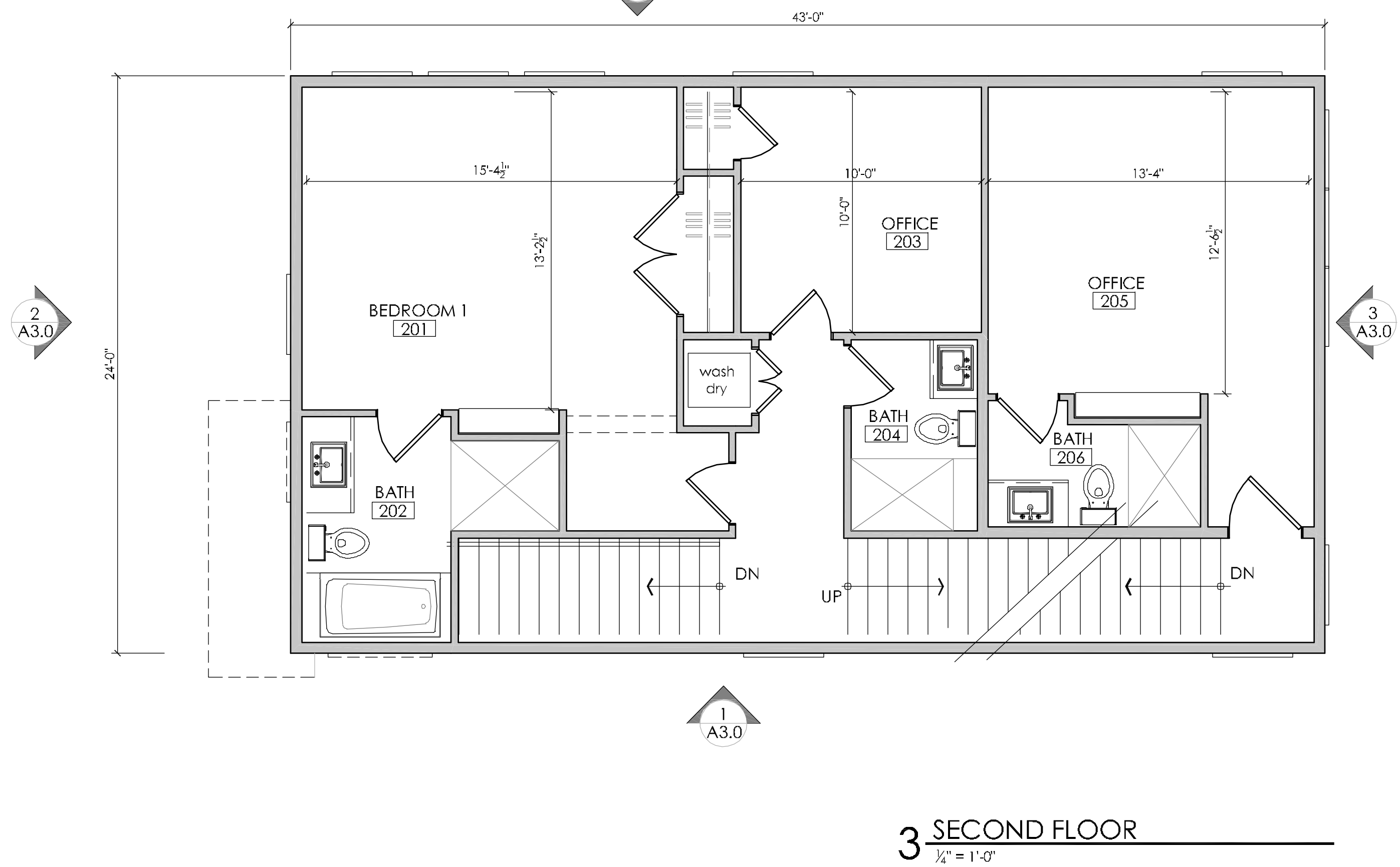
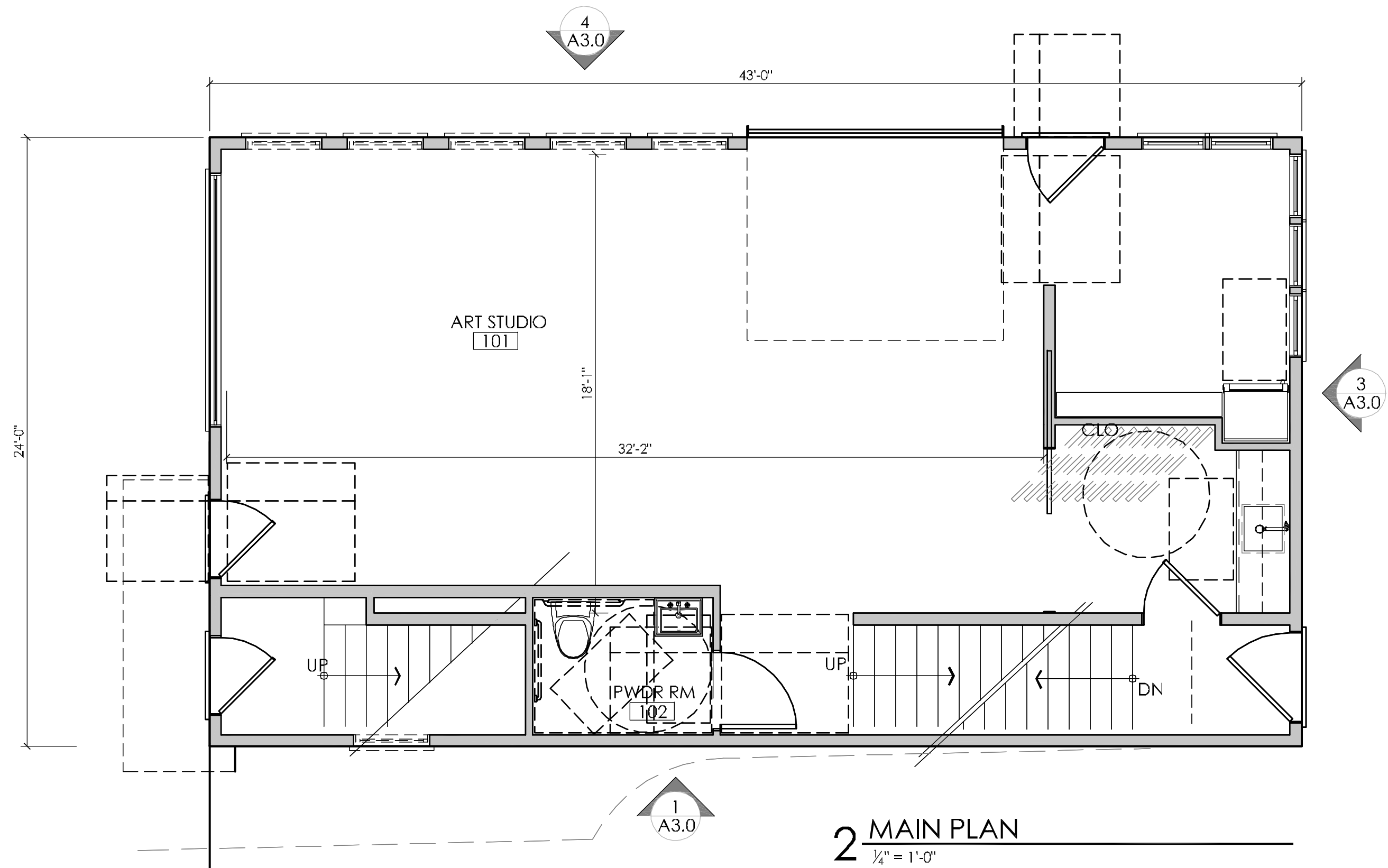
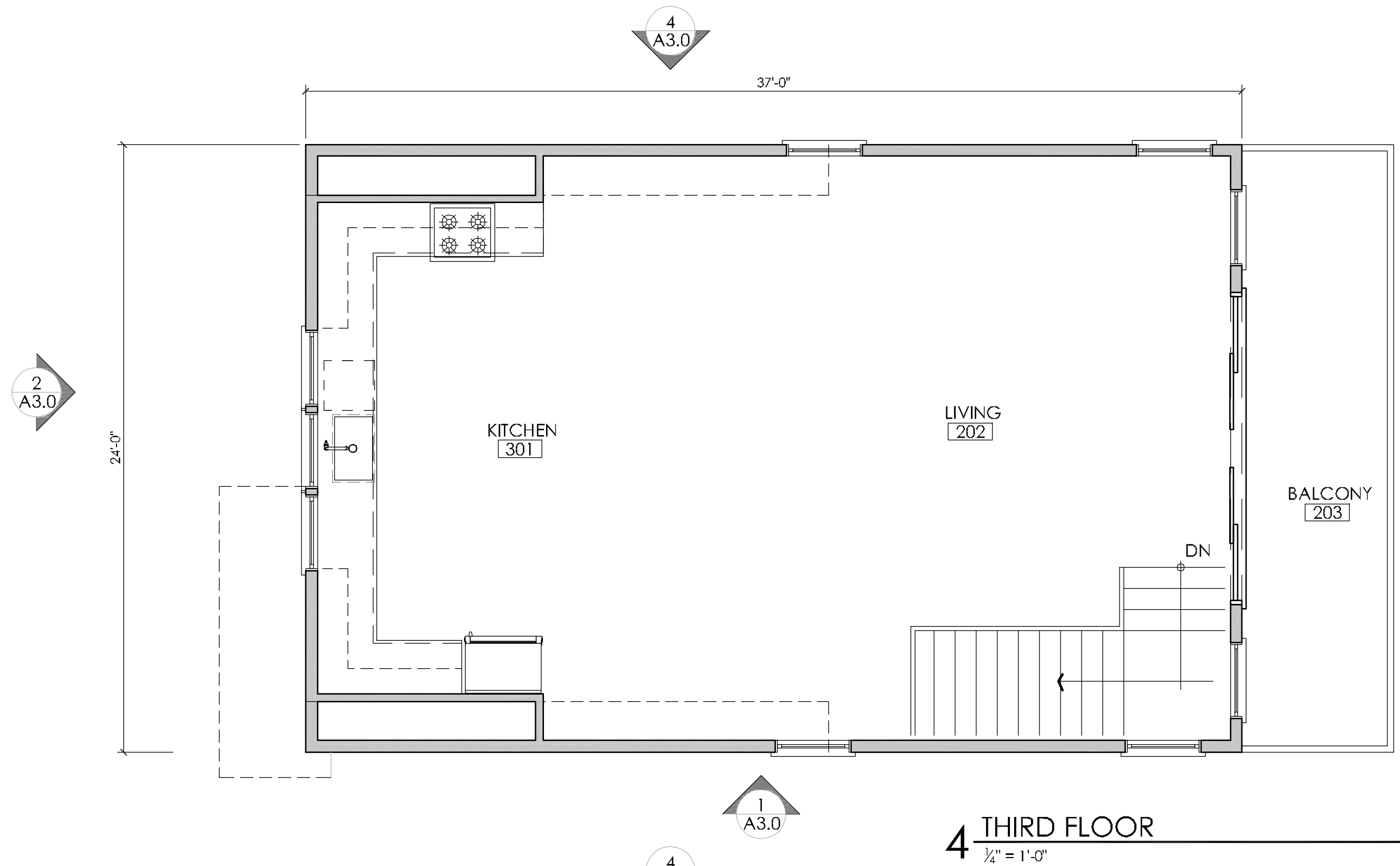
Woodruff Studio
302 Main Street
Minturn, CO 81645

