



AGENDA

The agenda is subject to change, including the addition of items 24 hours in advance or the deletion of items at any time. The order and times of agenda items listed are approximate and intended as a guideline for the Town Council.

MEETING OF THE MINTURN TOWN COUNCIL
Minturn Town Center 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday February 3, 2021

Meeting to be held via Zoom Conferencing and call-in.
Public welcome to join meeting using the following methods:

<https://us02web.zoom.us/j/86328960952>

Or join by phone:

US: +1 301 715 8592 or +1 651 372 8299

Webinar ID: 863 2896 0952

Regular Session – 5:30pm

MAYOR – John Widerman
MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead
George Brodin
Brian Eggleton
Eric Gotthelf
Gusty Kanakis

When addressing the Council, please state your name and your address for the record prior to providing your comments. Please address the Council as a whole through the Mayor. 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.

Regular Session – 5:30pm

1. Call to Order

- Roll Call
- Pledge of Allegiance

2. Public comments on items which are ON the consent agenda or are otherwise NOT on the agenda as a public hearing or action item. (5-minute time limit per person)

3. Approval of Consent Agenda (5Min)

A Consent Agenda is contained in this meeting agenda. The consent agenda is designed to assist making the meeting more efficient. Items left on the Consent Agenda may not be discussed when the Consent Agenda comes before the Council. If any Council member wishes to discuss a Consent Agenda item please tell me now and I will remove the item from the Consent Agenda and place it in an appropriate place on the meeting agenda so it can be discussed when that item is taken up by the Board. Do any Council members request removal of a Consent Agenda item?

- January 20, 2021 Meeting Minutes Pg 4
- Resolution 05 – Series 2021 a Resolution appointing Board Members to the Colorado Rural Water Association – Metteer Pg 14
- 1041 Main Street Review Pg 19
- 701 Boulder St Review Pg 38

4. Approval of Agenda

- Items to be Pulled or Added
- Declaration of Conflicts of Interest

5. Special Presentations

- Eagle County Vision and Strategy (VISTA) - Abby Dallmann Pg 67
- Front Country Ranger Program – USFS Peterson/Veldhuis Pg 79
- Council Comments/Committee Reports
 - Water Report Pg 113

PUBLIC HEARINGS AND/OR ACTION ITEMS

- 6. Public Hearing/Action Item:** Resolution 06 – Series 2021 a Resolution for the approval of Project Management for the Construction of two water tanks – Metteer Pg 115
- 7. Public Hearing/Action Item:** Resolution 07 – Series 2021 a Resolution in support of the Community Plan Update – Hunn Pg 128

DISCUSSION/DIRECTION ITEMS

- 8. Discussion/Action Item:** Recreational Marijuana Sales Follow-up – Brunvand Pg 129

COUNCIL INFORMATION / UPDATES

9. Staff Updates (5 Min)

- Manager's Report Pg 153
- Future Agenda Items Pg 154

MISCELLANEOUS ITEMS

10. Future Meeting Dates

- a) Council Meetings:
- February 17, 2021
 - March 3, 2021
 - March 17, 2021

11. Other Dates:

- February 15, 2021 – President's Day (Office Closed)
- Annual Audit – February 16-19, 2021

12. Adjournment



OFFICIAL MINUTES

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MEETING OF THE MINTURN TOWN COUNCIL
Minturn Town Center 302 Pine Street
Minturn, CO 81645 • (970) 827-5645

Wednesday January 20, 2021

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<https://us02web.zoom.us/j/85697288368>

Or join by phone:

US: +1 301 715 8592 or +1 651 372 8299

Webinar ID: 856 9728 8368

Regular Session – 5:30pm

MAYOR – John Widerman
MAYOR PRO TEM – Earle Bidez

COUNCIL MEMBERS:

Terry Armistead
George Brodin
Brian Eggleton
Eric Gotthelf
Gusty Kanakis

These minutes are formally submitted to the Town of Minturn Town Council for approval as the official written record of the proceedings at the identified Council Meeting. Additionally, all Council meetings are tape-recorded and are available to the public for listening at the Town Center Offices from 8:30am – 2:00 pm, Monday through Friday, by contacting the Town Clerk at 970/827-5645 302 Pine St. Minturn, CO 81645.

Regular Session – 5:30pm

1. Call to Order

- Roll Call

The meeting was called to order by Mayor John Widerman at 5:31pm using the ZOOM on-line meeting format.

Those present include: Mayor John Widerman, Mayor Pro Tem Earle Bidez and Town Council members Terry Armistead, George Brodin, Eric Gotthelf, and Gusty Kanakis. Note: Brian Eggleton was excused absent.

Staff present: Town Manager Michelle Metteer, Town Attorney Richard Peterson-Cremer, and Town Treasurer/Town Clerk Jay Brunvand.

- Pledge of Allegiance

2. Public comments on items which are ON the consent agenda or are otherwise NOT on the agenda as a public hearing or action item. (5-minute time limit per person)

Michelle M. read the following letter received into the public record.

Dear town council members, We approached you months ago about the disaster that occurred to our property at 1010 main st due to negligence on the part of the building department. You asked that our situation be looked into, and that simply never happened by Scot Hunn or other staff members. We also approached the town about a sign our neighbor erected that violated several town codes, and that “staff” had decided that said sign was not an issue. Unfortunately we had to take this to court and get the sign removed per judges orders. The town’s refusal to follow basic standards of code and building enforcement have cost us substantial amounts of money, and at this point we feel this needs to be addressed by council. We have tried to figure out with the town as to why these situations occurred and we have gotten no substantial answers, or any idea of how these oversights will be dealt with. Our attorney contacted Scot Hunn over 6 months ago to try and address our situation, and her calls were never returned. We need an answer as to why these situations occurred and why staff has contributed to such a financial disaster for us when it never needed to be that way. There is a code of ethics that the town and building department function beneath, and for us, that is currently not happening. We would like an opportunity to have the town clarify for us what happened and how this will be rectified in the future so that no one else has to bear an unfair financial burden due to staff’s inability to follow protocol. thanks, Jill Koellhoffer1/20/21

Discussion by Council did not result in adding this concern to a future agenda.

3. Approval of Consent Agenda (5Min)

A Consent Agenda is contained in this meeting agenda. The consent agenda is designed to assist making the meeting more efficient. Items left on the Consent Agenda may not be discussed when the Consent Agenda comes before the Council. If any Council member wishes to discuss a Consent Agenda item please tell me now and I will remove the item from the Consent Agenda and place it in an appropriate place on the meeting agenda so it can be discussed when that item is taken up by the Board. Do any Council members request removal of a Consent Agenda item?

- January 6, 2021 Meeting Minutes

- Letter of Support – VVMTA

Motion by Earle B., second by Eric G., to approve the Consent Agenda of January 20, 2021 as presented. Motion passed 6-0. Note: Brian Eggleton was excused absent.

4. Approval of Agenda

- Items to be Pulled or Added
- Declaration of Conflicts of Interest

Request to add an Executive Session at the end of the meeting to discuss with the attorney questions re Rail Road

Motion by George B., second by Terry A., to approve the Agenda of January 20, 2021 as amended. Motion passed 6-0. Note: Brian E. was excused absent.

5. Special Presentations

- Sara Thompson Cassidy – Colorado Midland Pacific Railroad

Michelle M. opened the discussion and introduced Ms. Cassidy.

Ms. Cassidy reported the Colorado Midland & Pacific Railway Company (CMP) entered into a commercial agreement with Union Pacific Railroad (UP) for the majority of the Tennessee Pass rail line owned by UP. CMP has filed for common-carrier authority to operate the Tennessee Pass Line with the U.S. Surface Transportation Board, the federal agency that regulates railroads. (RGPC and CMP STB filings: Notice of Exemption [FD #36470](#) and [#36471](#). Searchable data base of other filings, decisions and comments found here: <https://prod.stb.gov/search-stb-records/>)

By way of introduction, CMP is a wholly owned subsidiary of Rio Grande Pacific Corporation (RGPC), which owns or operates freight and passenger railroads in eight states including the DCTA Commuter Rail “A” Train between Denton and Carrollton, Texas.

Our next step is to listen and learn – to begin assessment of local community needs and interest in commuter rail service between residential areas and workplaces of Eagle County – as well as Lake, Chaffee and Fremont counties.

We look forward to engaging in the transportation planning work already underway to determine how the Tennessee Pass might play a role. We appreciate all of the state and local agency transit efforts already in progress. We seek to work with these efforts to evaluate the feasibility of rail service in this area.

If there is a need and desire for this type of partnership, CMP will assist public agencies in obtaining funding for establishing passenger rail services as track and other infrastructure will require rehabilitation before any service can begin.

We also intend to explore development opportunities for freight rail services on the Tennessee

Pass Line.

There has been false speculation reported about RGPC's interest in the corridor. To confirm, our plan is to work with communities to determine commuter and local freight rail service needs.

To be clear, Colorado Midland & Pacific has no plan, intention, or means to operate oil trains across the Tennessee Pass line. CMP has an agreement for a portion of the Tennessee Pass only from Sage to Parkdale. CMP seeks to explore and develop commuter/passenger rail and local freight opportunities within that ~160-mile corridor, and we wish to do so in coordination and consultation with communities and planning agencies in the area. Any speculation scenarios or misinformation about oil or other commodities moving on the Tennessee Pass is simply rumor, conjecture and assumption. CMP has no plan whatsoever to operate oil trains on Tennessee Pass.

Ms. Cassidy tried to dispel some of the inaccurate rumors that they will be hauling out of state, it is only for the 160-mile corridor from Sage (just west of Eagle) to Parkdale (just west of Canon City). She stated to activate this line would require a large-scale repair of the track and right of way and other items of discussion include the lease, noise, hazardous material, sustainable energy goals (cars off the road vs. train impact), trails and other recreational uses, work force transit among other issues.

Terry A. clarified the 40 acres located in Minturn is the track area between Bellm Bridge and I-70. It is not the area on the east side of Minturn Road between Minturn Road and Taylor St.

Earle B. was pleased at the community outreach of CMPR. He asked regarding the lease, do they have flexibility on where, improving, new crossings, and how management of the ROW would work. Ms. Cassidy stated they are leasing the line, UPRR still owns and most likely controls the line. The lease does give the ability to identify how and what can be transported to include passenger. Discussion ensued as to the hours of operation, she stated she will take back questions such as hours of operation and the CMPR will research and report back to the community. Earle B. asked about commuter service from Leadville and encouraged that service. He asked about the load to engine concern where several engines are needed to ascend and descend Tennessee Pass.

Gusty K. asked if the long-term goal would be to extend from Sage to Dotsero, she stated they do not intend to have more than a cooperative agreement, not full lease. The intent is to resolve this lease first and foremost.

Terry A. why do they not have a lease on the area from Sage to Dotsero? Ms. Cassidy stated another RR serves that section so it may be a "handoff" of cargo service at that area. They are exploring opportunity to activate the unactive area, not to move into other areas that are currently in operation.

Eric G. asked if they have a plan regarding stops and schedules; nothing yet. He asked about zero or eco friendly engines? Ms. Cassidy noted there are many options for commuter and passenger

where the loads are lighter. Use of these would be dependent on cargo and grades.

Discussion ensued as to trains blocking traffic, this would be minimal.

John W. commented he felt this is very interesting, a massive investment in a difficult terrain. He asked to afford this, how many trains will be running? How fast can a train go on the tracks, would it be timely to commute by train from Leadville? They are working on costs for repair of the track. She stated there are funds available to assist with commuter trains, etc. that would help make this doable. Discussion ensued as to first/last mile and how the train and the ECO Transit could work together and that commuter/passenger support would need to be a partnership and is in the distance but they would like to explore.

Ms. Cassidy discussed next steps and that she would remain in contact with the RR Committee and Michell M. to keep the conversation going.

Terry A. understood it was an information gathering meeting and asked that as filings and decisions are made to keep the town informed.

Mr. Tim McGuire, Battle North, asked regarding timeline; the next few months will be out reach then assess next steps in spring/early summer. She stated the process is long and it takes the time it takes but they are very motivated.

Mr. Greg Sparhawk, 245 Pine St, asked if there were any guarantees that hazardous materials would not be shipped? Would some of the current leases, such as the town parking lease, be affected? She stated she would follow up but that their lease is for the line not the land adjacent. He asked what if there is full outcry against the line even if the financial aspect works. She stated this has been out of service for over 20 years, they hope to work with the communities to be transparent of the transit model. She stated Hwy 24 is not a restricted roadway so anything that can run on the road could be moved by rail. The intent could be to move freight and have trucks move first/last mile.

Mr. Charles Overy, 550 Pine St, noted this is just a reopening of this line, do they intend to have through traffic? Most of their lines are more local segmented lines, CMPR does not see this as a link to other rail lines.

- Council Comments/Committee Reports
 - Water Committee update – Brodin

I.) Operational and infrastructure update

System Water Loss

Water loss percentage for November was 4.2%.

December water loss will be noted in the February water report.

Water Leak Detection System

Leak Detection System is operational with no recent leaks detected.

Water Meter Replacement

There are **541 meters in Town** and approximately 80 have been replaced. The Public Works Crew is working generally north to south through Town replacing meters, also replacing obviously malfunctioning meters as they arise wherever they are in Town.

22 meters replaced in November.

28 meters replaced in December.

Road and Tank farm site improvements and Soil Testing

All physical infrastructure construction work is on hold until after Elk calving season in June.

PLANNING FOR 2021 CONSTRUCTION SEASON

Tank Selection and Funding

Ryan Gordon from SGM has determined the Tanks we need to construct are **two (2) 375,000 gallon tanks.**

An RFP is ready to draft.

Funding: Champagne Tastes on a Beer Budget

We continue to seek Grant Opportunities.

We will be seeking Grant opportunities for planning of the new WTP (Water Treatment Plant).

MW 3 Monitoring Well 3

Testing on MW 3 is ongoing.

Completed Items 2020

- 1.) Location and water testing started MW 3.
- 2.) Raw water line.
- 3.) Leak Detection Installed and operational.
- 4.) Major leaks discovered and repaired. System loss reduced from 50%+ to under 10% loss.
- 5.) SUE survey: sub underground survey. Cross Creek Road.
- 6.) Cultural survey: Cross Creek Road.
- 7.) Water Meters selected and being installed.
- 8.) Road created to Water Tank Farm.
- 9.) Water Tank Farm Platform Groundwork for soil testing.
- 10.) Well 4 pipeline extension 900 feet excavated, new pipe installed, backfilled, and road levelled. This included conduit for data lines connecting well head and WTP.
- 11.) Soil testing and results for Tank Farm

Next Steps

Water Tank Construction RFP

Select Contractor (We need to know price to apply for grants)

There is a bit of a conundrum with grants and our current water tank construction process: – The tank construction process is moving too quickly to apply for grants. Process would need to SLOW DOWN for this to happen. Grant cycles are typically 6-9 months. Slowing down would put us back at least one construction season and in more jeopardy with CDPHE Compliance and system risk. Costs increase yearly as well, so a slow down now will likely mean the tanks are more expensive to build in 2022.

We will continue to work on this.

Funding and Timing Discussion

Grant Applications for WTP Construction: The WTP Planning and Construction as well as other needed pipelines and wells fall within the scope of future Grant Cycles.

Grant application for MW3 study for water analyses and treatment

Grant Application for planning pipeline from MW3 to new WTP

Grant Applications for Water Plant Planning

New Water Plant Design and System

Terry A. asked about timing. George B. stated they are looking at grants. Some grants are planning, some are construction, etc. The intent is to apply/use grants as much as we can based on when they are available and where we are in the onset of construction. The challenge is to use grants without losing construction time.

Terry A. updated on the bike park. The next step is Phase 2b to include added trails, she stated they did not get the grant they had applied for. This is unfortunate but the intent is to fund raise and move forward. This fall there were 380 rides per day on average. She updated on other statistics and how visitors are finding the park. She discussed a seasonal hired trail crew to help maintain the trails including our trails and park. She updated on the Shooting Range Committee. USFS would like a full discussion as we approach the season. USFS would like to discuss use, alternative sites, closure, manage the site with a partner. This will continue to be a multiyear discussion and moves slowly. She encouraged interested parties to join the committee. Michelle M. updated they are looking at meeting facilitators and the possible need of funds. A moderator would help to organize the direction and move the group forward.

PUBLIC HEARINGS AND/OR ACTION ITEMS

6. Public Hearing/Action Item: Resolution 02 – Series 2021 a Resolution adjusting water rates for the FY2021 Fee Schedule – Metteer/Mann

Michelle M. introduced the Resolution. She noted the water rates were approved as part of the FY2021 Budget. However, now that we have updated the CIP the anticipated costs have been reduced which reduced the original revenue needs. The intent is for this to be an annual review and run simultaneously to the setting of the water rates in the budget. It was noted that all are trying to be conscious of rates and funding needs.

Mr. Jim Mann updated on the CIP review. Part of this review included the timing of Maloit Park development and the current volume of new tap purchases which are slower than originally anticipated. Therefore, until debt is actually issued, we do not need to increase debt service fees. The debt will be issued in the 2nd or 3rd quarter of 2021 so it is recommended to reduce the debt service fee from \$20.32 to \$7.81 then increase again once the debt is issued and the payment schedule is confirmed.

Earle B. asked about the timing of debt payments on the bonds to realign timing between

issuance and construction effects.

Gusty K. noted a typo which will be fixed.

John W. was very respectful of the water rates, they will increase, but we should consider this opportunity to roll back until the need is present.

Public Comment Opened
No comments.
Public Comment Closed

Motion by Gusty K., second by George B., to approve Resolution 02 – Series 2021 a Resolution adjusting water rates for the FY 2021 Fee Schedule as presented. Motion passed 6-0. Note: Brian E. was excused absent.

7. Public Hearing/Action Item: Resolution 03 – Series 2021 a Resolution appointing Board Members to the ECRTC Board – Metteer

Michelle M. noted this is a housekeeping issue in that ECRTC requires board appointments annually. This is to continue the appointments of the existing members, John W. and George B.

John W. noted he had been on the committee for a while and that they are facing a number of large issues on the horizon. He asked if anyone else was interested in sitting or if they were okay with the current standing? Council did not feel the need to change at this time.

Motion by Earle B., second by Terry A., to approve Resolution 03 – Series 2021 a Resolution appointing Board Members to the ECRTC Board as presented. Motion passed 6-0. Note: Brian E. was excused absent.

8. Public Hearing/Action Item: Resolution 04 – Series 2021 a Resolution adopting the Second Amendment and restated IGA for cooperative law enforcement services – Metteer

Richard P-C. was present to outline the issues. Colorado HB 217 requires bodycams on all officers. The town will be self-insured up to \$25,000 in the event an issue a specific issue as defined in HB-217 results while the officer is enforcing town laws. It is noted this is a very limited chain of events that would cause this incurrence. This proposed Resolution aligns the IGA to the legal changes.

Public Comment Opened
No comments.
Public Comment Closed

Motion by Terry A., second by Eric G., to approve Resolution 04 – Series 2021 a Resolution adopting the Second Amendment and restated IGA for cooperative law enforcement services as presented. Motion passed 6-0. Note: Brian E. was excused absent.

9. Public Hearing/Action Item: Ordinance 01 – Series 2021 (Second Reading) An Ordinance Providing for the consistency of completeness reviews in the Town’s Land Use Code, Chapter 16 – Hunn

Michelle M. and Richard P-C. updated. Michelle M. noted a single change to allow email notification, this was requested at First Reading and is included in this Second Reading.

Public Hearing Opened
No Public Comment
Public Hearing Closed.

