

Madison Harris

From: Chris Rieder <crieder588@gmail.com>
Sent: Tuesday, July 27, 2021 5:37 PM
To: Madison Harris
Cc: helen rieder
Subject: Minturn North PUD

I plan to be in person for the meeting tomorrow to share my perspectives first hand, but thought it prudent to submit an email as well.

Dear Planning Commission,

I am writing in advance of the commission meeting on the 28th, with regards to the review of the Minturn North PUD application. As a resident of Minturn, specifically Taylor St, for over a decade; this development is of significant interest and concern to myself and my family. My wife and I are raising our two young children in the neighborhood and have come to love the quiet and friendly atmosphere here on Taylor St. This project brings concerns regarding alignment with town vision, quality of life for existing residents, and safety for the community.

I understand that development in general, and of this particular parcel, is inevitable. This project, as proposed, however, is unacceptable; based not just on subjective opinions, but on the very Minturn Town Codes created to guide this commissions decisions on proposed projects. I will do my best to keep this brief, but know my concerns span well beyond the few following written points.

Minturn Town Code 16-15-10 (b)

The proposed PUD is consistent with the Community Plan and the character of the town and (12) establishes incentives for applicants to encourage the provision of long term affordable housing.

In their narrative they state that the PUD will provide an 'opportunity for Minturn and Eagle County residents that does not currently exist'. They are saying that by selling a variety of lots and allowing for the over development of each of the lot sizes, through duplexes and ADUs, that they will create 'affordable options'. There are no deed restricted options, lots will be going at market rate, and the cost of construction is astronomical. No average local resident will be able to purchase a lot and build a home on it. We will see a huge increase in largely vacant second homes, short term vacation rentals, and developers buying up multiple lots to cash in on the opportunity.

I know the vision of the community is to maintain its small town 'local' character and this development will likely become another large congregation of properties owned by out of towners and the wealthy. Some of them may rent places to locals at stupidly high market rates, but options that benefit long term affordable housing options for locals are not actually provided through this proposal. The picture they are trying to paint is that through variety of lots they are addressing it, but they are not willing to sacrifice any profit to make lots actually affordable to locals.

Minturn Town Code 16-15-160 (1c)

The adjunct and nearby neighborhoods will not be detrimentally affected by the proposed PUD.

The developer has largely neglected to consider what the impact of adding 30-50% of the town's population will have on Taylor Street and Minturn residents. I will speak more about traffic and safety in the next section, but adding that many dwellings in a previously undeveloped area is very detrimental to the neighborhood. They

are utilizing 'potential density' of Taylor Street to justify the obscene number of allowable units. If any of you have walked down Taylor Street, I think we can agree that the density is already not ideal and they are utilizing a density rate higher than what it already is. Why determine density for a new development based on an unideal situation? Because it allows them to make more profit.

The other hugely detrimental affect on current residents is the construction timeline. (*Minturn Town Code 16-15-140 (a) The PUD can be **completed within a reasonable amount of time.***) The developer is selling this as an opportunity for each owner to build a unique home. They speak to time frames in taking care of their infrastructure projects, but not with regards to the time frame of construction in the development. The home construction will occur over 3-10 years. At that rate my 2nd grader will be off to college by the time our front yard construction project is complete. Though I do appreciate the proposal trying to avoid a bunch of cookie cutter, mass constructed boxes, I also do not want my family to have to endure construction traffic, noise, and pollution during the remainder of their childhood. They are once again punting responsibility for time frame once they sell their lots and make their money.

Minturn Town Code 16-15-70 (3)

*The design and construction of the PUD shall include **adequate, safe, and convenient** arrangements for pedestrian and vehicular circulation, off street parking and loading space with access adequate to support anticipated traffic, on and off site, including the emergency and utility vehicles.*

Minturn Town Code 16-15-160 (j)

*The streets are adequate to support anticipated traffic and the development **will not overload streets outside the planned area.***

Out of all of my concerns regarding this project, as a father, safety out ranks the rest. From the beginning of this proposal the traffic and the access/egress of vehicles had been a frequently discussed point. The main issues have been the S-turn, the intersection of Minturn Rd and Taylor, and the inability for County Road to handle the increased traffic. At this point the developer said that there's nothing that can be done with the S-turn due to the railroad, that their only solution for the intersection was to turn Taylor into a one-way (unacceptable), and that they are no longer improving County Rd (only putting in turn lane on Hwy 24). If these were the major sticking points and there is still no solution or real progress, then why are we proceeding with approval? At this point there are no effective or safe plans for how the increased traffic will enter or leave the area.

The traffic study was done during Covid on a weekday, so I consider it arbitrary. Taylor Street is busy and adding nearly 30 driveways accessing it is a huge spike in traffic. We have many young families on this street and the increased traffic without dedicated access through the development is a safety hazard. I am not even going to get into the safety hazard that is presented with some of the gradients that they are proposing on new intersections.

As stated before, though those are my chosen points, they only begin to encompass my concerns with this development. The planning commission is tasked with ensuring that proposals are consistent with Town code and appropriate for the community. This project, as it stands is still not either of those things. When this proposal was postponed to allow the developer to address issues that existed it was discussed that it could only be approved, approved with conditions, or denied. I am asking you to consider if there was any real progress made on the issues of alignment with town vision, quality of life/impact on current residents, or safety of roads and access. I very much understand that the developer has a bottom line and that some things are beyond their control, however, if they are unable to address issues and create reasonable solutions to clear problems in their project, then maybe they need to go back to the drawing board. It is not acceptable to approve an application that does not abide by Town codes and is detrimental on many levels to Town residents just to help a developer meet their budget or because they have been working really hard to try to make it work. I trust you will consider Town codes and your common sense judgement when considering this proposal on the 28th. Thank you very much for taking the time to hear my concerns.