PROJECT
Woodruff Studio
PROJECT NO.
17_VW-000

ISSUE
31 January 2020
RELEASE
CUP & DRB

SURVEY &
EXIST.
CONDS.

A01



Woodruff Studio
302 Main Street
Minturn, CO 81645

PROJECT
Woodruff Studio
PROJECT NO.
17_WW-000

ISSUE
31 January 2020
RELEASE
CUP & DRB

SECTION &
ELEVATIONS

A1.0

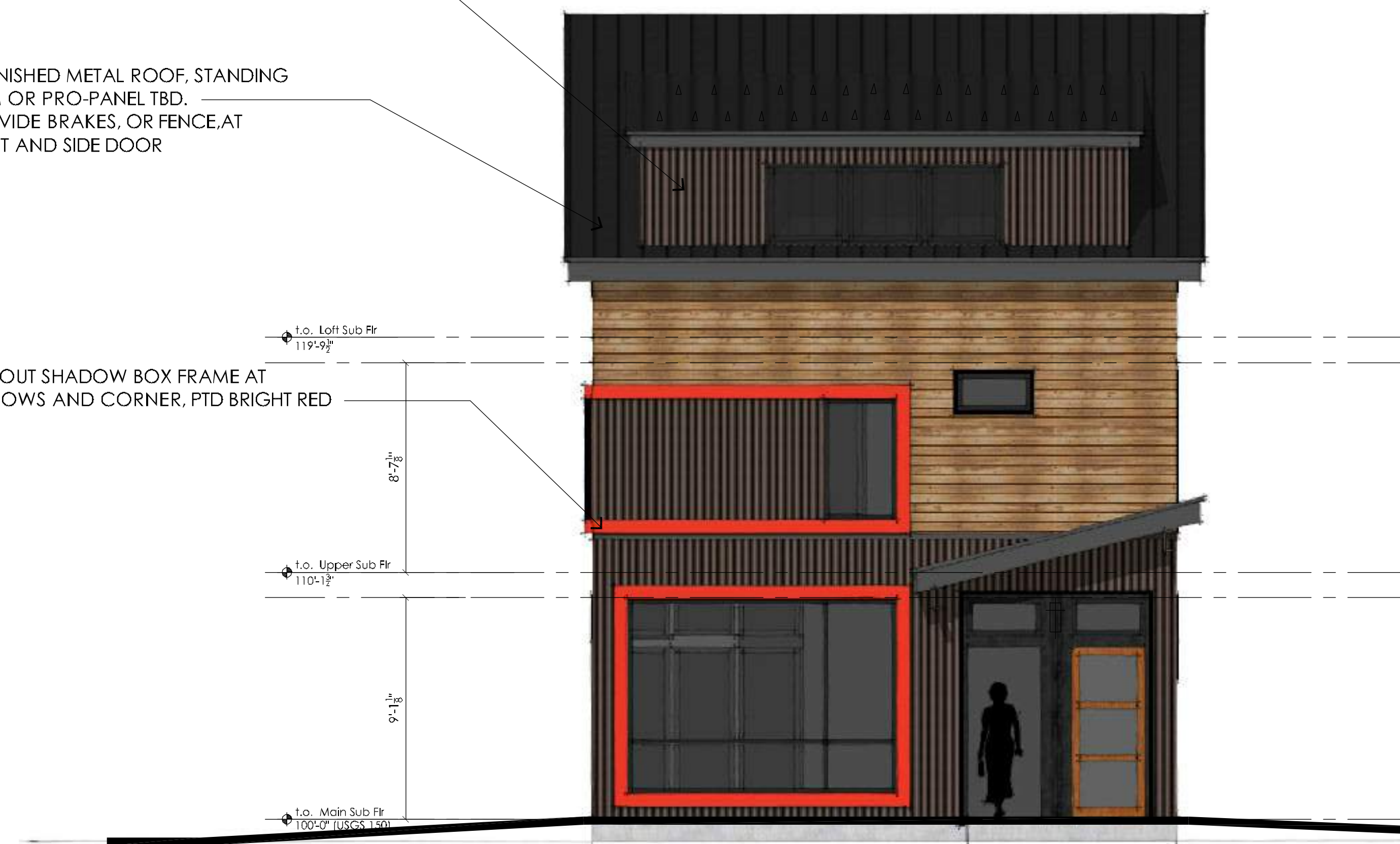


4 EAST ELEVATION
 $\frac{3}{4}" = 1'-0"$

PREFINISHED CORRUGATED METAL
SIDING, BRONZE TONE

PREFINISHED METAL ROOF, STANDING
SEAM OR PRO-PANEL TBD.
*PROVIDE BRACKES, OR FENCE, AT
FRONT AND SIDE DOOR

BUILT OUT SHADOW BOX FRAME AT
WINDOWS AND CORNER, PTD BRIGHT RED



2 SOUTH ELEVATION
 $\frac{3}{4}" = 1'-0"$



3 NORTH ELEVATION
 $\frac{3}{4}" = 1'-0"$

PAINTED FCB OR COMPOSITE ROOF TRIM,
PTD DARK GRAY TO MATCH WINDOWS

NATURAL STAINED WESTERN RED
CEDAR LAP SIDING WITH 8"
EXPOSURE, MITERED CORNERS.