Motion by George B., second by Gusty K., to approve Ordinance 01 – Series 2021 (Second Reading) An Ordinance Providing for the consistency of completeness reviews in the Town’s Land Use Code, Chapter 16 as amended from First Reading. Motion passed 6-0. Note: Brian E. was excused absent.

COUNCIL INFORMATION / UPDATES

10. Staff Updates (5 Min)

- Manager’s Report

Michelle M. noted the kickoff of the Dowd Jct Planning at the end of the month.

- Future Agenda Items

Terry A. recognized Michelle M. as a hero of the Town. She notified ERWSD of a minor gas spill on Saturday at Shop N Hop all done with a migraine. All congratulated her with a hearty round of For She’s a Jolly Good Woman.

EXECUTIVE SESSION

11. Future Meeting Dates

- a) Council Meetings:
- February 3, 2021
 - February 17, 2021
 - March 3, 2021

12. Other Dates:

- February 15, 2021 – President’s Day (Office Closed)
- Annual Financial Audit – February 16-19

MISCELLANEOUS ITEMS

13. Executive Session: An Executive Session for the purpose of conferencing with the Town Attorney for the purpose of receiving legal advice on a specific legal question under CRS Section 24-6-402(4)(b) – reactivate Tennessee Pass Rail Line – Metteer

Motion by Earle B., second by Terry A., An Executive Session for the purpose of conferencing with the Town Attorney for the purpose of receiving legal advice on a specific legal question under CRS Section 24-6-402(4)(b) – reactivate Tennessee Pass Rail Line as presented. Those in attendance include the Council present, Town Attorney Richard P-C., and Town Manager Michelle M. Motion passed 6-0. Note Brian E. was excused absent.

No action was taken as a result of the Executive Session.

14. Adjournment

Motion by Earle B., second by George B., to adjourn the meeting at 8:56pm. Motion passed 6-0. Note: Brian E. was excused absent.

John Widerman, Mayor

ATTEST:

Jay Brunvand, Town Clerk



To: Mayor and Council
From: Jay Brunvand
Date: January 6, 2021
Agenda Item: Resolution 05 – Series 2021

REQUEST:

Staff is requesting Council to approve Resolution 05 – Series 2021 a Resolution appointing Board Members to the Eagle County Regional Transit Authority.

INTRODUCTION:

As members of the Colorado Rural Water Association, the Town of Minturn is allowed voting privileges at the CRWA annual meeting. Approval of this Resolution will authorize Gusty K. and George B. to vote for the Town of Minturn.

ANALYSIS:

N/A

COMMUNITY INPUT:

N/A

BUDGET / STAFF IMPACT:

N/A

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #1 to practice fair, transparent, and communicative local government.

RECOMMENDED ACTION OR PROPOSED MOTION:

This Resolution will be approved as part of the Consent Agenda.

ATTACHMENTS:

- Resolution 03 – Series 2021

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 05 – SERIES 2021**

**A RESOLUTION APPOINTING TOWN COUNCIL
MEMBERS AS VOTING MEMBERS OF THE COLORADO
RURAL WATER AUTHORITY**

WHEREAS, The Minturn Town Council desires to appoint Council Members Gusty Kanakis as primary and George Brodin as alternate as voting representatives to the Colorado Rural Water Authority; and

WHEREAS, Council Members Gusty Kanakis and George Brodin have accepted the appointment to the Colorado Rural Water Authority Board.

NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF MINTURN, COLORADO THAT GUSTY KANAKIS IS APPOINTED TO REPRESENT AND GEORGE BRODIN IS APPOINTED AS ALTERNATE TO THE COLORADO RURAL WATER AUTHORITY BOARD AS AUTHORIZED VOTING MEMBERS FROM THE TOWN OF MINTURN.

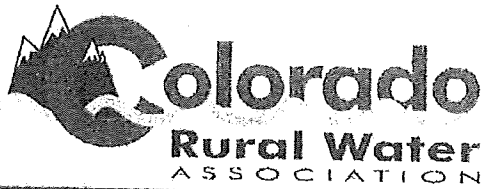
INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this 3RD day of February, 2021.

TOWN OF MINTURN

By: _____
Mayor

ATTEST:

Town Clerk



176 W Palmer Lake Drive Pueblo West, CO 81007 • (719) 545-6748 • www.crwa.net

NOTICE

COLORADO RURAL WATER ASSOCIATION

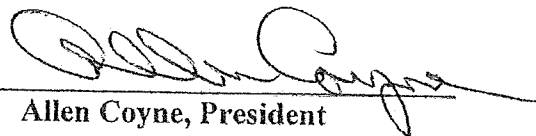
2021 ANNUAL MEETING

Pueblo West, Colorado
January 15, 2021

The 2021 Annual Membership Meeting of the Colorado Rural Water Association has been called by the Directors of said Association to be held via ZOOM at 1:00 PM February 25, 2021, for the following purposes: The election of members to the Board of Directors; report on the progress of the Association; and the transaction of such other business as may properly come before the meeting.

If you would like to attend and receive a meeting invitation please contact the CRWA office at 719-545-6748 no later than February 15, 2021.

Each "A" member in good standing is entitled to one voting delegate. Delegate voting credentials must be signed by the authorized agent and returned to the Association office prior to February 19, 2021 to participate in voting at the CRWA Annual Membership meeting.


Allen Coyne, President

VOTING CREDENTIAL

As duly elected official of _____
Member –System Name/Town

I hereby certify the individuals listed below are designated official voting delegates to the Colorado Rural Water Association *Annual Membership Meeting* scheduled for 1:00 pm – February 25, 2021 at the Crowne Plaza DIA Convention Center, 15500 E. 40th Ave, Denver, Co.

Delegate

Alternate Delegate

PROXY

That we do hereby constitute and appoint _____
CRWA board member representing your region

As our true and lawful agent, and with full power of substitution for us and in our name, place and stead, to vote as our *proxy* at the Colorado Rural Water Association *Annual Meeting* of the membership to be held via ZOOM on February 25, 2021 at 1:00pm or any adjournment thereof, as if we were then personally present.

This *proxy* shall terminate upon conclusion of the Annual Meeting of the Colorado Rural Water Association.

Population served by system _____

In Witness whereof, the undersigned have hereunto set this voting credential this
_____ Day of _____ 2021.

Name of System/Town

Attest: _____
Title

*Prior to February 19, 2021
Return signed Voting Credential to:
CRWA
176 W. Palmer Lake Dr.
Pueblo West, Co 81007*



176 W Palmer Lake Drive Pueblo West, CO 81007 • (719) 545-6748 • www.crwa.net

**THREE YEAR TERM (2021-2022-2023) COLORADO RURAL WATER ASSOCIATION
BOARD OF DIRECTORS**

**Nominating Petitions were filed in the CRWA office prior to 4:30pm January 11, 2021 by the
following:**

Region #2	Dannie McMillan (<i>Unopposed</i>)	Town of Kit Carson
Region #4	Jack Beard (<i>Unopposed</i>)	City of Central City
At-Large	Jan Nelson (<i>Unopposed</i>)	Cortez Sanitation District



To: Mayor and Council
From: Madison Harris, Planner I
Date: January 28, 2021

Agenda Item: Recent Planning Commission Recommendations and Actions

REQUEST:

Review and ratification of Planning Commission actions from their regular meeting of January 13, 2021. The following actions were taken by the Planning Commission, acting as the Minturn Design Review Board, which may be called-up for further review by the Minturn Town Council:

1041 Main Street – Peace Love Aerial Yoga Studio

- Alteration of Approved Plans

INTRODUCTION:

1041 Main Street

At their regular meeting of January 13, 2021, the Planning Commission, acting as the Town of Minturn Design Review Board, reviewed the changes to approved plans for a new mixed-use building containing an aerial yoga studio and two dwelling units located at 1041 Main Street. The changes approved by the DRB include:

- **Surface parking rather than underground parking**
- **Revised site and landscape plans**

Site plans are attached for reference.

At their hearing, the DRB discussed the proposed surface parking in context to Chapter 16 – *Zoning*, and Appendix ‘B’ *Design Review Standards and Guidelines*, of the Town of Minturn Municipal Code. The DRB determined that, with the changes, the proposal still complies with the applicable standards of the MMC.

Dan Armistead, owner of a neighboring lot, 1021 Main Street, spoke in support of the proposal at the DRB hearing. Mr. Armistead stated that access to the rear portion of his property has historically been provided through 1041 Main Street. The plans for 1041 Main Street do show landscape and parking improvements near the historic access point. He stated that the Applicant, Thom Conville, has been proactive in finding a solution – likely involving minor changes to the site and landscaping plans during construction - to give Mr. Armistead access to his lot. Although a final solution has not been presented, both parties agreed to continue working together and to provide updates to Town staff prior to or during the building permit application for 1041 Main Street.

Ultimately, the DRB voted 5-0 to approve the changes to approved plans, with the condition that staff administer and approve any further changes especially when dealing with access to the neighboring property.

ANALYSIS:

In reviewing the application, the Planning Commission considered the criteria and findings required by the Minturn Municipal Code, as well as testimony of staff and the Applicant. One member of the public spoke at the DRB hearing.

COMMUNITY INPUT:

One member of the public spoke at the DRB hearing. Public notice was provided in accordance with the Minturn Municipal Code as a matter of posting of the official agenda and packet materials for public review prior to the hearing.

BUDGET / STAFF IMPACT:

N/A.

STRATEGIC PLAN ALIGNMENT:

The Planning Commission’s review of proposed development projects and their actions to approve final plans for individual projects, acting as the Town of Minturn Design Review Board, aligns with the following key strategies:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

THE TOWN WILL SEEK TO MAKE **INFORMED, DATA-BASED DECISIONS** WITH A **STANDARD OF “DOING IT RIGHT.”** WITH AN **HONEST** APPROACH TO ALL ASPECTS OF LOCAL GOVERNMENT AND A FOCUS ON THE **PUBLIC PROCESS**, THE TOWN COUNCIL AND STAFF ARE COMMITTED TO SERVING MINTURN WITH THE HONESTY AND INTEGRITY EXPECTED OF A SMALL-TOWN GOVERNMENT.

ADVANCE DECISIONS/PROJECTS/INITIATIVES THAT EXPAND FUTURE OPPORTUNITY AND VIABILITY FOR MINTURN

The ability for Minturn to approach development as **resilient, sustainable, creative and diverse** will allow the town to continue embracing what has **“made Minturn, Minturn.”** The town can further leverage its crossroads location as a valley-wide benefit and **competitive advantage**.

RECOMMENDED ACTION OR PROPOSED MOTION:

Approve the following application on consent:

1. 1041 Main Street – Peace Love Aerial Yoga Studio – Changes to Approved Plans

ATTACHMENTS:

- Proposed site plan drawings for 1041 Main Street

MATERIAL SYMBOLS:

	EARTH		PLYWOOD
	PERVIOUS FILL		FINISH WOOD
	STONE MASONRY		WOOD-ROUGH
	STRUCTURAL CONCRETE		GYPSUM BOARD BLOCKING
	CONCRETE MASONRY UNIT		RIGID INSULATION
	BATT INSULATION		CARPET
	STEEL/METAL AS NOTED		

	BUILDING SECTION REFERENCE		ELEVATION REFERENCE
	DETAIL REFERENCE		DETAIL REFERENCE
	HEIGHT REFERENCE		SECTION REFERENCE
	REVISION REFERENCE		ROOM NAME
	GRID BUBBLE		ROOM NAME
	INTERIOR ELEVATION REFERENCE		WINDOW TAG
	DOOR TAG		MATERIAL BREAK

ABBREVIATIONS:

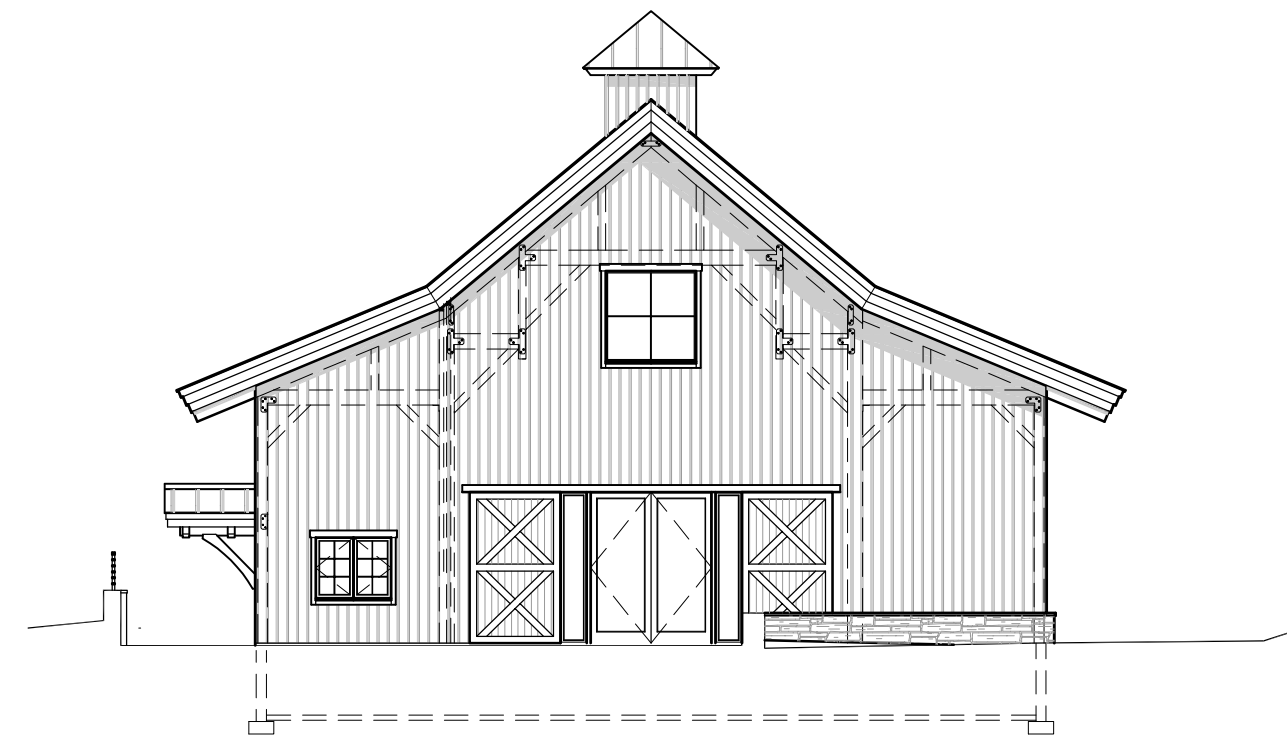
ABV ABOVE	FF FIREPROOFING, SPRAYED	FL PLASTIC LAMINATE
AC ACoustICAL	FFHB FREEZE PROOF HOSE BIB	FLK PARKING
ADD ADDENDUM	FFL FIREPLAGE	FLP PROPERTY LINE
ADJ ADJACENT	FTG FOOTING	FR PAIR
AFF ABOVE FINISHED FLOOR	FUR FURRED (ING)	PSF POUNDS PER SQUARE FOOT
ALT ALTERNATE	GA GAGE, GAUGE	PSI POUNDS PER SQUARE INCH
ALUM ALUMINUM	GC GENERAL CONTRACT (OR)	PT POINT
AP ACCESS PANEL	GL GLASS, GLAZING	PVMT PAVEMENT
ARCH ARCHITECT (URAL)	GV GALVANIZED	QT QUARRY TILE
BASHT BASEMENT	GYP BD GYPSUM BOARD	R RISER
BIT BITUMINOUS	HB HOSE BIB	REF REFERENCE
BLDG BUILDING	HC HOLLOW CORE	REFR REFRIGERATOR
BLK BLOCK	HDR HEADER	REIN REINFORCE (D), (ING)
BLKG BLOCKING	HDW HARDWARE	REQD REQUIRED
BØ BOTTOM OF	HM HOLLOW METAL	RES RESILIENT
BOT BOTTOM	HOR HORIZONTAL	REV REVISION (D), (ING)
BRG BEARING	HT HEIGHT	REVS REVERSE
BVL BEVELED	HTG HEATING	RD ROOF DRAIN
C CAULK (ING)	HVAC HEATING/VENTILATING/AC	RF3 ROOFING
C CJT CONTROL JOINT	HWH HOT WATER HEATER	RH RIGHT HAND
CLG CEILING	IBC INSTALLED BY CONTRACTOR	RM ROOM
CLR CLEAR	IBO INSTALLED BY OWNER	RO ROUGH OPENING
CMU CONCRETE MASONRY UNIT	ID INSIDE DIAMETER	R&S ROD AND SHELF
COL COLUMN	INCL INCLUDE (D), (ING)	R/S ROUGH SAUN
CONC CONCRETE	INS INSULATE (D), (ION)	S SEALANT (EXTERIOR)
CONST CONSTRUCTION	INT INTERIOR	SC SOLID CORE
CONT CONTINUOUS	JC JANITOR'S CLOSET	SD STORM DRAIN
CFR COPPER	KIT KITCHEN	SHTG SHEATHING
CPT CARPET (ED)	L LENGTH	SIM SIMILAR
CSMT CASEMENT	LAM LAMINATE (D)	SM SHEET METAL
CT CERAMIC TILE	LAV LAVATORY	SPEC SPECIFICATION (S)
CUST CUSTOM	LDT LIGHT AND DRAPERY TROUGH	SQ SQUARE
DF DRINKING FOUNTAIN	LH LEFT HAND	ST STAIN
DM DIMENSION	LT LIGHT TROUGH	STD STANDARD
DR DOOR	LTEL LINEAL	STL STEEL
DT DRAPERY TROUGH	LVR LOUVER	STR STRUCTURAL
DTL DETAIL	M METER (S)	T TREAD
DWG DRAWING	MAX MAXIMUM	TB TOWEL BAR
EL ELEVATION (S)	MC MEDICINE CABINET	TEL TELEPHONE
ELEC ELECTRIC (AL)	MECH MECHANIC (AL)	THR THRESHOLD
ELEV ELEVATOR	MET METAL	TO TOP OF
EG EQUAL	MANUFACTURE (ER)	TR TRANSOM
EXG EXISTING	MH MANHOLE	TS TOP OF SLAB
EXH EXHAUST	MIN MINIMUM	TSB TOP OF STEEL
EXT EXTERIOR	MIR MIRROR	TV TELEVISION
FBO FURNISHED BY OTHERS	MISC MISCELLANEOUS	TW TOP OF WALL
FD FLOOR DRAIN	MMB MEMBRANE	TYP TYPICAL
FDC FIRE DEPARTMENT CONNECTION	MM MILLIMETER (S)	T&G TONGUE AND GROOVE
FE FIRE EXTINGUISHER	MO MASONRY OPENING	UNO UNLESS NOTED OTHERWISE
FEC FIRE EXTINGUISHER CABINET	MTL MATERIAL	VB VAPOR BARRIER
FEF FINISHED FLOOR ELEVATION	MULL MULLION	VCT VINYL COMPOSITION
FHC FIRE HOSE CONNECTION	NAT NATURAL	VERT VERTICAL
FIN FINISH (ED)	NIC NOT IN CONTRACT	VIF VERIFY IN FIELD
FLG FLASHING	NOM NOMINAL	W WIDTH, WIDE
FLR FLOOR (ING)	NR NOISE REDUCTION	WC WATER CLOSET
FND FOUNDATION	NTS NOT TO SCALE	WD WOOD
FOC FACE OF CONCRETE	OH OVERHEAD	WDW WINDOW
FOF FACE OF FINISH	OP OPENING	W/O WITHOUT
FOM FACE OF MASONRY	OPH OPPOSITE HAND	WP WATER PROOFING
FOS FACE OF STUDS	OPP OPPOSITE	WUF WELDED WIRE FABRIC

YOGA STUDIO

1041 MAIN STREET
MINTURN, CO 81645
PARCEL #2103-351-01-025

PLANNING SUBMITTAL

FEBRUARY 28, 2020
(RE-SUBMITTED DECEMBER 30, 2020)



VICINITY MAP
N.T.S.