Sincerely,

Chris & Helen Rieder
332 Taylor St

ROB GOSIEWSKI
560 Taylor Street *
Minturn, CO 81645

Minturn North: PUD Comments
July 25, 2021

Density has been the primary concern for existing residents since the parcel was listed for sale. It was the concern most voiced at the "conceptual review" for the PUD, and continues to be the largest concern for Taylor Street neighbors.

The developer claims that proposed density is similar to what can be found in Minturn, and that it matches the existing Taylor Street neighborhood. While there are non-conforming lots on Taylor Street and Old Town, past exceptions should not be used as part of a modern standard. The developer justifies the proposed plan by citing similarities to Old Town, but Taylor Street is the "outskirts", and a different type of neighborhood. I've been told that this side of town is oddly developed (and perhaps underutilized) because historical train and railyard operations made it a very noisy part of town. There were often long waits at the rail crossings.

Requested variations from the current code include:	Town of Minturn Requirement:	Minturn North Proposal:	% Change
Reduction of minimal square footage standards (for "compact lots")	5,000 sq. ft.	4,000 sq. ft.	20%
Reduction of minimal square footage standards (for "cottage lots")	5,000 sq. ft.	2,500 sq. ft.	50%
Reduction of minimal front setback distances (cottage lot)	20 ft. front / 10 ft. rear	10 ft. Front / 5 ft. rear	50%
Reduction of minimal front setback distances (multifamily lot)	20 ft. front / 10 ft. rear	10 ft. front / 10 ft. rear	50%
Increase to maximum lot coverage	40%	45%	13%
Increase of maximum building height (multifamily lots)	28 ft.	32 ft.	14%
Reduction to minimum sidewalk widths	5 ft.	4 ft.	20%
Increase to minimum snow storage (how is parking affected?)	5%	20%	300%

With density being a large concern the above variations should not be granted. Each request from the developer serves to maximize density beyond established code. If granted, the variances would certainly help the developer maximize their profitability, but the existing neighborhood would be impacted unfairly. The majority of existing lots in the area are conforming, and recent projects have adhered to current code. The planning commission will "disappoint" one side or the other with the decisions made as a board. The commission should make the choice to deny the developer's deviations from code in order to prevent unfair impacts to the Taylor Street neighborhood.

There are several key issues with the proposed PUD which can all be adjusted by regulating density:

Traffic

As proposed, I am weary of long waits at the Bellm Bridge; even worse if the train were to re-open. For Old Town, I counted (19) town roads that access Highway 24. Taylor Street only has (2) access points to Highway 24. If the proposed plan was fully built-out the area would only have (1) access point per ~350 residents. Old Town has an access point per ~58 residents (and that number is inclusive of many properties that can access Highway 24 direct from their driveways)

Parking

Small lots will force cars onto the streets. Each new lot will bring 2-5 cars, plus friends and visitors. Alleys would help relieve parking pressure. As proposed there is not enough area to park all vehicles, trailers, snowmobiles, boats, etc.

Reduced Setbacks/Increased Lot Coverage

Reducing setbacks will also reduce available parking, snow storage, and potential for nice landscapes. Views would be limited by buildings creeping towards right-of ways. Reduced setbacks would make construction more complicated and impact privacy between neighbors.

Snow Storage

The wind blows fiercely on Taylor Street and creates drifts. Public Works needs more places to stockpile snow. Small lots would lead to snow storage conflicts between neighbors (and extra work for the town).

Drainage

As proposed, there are some lots that drain downhill directly into other lots. Adding alleys could provide common drainage routes .

Re-Alignment of Taylor Street

The project proposes a realignment of Taylor Street, which would disrupt existing driveways, retaining structures, and landscaping. This re-alignment would eliminate currently utilized parking spaces on the east side of Taylor Street.

I was curious what the parcel would look like if subdivided into lots that meet the current town requirements, so I used google earth and a basic drawing program to make a sketch. How do properly-sized lots would affect the developer's profitability? I was also interested to see if alleys could be added, and if a more cohesive park area could be created. I used Google Earth to determine scale and tried to match the existing neighborhood.





I then counted the lots and made a basic revenue table. The alternate layout - that presented itself when drawing lots to meet current town requirements - shows reduced lot density, as expected. I included (8) "compact" lots on the plan to honor the developer's intention to create some "attainable" parcels that could be deed-restricted. "Cottage lots" were not included in my sketch.

Minturn North Proposal:

Multi-Family	3	800,000	2,400,000
Estate	8	600,000	4,800,000
Standard	24	400,000	9,600,000
Compact	36	300,000	10,800,000
Cottage	24	200,000	4,800,000
	95		32,400,000

Alternative:

Multi-Family	3	800,000	2,400,000
Estate	8	600,000	4,800,000
Standard	44	400,000	17,600,000
Compact	8	300,000	2,400,000
Cottage	0	200,000	0
	63		27,200,000

chg. from MiNo proposal:

-34%

-16%

The developer's drawings are based-on alterations to existing code which could increase density by ~34%, compared to my sketch that adheres to current regulations. This reflects the developer's requested lot size and setback variations ranging from 13%-50%

While I do appreciate the developer's approach of offering small lots to keep structure footprints "modest", the realities of building, especially in this area, are such that even small lots can not realistically be considered affordable/attainable. The developers have packaged their design with attractive terms, and they promote a target market of working-class folk in our community.