VINYL OR CLAD WINDOWS,
COLOR TO BE BLACK OR
BRONZE-TONE



1 WEST ELEVATION
 $\frac{3}{4}" = 1'-0"$

PROPOSED METER LOCATIONS

Woodruff Studio
302 Main Street
Minturn, CO 81645

PROJECT
Woodruff Studio
PROJECT NO.
17_VW-000

ISSUE
31 January 2020
RELEASE
CUP & DRB

ELEVATIONS

A2.0

© 2020 GPS Designs LLC 38



4 REAR PERSPECTIVE
NTS



3 ENTRY CORNER
NTS



2 WEST SIDE PERSPECTIVE
NTS



1 STUDIO PICTURE WINDOW
NTS

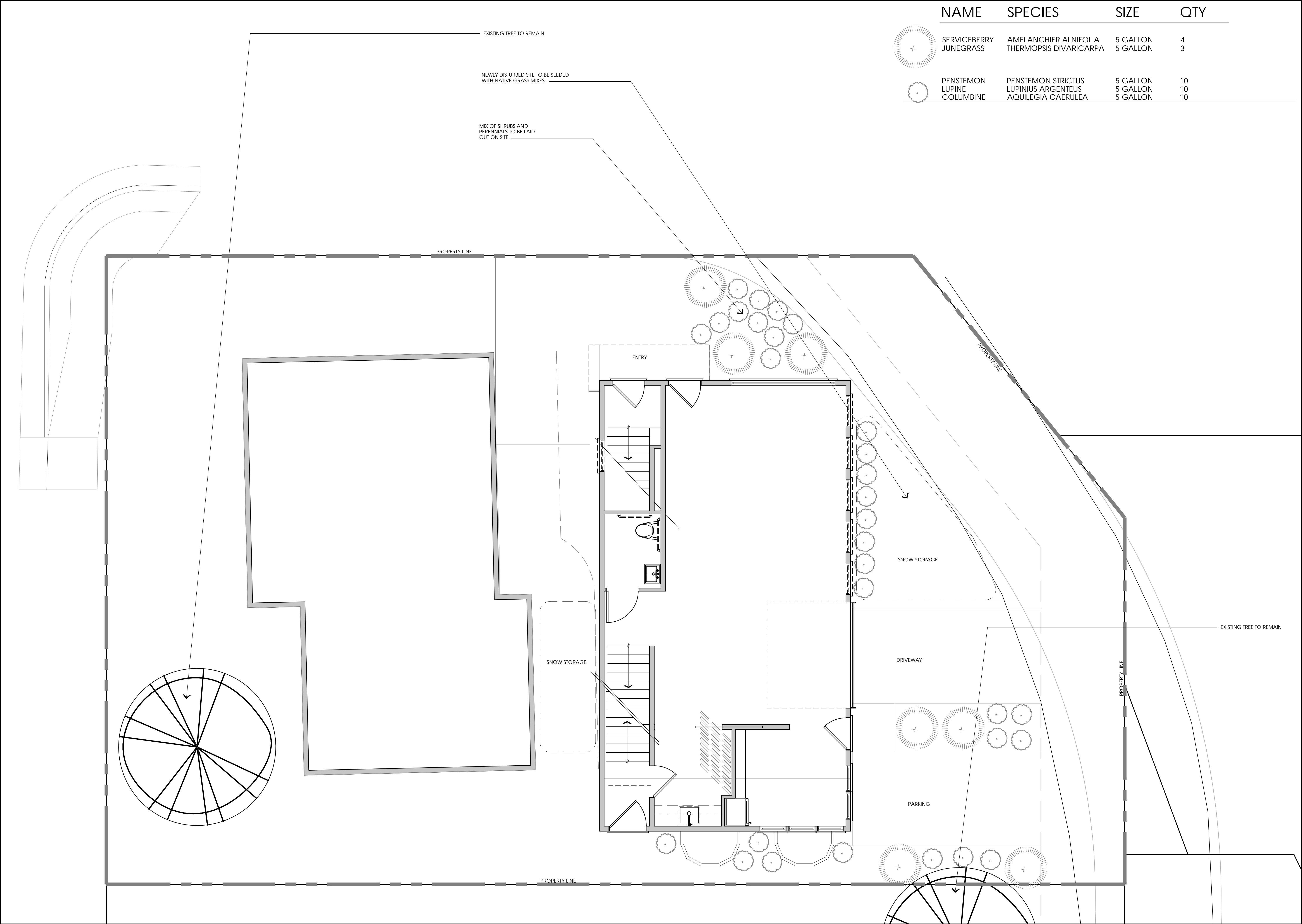
Woodruff Studio
302 Main Street
Minturn, CO 81645

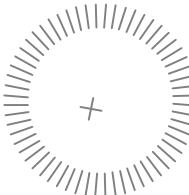

PROJECT
Woodruff Studio
PROJECT NO.
17_VW-000

ISSUE
31 January 2020
RELEASE
CUP & DRB

PERSPECTIVES

A3.0



	NAME	SPECIES	SIZE	QTY
	SERVICEBERRY	AMELANCHIER ALNIFOLIA	5 GALLON	4
	JUNEGRASS	THERMOPSIS DIVARICARPA	5 GALLON	3
	PENSTEMON	PENSTEMON STRICTUS	5 GALLON	10
	LUPINE	LUPINIUS ARGENTEUS	5 GALLON	10
	COLUMBINE	AQUILEGIA CAERULEA	5 GALLON	10

Minturn Planning Department
 Minturn Town Center
 302 Pine Street
 Minturn, Colorado 81645



Minturn Planning Commission
 Chair – Lynn Teach
 Jeff Armistead
 Lauren Dickie
 Burke Harrington
 Chris Manning
 Jena Skinner

Design Review Board Hearing

291 Main Street – Rocky Mountain Taco

Sign Permit and Fence Application

Hearing Date:	February 12, 2020
File Name and Process:	291 Main Street – Rocky Mountain Taco Sign Permit
Owner/Applicant:	A Pan & A Plan LLC / Rocky Mountain Tacos (Chris McGinnis)
Representative:	Chris McGinnis
Legal Description:	291 Main Street Lot 17 A
Zoning:	Old Town Character Area – Mixed-Use Zone District
Staff Member:	Scot Hunn, Planning Director
Recommendation:	Approval

Staff Report

I. Summary of Request:

The Applicant, Rocky Mountain Tacos, requests review of new signage for a new restaurant to be located at 291 Main Street along with plans for a low (4') fence enclosure around an existing outdoor seating area facing Main Street.

The proposed six (6) square foot sign is proposed to be mounted to a wood backing in front of the store front and attached to a new wood fence enclosure associated with an existing outdoor patio/seating area.

The sign permit application and DRB application for the fence are complete, the proposed signage and fencing complies with the requirements of the Minturn Municipal Code, and staff is **recommending approval** of both requests.

The Applicant is also requesting review of the removal of two trees located at the front of the property within or near the outdoor seating area. Both trees were presumably required by the Town's landscaping standards when the mixed-use building was constructed. Staff recommends that one tree – a spruce – located to the south of the patio provides significant landscaping value and does not seem to impact the use of the outdoor patio area. Therefore, staff does not recommend removal of this tree unless the Applicant and/or building owner can demonstrate that the tree poses a maintenance or safety issue or is diseased. The other tree proposed to be removed is an aspen located in the middle of a heated patio area. This tree does appear to pose a practical difficulty from the standpoint of proper use of the outdoor seating area and may not present the same level of value from the standpoint of landscape treatment along the Main Street corridor.

If either tree is approved for removal, staff suggest that the Applicant and building owner work with the Town to propose additional plantings (shrubs and/or trees) in other areas around the front or sides of the building, if appropriate.

II. **Summary of Process and Code Requirements:**

Signage within the Town of Minturn is regulated by Article 19 – *Signs*, of the Minturn Municipal Code, with specific requirements for commercial signage found in Section 16-19-110. All such signs are required to be reviewed by the Town of Minturn Planning Commission, acting as the Design Review Board.

Additionally, the proposed fence/patio enclosure was reviewed against the provisions of Section 16-2-50 – Specific Lot Requirements and Dimensional Limitations.

III. **Zoning Analysis:**

Zoning

The subject property is located within the “Old Town Character Area” Mixed-Use Zone District. The purpose of the Old Town Mixed-Use Zone District is to:

“...provide sites for combined residential and low-impact commercial and service uses which maintain a predominantly residential appearance. This area can accommodate reasonable growth where land and services are available and when services and amenities are needed for residents and visitors.”