PROJECT SUMMARY:

THE PROJECT CONSISTS OF A YOGA STUDIO, TWO DUPLEX RESIDENTIAL UNITS, AND A BELOW GRADE PARKING AREA

LOT AREA:
13,312 SF (31 ACRES)
BUILDING FOOTPRINT AREA:
30,629 SF
SITE COVERAGE:
33.1%
DRIVEWAY/PARKING AREA:
57,184 SF
ALLOWABLE BUILDING HEIGHT:
28'-0"
BUILDING HEIGHT:
28'-0"
BUILDING SQUARE FOOTAGE:
(REFER TO FLOOR PLANS)
DATUM ELEVATION:
ARCHITECTURAL 100'-0" + 19.09.0' (SURVEY)

PROJECT DIRECTORY:

ARCHITECT

BLUELINE ARCHITECTS, P.C.
321 18TH STREET
GOLDEN, CO 80401

970.376.2052 (C)
CONTACT: KEN BRIDGES, AIA

CLIENT

TRACY LONG THOMAS CONVILLE LLC
PO BOX 331
MINTURN, CO 81645

970.917.0115 (C)
CONTACT: THOM CONVILLE

SURVEYOR

GORE RANGE SURVEYING LLC
PO BOX 15
AVON, CO 81620

970.479.8968 (W)
CONTACT: SAM ECKER, P.L.S.

DESIGN CRITERIA & LOADS:

ZONE DISTRICT:
COMMERCIAL (SOUTH TOWN CHARACTER AREA)
CODE:
2015 IRC
2011 NEC
CONSTRUCTION TYPE:
TYPE V-B
OCCUPANCY CLASSIFICATION:
GROUP R-3 (SINGLE AND TWO-FAMILY RESIDENTIAL)
GROUP B
RATED CONSTRUCTION:
1 HR RATED ASSEMBLIES BETWEEN USES
CLIMATE ZONE:
5B
STRUCTURAL LOADS:
(SEE STRUCTURAL DRAWINGS)

GENERAL NOTES:

- DO NOT SCALE DRAWINGS
- VERIFY ALL DIMENSIONS, CONDITIONS, AND UTILITY LOCATIONS ON THE JOB SITE PRIOR TO BEGINNING ANY WORK OR ORDERING ANY MATERIALS. NOTIFY ARCHITECT OF ANY CONFLICTS OR DISCREPANCIES IN THE DOCUMENTS IMMEDIATELY.
- AREAS OF CONFLICTS OR DISCREPANCIES MUST BE FULLY RESOLVED WITH WRITTEN APPROVAL FROM THE ARCHITECT BEFORE CONSTRUCTION CONTINUES IN THOSE AREAS.
- IN THE EVENT THAT ADDITIONAL DETAILS OR GUIDANCE IS NEEDED BY THE CONTRACTOR FOR CONSTRUCTION OF ANY ASPECTS OF THIS PROJECT, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ARCHITECT.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR SATISFYING ALL APPLICABLE CODES AND OBTAINING ALL PERMITS AND REQUIRED APPROVALS. THIS PROJECT IS GOVERNED BY THE 2015 INTERNATIONAL RESIDENTIAL CODE. CODE COMPLIANCE IS MANDATORY. THE CONSTRUCTION DOCUMENTS SHALL NOT PERMIT WORK THAT DOES NOT CONFORM TO ALL RELEVANT CODES INCLUDING IBC AND ALL LOCAL AND REGIONAL CODES.
- IT IS THE INTENT AND MEANING OF THESE DOCUMENTS THAT THE CONTRACTOR AND EACH SUBCONTRACTOR PROVIDE ALL LABOR, MATERIALS, TRANSPORTATION, SUPPLIES, EQUIPMENT, ETC. TO OBTAIN A COMPLETE JOB WITHIN THE RECOGNIZED STANDARDS OF THE INDUSTRY.
- ALL NEW BUILDING TO FIT WITHIN PROPERTY LINES WITHOUT CROSSING EASEMENTS. NOTIFY ARCHITECT OF ANY DISCREPANCIES.
- PLAN DIMENSIONS ARE TO FACE OF STUD OR FACE OF CONCRETE, UNO. SECTION AND ELEVATION DIMENSIONS ARE TO TOP OF CONCRETE, TOP OF PLYWOOD, OR TOP OF WALL PLATES OR BEAMS, UNO.
- PROVIDE ALL NECESSARY BLOCKING IN STUD WALLS AND CEILINGS. LOCATIONS INCLUDE BUT ARE NOT LIMITED TO CEILING AND WALL MOUNTED FIXTURES, TOILETS, TOILET ACCESSORIES, GRAB BARS, CABINETRY, COUNTERTOPS, SHELVES AND CLOSET RODS.
- Ø DENOTES DOORS. REFER TO FLOOR PLANS FOR LOCATIONS. REFER TO DOOR SCHEDULE FOR DOOR TYPES.
- DENOTES WINDOWS. REFER TO ELEVATIONS & FLOOR PLANS FOR LOCATIONS. REFER TO WINDOW SCHEDULE FOR WINDOW TYPES.
- ALL ELECTRICAL AND MECHANICAL FIXTURES TO FIT WITHIN CEILING, FLOOR AND WALL SPACES. VERIFY LOCATIONS & COORDINATE DROPPED CEILING WITH ARCHITECT.
- THE CONTRACTOR SHALL FIELD COORDINATE AND OBTAIN APPROVAL FROM THE ARCHITECT & ENGINEER BEFORE ANY CUTTING, NOTCHING OR DRILLING OF ANY CAST-IN-PLACE CONCRETE, STEEL FRAMING, OR ANY OTHER STRUCTURAL ELEMENTS WHICH MAY AFFECT THE STRUCTURAL INTEGRITY OF THE BUILDING.
- THE CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR ANY SUBSTITUTIONS OR OMISSIONS TO THE WORK AS INDICATED IN THE CONTRACT DOCUMENTS IF WRITTEN APPROVAL BY THE ARCHITECT IS NOT RECEIVED PRIOR TO THE MODIFICATION(S).

DRAWING INDEX:

A1.00 COVER SHEET

SURVEYOR

TOPOGRAPHIC SURVEY

ARCHITECTURAL

A1.10 ZONING SITE PLAN
A1.20 LANDSCAPE PLAN

A2.10 LOWER LEVEL FLOOR PLAN
A2.20 MAIN LEVEL FLOOR PLAN
A2.30 ROOF PLAN

A3.10 EXTERIOR ELEVATIONS (NORTHWEST)
A3.20 EXTERIOR ELEVATIONS (SOUTHWEST)
A3.30 EXTERIOR ELEVATIONS (SOUTHEAST)
A3.40 EXTERIOR ELEVATIONS (NORTHEAST)

A4.10 BUILDING SECTIONS
A4.20 BUILDING SECTIONS

1041 MAIN STREET
1041 MAIN STREET
MINTURN, CO 81645
PARCEL NO.: 2103-351-01-025

blue|line
ARCHITECTS

970.376.2052 (C)
king@bluelinearchitects.com
www.bluelinearchitects.com
321 18th Street
Golden, Colorado 80401

ISSUED FOR:	DATE:
PRELIMINARY ZONING	01.03.20
PLANNING SUBMITTAL	02.28.20
REVISED SITE PLAN	11.08.20
PLANNING SUBMITTAL	12.30.20

REVISIONS:

SHEET SCALE: N.T.S.

DRAWN BY: .

CHECKED BY: KB

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PROJECT #: 1903
SHEET TITLE: COVER SHEET

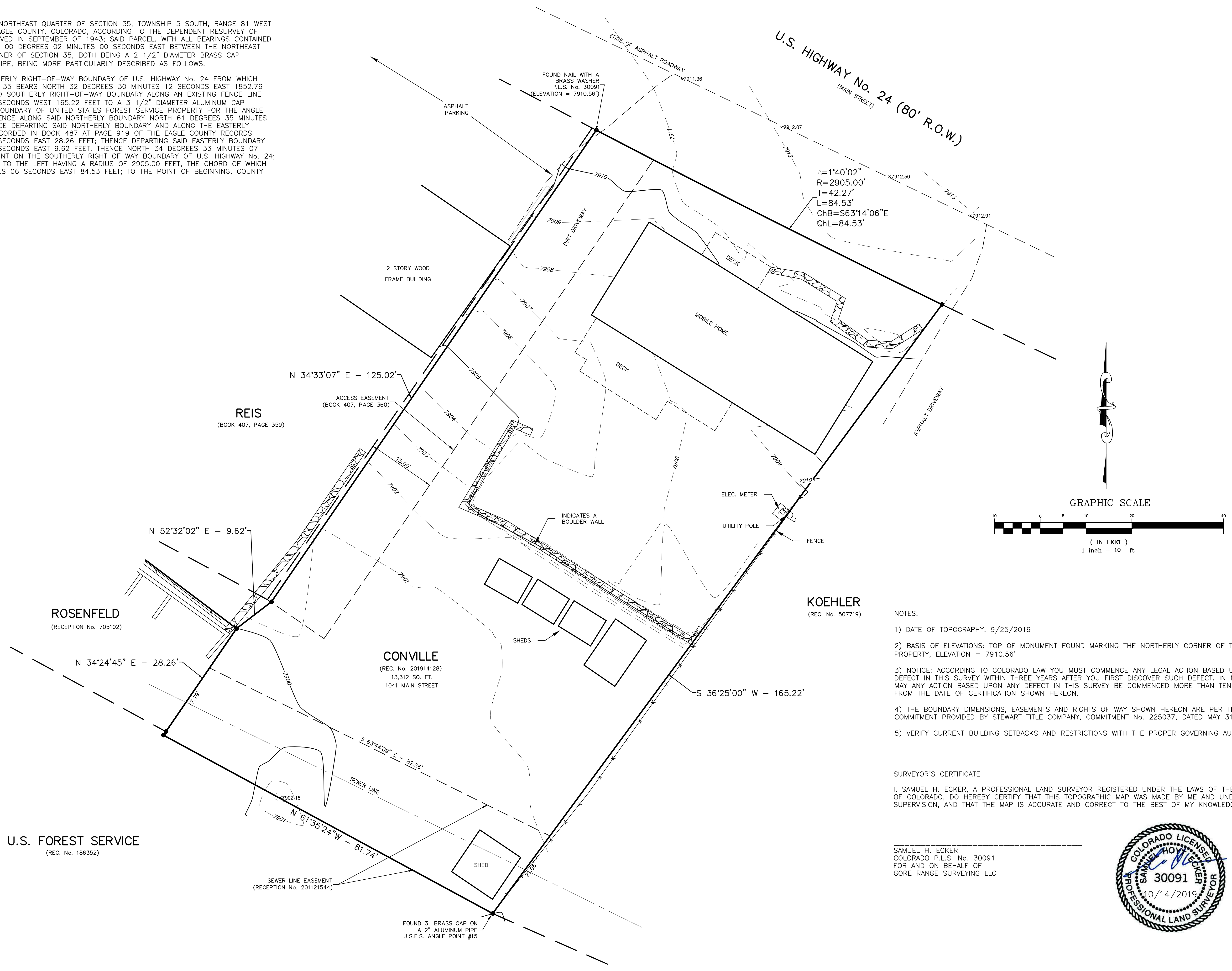
A1.00

REQUIRED INSULATION VALUES:
(PER 2009 IECC TABLE 402.1.1 - CLIMATE ZONE 5B)

FENESTRATION U-VALUE	35 MAX
SKYLIGHT U-VALUE	60 MAX.
CEILING R-VALUE	38 MIN.
WOOD FRAME WALL R-VALUE	20 MIN. OR 13-5 MIN.
FLOOR R-VALUE	30 MIN.
BASEMENT R-VALUE	10/13 MIN.
SLAB R-VALUE & DEPTH	10' / 2 FT. MIN.
CRAWLSPACE R-VALUE	10/13 MIN.

PARCEL DESCRIPTION:
 A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 5 SOUTH, RANGE 81 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EAGLE COUNTY, COLORADO, ACCORDING TO THE DEPENDENT RESURVEY OF SAID TOWNSHIP AND RANGE AS APPROVED IN SEPTEMBER OF 1943; SAID PARCEL, WITH ALL BEARINGS CONTAINED HEREIN BASED UPON A BEARING OF S 00 DEGREES 02 MINUTES 00 SECONDS EAST BETWEEN THE NORTHEAST CORNER AND THE EAST QUARTER CORNER OF SECTION 35, BOTH BEING A 2 1/2" DIAMETER BRASS CAP MONUMENT ON A 2" DIAMETER IRON PIPE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY BOUNDARY OF U.S. HIGHWAY No. 24 FROM WHICH SAID NORTHEAST CORNER OF SECTION 35 BEARS NORTH 32 DEGREES 30 MINUTES 12 SECONDS EAST 1852.76 FEET DISTANT; THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY BOUNDARY ALONG AN EXISTING FENCE LINE SOUTH 36 DEGREES 25 MINUTES 01 SECONDS WEST 165.22 FEET TO A 3 1/2" DIAMETER ALUMINUM CAP MONUMENT SET ON THE NORTHERLY BOUNDARY OF UNITED STATES FOREST SERVICE PROPERTY FOR THE ANGLE POINT No. 15 OF SAID PROPERTY; THENCE ALONG SAID NORTHERLY BOUNDARY NORTH 61 DEGREES 35 MINUTES 24 SECONDS WEST 81.74 FEET; THENCE DEPARTING SAID NORTHERLY BOUNDARY AND ALONG THE EASTERLY BOUNDARY OF A PARCEL OF LAND RECORDED IN BOOK 487 AT PAGE 919 OF THE EAGLE COUNTY RECORDS NORTH 34 DEGREES 24 MINUTES 46 SECONDS EAST 28.26 FEET; THENCE DEPARTING SAID EASTERLY BOUNDARY NORTH 52 DEGREES 32 MINUTES 02 SECONDS EAST 9.62 FEET; THENCE NORTH 34 DEGREES 33 MINUTES 07 SECONDS EAST 125.02 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY BOUNDARY OF U.S. HIGHWAY No. 24; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 2905.00 FEET, THE CHORD OF WHICH BEARS SOUTH 63 DEGREES 14 MINUTES 06 SECONDS EAST 84.53 FEET; TO THE POINT OF BEGINNING, COUNTY OF EAGLE, STATE OF COLORADO.



$\Delta = 1'40''02''$
 $R = 2905.00'$
 $T = 42.27'$
 $L = 84.53'$
 $ChB = S63^{\circ}14'06''E$
 $ChL = 84.53'$

- NOTES:
- 1) DATE OF TOPOGRAPHY: 9/25/2019
 - 2) BASIS OF ELEVATIONS: TOP OF MONUMENT FOUND MARKING THE NORTHERLY CORNER OF THE SUBJECT PROPERTY, ELEVATION = 7910.56'
 - 3) NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.
 - 4) THE BOUNDARY DIMENSIONS, EASEMENTS AND RIGHTS OF WAY SHOWN HEREON ARE PER TITLE COMMITMENT PROVIDED BY STEWART TITLE COMPANY, COMMITMENT No. 225037, DATED MAY 31, 2018.
 - 5) VERIFY CURRENT BUILDING SETBACKS AND RESTRICTIONS WITH THE PROPER GOVERNING AUTHORITY.

SURVEYOR'S CERTIFICATE
 I, SAMUEL H. ECKER, A PROFESSIONAL LAND SURVEYOR REGISTERED UNDER THE LAWS OF THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS TOPOGRAPHIC MAP WAS MADE BY ME AND UNDER MY SUPERVISION, AND THAT THE MAP IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

SAMUEL H. ECKER
 COLORADO P.L.S. No. 30091
 FOR AND ON BEHALF OF
 GORE RANGE SURVEYING LLC



TOPOGRAPHIC MAP
 1041 MAIN STREET
 TOWN OF MINTURN
 EAGLE COUNTY, COLORADO

Gore Range
 Surveying, LLC
 P.O. Box 15
 Avon, CO 81620
 (970) 479-8698 • fax (970) 479-0055

DRAWN BY:	SE	DATE:	10/14/2019
CHECKED BY:	SE	DRAWING NO.:	09-496 topo
JOB NO.:	09-496	SHEET	1 OF 1



GENERAL NOTES:

- SITE PLAN SCALE IS NOTED ON DRAWING TITLE
- DATUM: 1929.0' U&GS • 10'-0" ARCHITECTURAL
- LOT SIZE: 13,312 SF
- ZONE DISTRICT: COMMERCIAL (SOUTH TOWN CHARACTER AREA) (SECTION 16-1-30)
- ALLOWABLE BUILDING LOT COVERAGE: 70% MAX. • 9318.4 SF (SECTION 16-2-40, LOT REQUIREMENTS)
BUILDING FOOTPRINT: 3262.5 SF
TERRACE AREA: 1348.5 SF
SITE COVERAGE: (3262.5 SF + 1348.5 SF) / (13,312 SF) • 33.1%
- MAX. IMPERVIOUS SURFACE AREA: N/A (SECTION 16-2-40, LOT REQUIREMENTS)
- PARKING SPACES (9'X10') REQUIRED PER SECTION 16-16-30: AEROBICS: (1) SPACE PER 250 SF (EXCLUDES STORAGE) OFFICES: (1) SPACE PER 250 SF (EXCLUDES STORAGE) DUPLEX: (2) SPACES PER UNIT
HANDICAP SPACES: (1) SPACE PER (15) SPACES (8'X10' • 5' WIDE AISLE)
- PARKING CALCULATIONS:
YOGA STUDIO = (1989/250 SF) / (250 SF) = (9) SPACES REQUIRED
(2) DUPLEX UNITS = (4) SPACES REQUIRED
TOTAL PARKING SPACES REQUIRED = (13) SPACES
TOTAL PARKING SPACES PROVIDED = (12) SPACES
- SNOW STORAGE REQUIRED: MIN. OF 5% OF PARKING AREA (SECTION 16-16-130)
ACCESS DRIVEWAY 4 PARKING AREAS: 5118.4 SF
REQUIRED SNOW STORAGE: (5118.4 SF X .05) • 288.9 SF
PATIO AREAS: 950.1 SF
REQUIRED SNOW STORAGE: (950.1 SF X .05) • 47.5 SF
DECK AREA: 1348.5 SF
REQUIRED SNOW STORAGE: (1348.5 SF X .05) • 67.4 SF
TOTAL SNOW STORAGE REQUIRED: 403.8 SF
TOTAL SNOW STORAGE PROVIDED: 186.4 SF

BUILDING LOT COVERAGE:

(PER TOWN CODE SECTION 16-2-20)

BUILDING LOT COVERAGE MEANS THE PORTION OF THE LOT THAT IS COVERED BY BUILDINGS, INCLUDING ALL INTERIOR SPACE INCLUDING GARAGES, AND ALL ENCLOSED CANTILEVERED PORTIONS OF A BUILDING, COVERED PORCHES, COVERED WALKWAYS, AND SIMILAR COVERED AREAS, BUILDINGS ARE MEASURED AT THE OUTSIDE OF EXTERIOR WALL.

ADDITIONALLY, 50% OF THE TOTAL AREA OF SECOND- AND THIRD-LEVEL DECKS SHALL BE COUNTED TOWARDS THE ALLOWABLE BUILDING LOT COVERAGE. SECOND- AND THIRD-LEVEL DECKS THAT COVER A PORTION OF THE BUILDING THAT HAS ALREADY BEEN COUNTED TOWARDS THE ALLOWABLE LOT COVERAGE SHALL NOT COUNT TOWARDS THE TOTAL LOT COVERAGE. SECOND- AND THIRD-LEVEL DECKS THAT ARE STRUCTURALLY SUPPORTED FROM THE GROUND LEVEL SHALL HAVE THEIR ENTIRE AREA COUNTED TOWARDS THE ALLOWABLE LOT COVERAGE.