However, with an estimated 4,000 sq.ft. "compact lot" price of \$300,000, and a conservative building cost of \$750,000 (for a 2,500 sq. ft. home) the numbers quickly add up... to \$1,050,000... not something that most working families can afford.

The marketing presented by the developers is an approach to ask for unreasonable variations from current building code. They are requesting exceptions from precedents that are already established in the Taylor Street neighborhood, and the developers are even going so far as to alter existing conditions on the east side of Taylor Street

This PUD will affect property values of existing properties on Taylor Street. Proposed project density needs to be corrected to avoid overcrowding; the character of the area should not be eroded as a result of aggressive subdividing. Our town code exists to prevent issues between properties and neighbors. I am asking the planning commission to adhere to the current town building requirements so development in this area can proceed equitably to the existing residents.

It is not the community's responsibility to ensure that the developer's project achieves maximum profitability. However, it is stated in the code that any proposed development minimize the impacts to the existing neighborhood.

Thank you for you time & consideration,

Rob Gosiewski Jr.
560 Taylor Street



Coastal Earth



July 26, 2021

To: Minturn Planning- planner1@minturn.org

Dear Planning Commission:

I oppose the Minturn North Development currently in application review before the Planning Commission. The proposed density of the development is simply too great for this property. The current population of Minturn is approximately 1100 residents. The proposed development would increase the population by 300 to 500 residents. An approximate $\frac{1}{3}$ to $\frac{1}{2}$ increase in the town population in an area less than 1% of the area of the town of Minturn (0.03 square miles versus 7.8 square miles) is unconscionable. This development will have an unreasonable impact on me and other Taylor Street residents. Please do not allow this assault on the character of our town, the quality of life of current residents, and the infrastructure and resources available to our town.

Sincerely,

Kim Malek

Madison Harris

From: hany malek <hany.a.malek@gmail.com>
Sent: Tuesday, July 27, 2021 4:34 PM
To: Madison Harris
Subject: Minturn North PUD
Attachments: Hany Malek PUD Review Letter 12-11-2019.pdf

To Minturn Planning, Town Council, and Staff (please include this as written public comments)

The purpose of this letter is to express my deep concerns and opposition to the proposed Minturn North PUD.

Background: My wife and I have owned our home on 498 Taylor Street for over a decade and have retired in this community. We have been part time residents in the valley for over three decades. We are both Professional Engineers (Civil/Geotechnical and Structural) with over 35 years of experience. We owned a design-build company in Denver that specialized in federal projects west of the Mississippi, and had a staff of engineers, architects, and construction crews.

This project is directly in front of our home and will have a significant impact on us. I took the time to browse through most of the documents posted online including drawings, reports, etc. and reviewed some of them in detail. I believe this land is a prime development opportunity and appreciate the positive impact it could have on the town's future. Thus, we recognize and accept some reasonable impact and changes.

I had looked at the Conceptual Plan of this PUD that was put forward in 2019 and submitted comments to the planning commission in a letter dated December 11, 2019 which I am attaching and would like to be included in the record. Since then, I also had various discussions with the town staff and even met with the developer and Scot Hunn in early 2020.

The Problem: I have quickly reviewed the planning commission packet for the 7-28-2021 hearing which includes the staff report on the Preliminary Development Plan for this PUD. I appreciate the significant effort that Staff has put into this project given the size of the application and its complexity. I understand that the package submitted to you by the staff may be overwhelming. There is a lot to absorb. As Staff pointed out, there are still outstanding issues with this application. Based on my review, some of the technical issues are more significant than represented. Furthermore, the impact on Taylor Street residents (brought up since 2019) are not properly addressed and even ignored by the Applicant. I believe a major redesign of the plan and application would be necessary to properly address those deficiencies. This proposed development will have a significant impact on the town and an overwhelming negative impact on Taylor Street residents. If in doubt, I urge you to take your time with this application, meet with Taylor Street residents, and dive into the details. I believe you will find that this application is deficient and should not be approved.

Arguments:

Many concerns and opposing comments have been relayed to the staff, Planning Commission, and Town Council since 2019 by myself and by other concerned Taylor residents. Many concerned Citizens have taken the time to submit comments and come to hearings. Most of those comments are still valid and have not been properly addressed. Many citizens, including myself, feel that we are not being heard, or are being ignored. All public input related to this PUB, from as far back as 2019, should be brought forward and included, as they are pertinent for the review of this application, and should be properly addressed.

I will not repeat my entire letter dated December 11, 2019 or go in detail on points brought and explained by others such as by Chris Rieder and Karl Krueger, in your package. I will generally limit my comments to the most critical I have identified so far, that relate to the impact on Taylor Street Residents. My fellow neighbors and I would be more than happy to meet with you, staff or consultants onsite, to discuss those or other issues.