- Town of Minturn Town Code Section 16-6-40

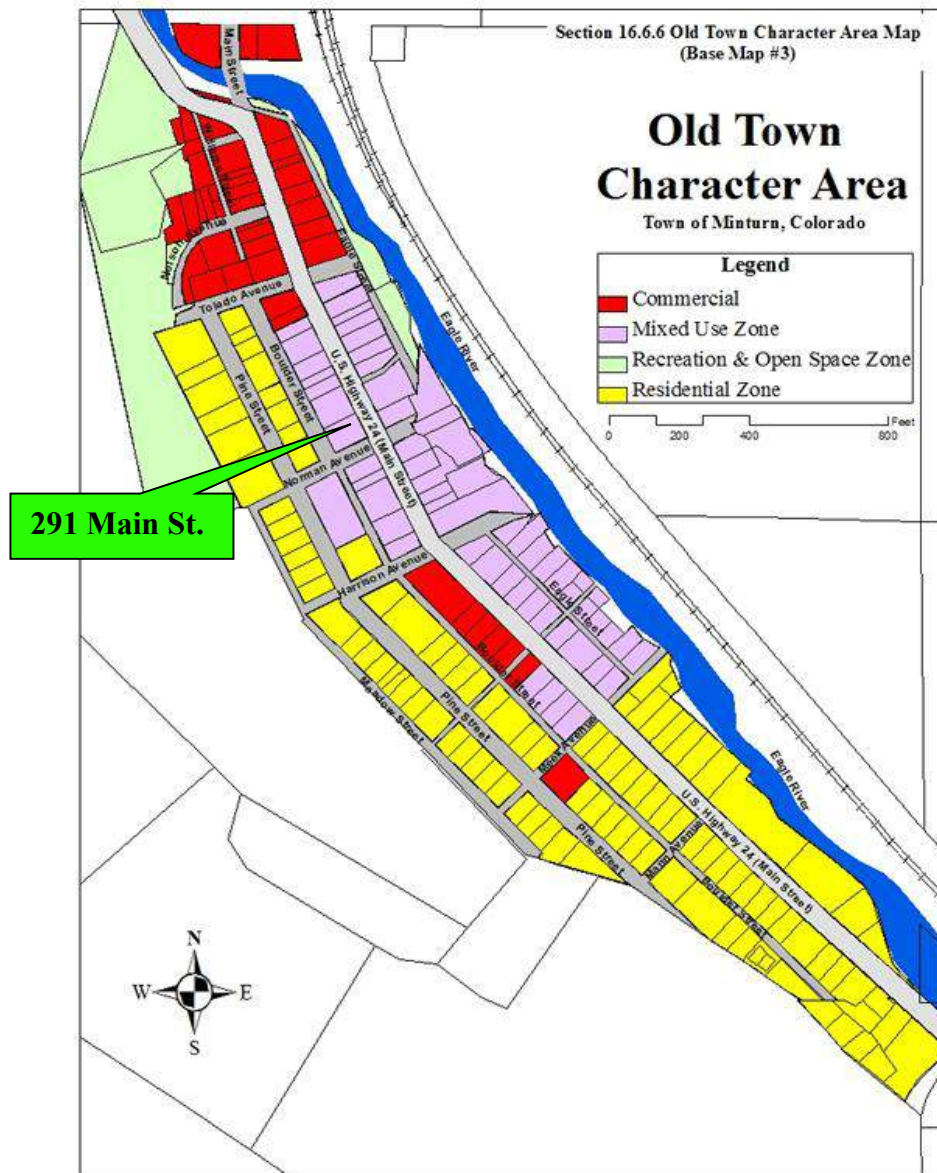


Figure 1: Old Town Character Area Zoning Map

IV. Applicable Standards and Design Guideline Criteria:

Signs in Commercial Zone Districts - Standards

Section 16-19-110 – *Specific regulations; permitted signs in Commercial and Industrial Zone Districts*, provides the following direction for the design and size of commercial signage:

“In Commercial and Industrial Zone Districts, all signs shall comply with the following:

(1) *Size and height requirements:*

- a. *Individual business sign. For any structure containing only one (1) business, the following sign allowance is permitted:*
 1. *A sign shall not exceed one (1) square foot per lineal foot of building front, but not to exceed forty (40) square feet of total sign area.*
 2. *More than one (1) commercial advertising sign is permitted, provided that the total sign area of all signs does not exceed one (1) square foot per lineal foot of building front and forty (40) square feet of total sign area.*
 3. *No part of any sign shall exceed the height of any building on the same lot, or in any case be more than twenty (20) feet in height.*
- b. ***Multiple business sign. For any structure containing more than one (1) business, one (1) advertising sign is permitted for each business as follows:***
 1. ***The total allowable sign area for each business shall be one (1) square foot per lineal foot of building front, but not to exceed forty (40) square feet.***
 2. *The combined size of all signs for the structure in which the multiple businesses are located shall not exceed the total linear footage of building frontage.*
 3. *The building or project identification sign shall not be included in total sign allowance for the multiple businesses. The project identification sign shall be one (1) square foot per lineal feet of building frontage and not to exceed twenty (20) square feet, whichever is less.*
 4. *No part of any sign shall exceed the height of any building on the same lot or in any case be more than twenty (20) feet in height.*

(2) *Illumination:*

- a. *Signs may be designed to give forth artificial light or designed to reflect such light from an artificial light source. Illuminated signs shall be installed so as to avoid any glare or reflection into any building used for residential purposes, or into any street, alley or driveway if such reflection or glare might create a traffic hazard. Such sign illumination shall include but not be limited to internal illumination and directed lighting.*
- b. *Hours of illumination: Signs located adjacent to and across the street from residential areas shall remain lighted until no later than 11:00 p.m. or until the close of business, whichever is later.*

Section 16-2-50 – Specific Lot Requirements and Dimensional Limitations, Minturn Municipal Code, sets forth the following guidelines for fences:

“Fences and boundary walls are allowed in the setbacks subject to the following limitations.

- (1) Height shall not exceed six (6) feet in the rear yard setback.*
- (2) Height shall not exceed six (6) feet in the side yard setback located from the front of the primary structure on the lot and the rear lot line and shall not exceed four (4) feet from the front of the primary structure on the lot and the front yard lot line. Clear vision requirements may be more restrictive.*
- (3) **Height shall not exceed four (4) feet in the front yard setback.***

Staff Response:

Sign

The proposed sign is for a business within a multi-tenant building. The linear feet of storefront is estimated to be approximately 35-40 feet although measurements were not provided. At just six (6) square feet, the one-sided freestanding sign appears to be well within the size limit allowed.

Additionally, the code states that *“Freestanding signs are allowed within required setbacks but shall not overhang into the public right-of-way or pose any visual or obstruction hazard.”* The proposed sign would be located within the front yard or setback area but would not pose any visual or obstruction hazard to clear vision areas or public ways.

Last, the height of the sign (measured from the sidewalk to the top of the sign) will be within the 20-foot height limitation.

Details regarding lighting of the sign should be provided by the Applicant and should comply with the Town’s standards for illumination of signage.

Fence

The proposed fence enclosure is proposed as a horizontal wood construction with a gate to allow access from the sidewalk into the outdoor seating area. It is proposed on the property and will not exceed four (4’) feet in height.

V. Staff Recommendation:

The application complies with the requirements and design intent of Chapter 16 – Zoning, as well as Article 19 - *Signs* of the Minturn Municipal Code.

Staff **recommends approval** of the sign and fence enclosure applications because they meets all applicable standards.

Additionally, staff recommends approval of the removal of one (1) aspen tree that exists within the outdoor patio area. At this time, staff does not recommend approval of removal of the existing spruce tree.



SIGN PERMIT APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street Minturn, Colorado 81649-0309
Phone: 970-827-5645 Fax: 970-827-5545 Email: planner@minturn.org

Name of Individual or Company proposing the sign:

Rocky Mountain Taco

Address of property where sign will be posted:

Street Address:

291 main Street minturn Co 81645

Mailing Address:

P.O. Box 172 Avon Co 81620

Phone Number:

970-401-4443

Email:

Rockymountaintaco@gmail.com

Specify with a scaled drawing of Sign:

Materials:

wood

Size / Dimensions:

2ft x 3ft

Shape:

Rectangles

Design & Letter Style:

Standard font cooper (std)

Colors:

Red / Black / white / wood

Illumination:

YES ☒ NO ☐

Attachments required:

- 1) Attach images depicting the proposed design of the sign and location.
- 2) Application fee of \$125.00

Applicant Signature:

Office use only:

Fee Paid: \$125

Date Received: 1/27/20

Planner:



DESIGN REVIEW APPLICATION

TOWN OF MINTURN PLANNING AND ZONING DEPARTMENT

P.O. Box 309 302 Pine Street Minturn, Colorado 81649-0309
Phone: 970-827-5645 Fax: 970-827-5545 Email: planner@minturn.org

Project Name:

Rocky mountain Taco Fence/sign/tree Removal

Project Location

Street Address:

291 main Street minturn Co 81645

Zoning:

Parcel Number(s):

Application Request:

Build fence with attached sign and Removal of two trees.
I provided pictures of the trees, sign and fence. Fence is for liquor
license.