BUILDING HEIGHT:

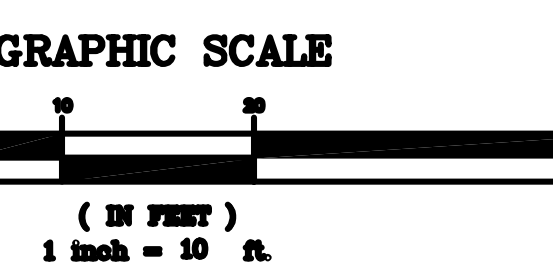
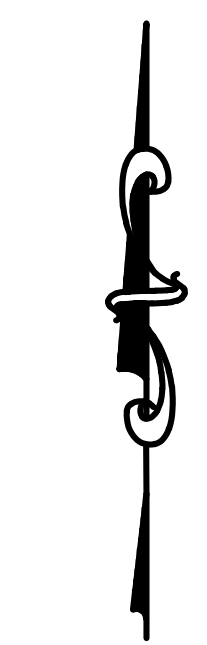
(PER TOWN CODE SECTION 16-2-20 AND 16-2-60)

BUILDING HEIGHT IS THE MAXIMUM VERTICAL (PLUMB) DISTANCE MEASURED AT ANY POINT ALONG THE PERIMETER OF THE STRUCTURE FROM THE FINISHED OR NATURAL GRADE, WHICHEVER IS MORE RESTRICTIVE, AND A POINT ON THE ROOF, DEPENDING ON THE ROOF TYPE.

MAX. BUILDING HEIGHT ALLOWED: NOT TO EXCEED 28 FEET FROM MIDPOINT OF ROOF TO EXISTING OR FINISH GRADE, WHICHEVER IS MORE RESTRICTIVE. FLAT ROOFS SHALL NOT EXCEED 28 FEET IN HEIGHT.

LABEL	FINISH GRADE	ROOF ELEVATION	BUILDING HEIGHT
A	7908.85'	7935.4'	26.6'
B	7908.75'	7935.4'	26.7'
C	7907.4'	7935.4'	28.0'
D	7908.85' (DECK)	7935.4'	26.6'
E	7902.5'	7928.75'	7.25'
F	7904.5'	7908.75'	4.25'

NOTE: BECAUSE 'NATURAL' GRADE IS IMPOSSIBLE TO DETERMINE ON THIS LOT, FINISH GRADE IS BEING USED FOR ALL HEIGHT CALCULATIONS.



blueline
ARCHITECTS

1041 MAIN STREET
1041 MAIN STREET
MINTURN, CO 81645
PARCEL NO.: 2103-351-01-025

ISSUED FOR: DATE:
PRELIMINARY ZONING 01.03.20
PLANNING SUBMITTAL 02.28.20
REVISED SITE PLAN 11.08.20
PLANNING SUBMITTAL 12.30.20

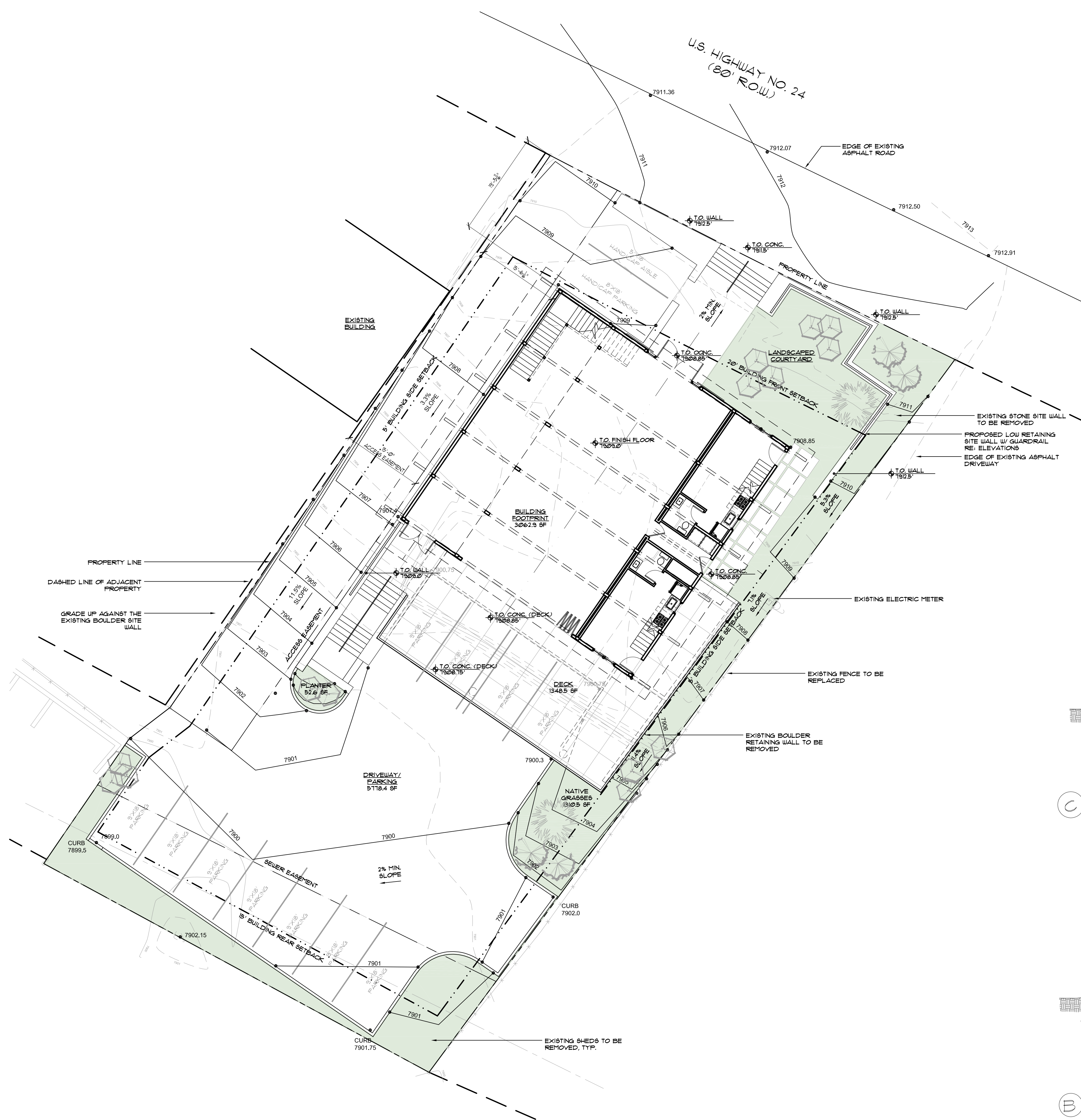
REVISIONS:

SHEET SCALE: 1" = 10'-0"
DRAWN BY:
CHECKED BY: KB
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BLUENETWORK ARCHITECTS P.C.

PROJECT #: 1903
SHEET TITLE: SITE PLAN

A1.10

970.376.2052 (C)
king@bluelinearchitects.com
www.bluelinearchitects.com
321 18th Street
Golden, Colorado 80601



GENERAL NOTES:

- ALL LANDSCAPING MUST CONFORM TO THE TOWN OF MINTURN CODE CONCERNING LANDSCAPING WITHIN OR ADJACENT TO ANY PUBLIC RIGHT OF WAY.
- SITE AREA, AS INDICATED ON THE SITE SURVEY IS 13,312 SF.

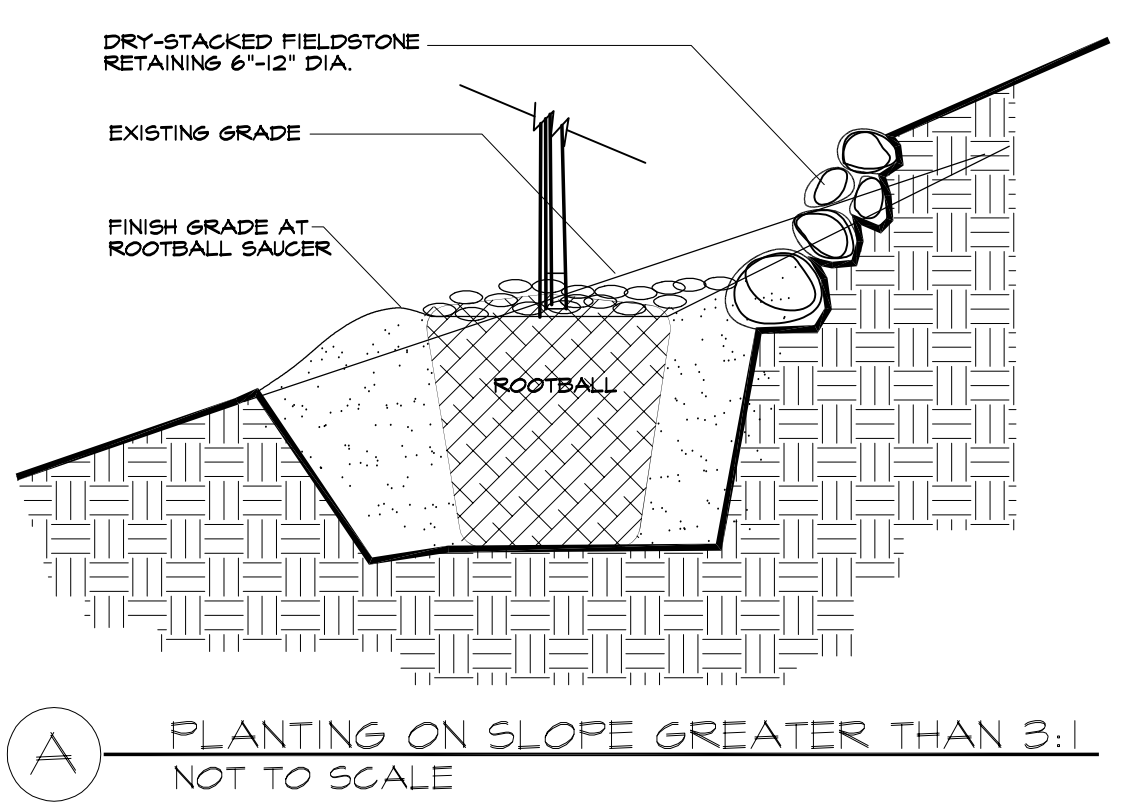
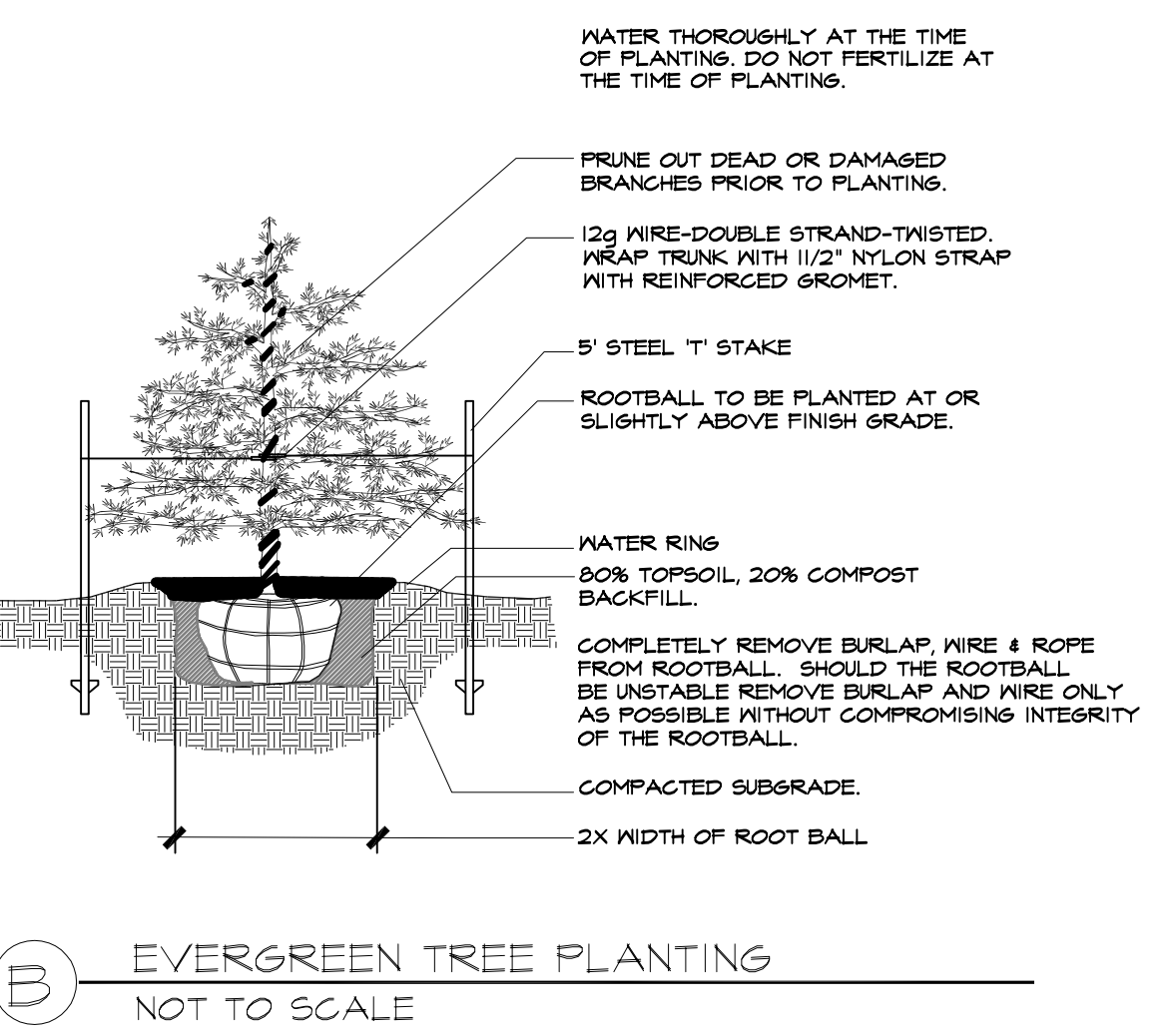
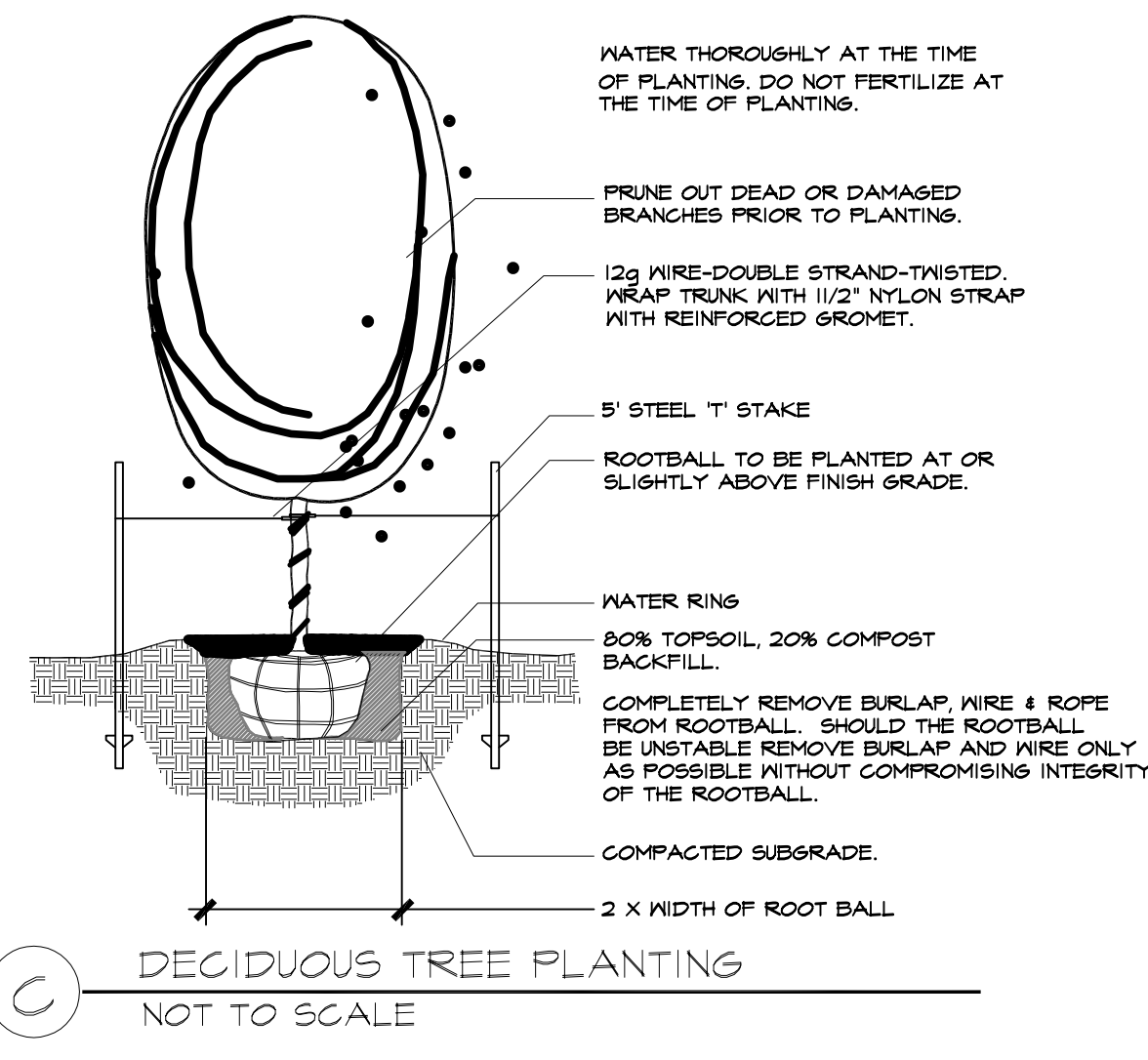
LOT AREA (SF.)	DRIVEWAY & PARKING AREAS (SF.)	BUILDING FOOTPRINT (SF.)	LANDSCAPE AREA (SF.)	PERCENTAGE LANDSCAPE (%)
13,312	5,118.4	3,062.9	1,913.0	14.4

PLANT LEGEND

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE
	1	PICEA PUNGENS	COLORADO SPRUCE	8' HT.
	3	PICEA PUNGENS	COLORADO SPRUCE	10' HT.
	2	PSEUDOTSUGA MENZIESII	ROCKY MTN. DOUGLAS FIR	12' HT.
	8	PSEUDOTSUGA MENZIESII	ROCKY MTN. DOUGLAS FIR	6' HT.
	6	POPULUS TREMULOIDES	ASPEN	2' Galiper
	8	POPULUS TREMULOIDES	ASPEN	3' Galiper
	-	SYRINGA VULGARIS	COMMON LILAC	5 gallon
	-	CORNUS STOLONIFERA	RED TWIG DOGWOOD	5 gallon
			REVEGETATE ALL DISTURBED AREAS WITH NATIVE AND WILDFLOWER SEED MIX	