This PUB is within the Game Creek PUD Holding Zone which falls under Article 12, Section 16.12 of the code. Section 16-12-30 b) of the code specifically addresses the necessity of public input and in addition states: ***“...Development in this area needs to incorporate appropriate residential and low-impact land uses along Taylor Avenue to minimize impacts to the existing neighborhood...”*** (Added underline for emphasis)

This language would not apply to all PUDs but was written specifically to any PUD in this Character Area, and consequently to this proposed PUD. Dictionaries define “minimized” *“as to reduce, decrease or lessen the smallest possible amount.”*. The definition according to the law are even more restrictive.

This Application and development is very far from meeting this requirement. On the contrary, it creates unnecessary and totally avoidable impacts on the existing neighborhood. The Applicant has ignored feedback and comments and has blatantly pursued an approach to maximize lots by externalizing impacts and costs on the Neighborhood and the Town. This assessment is consistent with Inter-Mountain Engineering’s observation: ***“The current design looks like density has been maximized ignoring good street design”*** (February 8, 2021, Page 2, bullet 2 bottom of page)

Some key point where the Applicant has failed to minimize impact to residents are:

- Development and home construction on 95 individual lots will likely subject the existing Taylor residents to 10 or more years of continuous construction and is an unacceptable time frame. Other development models could easily “minimize” the impact to the existing residents.
- It is more difficult for people to afford to buy land and then get a loan to build on it. It is a wrong approach for addressing affordable housing and will set people up for failure.
- Existing lots on Taylor Street are on average 71% larger than the average proposed ones.
- The smaller lots will be difficult to develop, they are too small.
- Turning Taylor Street to one way, which has a significant impact on existing residents, instead of looking for a real solution to addressing the hazardous intersection, is unacceptable.
- Adding 28 new driveways on Taylor Street and 29 on Minturn Road is a pure example of externalization and pushing many problems onto the community and town instead of trying to minimize them. This design approach to maximize land use is the primary contributor to most of the existing concerns including low parking counts, limited snow storage, loss of usable sidewalks, increased hazards to pedestrians, children, and vehicles, and impact on traffic flow. A layout which eliminates most driveways along Taylor Street and Minturn Road and make use of alleys and new roads to access all properties would significantly “minimize” the impact to the existing neighborhood. This was rejected by the Developer during 2019 hearings and a subsequent meeting.
- Eliminating some existing parking (and landscape) on both sides of Taylor Street, and not having a real and workable solution for the parking, even after it has been brought up multiple times for over a year. (Parking is separately addressed below.)
- Snow storage is grossly underestimated and not properly addressed. (This is addressed separately below.)
- Not properly addressing how to manage the “Milers” skier issues. The path parallel to Taylor Street, to be used for “Milers” to ski to town has been removed because of some town concerns. This was a key point of discussions during previous hearings both for safety and to prevent skiers from going down Taylor Street. Instead of addressing the issue and coming up with a reasonable solution, the applicant plans now is to send them to Minturn Road which has private residences on one side and snow storage (piles) on the other. Having “Milers” go straight to Minturn Road and then walk all the way to town will only encourage them to keep skiing down on Taylor Street or walk on Minturn Road with the traffic. Both are hazardous and worse solutions than the current condition.
- Not improving and paving County Road. Or considering it as part of Phase 2.
- Proposing to use parks for snow storage.

The Applicant has praised this development for helping the affordable housing crisis in the county. This is unrealistic. It is much more difficult to qualify for two separate loans, one for the land and another one for a construction loan, than to buy a finished dwelling with one loan. If someone can pay for both loans and still pay for 2 or 3 years of rent while their house is being built, they would not likely qualify for affordable housing. When interest rates go up, as predicted, they may not be able to complete the home or afford to refinance to combine the two loans into one at a higher interest loan. Without proper financial resources, homes will take longer to be built and some may be left partially finished for a while. This would lengthen the construction period and be a nuisance to the neighbors.

This development has no provisions to accommodate people with disabilities or the elderly. The proposed Belden Place development is a much more sensible solution on this issue.

This approach for affordable housing is flawed; it does not help with the affordable housing crises and can even set people up for failure. It will not achieve the Town's goal. This is purely a way to justify a high-density development and make this development more appealing to the town and public and skirt the need to minimize impact on the existing neighborhood.

Lot Sizes

The average existing individual lot on Taylor Street is 7,039 sf is 71% larger than the average proposed ones (from Sheets A11 and A12). In addition, this development adds the equivalent of approximately 40% of all of Minturn population into an area, a fraction of the size of the entire town. The proposed density does not fit the existing character of the neighborhood, and certainly does not show any attempt to minimize the impact on the existing Taylor Street neighborhood.

Lots on Taylor Street have been priced similarly but have taken a while to sell and develop. Lot sizes of 2,500 and 4,000 sf make it harder to fit a home within the setbacks, limit onsite parking and amenities, and result in a much higher cost per square foot. It does aggravate parking and snow storage and externalizes those issues onto the adjacent neighbors.

Parking

The Taylor Street realignment will impact existing parking along the east side of Taylor Street. The full impact is very difficult to assess from the drawings. (example: in front of 564, 530, 492, 292 Taylor). In addition, it looks like some of the existing landscaping and features, some property owners have installed will be taken out. It is very difficult to see what will actually be done and its impact from the provided drawings, even for me. This needs to be clearly shown in the field so that the existing homeowners can properly understand the impact prior to any approval. Losing existing parking is a significant impact to existing neighbors. Taylor street realignment has some minor benefits but is not necessary. It should be performed without any reduction of parking along the east side and its impact fully disclosed to current residents.