Applicant:

Name:

Chris McGinnis

Mailing Address:

P.O. Box 172 Avon Co 81620

Phone:

(970) 401-4443

Email:

Rockymountaintaco@gmail.com

Property Owner:

Name:

Mary Morgan Parker

Mailing Address:

P.O. Box 310 minturn Co 81645

Phone:

970-376-7490

Email:

mmparker@aol.com

Required Information:

Lot Size:	Type of Residence (Single Family, ADU, Duplex)	# of Bedrooms	# On-site Parking Spaces
4600	Duplex	4	10
# of Stories:	Snow storage sq ft:	Building Footprint sq ft:	Total sq ft Impervious Surface:
3	150	4000	4000

Signature:

Fee Paid: \$200

Date Received: 1/27/20

Planner:

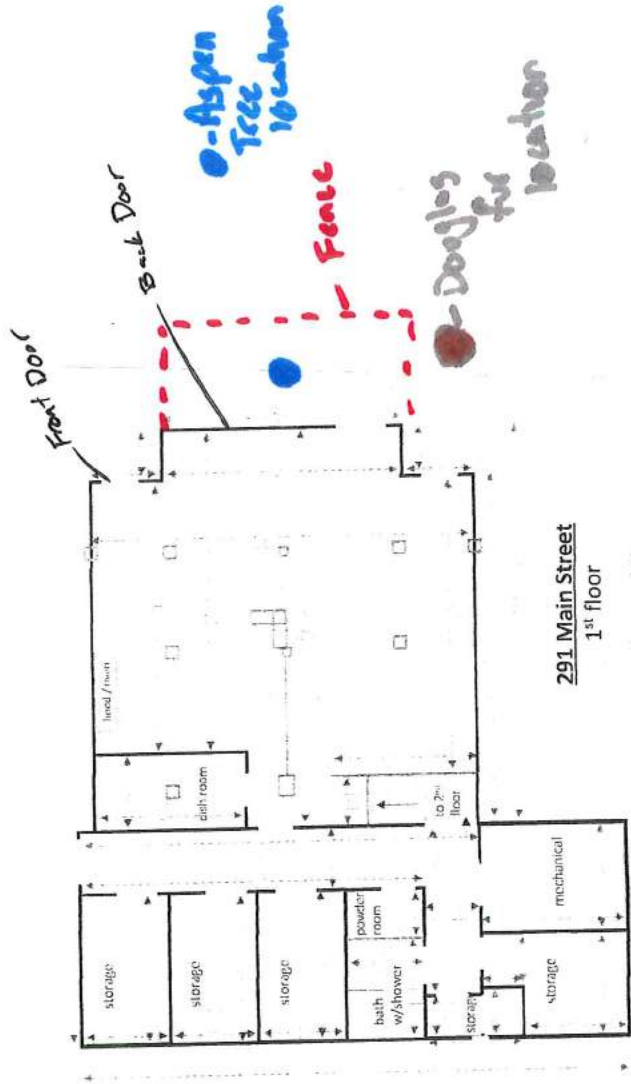
Sign and fencing will both be made of Cedar. Sign will be supported by 1 4"x4" fence post. The 2'x3' sign will have the RMT logo painted on both sides and lit by 2, 120V garden floodlights. (See attached picture for example)







Requesting both trees be removed.



**2009-2020 Minturn Three Mile Plan for
Annexation**



February 25, 2009Updated February __, 2020

2009-2020 MINTURN THREE MILE PLAN FOR ANNEXATION

I. Purpose, Methodology and Criteria

A. Purpose

Colorado Revised Statutes Section 31-12-105(1)(e)(I) of the Municipal Annexation Act of 1965 requires that each municipality have a plan that generally describes the proposed location, character and extent of streets, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, aviation fields, other public ways, grounds, open spaces, public utilities and terminals for water, light, sanitation, transportation and power for any annexation within three miles of the municipality. ~~The plan shall be in place prior to the annexation of additional lands. The plan must address the potential for annexation of areas within three miles of the existing municipal boundaries. An update of the plan is required annually.~~

Accordingly, the intent of the this 2020 update to the 2009 Minturn Three Mile Plan ~~(or the “Plan”)~~ is to fulfill the requirements of the Municipal Annexation Act pertaining to such plans; to establish the basis for assessing the appropriateness of annexation of lands within designated areas; to set goals for achieving appropriate annexation process considerations; and, to establish certain criteria for annexed lands. This Plan anticipates that requests will be made over time for the incorporation of adjacent unincorporated areas into the limits of the Town of Minturn (the “Town”).

B. Methodology

~~The 2009 Minturn Three Mile~~ Plan was developed by evaluating the areas within a three-mile distance from the existing Town of Minturn boundaries to determine which areas are suitable for annexation and future development. For the purpose of this 2020 update~~Plan~~, it is assumed that lands designated for potential annexation and future development have been re-evaluated (added or eliminated) in context to current conditions and updated analyses; and, that following such re-evaluation and updating of relevant information, conditions and analyses inclusive of the policy goals of the Town of Minturn, such lands have been deemed important to the Town's may allow future for managed growth and community development scenarios and priorities. over the next ten years.

~~Therefore, B~~based in part on the desired future land use, economic development, social and environmental policy goals adopted ~~within the~~by the Town of Minturn Town Council, the areas contemplated for annexation included in this plan – areas which, because of their location within the Town’s Urban Growth Boundary (the “UGB”), have been deemed to be of strategic importance for the Town - and thus included within this plan are lands which:

- Are ~~determined to be~~ necessary and suitable for future Town uses and purposes;
- Can be reasonably and efficiently served by Town services and facilities and which may enhance the Town’s facilities and ability to serve urban or urbanizing areas;
- Are needed to provide active, passive and conservation-oriented open space and recreational opportunities for the Town; ~~and~~
- May, if developed under the jurisdiction of Eagle County or another municipality, create undue, material and adverse impacts to the Town;
- Contribute to the goals and objectives of the Town of Minturn Community Plan, the 202019 Town of Minturn Housing Action Plan, and other adopted master plan documents as they may be amended from time to time; and,
- Are needed for the expansion of the urban area, and/or for the purpose of expanding and strengthening the Town’s economic, social, environmental, and land use.

In determining which lands should be included within the Town’s Three-Mile Plan, consideration is given to the future need for each major land use category. The Town evaluates the need for each major land use category as well as the need for a balanced community by providing areas for civic, residential, commercial, mixed, light industrial and recreational uses to satisfy future needs and to ~~allow for competition~~facilitate orderly physical growth.

To this end, Tthe Town ~~also needs to must~~ consider the benefits of controlling the nature and extent of the development of those lands within the ~~three-mile area~~Urban Growth Boundary in order to appropriately manage the growth of the area in a manner consistent with the interests of the Town and the provision of municipal and other services to such areas; or, in the event that such lands or areas are developed under the jurisdiction of Eagle County or another municipality, would create undue, material and adverse impacts to the Town.

Importantly, Cconsideration is also given to the Town’s ability to economically and efficiently provide, maintain and potentially ~~ee~~enhance public facilities, infrastructure and services in an orderly and ~~cost-effective~~fiscally responsible manner, by focusing on the following key components of managed, community growth~~including~~:

- Existing and future ILand uses and zoning;

- Existing and future sStreet networkss, _and-multi-modal transportation, and transit infrastructure;
- Existing and future Uutility services including potable water, sanitary sewer, flood and other hazard mitigation and protection, and storm drainage;
- Existing and future Ccommunity services including school, fire, _and police, emergency, early childhood and elder care services; and
- Existing and future Oaccess to open space, parks, _and-recreation uses and public lands.

C. Criteria

The basic criteria and factors used to determine desirable land for future annexation and to form a basis for the Town's Comprehensive Plan Future Land Use Map Urban Growth Boundary are as follows:

- Include those land areas which can increase the available housing inventory, maintain or enhance the character of the Town and expand the permanent population;
- Include enough build able land to allow all desired land uses in a manner that does not limit market conditions or sustainability;
- Include areas considered to be suitable for urban, ~~or commercial~~ development whichand can be serviced by existing or planned Town utilities with little or no adverse physical or economic impacts to the Town; and
- Include those areas which help strengthen the economy of the community; and,
- Include those areas that will complement or support the ~~the~~ Town's unique character and regional importance.-

II. Statutory Requirements

Colorado Revised Statues § 31-12-105(e) requiress that the Three Mile Plan generally describe and address the location, character and extent of areas, public and private- improvements, and infrastructure within three miles of the Town boundary, _and shall address-including street networks, subways, bridges, waterways, waterfronts, parkways, playgrounds, squares, parks, other public ways, grounds, public utilities, proposed land use, terminals for water, light, sanitation, transportation, and power to be provided by the municipality;;

Some of these items will not be considered or addressed by this Plan because they are not relevant at this time to the Town (e.g., subway). ~~Those~~ Relevant items will be discussed within each annexation category. In addition, potential impacts on community services such as police, fire, schools and administrative services ~~are~~ is contemplated in each category analysis.

III. Annexation Eligibility and Processing Criteria

Annexation petition forms have been developed for the Town of Minturn following the state statutes.

An annexation petition must meet all of the requirements of the Municipal Annexation Act and its amendments as well as applicable sections of the Minturn Municipal Code. In addition, a conceptual planning map(s) shall be provided ~~that illustrates~~ illustrating all existing or future streets and other right-of-way connections within and to the subject property ~~to the existing Town streets and right-of-way~~; the location of the current and proposed Town boundary; the location of public and private utilities to which the subject property will connect; and, the proposed land use and zoning concepts, if developed.