PLANTING NOTES

- THE PLANT LIST IS PROVIDED FOR THE CONVENIENCE OF THE CONTRACTOR. THE CONTRACTOR SHALL VERIFY ALL PLANT COUNTS AND IF A DISCREPANCY EXISTS THE PLAN SHALL GOVERN.
- LANDSCAPE AREAS SHALL BE RESPONSIBLE FOR BECOMING AWARE OF ALL UNDERGROUND UTILITIES, PIPES, AND STRUCTURES. THE LANDSCAPE CONTRACTOR SHALL BE HELD RESPONSIBLE FOR CONTACTING ALL UTILITY COMPANIES FOR FIELD LOCATION OF ALL UNDERGROUND UTILITY LINES PRIOR TO ANY EXCAVATION. LANDSCAPE CONTRACTOR SHALL BE EXTREMELY CAREFUL WHEN PLACING PLANTS NEAR UTILITIES.
- LANDSCAPE CONTRACTOR TO RECEIVE SITE GRADED TO 1/4-0.38 FOOT OF FINISHED GRADE.
- FINAL LOCATION AND STAKING OF ALL PLANT MATERIALS SHALL BE AT THE DIRECTION OF THE ARCHITECT/OWNER. LANDSCAPE CONTRACTOR SHALL NOT PROCEED WITH PLANTING OPERATIONS UNTIL STAKING IS FULLY APPROVED.
- PLANTING BACK FILL MIX IS TO CONSIST OF 80% NATIVE TOPSOIL, AND 20% COMPOST.
- ALL DECIDUOUS TREES ARE TO BE STAKED WITH 5' STEEL T' STAKES AND GUYED WITH #12 GALVANIZED WIRE AND 1/2" WIDE GREEN NYLON TREE STRAPS. ALL EVERGREEN TREES ARE TO BE STAKED WITH THREE 5' STEEL T' STAKES AND GUYED WITH #12 GALVANIZED WIRE AND 1/2" WIDE, GREEN, NYLON TREE STRAPS.
- A FINE FESCUE & KENTUCKY BLEND IS TO BE USED WITHIN THE BOUNDARIES OF THE STONE SITE WALL ON THE WEST SIDE OF THE HOUSE PER THE LANDSCAPE PLAN.
- PREPARATION OF NATIVE GRASS AREAS WILL INCLUDE THE FOLLOWING:
 - LOOSEN SOIL TO A MINIMUM OF 2" DEPTH. REMOVE STONES OVER 2" IN DIAMETER AND STICKS, ROOTS, RUBBISH, AND EXTRANEIOUS MATTER.
 - DISTRIBUTE 2" OF TOPSOIL TO BE CULTIVATED INTO NATIVE SOIL.
 - GRADE AREAS TO A SMOOTH, FREE DRAINING EVEN SURFACE WITH A LOOSE, MODERATELY COARSE TEXTURE. REMOVE RIDGES AND FILL DEPRESSIONS AS REQUIRED TO DRAIN.
- ALL DISTURBED AREAS TO BE REVEGETATED WITH NATIVE GRASS SEED MIX BORN WITH THE FOLLOWING MIX AT A RATE OF 42 lbs. PER ACRE:
 - 5% SHEEP FESCUE
 - 25% ARIZONA FESCUE
 - 50% CANADA BLUEGRASS
 - 10% IDAHO FESCUE
 - 10% SLENDER WHEATGRASS
 Wildflower seed/forse mix shall be added to the native grass mix at the following rates per acre:
 - Wildflower 1 lb/acre
 - Rosy Pusspooes 1 lb/acre
 - Goldgrass Blue Columbine 1 lb/acre
 - Scotch Bell Flower 25 lb/acre
 - Supper Indian Poinstirvah 5 lb/acre
 - Aspen Sunflower 2 lb/acre
 - Scarlet Gilla 2 lb/acre
 - Silvers Lupine 1 lb/acre
 - Chimney Bells 25 lb/acre
 - Rocky Mtn. Penstemon 1 lb/acre
 - Shoney Goldeneye 5 lb/acre
 - Wild Buckwheat 5 lb/acre
- ONE APPLICATION OF A DI-AMMONIUM PHOSPHATE FERTILIZER 18-46-0 AT THE RATE OF 8 lbs. PER 1000 s.f., SHALL BE BROADCAST PRIOR TO SEEDING.
- MULCH ALL BORN AREAS WITH 2"-3" OF NEED FREE STRAW. TACKIFY STRAW MULCH AREAS WITH AN APPROVED ORGANIC TACKIFIER AT THE RATE OF 120 lbs. PER ACRE.
- ALL SEEDED AREAS WITH A SLOPE OF 2:1 OR GREATER SHALL BE CONTROLLED WITH EROSION CONTROL NETTINGS.
- AFTER SEEDING, RAKE OR DRAG SURFACE OF SOIL LIGHTLY TO REINCORPORATE SEED INTO TOP 1/8" OF SOIL.
- LAWN IRRIGATION SYSTEM TO BE DETERMINED.
- ALL NATIVE GRASS SEED AREAS WILL BE IRRIGATED FOR THE FIRST YEAR. A TEMPORARY ABOVE GROUND SPRAY SYSTEM.



1 LANDSCAPE PLAN
A1.20 1" = 10'-0"

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1041 MAIN STREET
1041 MAIN STREET
MINTURN, CO 81645
PARCEL NO.: 2103-351-01-025

ISSUED FOR:	DATE:
PRELIMINARY ZONING	01.03.20
PLANNING SUBMITTAL	02.28.20
REVISED SITE PLAN	11.08.20
PLANNING SUBMITTAL	12.30.20

REVISIONS:

SHEET SCALE: 1" = 10'-0"
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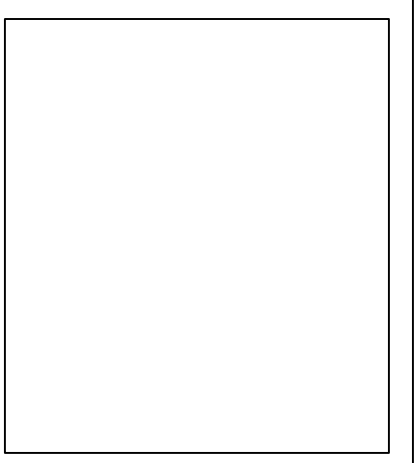
PROJECT #: 1903
SHEET TITLE: LANDSCAPE PLAN
A1.20



GENERAL NOTES:

1. SITE PLAN SCALE IS NOTED ON DRAWING TITLE
 2. DATUM: 1989.0' USGS + 100'-0" ARCHITECTURAL
 3. LOT SIZE: 13,312 SF
 4. ZONE DISTRICT: COMMERCIAL (SOUTH TOWN CHARACTER AREA) (SECTION 16-1-30)
 5. SNOW STORAGE REQUIRED: MIN. OF 5% OF PARKING AREA (SECTION 16-16-130)
 - ACCESS DRIVEWAY & PARKING AREAS: 5118.4 SF
 - REQUIRED SNOW STORAGE: (5118.4 SF X 0.05) = 255.9 SF
 - ENTRY PATIO AREA: 236.3 SF
 - REQUIRED SNOW STORAGE: (236.3 SF X 0.05) = 11.8 SF
 - DECK/STAIRS/Private PATIO AREAS: 1667.3 SF
 - REQUIRED SNOW STORAGE: (1667.3 SF X 0.05) = 83.4 SF
- TOTAL SNOW STORAGE REQUIRED: 351.1 SF
- TOTAL SNOW STORAGE PROVIDED:
- ADJACENT TO DECK/ENTRY/Private PATIOS: 1026.1 SF
 - SOUTHWEST SIDE OF PROPERTY: 1026.1 SF
- ADJACENT TO PARKING:
- SOUTHWEST SIDE OF PARKING AREA: 667.2 SF
 - NORTHEAST CORNER OF PARKING AREA: 293.2 SF
 - UNDER DECK: 206.3 SF
 - PLANTER IN PARKING AREA: 52.6 SF
- TOTAL = 2306.2 SF

INDICATES AREAS OF SNOW STORAGE



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REVISED SITE PLAN	11.08.20
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REVISIONS:

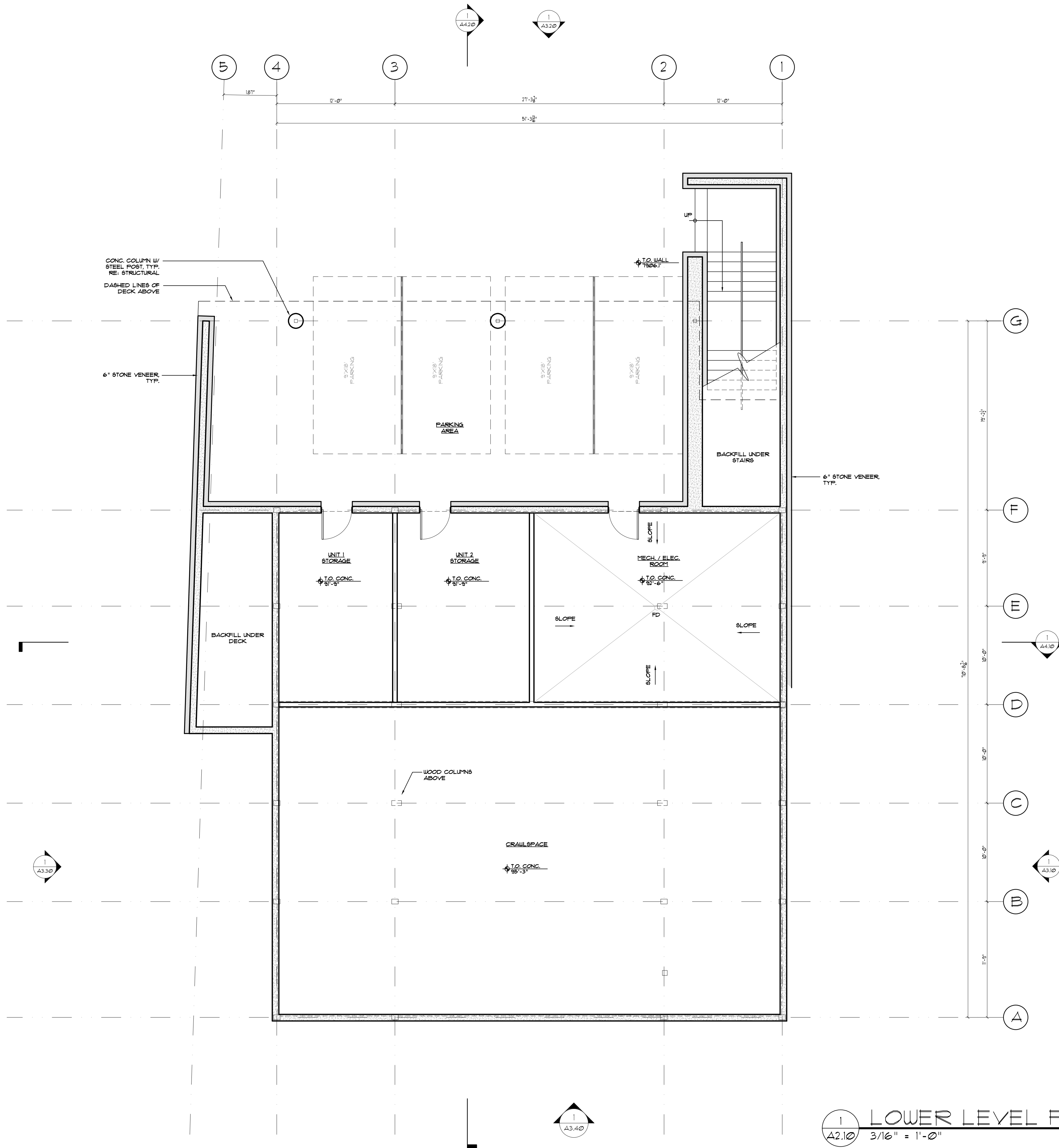
SHEET SCALE: 1" = 10'-0"
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PROJECT #: 1903
SHEET TITLE: SNOW STORAGE PLAN

A1.30

1 SNOW STORAGE PLAN
A1.30 1" = 10'-0"

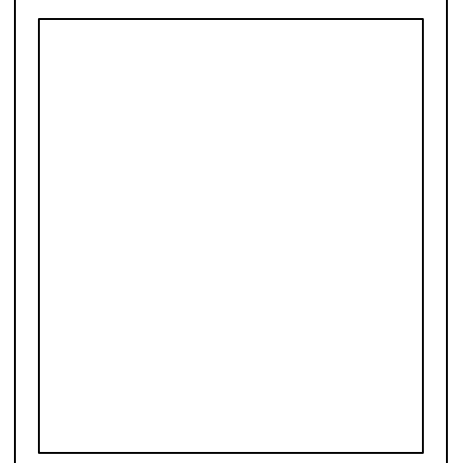




GENERAL NOTES:
 1. DATUM: ARCHITECTURAL 100'-0" = 1309.0' ON SURVEY
 2. REFER TO SHEETS A1.0 AND A1.20 FOR SITE GRADING.
 3. [Symbol] INDICATES FLOORS ABOVE.

AREA:	480.4 SF
MECHANICAL	222.1 SF
UNIT #1 STORAGE	258.1 SF
UNIT #2 STORAGE	1588.7 SF
CRAWLSPACE	
BUILDING FOOTPRINT	3062.9 SF
*INCLUDES THE EXTERIOR STAIRS	

1
A2.10
3/16" = 1'-0"
LOWER LEVEL FLOOR PLAN



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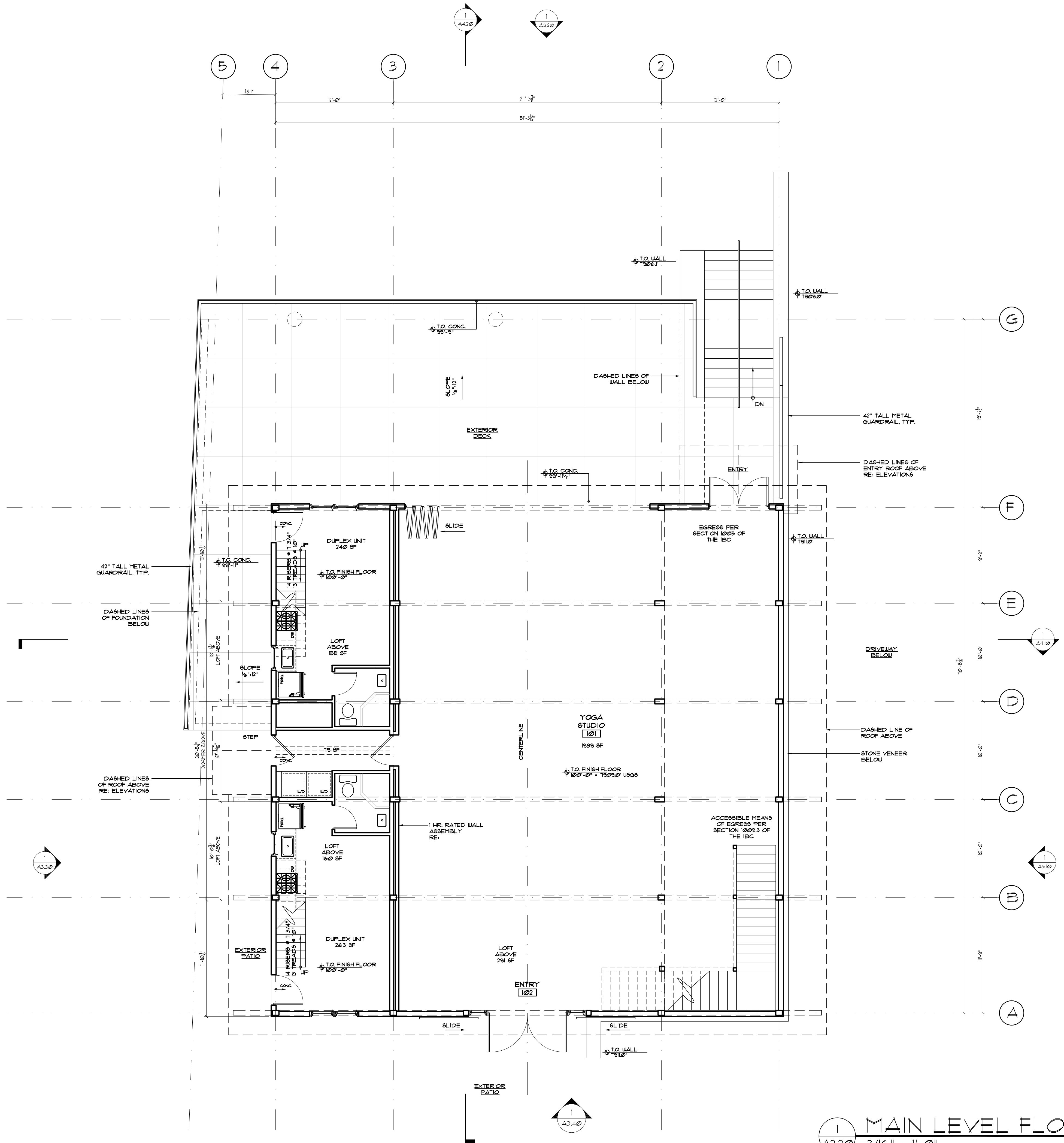
1041 MAIN STREET
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 PARCEL NO.: 2103-351-01-025

ISSUED FOR:	DATE:
PRELIMINARY ZONING	01.03.20
PLANNING SUBMITTAL	02.28.20
REVISED SITE PLAN	11.08.20
PLANNING SUBMITTAL	12.30.20

REVISIONS:	
SHEET SCALE:	3/16" = 1'-0"
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PROJECT #: 1903
 SHEET TITLE: LOWER LEVEL FLOOR PLAN
A2.10

GENERAL NOTES:
 1. DATUM: ARCHITECTURAL 100'-0" = 7909.0' ON SURVEY
 2. REFER TO SHEETS A110 AND A120 FOR SITE GRADING.
 3. [SHADING] INDICATES FLOORS ABOVE.