As noted by staff the proposed parking count is deficient. Parking has been a significant concern and voiced very often by Taylor Street residents as insufficient and unrealistic since 2019. It is unbelievable that we still have a proposed similar and unworkable parking plan. The parking cannot be addressed without changes to the layout and/or reduction of the number of lots, something has to be given and it should not be by providing less parking. The Applicant is still ignoring the issue and hoping he can externalize the problem onto the existing residents, the town, and future owners. This is unacceptable.

The proposed 19 parking spots along the west side of Taylor Street (Sheets A13 and A14) is less than is currently available. Not only is the Applicant eliminating existing parking spots but expects those spots to be shared with 28 new lots and up to 53 new Units west of Taylor Street. The 23 parking spots along Minturn Road are also less than are used during Minturn Market days. These are to be shared with 29 new residences. Half of the lots on Minturn Road and Taylor Street do not have parking near them, some are even half a block away. This does not match the character of the town and is a safety hazard. It is unacceptable.

There is currently parking along the south side of Taylor Street (greater than 60) and along Minturn Road (at least 20). Those are enforced by the town and used by homeowners and guests. Those are existing parking spots and are not the developers. We should not allow the Applicant to appropriate them and take credit for the existing parking. The developer needs to provide additional parking beyond the existing ones. Residents have repeatedly brought up the high number of cars being parked at the trailhead only to be dismissed by the Applicant. I have seen over 40 cars parked from about 4th street to the trail head during the summer. Those numbers are real. Existing parking on both sides of Taylor and Minturn Road should be fully evaluated and analyzed and determined with current residents' input. The applicant should not be allowed to pick numbers that are convenient to him.

In 2019 Darin Tucholke of 530 Taylor Street and I had pointed out that we have steeper driveways that ice up in the winter, are slippery, and could be a hazard. Since they proposed to shift the road closer to our property and made the area narrower, we had asked to eliminate parking in front of our driveways. The applicant agreed to it but is now showing parking at that location. Another example of ignoring public comments. If the parking spaces cannot be removed, then the road location should stay as is.

Snow Storage:

Snow storage is also an issue that has been expressed by staff and has been repeatedly brought up as a significant concern by the current Taylor Street residences since 2019.

Historically, during larger snowstorms, front end loaders have been used to store snow continuously along the roads in linear piles. Those piles have often been over my head (6 to 10 foot high), approximately 20 to 40 foot wide (can vary based on slopes) and were continuously on both sides of Minturn Road, on both sides of 4th avenue, and along the west side of Taylor Street. Some areas, such as near the intersection of Minturn Road and Taylor Street, the piles could be bigger. The historical snow piles have been where the applicant is proposing new parking, driveways, sidewalks, and where homes are proposed. This is a significant amount of existing snow storage that will have to be consistently moved in the winter. The snow storage areas proposed by the Applicant on Sheet A11 and A12 appeared to be grossly undersized and placed in areas that may be convenient for the Applicant but are difficult to use but not practical. The snow removal will likely be performed with front end loaders, will require long hauls, difficult pile stacking due to the geometry, resulting in a very inefficient process (even if it was possible to achieve). This will be a hazard to people, block or stop traffic, be noisy, and will be difficult to complete early in the morning. The impact to existing and new residents will be high. This will also be very costly to the town and will have a detrimental effect on the pavement. This is another example where the Applicant has taken over a year and still not changed his flawed approach and ignored the current neighborhood concerns. He has again maximized his lots and pushed the future impact on the current and future residents and the Town. This is a significant issue, that it would be wise to have a specialized consultant accurately evaluate existing conditions and volumes and comment on the approach and long-term costs. Since this is a long-term recurring cost that the town will be taking on, It would be best for the Town to hire this consultant directly and not leave it to the Applicant.

Conclusion:

The Applicant pursuit of much higher than allowed density while maximizing the number of lots has created a development that is in opposition to the requirements of Section 16-12 and maximizes the impact on the current neighborhood, instead of minimizing it. It is a flawed attempt to address the affordable housing issue. It is purely a disguise to justify a high-density development and make this development more appealing to the town and public and skirt the need to minimize impact on the existing neighborhood. It only benefits the Applicant, not the existing neighborhood or the Town.

From the start, the public has expressed concerns of the developer's record of maximizing his interest at the expense of others. Insisting on cramming this many lots on this site, has created more problems and impacts on the existing neighborhood than necessary and has limited the Applicant's ability to address and solve the many issues brought up by citizens, consultants, and staff since 2019. This Applicant was given an opportunity to change his approach and provide

the Town with an acceptable plan and failed. His project does not meet a fundamental requirement of the code and will not likely meet it without a significant redesign and significantly more time. It is time to end it, listen to the residents of Taylor Street and do not let it drag on any longer: reject this application.

Thank you,

Hany Malek

HANY MALEK

498 Taylor Street, Minturn, CO 81645 · 303-638-6329

December 11, 2019

Minturn Planning Commission
Town of Minturn
302 Pine Street
Minturn, CO 81645

RE: Comments on Railroad PUD Conceptual Plan

Dear Planning Commission:

The purpose of this letter is to comment on the Railroad PUD Conceptual Plan.