IV. General Town Policies for Annexation

A. Available Land

The ~~current position~~ strategic community development policy goals and objectives of the Town of Minturn ~~is~~ are aimed at orderly, managed growth and development of the Town and surrounding areas to maintain and enhance the Town's character and scale. Orderly and managed growth is undertaken in a manner that supports and does not detract from the Town's ability to adequately mitigate the impacts of growth and development proposed or occurring in surrounding jurisdictions but within the Town's Urban Growth Boundary. Therefore, the Town intends to annex those lands that offer material benefit to the Town's infrastructure, Capital Improvements, and economic development while not compromising ~~its~~ the environment or the Town's unique small-town character and atmosphere.

-While there is ~~limited-significant, meaningful~~ potential for orderly growth, development and redevelopment within the current Town boundaries, ~~except for the railroad property~~, other opportunities are available on nearby lands. These lands lend themselves to the conservation of open space, the creation of recreational opportunities unique to the prevailing alpine environment, and a mixture of commercial and residential development. -Annexation requests that demonstrate favorable benefits to the residents and taxpayers of the Town and contribute to the Town's goals for quality growth and enhanced community character and/or services will be favorably considered for inclusion into the Town. In addition, the Town desires to control and/or influence the development of adjacent private lands in order to preserve and promote the best interests of the Town and its citizens.

B. Town Services

In all cases, annexation will be an important consideration before Town services are provided by the Town. Conversely, development proposals that may have adverse impacts on the Town infrastructure and/or Capital Improvements; on Town services; and/or, on the Town's ability to achieve its strategic policies, goals and objectives aimed at orderly growth and development and which are proposed within other jurisdictions but within the Town's Urban Growth Boundaries will require coordination with Eagle County and/or other jurisdictions through mutual referral and joint review processes and agreements.

C. Coordination with Eagle County

The Town will use good faith efforts to notify refer to Eagle County for comment of any annexation petitions received in conjunction with within the areas included within this Three Mile Plan, pursuant to mutual referral processes and agreements.

D. Conformance with Existing Town Planning Documents

All annexed property shall be required to conform to the Town of Minturn Comprehensive Plan (The Community Plan), Capital Improvements Program, Building, Electric, and all applicable state statutes and Fire Codes and Zoning and Subdivision Standards.

E. Open Space Requirements

Open space, parks and/or trails dedications shall be required as part of any annexation request with an emphasis on protection of sensitive ecological areas, critical view areas and scenic vistas, prime or critical wildlife habitat areas and migration routes, and public access to recreational opportunities.

F. Benefits/Liabilities

In processing and reviewing annexation requests, Town staff will prepare a list of benefits and liabilities to the Town for the proposed annexation and outline the financial costs and benefits to the taxpayers of the Town.

G. Growth Projections

Each request for annexation shall include projections for service needs for and/or impacts to the following items: ~~Such projections shall be substantiated for expected population increase to Minturn as a result of the annexation request.~~

- Existing and future land uses and zoning;
 - Existing and future street networks, multi-modal transportation, and transit infrastructure;
 - Existing and future utility services including electric, gas, potable water, sanitary sewer, flood and other hazard mitigation and protection, and storm drainage;
 - Existing and future community services including school, fire, police, emergency, early childhood and elder care services; and
 - Existing and future access to open space, parks, recreation uses and public lands.
-
- ~~Sewer and sewer line capacity;~~
 - ~~Public raw water capacity;~~
 - ~~Public water treatment capacity;~~
 - ~~Public water line capacity; and~~
 - ~~Minimum water pressure.~~

Such projections shall be substantiated for the expected permanent and temporary population increase(s) to Minturn as a result of the annexation request.

V. Land Use Categories within the Three Mile Plan Area

Three Mile Plan Boundary

Based on the criteria previously established and consistent with the requirements of any applicable agreements and state statutes the Town has reviewed the areas within three miles of the town boundary (~~Comprehensive Annexation~~Urban Growth Boundary) as indicated on Three Mile Area Map (Exhibit A). It should be noted that in the case of identical ownership of properties that are within and extend beyond the three-mile area, the extended areas may be annexed as long as fifty percent of the area lies within the three mile boundary.

[Insert Map]

Three Mile Plan Areas

The following areas are included in the Town of Minturn Three Mile Plan and are therefore eligible for annexation under the provisions of the Municipal Annexation Act. Inclusion in the Three Mile Plan does not guarantee that these lands will be annexed in the future, nor does it mean that lands not currently included in the plan will not be included in the future or are otherwise not appropriate for annexation consideration.

The land areas considered in this Three Mile Plan include those described below.

- Area 1 - ~~Palmateer~~ Grindstone Minturn LLC Property
- Area 2 - Burnett Property
- Area 3 - King Ranch/West Minturn
- Area 4 - Two Elk Area
- ~~Area 5 - Malott Park Area~~
- Area ~~56~~ - County Road P-14
- Area ~~67~~ - North "Bone yard"
- Area ~~78~~ - Pierson Property
- Area ~~89~~ - Eagle Vail Commercial Service Center and State Land Board Property
- Area ~~940~~ - ~~Future Ginn Annexation~~ Mountain Top Expansion and Future Development Parcel
- Area 10 - Bolts Lake Property

Description of Area 1 – ~~Palmateer~~ Grindstone Minturn LLC Property

[Insert Vicinity Map]

This area is located north and east of the Taylor Addition to the Town of Minturn. It is practically surrounded by United States Forest Service to the north, east, and south and west. This 10.39-acre property is zoned "Resource" within unincorporated Eagle County and is accessed from the Taylor Addition by way of a private road that extends from North Taylor Avenue~~Street~~. Existing characteristics of this property ~~are include Game Creek, which runs through the middle of this property, the Palmateer a single-family residence, and steep mountain slopes on either side of the private road and Game Creek which traverses the middle of the property.~~ Game Creek Trail and associated riparian areas runs through this property and ~~is~~ are often used by skiers and hikers. ~~This area is currently zoned. The parcel contains a total of 9.105 acres.~~

Land Uses

The proposed land use designation upon annexation will be Open Space and limited Residential. The steepness and ruggedness of the terrain does not allow high density development in this area. Any ski lifts and tows for the possibility of extending ski lifts through the Game Creek valley to Vail Ski Resort shall require significant review and infrastructure improvements to the area ~~including availing the property to higher residential densities and limited commercial usage~~ and shall adhere to the principles outlined in Town of Minturn Town Council Resolution No. 2-Series 1993 and the Memorandum of Understanding between the Town of Minturn and Vail Associates approved by the Minturn Town Council May 3, 2000.

Commented [S1]: Previous statements say the property isn't appropriate for density. I agree. A majority of the property contains slopes in excess of 30% and there appear to be significant riparian and/or wetland areas that need protection.

Transportation

This area is currently serviced by a private access road that connects with Taylor Street in the Town of Minturn. The private road should be made open to the public upon annexation and can easily be served by the existing streets that connect to it from the Town of Minturn. The private access road may have to be improved and widened depending on how much development happens to occur on this property. -Additionally, bridge improvements over Game Creek may be necessary to access this parcel.

Utility Provisions

This parcel is currently connected to the sewer system (Eagle River Water and Sanitation District) and has a water system that is served by a private well and spring. ~~Extensions of and/or upgrades to~~ sewer and water lines on this parcel would be required for future development. Additional water pressure would be needed for the southeastern corner of this property.

Formatted: Font: Not Italic

Community Services

The property currently lies within the Eagle County School District, Eagle County Health Services District, and Eagle River Fire Protection District. These agencies would continue to serve this property upon annexation. Police protection would change from the Eagle County Sheriff's Department to the Town of Minturn Police Department.

Open Space, Parks, Recreation

This site should be developed in a way that preserves open space and protects the natural environment next to Game Creek and preserves the recreational skiing and hiking opportunities offered by Game Creek Trail. —Recreation opportunities could change dramatically if a ski lift is extended from the Vail Ski Resort through the Game Creek valley.

Description of Area 2 - Burnett Property

[Insert Vicinity Map]

This parcel is bordered to the north and east by the Town of Minturn and to the southwest and south by the Burnett Annexation to the Town of Minturn. The ~~west~~ West and remaining portions of the north are bordered by U.S. Forest Service parcels. This parcel is currently used for residential and ranching purposes. It contains a fenced in ranch area with stables for horses. This parcel contains 16.782 Acres.

Land Uses

This parcel is ~~non-low-density, rural~~ residential with ranching facilities at the east end of the property. The appropriate zoning designation for this property would be Open Space or low density residential. —While the terrain of the property limits development possibilities for Commercial and Residential purposes, it may be possible to rezone the eastern portion of this property Residential in the future if, and when the ranching operation is terminated. However, the desire of the Town is to work with the property owner to maintain the rural-residential and primarily open space/range character of the property.

Transportation

This parcel is served by an access from Meadow Drive.

Utility Provisions

Currently there is no provision of utilities. Water and sewer lines would have to be extended from the Town.

Community Services

The property currently lies within the Eagle River Fire Protection District, Eagle County Health Services District, and the Eagle County School District. These services would remain the same. Police protection would change from the Eagle County Sheriff's Department to the Town of Minturn Police Department.