AREA:		
DUPLEX UNIT 1	423 SF*	
DUPLEX UNIT 2	395 SF*	
*INCLUDES THE STAIR		
YOGA STUDIO	1989 SF	
LOFT	291 SF	
DECK	1348.5 SF**	
**DOES NOT INCLUDE THE STAIR		

1 MAIN LEVEL FLOOR PLAN
 A2.20 3/16" = 1'-0"

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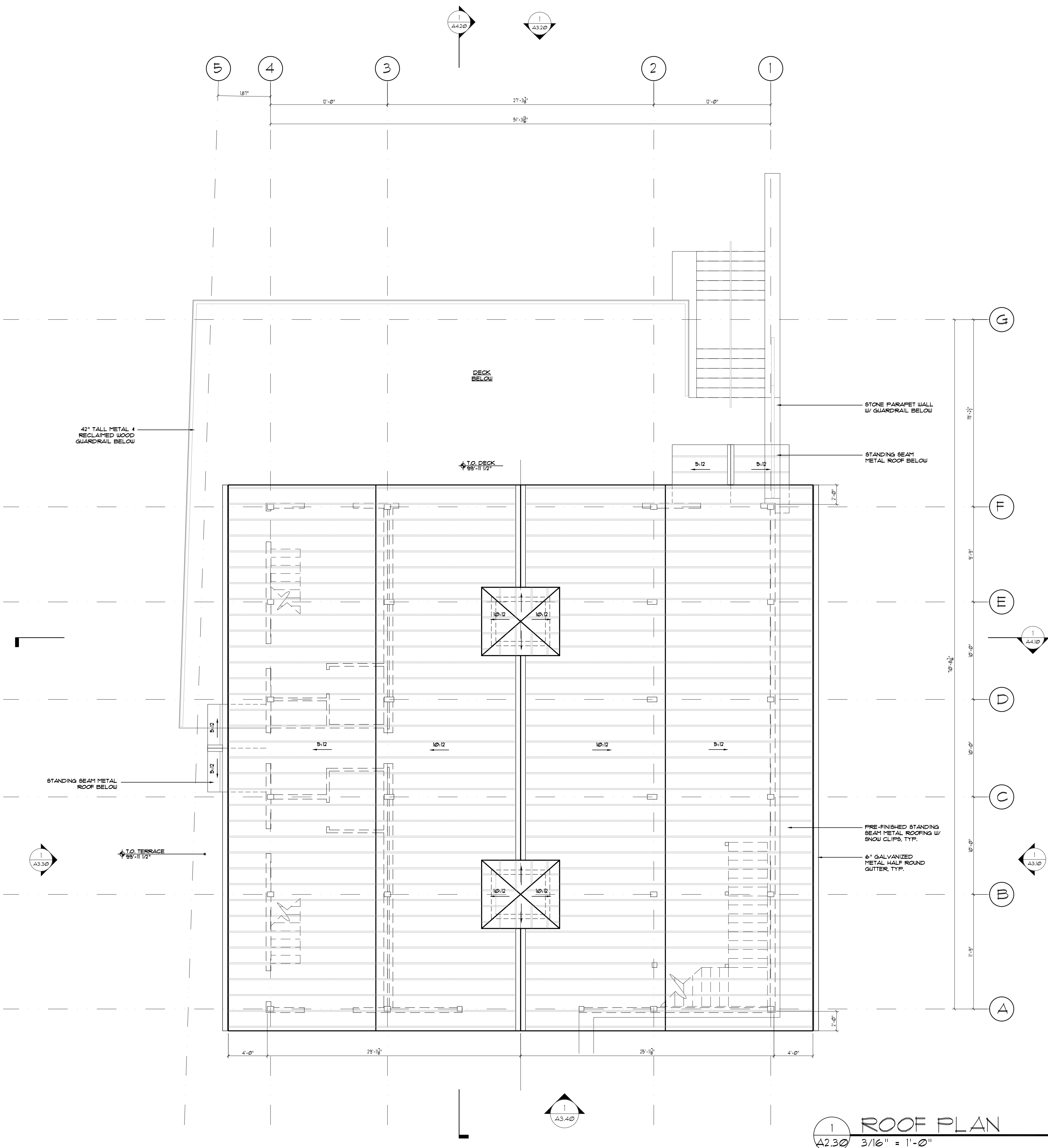
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REVISIONS:	
SHEET SCALE:	3/16" = 1'-0"
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PROJECT #: 1903
 SHEET TITLE: MAIN LEVEL FLOOR PLAN

A2.20



1 ROOF PLAN
 A2.30 3/16" = 1'-0"

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REVISIONS:

SHEET SCALE: 3/16" = 1'-0"
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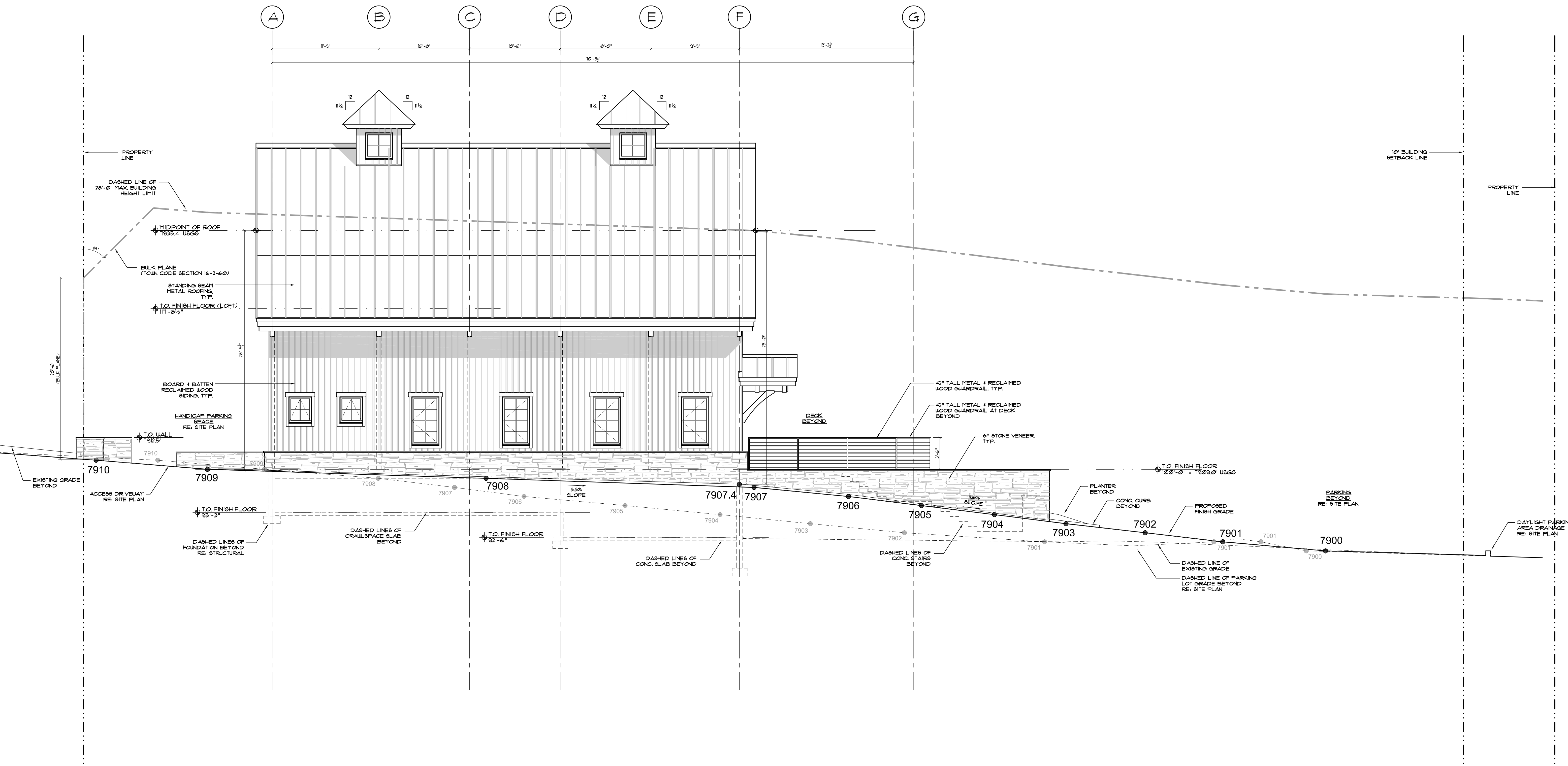
PROJECT #: 1903
 SHEET TITLE: ROOF PLAN

A2.30

- ELEVATION NOTES:
- DATUM: ARCHITECTURAL 100'-0" = 1909.0' (SURVEY)
 - SCUPPERS, GUTTERS & DOWNSPOUTS TO BE HALF ROUND GALVANIZED STEEL COORDINATED IN THE FIELD.
 - REFER TO BUILDING SECTIONS FOR FLOOR LEVELS, PLATE HEIGHTS, AND BEAM ELEVATIONS.
 - REFER TO THE ROOF PLAN & BUILDING SECTIONS FOR PLATE HEIGHTS AND ROOF OVERHANG DIMENSIONS.
 - ALL INTAKE & EXHAUST VENTS PER SECTION R303.5 OF THE IRC. COORDINATE ALL VENT LOCATIONS W/ ARCHITECT.
 - PROVIDE WALL FLASHING PER SECTIONS R103.4 & R303.2 OF THE IRC.
 - PROVIDE MINIMUM INSULATION PER TABLE 402.1.1 OF THE 2009 IECC, UNO.
 - BLIND NAIL ALL WOOD SIDING & SOFFITS WHEN POSSIBLE, TYP.

LEGEND:

U1		6" STONE VENEER RE: ROOF PLAN
U2		BOARD & BATTEN RECLAIMED WOOD SIDING RE: ROOF PLAN
U3		1x6 VERTICAL T&G WOOD SIDING RE: ROOF PLAN
R1		PRE-FINISHED STANDING SEAM METAL ROOFING RE: ROOF PLAN



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ISSUED FOR:	DATE:
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PLANNING SUBMITTAL	02.28.20
REVISED SITE PLAN	11.08.20
PLANNING SUBMITTAL	12.30.20
REVISIONS:	
SHEET SCALE:	3/16" = 1'-0"
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PROJECT #: 1903
SHEET TITLE: EXTERIOR ELEVATIONS

A3.10

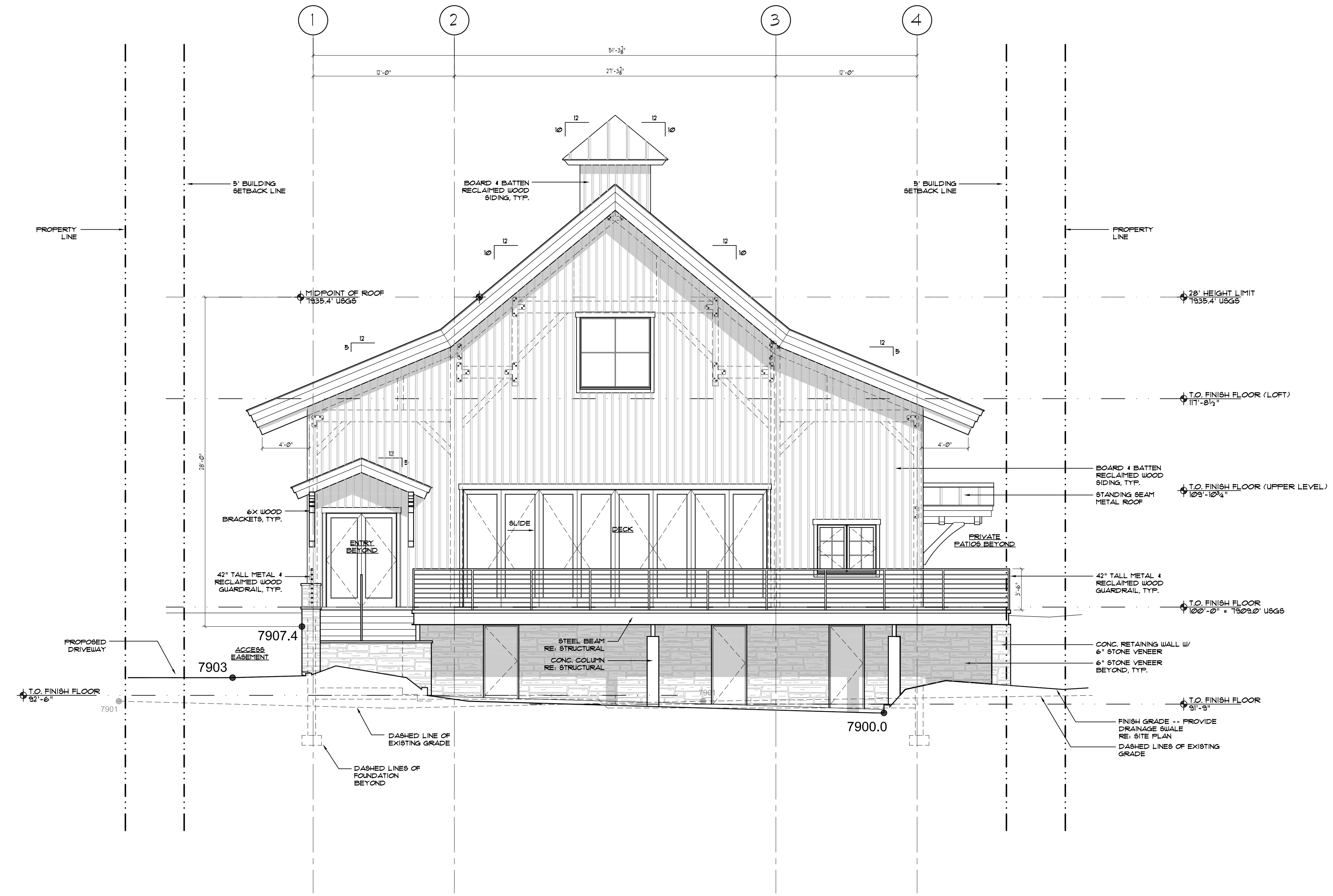
1 NORTHWEST ELEVATION
A3.10 3/16" = 1'-0"

ELEVATION NOTES:

1. DATUM: ARCHITECTURAL 100'-0" + 1909.0' (SURVEY)
2. SCUPPERS, GUTTERS & DOWNSPOUTS TO BE HALF ROUND GALVANIZED STEEL COORDINATED IN THE FIELD.
3. REFER TO BUILDING SECTIONS FOR FLOOR LEVELS, PLATE HEIGHTS, AND BEAM ELEVATIONS.
4. REFER TO THE ROOF PLAN & BUILDING SECTIONS FOR PLATE HEIGHTS AND ROOF OVERHANG DIMENSIONS.
5. ALL INTAKE & EXHAUST VENTS PER SECTION R309.5 OF THE IRC. COORDINATE ALL VENT LOCATIONS W/ ARCHITECT.
6. PROVIDE WALL FLASHING PER SECTIONS R103.4 & R303.2 OF THE IRC.
7. PROVIDE MINIMUM INSULATION PER TABLE 402.1.1 OF THE 2009 IECC, UNO.
8. BLIND NAIL ALL WOOD SIDING & SOFFITS WHEN POSSIBLE, TYP.

LEGEND:

W1		6" STONE VENEER RE:
W2		BOARD & BATTEN RECLAIMED WOOD SIDING RE:
W3		1x6 VERTICAL T&G WOOD SIDING RE:
R1		PRE-FINISHED STANDING SEAM METAL ROOFING RE: ROOF PLAN



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REVISIONS:

NO.	DESCRIPTION

SHEET SCALE: 3/16" = 1'-0"
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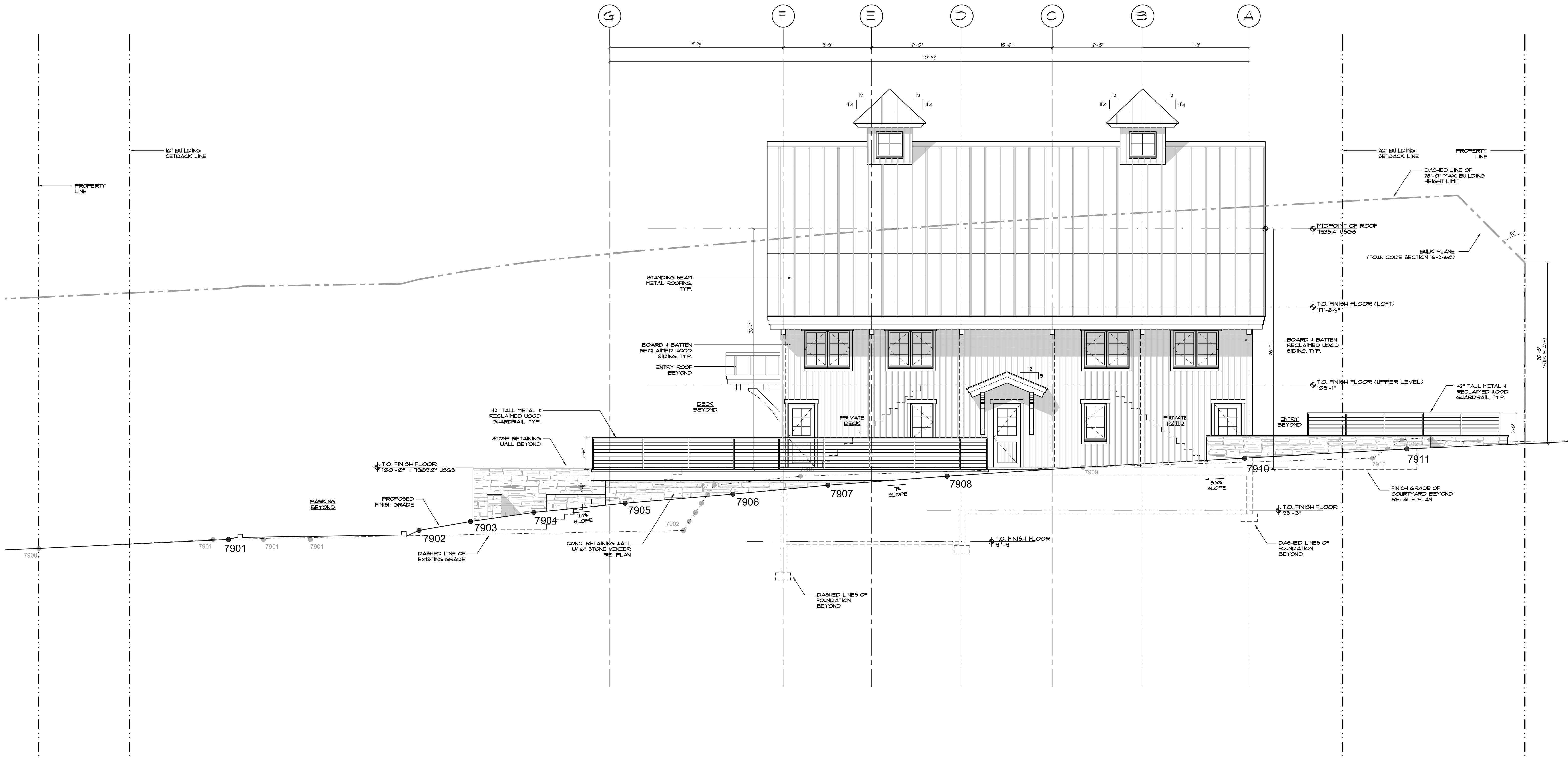
PROJECT #: 1903
SHEET TITLE: EXTERIOR ELEVATIONS

A3.20

1 SOUTHWEST ELEVATION
A3.20 3/16" = 1'-0"

- ELEVATION NOTES:
- DATUM: ARCHITECTURAL 100'-0" x 1909.0' (SURVEY)
 - SCUFFERS, GUTTERS & DOWNSPOUTS TO BE HALF ROUND GALVANIZED STEEL COORDINATED IN THE FIELD.
 - REFER TO BUILDING SECTIONS FOR FLOOR LEVELS, PLATE HEIGHTS, AND BEAM ELEVATIONS.
 - REFER TO THE ROOF PLAN & BUILDING SECTIONS FOR PLATE HEIGHTS AND ROOF OVERHANG DIMENSIONS.
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 - PROVIDE WALL FLASHING PER SECTIONS R103.4 & R303.2 OF THE IRC.
 - PROVIDE MINIMUM INSULATION PER TABLE 402.1.1 OF THE 2009 IECC, U.N.O.
 - BLIND NAIL ALL WOOD SIDING & SOFFITS WHEN POSSIBLE, TYP.