My wife and I have owned our home on Taylor Avenue for approximately 10 years. We chose to purchase our home in Minturn, and specifically Taylor Avenue, because of its location within the Vail Valley and the small town feel of Minturn. In addition, Taylor Avenue felt as a low-density residential area which was adjacent to open areas, including to forest service land and the railroad property, but was still within walking distance from old town.

Unfortunately, I will be unable to attend the meeting on December 11, 2019 but wanted to communicate some of my comments and concerns related to the proposed Railroad PUD Conceptual Plan.

The residential nature of the plan, proposed parks, improvements along Taylor Avenue, along with the attempt to address the Game Creek Trail parking and skier access to town are all positive proposals that need further development. However, the overall plan falls short in many areas including *"minimizing the impact to the existing neighborhood"* on Taylor Avenue.

I have many comments related to the proposed plan and have relayed some to Scot Hunn, however due to time limitations, I am listing only critical ones in this letter and will resume my review following the outcome of the meeting.

- Based on the staff report and discussion with Scott Hunn, this development would result in 114 to 185 new residences which would add approximately 296 to 481 new residents to the town. This would result in a net population increase to Minturn of approximately 30% to 50%. Those new residences would be concentrated in less than 19 acres which is a fraction of the overall size of Minturn, resulting in an extremely densely populated development. Both the population increase, and its density will have a tremendous

impact on Minturn and an unreasonable impact on to the existing Taylor Avenue neighborhood. This is a detriment to the town for many reasons. It would be worthwhile if staff could provide population density calculations for the various areas in Minturn for comparison.

- This high-density development does not meet the requirement as stated in the MCC *“Development in this area needs to incorporate appropriate residential and low-impact land uses along Taylor Avenue to minimize impacts to the existing neighborhood.”* Adding a population equivalent of 30% to 50% to the entire town, adjacent to Taylor Avenue, is not “appropriate” and does not “minimize” the impact on the existing neighborhood.
- Lot sizes should not be below 5,000 sf. The density should not exceed the current density of the Residential Zone within Game Creek Character Area. Average lot size would need to be adjusted and density decreased based on impact. Thus a “minimum” lot size of 5,000 sf in existing zones should not become the accepted standard for a new PUD. A higher minimum “average” lot size should be considered in addition to a larger minimum lot size.
- The current requirement for ADU and Duplex should not be altered. ADU should only be allowed on lots larger than 5,000 sf and Duplexes conditionally allowed only on much larger lots. Eliminating ADU and Duplex would reduce the impact on the existing neighborhood.
- Lot sizes for Old Downtown should not apply or be considered as a comparison for the Game Creek Character Area. Those are two completely different areas with different characters and impacts.
- High density residential developments provide a short-lived infusion of revenue to a town but is an unsustainable model in the long term. I feel the town has put too much emphasis on higher density residential developments which will have detrimental long-term impact on the financial stability of the town.

Traffic & Parking:

- This plan addresses the parking challenges at the extreme north end of Taylor Avenue, but additional measures will be needed to control unauthorized parking in the area.
- The improvements along Taylor Avenue will improve parking, however it does not appear to sufficiently address the potential significant increase of parking needs created by the high-density development.
- Replacing 4th and 6th street with only one, indirect route, will change the traffic flow and have a negative impact on Taylor residents. Many of the residences take 4th Street and then Minturn Road to go north. Since traffic will be increased on Taylor street, two streets should be maintained with at least one with direct access to Minturn Road.
- Traffic impact along Minturn Road will have to be addressed along with egress to HW24 in both directions. It should address the following MMC requirement *“The rail corridor should be maintained and improved access to and across the Eagle River should be incorporated into proposed development plans.”*
- Skiers pose a significant hazard in the winter along Taylor Avenue and Minturn Road. Skiers are constantly zipping along in the middle of Taylor Ave as well as Minturn Road, sometimes at very high speed. The proposed “run” may be a solution, however

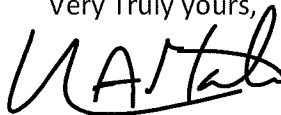
crossing of 4th, 5th, or 6th street could become a higher hazard due to limited visibility and would have to be addressed. In addition, the needs of both pedestrians and skiers would have to be addressed, as snowy and icy paths are welcome by skiers but could be hazard for pedestrians.

Municipal Water:

- Water, water, water! Where is the water coming from for this development? I had been told in the past that existing water taps will be saved for infill lots and this development will have to provide its own water. This application implies that water taps will be provided by Minturn. Please clarify.
- Sheet A1, Note 4: How is air and water quality maintained or improved? The answer addresses municipal water which is a different issue. Surface water as well as air quality will be impacted by the development.
- Sheet A1, Note 10: How is surface and groundwater quality and quantity maintained and enhanced? I understand that this is a conceptual design but both surface and groundwater have not been addressed in this application even on a conceptual level. A significant amount of impermeable surfaces will be created and will have a significant impact on surface water. No storm drains are shown on A14, no detention ponds or other surface water mitigation measures are shown. Impermeable surfaces will reduce infiltration and thus reduce groundwater quantity unless other mitigation measures are planned.
- Light Pollution: Will it be addressed and how?
- Will the proposed high voltage power line have an impact on this development?

I feel this lot provides a great opportunity for the town. Unfortunately, I think this proposed plan has significant short comings and would need a significant reduction of the lot density in order to meet the stated goals of the Town and minimize impact on Taylor residences. A mixed-use development on the south end along with a low density residential on the remaining site may be a more appropriate option for both the town and the developer.