Open Space, Parks, Recreation

The entire parcel is essentially open space. Due to its proximity to the Town, it is possible that the property could be used as a park and recreation area for the Town. Recreation trails could start on this parcel and lead to the wilderness areas owned by the forest service to the west.

Description of Area 3 - King Ranch

Insert Vicinity Map

This parcel borders United States Forest Service Land to the ~~s~~South, ~~s~~Southwest and ~~w~~West. This parcel is currently used for residential and ranching purposes. It contains residences and residential accessory structures at the ~~s~~South ~~c~~Central portion of the property. An access easement runs through this property and is used to access the existing high value residential structures. The King Ranch parcel is a fairly flat meadow sitting well above the Town proper. The remainder of the parcel is open space. This parcel contains 134.62 acres.

Land Uses

This parcel borders on Open Space and Residential zoned lands within the Town of Minturn and borders on United States Forest Service land. The appropriate zoning classification for the King Ranch parcel presently should be Residential or Open Space. This zoning would most closely reflect the land use pattern that is present and allow ranching operations that are currently located on the parcel.

Transportation

Access for this parcel is provided by a private access easement that serves existing residences. This easement is inadequate for police and fire access and would need to be significantly improved for annexation and future development to occur.

Utility Provisions

Water and sewer service lines would need to be extended to the property to allow for future development within the Town. Water service should not be a problem since the new water storage tank was constructed in 1996 in close proximity to the property. A booster pump and tank will probably be required to serve the entire area with pressures meeting ISO fire protection standards.

Community Services

The property currently lies within the Eagle River Fire Protection District, Eagle County Health Services District, and the Eagle County School District. Police protection would change from the Eagle County Sheriff's Department to the Town of Minturn Police Department.

Open Space, Parks, Recreation

The majority of this parcel is open space. Future land use probably will be a limited number of residential units with allowances for large areas of open space. This would allow for private ranching activities that would serve the recreational needs of tourists and full-time residents.

Description of Area 4 - Two Elk Area

Insert Vicinity Map

Tract C borders the Union Pacific Railroad to the west, the White River National Forest to the north and east and mining claims to the south. This parcel is gently sloping with grasses and very few trees. Two dirt roads run through this property. Eagle County lists this property as owned by the Federal Government. This parcel contains 65.26 acres.

Tract D borders the Town of Minturn and Highway 24 to the west, the Union Pacific Railroad to the east, the Town of Minturn to the north, and Highway 24 to the south. This parcel of land is flat with grasses and trees. Trees are located along the riparian zone of the Eagle River and the southern portion of the property. Eagle County lists this property as owned by the Federal Government. This parcel contains 29.1 acres.

Land Use

Tract C is bordered by White River National Forest land which is forested and relatively undisturbed. This land should be zoned for recreation and open space. The most appropriate residential zoning would be for single family, duplex, or small 4-6 unit multifamily residential projects with the possibility for Planned Unit Development (PUD) overlay. Certain portions of this parcel could be designated commercial or mixed use as allowed by a PUD. The value of this land could drastically increase if Vail Associates decides to install a lift that extends up Two Elk Creek to the Vail Ski area. Any Vail Ski Area-associated development shall adhere to the principles outlined in Town of Minturn Town Council Resolution No. 2-Series 1993 and the Memorandum of Understanding between the Town of Minturn and Vail Associates approved by the Minturn Town Council May 3, 2000.

It is important that the Town of Minturn annex this area so it can guide future development in a way that does not conflict with the community character of the Town of Minturn.

Tract D is surrounded by low-density residential development (Two Elk Subdivision), Highway 24, and the Union Pacific railroad. Zoning for this parcel should be similar and compliment zoning and uses for Tract C. This parcel may be more critical than Tract C because parts of it are adjacent to Two Elk canyon. Development in this parcel will be constrained in areas due to its proximity to the Eagle River and Elk Habitat. Portions in the southern half of this parcel could be maintained as open space and incorporate the County Trails Master Plan.

Commented [S2]: This area needs further study. There is no mention of rockfall or other geologic hazards which may be prevalent. Even if not impacted by potential rockfall or other hazards, this does not seem to be an appropriate area for low to medium density residential uses or commercial (see future land use language below) due to access issues, wildlife concerns and distance away from town services.

Transportation

These parcels could be accessed from Highway 24 by way of Cemetery Road. Cemetery road currently extends into Tract C. This road would need to branch off and cross the railroad tracks to access Tract D. The road would have to be widened and improved (paved) to adequately access future development. Another possibility would be to use the Union Pacific railroad right-of-way, if abandoned, as an access road. Additional bridge access across the Eagle River and an additional railroad crossing should be considered by the annexing entity for an additional emergency access.

Utility Provisions

Water and sewer lines would need to be extended to Tracts C and D to allow for residential and commercial development. Additional water pressure may be needed to allow development in the eastern portion of Tract C because it is higher than both the current water tanks. Consideration should be made for an addition to the system that would develop additional capacity for this area.

Community Services

These parcels currently lie with the Eagle River Fire Protection District, Eagle County Health Services District, and Eagle County School District. The Eagle County Sheriff's Department currently provides police protection; ~~annexation would require Minturn Police Department protection.~~

Open Space, Parks and Recreation

Zoning should allow for provisions of parks, open space and recreation. The incorporation of these aspects in development will be encouraged. Additionally, Town codes prohibit development from being closer than thirty feet from the Eagle River. This will create open space areas along portions of Tract D.

Description of Area 5 – Maloit Park Area

~~This parcel borders on the Town of Minturn to the north, United States Forest Service land to the south and west, and Highway 24 and the Eagle River to the east. This parcel is made up of Eagle County School District RE50J property and private property. Included in this area are a middle school, baseball, basketball, and tennis facilities, a mobile home park, the Town's water treatment plant and the consolidated tailings pile (CTP), a part of the Eagle Mine Superfund cleanup. The remainder of this parcel is open space. The tailings pile is located in the southeastern corner of this property. This parcel has an area of approximately 104 Acres.~~

Commented [S3]: Maloit Park Area was annexed to the Town in 2011.

Land Use

~~Land uses on this parcel include schools and related school facilities, public utilities, water storage, single family residential, duplexes, multi family residential, accessory apartments, accessory dwellings, recreational facilities, town related office facilities and open space. Appropriate zoning for this parcel may be achieved through a PUD to allow for the continued current use of community facilities and employee housing as well as new employee housing and open space and recreational uses.~~

Transportation

~~This parcel is accessed by Highway 24. There is a private paved substandard road leading off of Highway 24 serving the Minturn Middle School, Maloit Park and the mobile home park south of Cross Creek. Additional development of this road should bring it up to the Town of Minturn's engineering standards. On the northern boundary a dirt road serves the Town of Minturn's water treatment plant and provides access to the surrounding USFS properties.~~

Utility Provisions

~~The school and associated properties are currently connected to the sewer system (Eagle River Water and Sanitation District) and water system (Town of Minturn). There will be a need to extend and improve the sewer and water service lines and facility capacities as development warrants to the extent there are water rights available.~~

Community Services

~~This parcel currently lies with the Eagle River Fire Protection District, Eagle County Health Services District, and Eagle County School District. The Eagle County Sheriff's Department currently provides police protection; annexation would require Minturn Police Department protection.~~

Open Space, Parks, and Recreation

~~The Maloit Park parcel fits all of these criteria. It provides a significant area of open space wetland at the northern and eastern portions of the property. Recreational amenities such as a tennis court, two basketball courts, a baseball field, and a softball field are located at Maloit Park in the central and southern portions of the parcel. There is also a picnic park and children's play area in Maloit Park.~~

Description of Area 56 - Country Road p-14

[Insert Vicinity Map]

This area is the County road at the north end of Minturn including the bridge across the Eagle River. -The road, approximately 1.3 miles in length, runs from Highway 24 to Minturn Road. -This road is surrounded by land already annexed into the Town of Minturn.

Commented [S4]: We need to verify this; the County GIS mapping shows portions of this road already annexed into Town; other areas are surrounded by unincorporated Eagle County

Land Uses

The proposed land designation will be right-of-way.

Transportation

The area is already a road providing access to commercial and residential areas of north Minturn. In the future, this right-of-way could bolster regional multi-modal transportation infrastructure by accommodating a regional trail alignment and improvements.

Utility Provisions

No utilities will need to be provided. however the right-of-way could provide area for the extension of certain utilities.

Community Services

This property currently lies within the Eagle County Health Services District and Eagle River Fire Protection District. -These agencies would continue to serve this property upon annexation. -Police protection would change from be provided by the Eagle County Sheriff's Department to the Town of Minturn Police Department Office.

Open Space, Parks, Recreation

Not applicable Although not appropriate for open space or parks, this area could bolster regional multi-modal transportation infrastructure by accommodating a regional trail alignment and improvements.