- LEGEND:
- W1 6" STONE VENEER RE: PLAN
 - W2 BOARD & BATTEN RECLAIMED WOOD SIDING RE: PLAN
 - W3 1X6 VERTICAL TAG WOOD SIDING RE: PLAN
 - R1 PRE-FINISHED STANDING SEAM METAL ROOFING RE: ROOF PLAN



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REVISIONS:	

SHEET SCALE: 3/16" = 1'-0"
DRAWN BY: -
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PROJECT #: 1903
SHEET TITLE: EXTERIOR ELEVATIONS

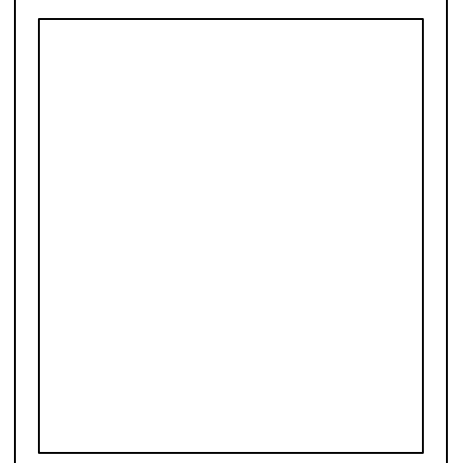
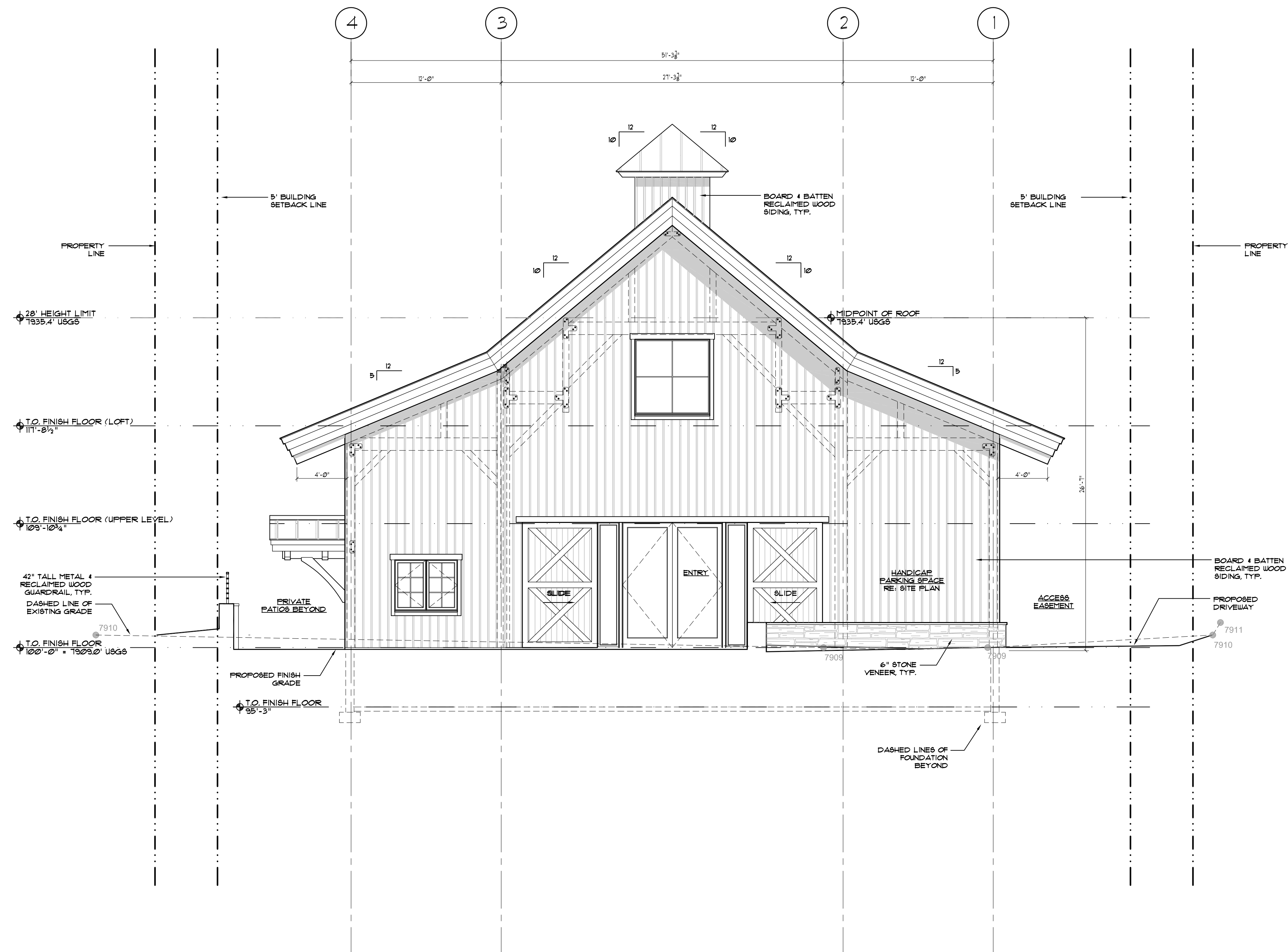
A3.30

1 **SOUTHEAST ELEVATION**
A3.30 3/16" = 1'-0"

- ELEVATION NOTES:
- DATUM: ARCHITECTURAL 100'-0" = 1903.0' (SURVEY)
 - SCUPPERS, GUTTERS & DOWNSPOUTS TO BE HALF ROUND GALVANIZED STEEL COORDINATED IN THE FIELD.
 - REFER TO BUILDING SECTIONS FOR FLOOR LEVELS, PLATE HEIGHTS, AND BEAM ELEVATIONS.
 - REFER TO THE ROOF PLAN & BUILDING SECTIONS FOR PLATE HEIGHTS AND ROOF OVERHANG DIMENSIONS.
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 - PROVIDE WALL FLASHING PER SECTIONS R103.4 & R303.2 OF THE IRC.
 - PROVIDE MINIMUM INSULATION PER TABLE 402.11 OF THE 2009 IECC, UNO.
 - BLIND NAIL ALL WOOD SIDING & SOFFITS WHEN POSSIBLE, TYP.

LEGEND:

W1		6" STONE VENEER RE:
W2		BOARD & BATTEN RECLAIMED WOOD SIDING RE:
W3		1x6 VERTICAL T&G WOOD SIDING RE:
R1		PRE-FINISHED STANDING SEAM METAL ROOFING RE: ROOF PLAN



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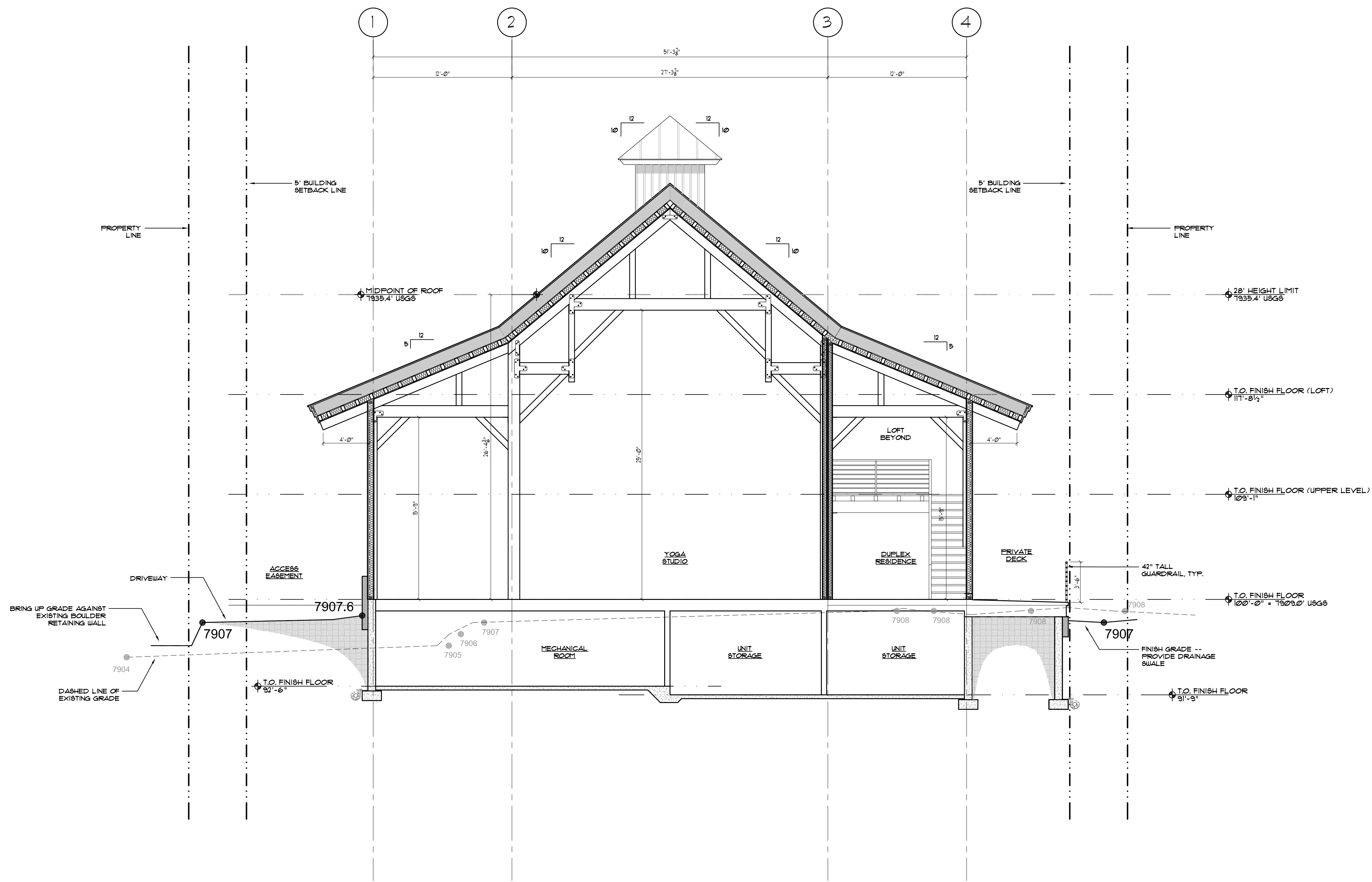
REVISIONS:

NO.	DESCRIPTION	DATE

SHEET SCALE: 3/16" = 1'-0"
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PROJECT #: 1903
SHEET TITLE: EXTERIOR ELEVATIONS
A3.40

1 **NORTHEAST ELEVATION**
A3.40 3/16" = 1'-0"



1 BUILDING SECTION
A4.10 3/16" = 1'-0"

ISSUED FOR:	DATE:
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REVISED SITE PLAN	11.08.20
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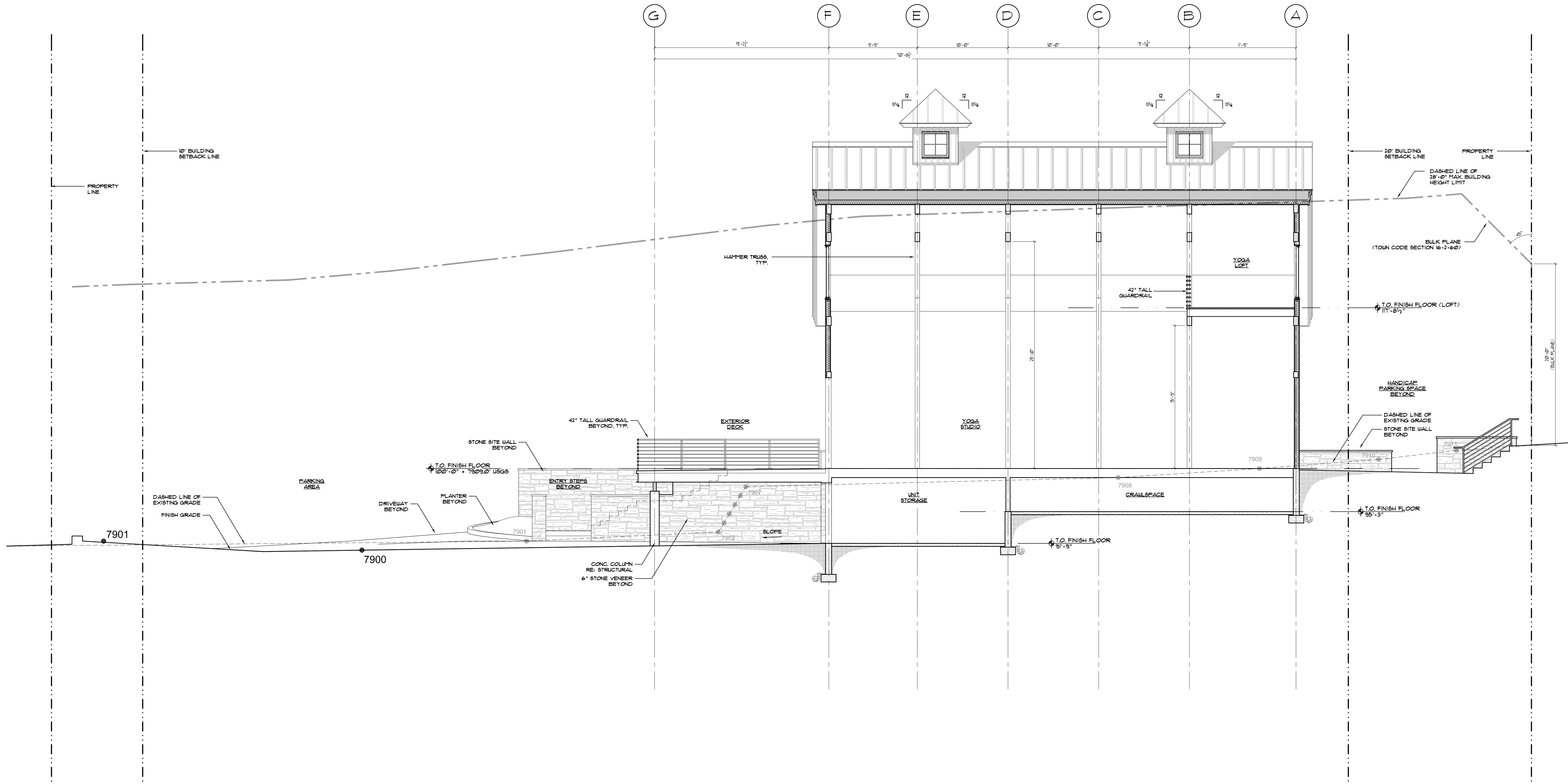
REVISIONS:

SHEET SCALE: 3/16" = 1'-0"
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PROJECT #: 1903
SHEET TITLE: BUILDING SECTIONS

A4.10



1 BUILDING SECTION
 A4.20 3/16" = 1'-0"

ISSUED FOR:	DATE:
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REVISIONS:

NO.	DATE	DESCRIPTION

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PROJECT #: 1903
 SHEET TITLE: BUILDING SECTIONS

A4.20



To: Mayor and Council
From: Madison Harris, Planner I
Date: January 28, 2021

Agenda Item: Recent Planning Commission Recommendations and Actions

REQUEST:

Review and ratification of Planning Commission actions from their regular meeting of January 27, 2021. The following actions were taken by the Planning Commission, acting as the Minturn Design Review Board, which may be called-up for further review by the Minturn Town Council:

701 Boulder Street – Bilello Residence

- Final Plan DRB Application for New Construction of a Single-Family Home

INTRODUCTION:

701 Boulder Street Final Plan

At their regular meeting of January 27, 2021, the Planning Commission, acting as the Town of Minturn Design Review Board, reviewed the final plans for a new construction at the Bilello Residence located at 701 Boulder Street. The plans approved by the DRB are for:

- **New Single-Family Residence**

Site plans (exterior elevation renderings and floor plans) are attached for reference.

No neighbors spoke at the DRB hearing where the DRB discussed proposed exterior materials and colors, as well as the proposed deck enclosure in context to Chapter 16 – *Zoning*, and Appendix ‘B’ *Design Review Standards and Guidelines*, of the Town of Minturn Municipal Code.

The DRB unanimously supported the proposed construction as meeting the objectives and requirements of the MMC and design standards,

Ultimately, the DRB voted 5-0 to approve the new construction of a single-family residence as a Final Plan review, with the conditions proposed by Town Staff:

1. The Applicant shall revise the site and/or floor plans to show all proposed exterior light locations and provide final cut sheets/specifications for proposed exterior light fixtures prior to or concurrent with building permit applications to ensure compliance with the Town’s lighting standards as well as consistency with fixtures found on the existing residential structure on the subject property.

2. The Applicant shall work with the Town and utility companies as appropriate to address any proposed minor encroachments or plantings into platted easements prior to or concurrent with building permit submittal.

Staff has conferred with the Town Attorney and has confirmed staff's interpretation of Section 16-22-30.

ANALYSIS:

In reviewing the application, the Planning Commission considered the criteria and findings required by the Minturn Municipal Code, as well as testimony of staff and the Applicant. No members of the public spoke at the DRB hearing.

COMMUNITY INPUT:

No members of the public spoke at the DRB hearing. Public notice was provided in accordance with the Minturn Municipal Code as a matter of posting of the official agenda and packet materials for public review prior to the hearing.

BUDGET / STAFF IMPACT:

N/A.

STRATEGIC PLAN ALIGNMENT:

The Planning Commission's review of proposed development projects and their actions to approve final plans for individual projects, acting as the Town of Minturn Design Review Board, aligns with the following key strategies:

PRACTICE FAIR, TRANSPARENT AND COMMUNICATIVE LOCAL GOVERNMENT

THE TOWN WILL SEEK TO MAKE INFORMED, DATA-BASED DECISIONS WITH A STANDARD OF "DOING IT RIGHT." WITH AN HONEST APPROACH TO ALL ASPECTS OF LOCAL GOVERNMENT AND A FOCUS ON THE PUBLIC PROCESS, THE TOWN COUNCIL AND STAFF ARE COMMITTED TO SERVING MINTURN WITH THE HONESTY AND INTEGRITY EXPECTED OF A SMALL-TOWN GOVERNMENT.

ADVANCE DECISIONS/PROJECTS/INITIATIVES THAT EXPAND FUTURE OPPORTUNITY AND VIABILITY FOR MINTURN

The ability for Minturn to approach development as resilient, sustainable, creative and diverse will allow the town to continue embracing what has "made Minturn, Minturn." The town can further leverage its crossroads location as a valley-wide benefit and competitive advantage.

RECOMMENDED ACTION OR PROPOSED MOTION:

Approve the following application on consent:

1. 701 Boulder Street – Bilello Residence – Final Plan

ATTACHMENTS:

- Proposed exterior elevation drawings and site plans for 701 Boulder Street

- Staff Report
- Letter from Inter-Mountain Engineering detailing review

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



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

Design Review Board Hearing

Bilello Residence – Final Plan Review for New Home

701 Boulder Street

Hearing Date:	January 27, 2021
File Name and Process:	Single Family Residence Final Plan Review
Owner/Applicant:	Mike Bilello
Representative:	Michael Pukas, MPP Design Shop, Inc.
Legal Description:	Lot 2 RBLA Subdivision
Address:	701 Boulder Street
Zoning:	Old Town Character Area – Residential Zone District
Staff Member:	Scot Hunn, Planning Director Madison Harris, Planner I
Recommendation:	Approval, with Conditions

Staff Report

I. Summary of Request:

The Applicant, Mike Bilello, requests Final Plan review of a new four-bedroom, 3,121 square foot single-family residence located at 701 Boulder Street in the Old Town Residential Zone District.

Proposed Plans

The plans show a two-story structure with an average height of 23.95 feet above proposed grade, and with a maximum height of 27'-6" above proposed grade. The height of the proposed structure appears to be within the maximum 28-foot allowable within the Residential Zone District.

Additionally, the massing, forms, and scale of the proposed structure, as well as proposed exterior materials, textures and detailing also appear to achieve the design objectives of Appendix B – Design Guidelines and Standards. Per the Applicant's letter of intent,

"The design of the building incorporates a gable roof with a shed dormer at the main living wing and a low-sloping shed roof at the garage and master suite wing. The exterior materials will include rusted corrugated metal siding at grade, weathered barn wood, horizontal wood siding, metal panels with reveals, standing seam metal roofing, and asphalt shingles."

Parking is adequate, with two spaces provided within the garage, and one space in front of the garage.