Very Truly yours,

A handwritten signature in black ink, appearing to read 'HANY MALEK', written in a cursive, stylized script.

Hany Malek

Madison Harris

From: Jason Hutto <jhutto@biadvisors.com>
Sent: Tuesday, July 27, 2021 1:13 PM
To: Madison Harris
Subject: Minturn North

To whom it may concern:

I won't be able to join the town hall but wanted to express my support and excitement over Minturn North. My family and I have been interested in Minturn for a few years. However, we have two young children and have never been able to get comfortable with thinking of Minturn as a good town for families. We know a few families who are on the list and believe that development will be a great addition and we are excited to live there.

Jason

C. Jason Hutto, CFA
(617) 448-5920

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Madison Harris

From: Andrew Cryer <acryer13@gmail.com>
Sent: Tuesday, July 27, 2021 11:17 AM
To: Madison Harris
Subject: Minturn North Comments

Hi Madison,

I'm writing to show our support for the Minturn North PUD approval tomorrow night as we have a deposit in for one of the lots. Thank you for reading.

We are a young local family and had our first daughter in Minturn. After, we moved to Eagle-Vail because we needed more space for our growing family. We recently had our 2nd child, a boy.

During the Covid real estate price boom in our area, many of our friends (young families) in our age group have moved from the area. They simply can't make sense of the finances of living here anymore.

We are very excited about the opportunity to move back to Minturn and raise our family there. Minturn North seems like it may be our only opportunity to stay in the area at a reasonable price tag. We think this new community will bring vibrancy to Minturn but will also be an asset to the many aspects of Eagle County that will be impacted by its residents.

Kind regards,

--

Andrew James Cryer
970-376-1029

Madison Harris

From: Contact form at Minturn CO <cmsmailer@civicplus.com>
Sent: Friday, July 16, 2021 7:25 AM
To: Madison Harris
Subject: [Minturn CO] Minturn North Needs Work (Sent by Sidney Harrington, 1972sah@gmail.com)

Hello mharris,

Sidney Harrington (1972sah@gmail.com) has sent you a message via your contact form (<https://www.minturn.org/user/353/contact>) at Minturn CO.

If you don't want to receive such e-mails, you can change your settings at <https://www.minturn.org/user/353/edit>.

Message:

I am a resident and home owner at 532 Taylor St. in Minturn since 2009. I support real estate development on the RR parcel currently known as Minturn North but NOT like this.

I strongly implore you to continue to DENY the PUD for Minturn North until these items are addressed. I predict there will be other real estate developers that come to the table. Let's pick the right one for the Minturn community.

1. The developer and architect are not listening to the Taylor St. community and continue to ignore critical design-PUD feedback that has been brought up since project introduction.

2. Minturn N struggles w/ identity and it can't be "all things to all people":

a. Is it a second-home real estate attraction? If so, density is way too high w/ a parking plan built for deed-restricted units. Taylor St. has more \$800K - \$3M+ properties than properties below that price range. Trying to convince anyone that housing will be built below that price is dishonest.

b. Or is it an affordable real estate attraction? If so, then, it's not "in character" w/ the rest of the neighborhood based on current real estate value trends and Eagle County Housing guidelines. In 2021 we have \$635k homes being approved by Town staff and calling it "affordable" but the job market and 80% of AMI formula don't seem to calculate anywhere in Minturn.

3. Drainage to railyard/Eagle River– engineering report says the plan is inadequate and indicates that it will cost the Town a lot of money if not addressed – developer needs to pay for this.

4. ADU's should not be allowed at any single family lot – there is NOT ENOUGH parking in the plan to accommodate ADUs.

- PARKING – street parking plan underserves the demand for the trail head and for the entire PUD. Build alleys and get cars out of the way. Parking in multi-unit PUDs throughout the Eagle River Valley is the #1 problem for HOAs and property mgrs. PLEASE listen!

5. Developer performance bonding - require the developer to be fully bonded on the project for at least 7 years and not the usual 2 years as his reputation precedes him.

6. Impact to current residents on Taylor St. is unfavorable and needs to be top-of-mind. Build the sidewalk & drainage on the development side ONLY.

7. Change the lot sizes. Minturn N can still sell lots by increasing the lot sizes to 5,000 sq. ft. which is consistent with the existing neighborhood.

8. Community gardens are traditionally added to communities as an “afterthought” for good reason. Most people would like to have their own little gardens in their own little back yards where their kids and dogs can play – put this in the PUD plan.

9. Snow storage plan is still inadequate. Trailhead parking is still inadequate and on a busy day, there have been more than 70 vehicles parked in the neighborhood

Respectfully,
Sidney Harrington

Madison Harris

From: Anastasia Jeronimus <anastasiaboo@gmail.com>
Sent: Wednesday, June 23, 2021 3:28 PM
To: Madison Harris
Subject: Minturn North PUD feedback

To the Planning and Zoning Commission:

We would like to express a few concerns /considerations regarding the development near game creek. We live on Taylor St and therefore have a close relationship with this project.