Description of Area ~~67~~ - North "Bone Y~~y~~ard"

[Insert Vicinity Map]

This area is bordered by Country Road P-14 on the east and the railroad property to the west. -This parcel contains 5.07 acres.

Land Uses

The proposed land designation will be for a public facilities zone or open space.

Commented [S5]: Do we see any need to change this future land use designation at this time?

Commented [S6]: Which public facilities are envisioned?

Transportation

The area is accessible by Country Road P-14 which also provides access to commercial and residential areas of north Minturn.

Utility Provisions

Currently there is no provision of utilities. -Water and sewer lines would have to be extended from the Town.

Community Services

This property currently lies within the Eagle County Health Services District and Eagle River Fire Protection District. These agencies would continue to serve this property upon annexation. -Police protection would ~~change from be provided by the Eagle County Sheriff's Department to the Town of Minturn Police Department Office.~~

Open Space, Parks, Recreation

There is a potential for recreation and open space.

Commented [S7]: This could be more specific/descriptive.

Description of Area 78 - Pierson Property

[Insert Vicinity Map]

This area is adjacent and east of Highway 24 and south of the confluence of Cross Creek and the Eagle River. -This parcel contains ~~4.4.750~~ acres.

Land Uses

The ~~initial proposed~~ land designation would be single family residential to match historic use of the property. However, future land uses may include recreation and conservation oriented open space.

Transportation

This area is accessible by Highway 24.

Utility Provisions

Water (Town of Minturn) and sewer lines (Eagle River Water and Sanitation District) already extended to the property.

Community Services

This property currently lies within the Eagle County Health Services District and Eagle River Fire Protection District. These agencies would continue to serve this property upon annexation. Police protection would ~~change from be provided by the Eagle County Sheriff's Department to the Town of Minturn Police Department Office.~~

Open Space, Parks and Recreation

This property is already inhabited and ~~would not be suitable for open space or parks and recreation uses.~~

Alternate Description:

Commented [S8]: Disagree. The parcel would make a great public park, access point for boaters/recreationalist, and/or open space use in the future if single-family uses ever ceased or if someone (the Town or County) bought it for open space. This parcel is likely heavily encumbered by floodplain and the existing buildings look like they are built right up to the river. Presents opportunity to improve river health and provide public amenity in the future.

"This property is currently used for residential purposes, with multiple single-family structures, out buildings and other improvements dating to the 1950's. Therefore, continued residential use is most likely in the near term. However, future uses that may better serve the Town of Minturn include: parkland or open space, public access point for recreational uses, or conservation."

Description of Area ~~89~~ – Eagle Vail Commercial Service Center

[Insert Vicinity Map]

This is a linear shaped commercial service area located generally to the north of the interchange of Colorado State Highway 24 and US Interstate Highway 70, bordered by US Interstate Highway 70 to the south and the Eagle River to the North. The Eagle Vail Commercial Service Center was platted in 1974 and area also includes properties owned by the State of Colorado Land Board. The area is zoned "Commercial General" within unincorporated Eagle County and is bisected by Highway 24.

Land Uses

Current land uses in this area include a mix of multi-family residential, service and retail commercial, and light industrial.

Transportation

This area is accessed by Colorado State Highway 24, which runs through the length of the area, and an Interstate-70 interchange provides additional access at the north end of the area. The area is serviced by the Eagle County Regional Transit Authority bus service.

Utility Provisions

Sewer service is currently provided to this area by Eagle River Water and Sanitation District.

Community Services

This property currently lies within the Eagle Vail Metropolitan District. Additionally, Eagle County Health Services District and Eagle River Fire Protection District. -These agencies would continue to serve this property upon annexation. -Police protection would ~~change from~~ be provided by the Eagle County Sheriff's ~~Department to the Town of Minturn Police Department~~ Office.

Open Space, Parks, Recreation

This area currently has access to a multi-use recreational trail which parallels Colorado State Highway 24, as well as access to the Eagle River. -There is a potential for increased development of recreational opportunities and open space.

**Description of Area 940 – ~~Future Ginn 1,000 Acre~~
~~Mountain Top Expansion and Future Development Annexation~~ Parcel**

[Insert Vicinity Map]

This ~~4,000~~-1,110 acre area is generally located to the east of the Town of Red Cliff and extends to the north and south of Shrine Pass Road directly south of the “Mountain Top” area of the Battle Mountain.

Land Uses

This forested and undeveloped area could be used for water storage, workforce/affordable housing, ~~resort services, a single golf course, civic~~ and open space and recreation opportunities.

Transportation

This area is accessed ~~fr~~ through the Town of Red Cliff via Shrine Pass Road.

Utility Provisions

Currently there is no provision of utilities. -Water and sewer would need to be extended to this area to serve future development.

Community Services

This property currently lies within the Eagle County Health Services District and Eagle River Fire Protection District. -These agencies would continue to serve this property upon annexation. -Police protection would ~~change from~~ be provided by the Eagle County Sheriff’s Department to the Town of Minturn Police Department Office.

Open Space, Parks, Recreation

This area currently borders USFS land. -Multiple recreation opportunities exist in this area.

Description of Area 10 – Bolts Lake Property

[Insert Vicinity Map]

This 561.6-acre area is generally located to the south of the Town of Minturn and is bordered on the north by the Maloit Park area. The property is surrounded by United States Forest Service lands; Tigiwon Road bisects the southern portions of the site and provide access to public lands. The property is the site of the historic Bolts Lake Reservoir and also mining operations that left the site strewn with tailings piles and ponds. The property is an EPA Superfund Site and continues to be monitored by the EPA.

This property was previously zoned as part of the Battle Mountain Planned Unit Development (PUD) within the Town of Minturn and disconnected (de-annexed)

Formatted: Justified, Keep lines together, Don't adjust space between Latin and Asian text, Don't adjust space between Asian text and numbers

Formatted: Strikethrough

Commented [S9]: Added in anticipation of disconnection by Battle North. If disconnection petition is withdrawn in future, this section could be amended.

in _____. Previously approved uses included medium density residential (lodging), commercial, public and private recreational and open space and reclamation uses and activities. Additionally, this property is the site of the historic Bolts Reservoir and previous plans approved by the Town included redevelopment of the reservoir/water storage facilities for water storage and potentially recreational uses.

Land Uses

This forested and largely undeveloped area could be used for water storage, open space and recreational opportunities that will benefit the Town and enhance the area's existing outdoor and recreational opportunities. Portions of the site closest to the Town of Minturn could be suitable for low-impact lodging/tourism-oriented uses in keeping with the Town's character and scale, along with a limited amount of workforce/affordable housing and neighborhood commercial uses if impacts from traffic, utility extensions and other off-site improvements are adequately mitigated. Areas within the property that are further away from the Town and are adjacent to U.S. Forest Service lands and existing public access points appear more appropriate for low-intensity open space, as well as passive and/or active, Nordic-oriented recreational uses to complement nearby, existing outdoor amenities and recreational facilities (Vail Ski and Snowboard Nordic track and training facilities) so long as impacts to wildlife habitat and migration corridors and other factors related to the superfund site are addressed.

Transportation

This area is accessed by Highway 24 and Maloit Park Road.

Utility Provisions

Currently there is no provision of utilities. Water and sewer would need to be extended to this area to serve future development.

Community Services

This property currently lies within the Eagle County Health Services District and Eagle River Fire Protection District. These agencies would continue to serve this property upon annexation. Police protection would be provided by the Eagle County Sheriff's Office.

Open Space, Parks, Recreation

This area currently borders USFS land. Multiple open space and recreation opportunities exist in this area.

VI. Three Mile Area acreage tabulation

Property	Acres
Area 1 - Palmateer Grindstone Minturn LLC Property	9.105
Area 2 - Burnett Property	16.782
Area 3 - King Ranch/West Minturn Area	134.62
Area 4 - Two Elk Area	94.36
Area 5 - Maloit Park Area	104
Area 56 - County Road P-14	N/A
Area 67 - North "Boneyard"	5.07
Area 79 - Pierson Property	.7504.4
Area 840 - Eagle Vail Commercial Service Center	335
Area 9 - Future Ginn Annexation Mountain Top Annexation Property	1100
Area 9 - Eagle Vail	335
Area 10 - Bolts Lake Property	561.60
Total	1800.0372 <u>2,257.287</u>

VII. Summary

The ~~2020~~¹⁹ ~~Minturn~~ Three Mile Plan for Annexation is an important guiding document for future growth of the Town of Minturn. Annexations within the areas outlined in this Three Mile Plan should ensure proper expansion of community services, balancing the needs of current residents with the economic health of the Town. Likewise, major new development proposed within these areas occurring outside of the Town's jurisdiction and which may have significant impacts on the Town's infrastructure, Capital Improvements, and growth management policy goals must be evaluated in coordination and cooperation with neighboring jurisdictions to ensure that potential impacts from extraterritorial development do not unduly and adversely affect the Town; and, that potential impacts are adequately mitigated.