1. Snow storage — how will this be addressed per lot? Packing homes on tight lots will make it difficult to remove snow on this small parcel, unless it is abundantly clear as to how much space is required on each lot for snow cleared from entryways, decks and driveway. It is not sustainable, eco-friendly or logical to plan such tight lot spacing that will require snow to be trucked away. It will be an unnecessary and burdensome cost for the town that can be avoided.
2. Parking. 184 units with 3 bedrooms per unit = 552 vehicles.
—>Add 40+ vehicles needed for busiest days to access Game Creek trailhead. We live near the trailhead and have counted 40+ vehicles MID week, even more on weekends (for which the new residents of this parcel will be more likely to have guests parking on their properties or on the roads as well).
For reference, the entire top of Lionshead parking structure holds approximately 400 vehicles. Although Lionshead is likely not as big as the parcel it is quite large and certainly paints the picture as to how much space cars alone take up. Now add 100+ vehicles and houses.
—>we feel it is absolutely necessary that each dwelling is required to have at least 1 parking spot per bedroom and 2 parking spots for any lock off and/or 1 bedroom rental units as renters always have guestsor couples, each with 1 car could rent 1 room.
—>please remember the town will take on the costs of the daily working needs of the development (snow removal, managing parking violations, etc) well beyond the developers short lived role in this project
3. Parking at Game Creek: 14 spaces is not sufficient for summer traffic. We live near the trailhead and can promise you that it is not sufficient for even mid-week summer traffic and daily Minturn mile shuttle parking in the winter. Again we have consistently counted over 40 vehicles parked mid week.
4. Density: Have you considered duplex lots to make best use of setback space and offer more space for parking and snow storage on the lots?
5. Please consider an alley with all driveway access to units within the parcel (rather than the Minturn mile ski path). The ski path is a nice idea but parking is a bigger problem and strain for residents. It will allow for better traffic flow and offload Taylor street which is already overloaded with dense street parking.

Thank you for your time and consideration, Ana & Duncan Robinson
531 Taylor St

Madison Harris

From: Duncan Robinson <duncanrobi@gmail.com>
Sent: Wednesday, July 28, 2021 2:55 PM
To: Madison Harris
Subject: Minturn North PUD public comment

Duncan Robinson
531 Taylor St

RE: Minturn North PUD

Town of Minturn Planning and Zoning Commission,

Please record and read this as public comment on the Minturn North Development at the July 28 2021 meeting.

Thank you for hearing comments and allowing this important, democratic process to occur. It allows the remaining developable land to be shaped the way the community approves.

From proposal materials related to the Minturn North Development my concerns fall under the following categories.

1. Density: To allow development that is denser than the town code and standard will adversely impact the neighborhood creating problems with parking, traffic flow, snow removal, and snow storage. The solution to these problems is space and the town's 5,000 ft² minimum lot size has proven to be a sustainable minimum.
2. Roads and Bridges: The developer has not provided a sufficient impact analysis and solution for the load the development will have on the supporting infrastructure of Minturn Road, the Saloon Bridge, Bellm Bridge, and Highway 24. I fear the town will be saddled financially with these improvements.

Minturn Road, one of the two egresses for the neighborhood, is a county maintained gravel road crossing railroad land. Referencing a conversation I had with Eagle County Road and Bridge regarding the degradation of road conditions this spring, they want to give the road control back to Minturn and mentioned the possibility of the road being closed by the railroad. Now imagine all of Taylor St, Minturn North, and the Railroad commercial users using the saloon bridge access to Hwy 24.

Bellm Bridge at the north end of Minturn Road is an ancient bridge that was widened before my time to allow for more traffic, but is not sufficiently wide for the traffic increase from Minturn North. Who will pay for a major project like a bridge upgrade/ replacement? This access to Hwy 24 also needs acceleration and deceleration lanes, another big ticket item.

Saloon Bridge is also a problematic intersection to hwy 24 that lacks any space for improvement.

3. Water: who shoulders the cost of the needed upgrades and new piping? Minturn a few years ago in a vote said no to the interconnect water project with Eagle River Water and Sanitation, and the current water infrastructure cannot handle the added load of Minturn North.

Minturn North's financial success requires maximizing the number of lots through density variances and avoiding the concerns adjacent to the property lines like roads and water. The road and water improvements to our town and surrounding area needed to support this bloated proposal make the development financially unattractive to a developer or would bankrupt our town.

Thank you for your time

Duncan Robinson

--

Duncan Robinson
duncanrobi@gmail.com

Madison Harris

From: Contact form at Minturn CO <cmsmailer@civicplus.com>
Sent: Wednesday, July 28, 2021 4:01 PM
To: Madison Harris
Subject: [Minturn CO] Minturn North PUD (Sent by Justine LaCross, justinefurseth@yahoo.com)

Hello mharris,

Justine LaCross (justinefurseth@yahoo.com) has sent you a message via your contact form (<https://www.minturn.org/user/353/contact>) at Minturn CO.

If you don't want to receive such e-mails, you can change your settings at <https://www.minturn.org/user/353/edit>.

Message:

Hello, My family and I would like to be sure you know that we are OPPOSED to the Minturn North PUD. The developers are trying to portray that a lot of people are supportive of this development, however, this is not true.

We have lived in Minturn for 25 years. This development is too big and will create a great impact on our community. The traffic will increase, the noise will increase and this development is not keeping Minturn in the "small town character" which is important to why our family lives here. We feel like we are being squeezed out of our fabulous small town. Adding 100's of vehicles (without sufficient parking) to our street is NOT safe for our children.

Thank You,

Nathan, Justine, Bodie and Macie LaCross