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

However, staff has identified the following minor issues needing to be addressed prior to or concurrent with building permit application or during the construction process:

- **Exterior Light Fixtures** – the floor plans and elevations should be updated prior to building permit to show all exterior lighting locations as well as cut sheet/specifications.
- **Easement Encroachments** – the plans show several minor encroachments of roof overhangs into easements as well as a balcony projecting from the second floor over the driveway which will encroach slightly into an existing "25' Access Easement" and a "Snow Storage Easement" in the northern corner of the parcel. This is a design issue that the Applicant's architect addressed with the Town during the pre-application process and staff believes any outstanding issues can be resolved prior to building permit application. The background and staff's comments regarding this issue are addressed further below.
- **6' Privacy Fence within the Front Setback Area** – the plans show a boulder retaining wall and 6' tall privacy fence along the side of the home – but within the setback determined by the Planning Director to be the front setback area. Here again, the Applicant's architect consulted with the Town during the pre-application process to ensure that such fence could be proposed in this situation (typically, the Town Code only allows 4' fences in front yard areas) Given the unique and challenging lot size and configuration and, importantly, the orientation of the front façade of the residence relative to the street and the neighboring property to the west, staff believes this area functions more as a side yard and is recommending that the fence be approved as presented.

With the exception of the above issues, staff believes that the Applicants and their representative have provided a complete, detailed set of plans necessary to complete a thorough final plan review.

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

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

II. Summary of Process and Code Requirements:

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

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

No variances are required or requested at this time.

Applicable Definitions

The following definitions from Article 2 – *Definitions*, Minturn Municipal Code, are relevant to this review:

Yard, front means that portion of a yard between the street line and the front door of the building and between the two (2) side lot lines, the depth of which shall be the least distance between the front lot line and the building.

Yard, side means all the yard between the front and rear yards, the width of which shall be the least distance between the side lot lines and the building.

Design Review Process

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

(d) *Administrative procedure.*

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

Staff suggests that the final plans for 701 Boulder Street meet or can be revised to meet the required findings ‘a,’ ‘b,’ and ‘c’ of subparagraph 3 – *Necessary findings*.

III. **Zoning Analysis:**

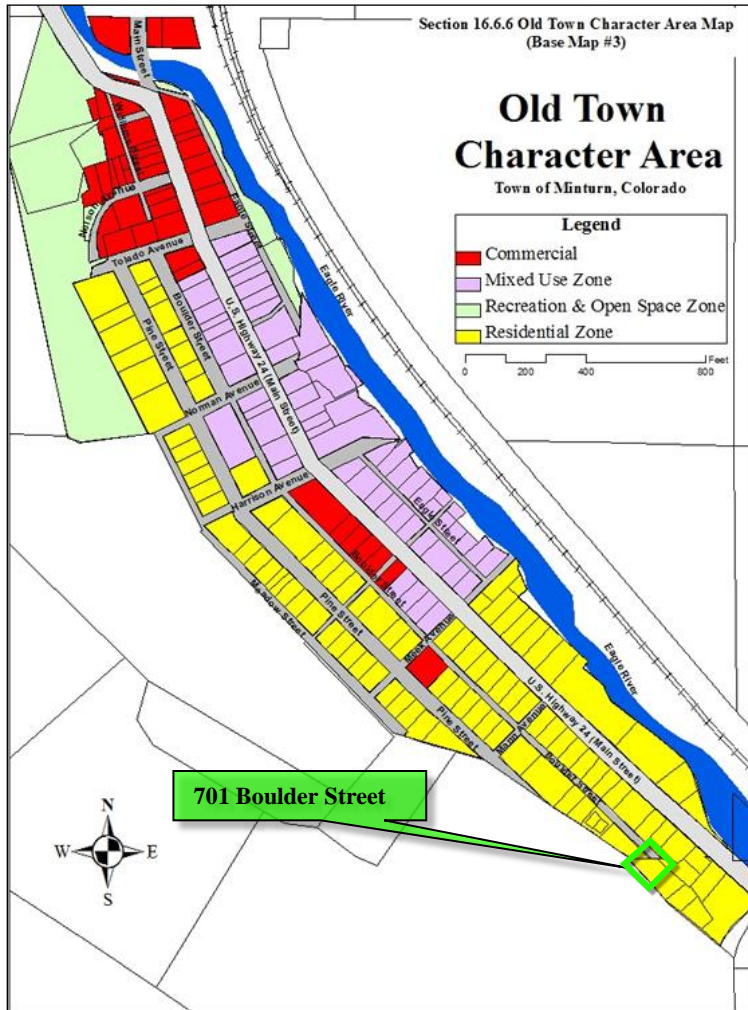
Zoning

The subject property is located within the “Old Town Character Area” Residential Zone District, described as follows:

- (a) *The neighborhood is bisected by Highway 24 and is characterized by single-family residences with a mix of business and institutional uses. **The residences are typically one (1) and two (2) stories, with outbuildings and minimal setback between structures.***
- (b) *The purpose of this zone is to **provide for continued residential use and redevelopment that preserves the unique character and scale of the neighborhood.** An objective is to retain the historically residential areas as quiet and safe neighborhoods while allowing for limited home-based occupations and home-based businesses to encourage permanent residency. **This area can accommodate reasonable growth where land and services are available.***

- Town of Minturn Town Code Section 16-6-20

Figure 1: Old Town Character Area Zoning Map



Dimensional Limitations and Development Standards

The following tables summarize the lot, development and dimensional standards and limitations applicable to Lot 2 pursuant to Section 16-2-40. - *General lot requirements and dimensional standards*; Section 16-16-20 – *Parking Required for Residential and Lodging Uses*; and Section 16-6-80 - *Old Town Character Area Limited Use Standards*.

Regulation	Allowed/Required	Proposed/Existing
Minimum Lot Area:	5,000 sq. ft.	5,755 sq. ft.
Maximum Building Height:	28 feet	27.6 feet
Minimum Front Setback:	10 feet	10 feet
Minimum Side Setback:	5 feet	5 feet
Minimum Rear Setback:	10 feet	10 feet
Maximum Building Coverage:	40% (2,302 sq. ft.)	1,668 sq. ft. (29%)
Maximum Impervious Coverage:	50% (2,877 sq. ft.)	2,878 (49%)
Minimum Snow Storage Area:	5% of Driveway/Parking Area (34.7 sq. ft.)	861 sq. ft.

Parking:	3 spaces	3 spaces

Note: the above calculations are based on the following:

$$\text{Lot 2} = .132 \text{ acres} \times 43,560 \text{ sq. ft./acre} = 5,755 \text{ sq. ft.}$$

$$694 \text{ sq. ft. parking area} \times .05\% = \underline{34.7 \text{ sq. ft. (Required Snow Storage)}}$$

IV. Applicable Standards and Design Guideline Criteria:

In addition to the development standards listed above, the following general design principles are provided for reference.

Overall Design

The design guidelines encourage designs that integrate or account for snow storage and snow shed from roof structures, along with ensuring that the orientation of buildings relative to solar access, to street frontages, and in relation to neighboring properties is considered.

The subject property is a challenging site from the perspectives of size, shape, topography/steepness, easement encumbrances, and solar orientation. Simply, staff believes that the Applicant’s architect has done a great job of siting this home on the lot while carefully addressing the requirements and restrictions of Chapter 16 and the Design Guidelines and Standards.

The proposed design generally takes advantage of and responds to the challenging site while respecting and preserving access and snow storage easements that encumber the northern portion of Lot 2. The site is required to have a minimum of approximately 35 square feet of dedicated snow storage yet provides over 800 square feet of storage areas on different portions of the lot surrounding the driveway area.

Mass and Form

The following excerpt from the Design Guidelines is applicable to the proposed home design:

“c. Massing and Scale

“A simple central form with additive features shall be designed. This style creates visual interest and is appropriate for the community due to its compatibility with existing structures. Buildings and improvements should complement, rather than overpower, the adjacent natural and built environment. Homes are encouraged to be sheltering in nature, with consistent setbacks from the street with prominent porches or overhanging eaves.

“Building mass, form, length and height shall be designed to provide variety and visual interest while maintaining a scale that is similar or compatible to adjacent structures.”

-Town of Minturn Design Guidelines

Staff Response:

Staff believes that the design and scale of the proposed structure incorporates a simple central form with additive features and is complimentary to adjacent single-family residential structures and character on nearby parcels. Staff further suggests that the scale of the project is appropriate and will not overpower surrounding natural and built environments – again, the project architect has done a nice job of siting the home on a challenging lot while working with site topography. Proposed roof forms and pitches, materials and textures are compatible and complimentary to the surrounding built and natural environments.

V. Issues and Areas of Refinement:

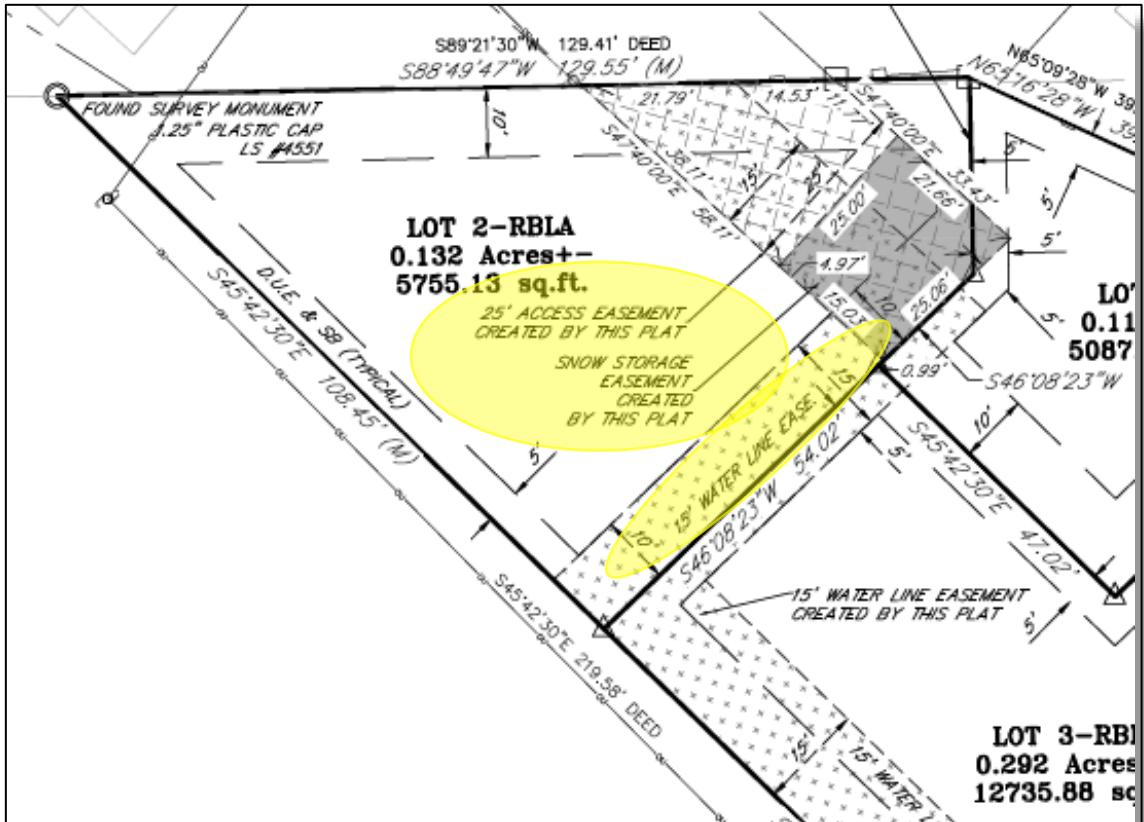
Issues or Required Plan Revisions

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

Encroachments into Easements

During pre-application meetings held with the Applicant’s architect, staff addressed the issue of second floor balcony encroachment into the platted access easement and the snow storage easement. Staff reviewed the Final Plat for the RBLA Subdivision and found no “General Notes” on the plat that would lend any clarity on who benefits from the easements, what the terms or restrictions on use are for those easements, or who enforces the easements. The Applicant’s architect also consulted with Arnold Martinez, Public Works Director, while developing the plans to ensure that any balcony or deck encroachments into these easement areas would not adversely impact snow plowing, storage, or management in this area of Boulder Street. As designed, the entirety (550 square feet) of the snow storage easement shown on the final plat and located in front of the home is preserved and will remain usable. Additional snow storage area is proposed on the northern most tip of the lot as well as next to the driveway.

Figure 2: RBLA Final Plat



Staff referred this final plan to the Town Engineer (Intermountain Engineering) and the Town Public Works Department for comments. Attached are comments from Brad Stempihar recommending that minor encroachments of roof overhangs into the water line easement or any plantings within that easement be reviewed by the Town and prior to building permit application.

Water Service

During his review of the plans, the Town Public Works Director, Arnold Martinez, raised questions regarding water service; apparently the existing lines in the area are either located some distance away from Lot 2 (approximately 270 feet to the northwest in the Boulder Street Right-of-Way) or could come from adjacent property located at 719 Main Street to the northeast. This is information only.

Exterior Light Fixtures

The plans should be updated to show exterior light locations. Light fixtures and lighting solutions are to be dark sky compliant.

VI. Staff Recommendation and Suggested Conditions:

Staff suggests that the Final Plans for 701 Boulder Street generally **comply** with or exceed the applicable provisions and/or minimum standards of Chapter 16 and the Town of Minturn Design Standards (Appendix 'B') of the Minturn Town Code.

Staff is **recommending approval** of the Final Plans, with conditions.

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

1. The Applicant shall revise the site and/or floor plans to show all proposed exterior light locations and provide final cut sheets/specifications for proposed exterior light fixtures prior to or concurrent with building permit applications to ensure compliance with the Town's lighting standards as well as consistency with fixtures found on the existing residential structure on the subject property.
2. The Applicant shall work with the Town and utility companies as appropriate to address any proposed minor encroachments or plantings into platted easements prior to or concurrent with building permit submittal.

January 20, 2021

Mr. Scot Hunn
Town of Minturn
PO Box 309
Minturn CO 81645
Via email: scot@hunnplanning.com

RE: Bilello Residence-DRB Plan Review
Project No. 21-0007

Dear Scot:

We reviewed the Bilello Residence DRB plan submittal on January 20, 2021 and offer the following comments:

Sheet AS101:

- Any trees planted within the 15' waterline easement shall be coordinated with Public Works for review and approval.
- The upper deck encroaches into the 15' drainage/utility and snow storage easement and the upper roof encroaches into the 15' waterline easement. Any easement encroachments shall be coordinated with all appropriate utility providers and Public Works for review and approval. Any easement encroachments should be documented with both horizontal and vertical clearance requirements.
- There should be spot elevations depicted on the retaining wall. Any retaining wall over 4.0' height (measured from the top of wall to bottom of footer) shall be prepared by a qualified design professional registered in the State of Colorado.
- The grading and drainage behind and on the south side the house appears to be draining towards the building. Please provide detailed spot elevations and slopes with "For Construction" plans to ensure the site grading can be constructed properly.
- Additional proposed spot elevations, slopes, and contour labels should be provided with "For Construction" plans.
- Protection of the existing electric power pole at the driveway entrance may be required. Any proposed protection feature should be coordinated with the appropriate utility provider.
- Utility service connection designs shall be provided with "For Construction" plans per note #6.

While these initial plans appear suitable for DRB plan review, detailed "For Construction" ready plans shall be provided for permit. Please feel free to contact me with any questions regarding the provided comments.

Sincerely,
Inter-Mountain Engineering



Brad Stempihar, PE

CC: Michelle Metteer; Michael Sawyer, Madison Harris, Jeffery Spanel

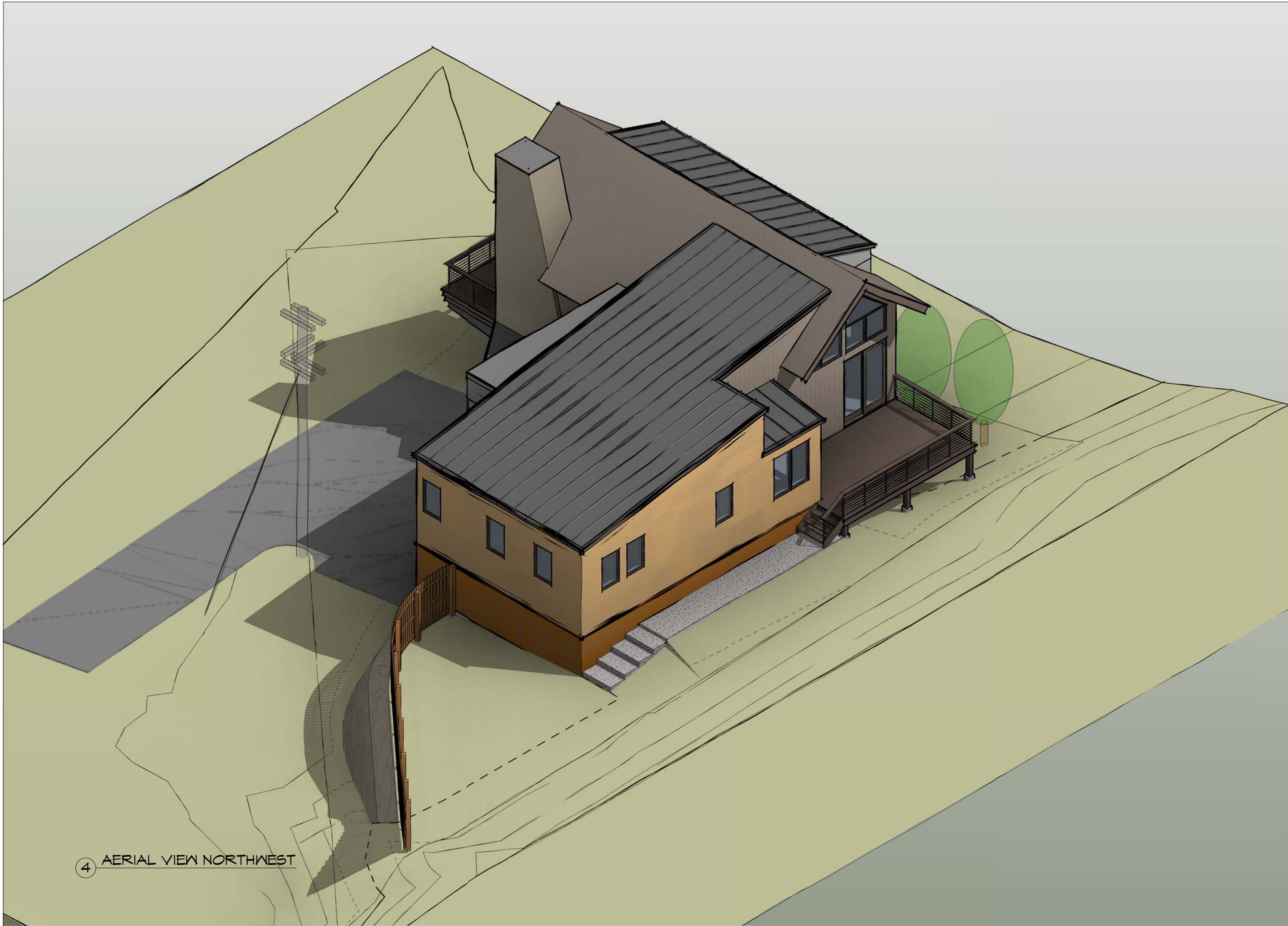
VAIL VALLEY OFFICE

30 Benchmark Road, Suite 216 | PO Box 978 | Avon, CO 81620

DENVER OFFICE

9618 Brook Hill Lane | Lone Tree, CO 80124

970.949.5072 | info@inter-mtn.net



4 AERIAL VIEW NORTHWEST



2 AERIAL VIEW NORTHEAST



3 AERIAL VIEW SOUTHWEST



1 AERIAL VIEW SOUTHEAST

mpp design shop, inc.

PO Box 288
Gypsum, CO 81637
(970) 390-4931
michael@mppdesignshop.com

Bilello Residence
701 Boulder Street
Minturn, CO 81645

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#	Description	Date
1	DRB Submitt	01/06/21

Project Number: 2007
Designed by: mpp
Drawn by: mpp
Checked by: mpp

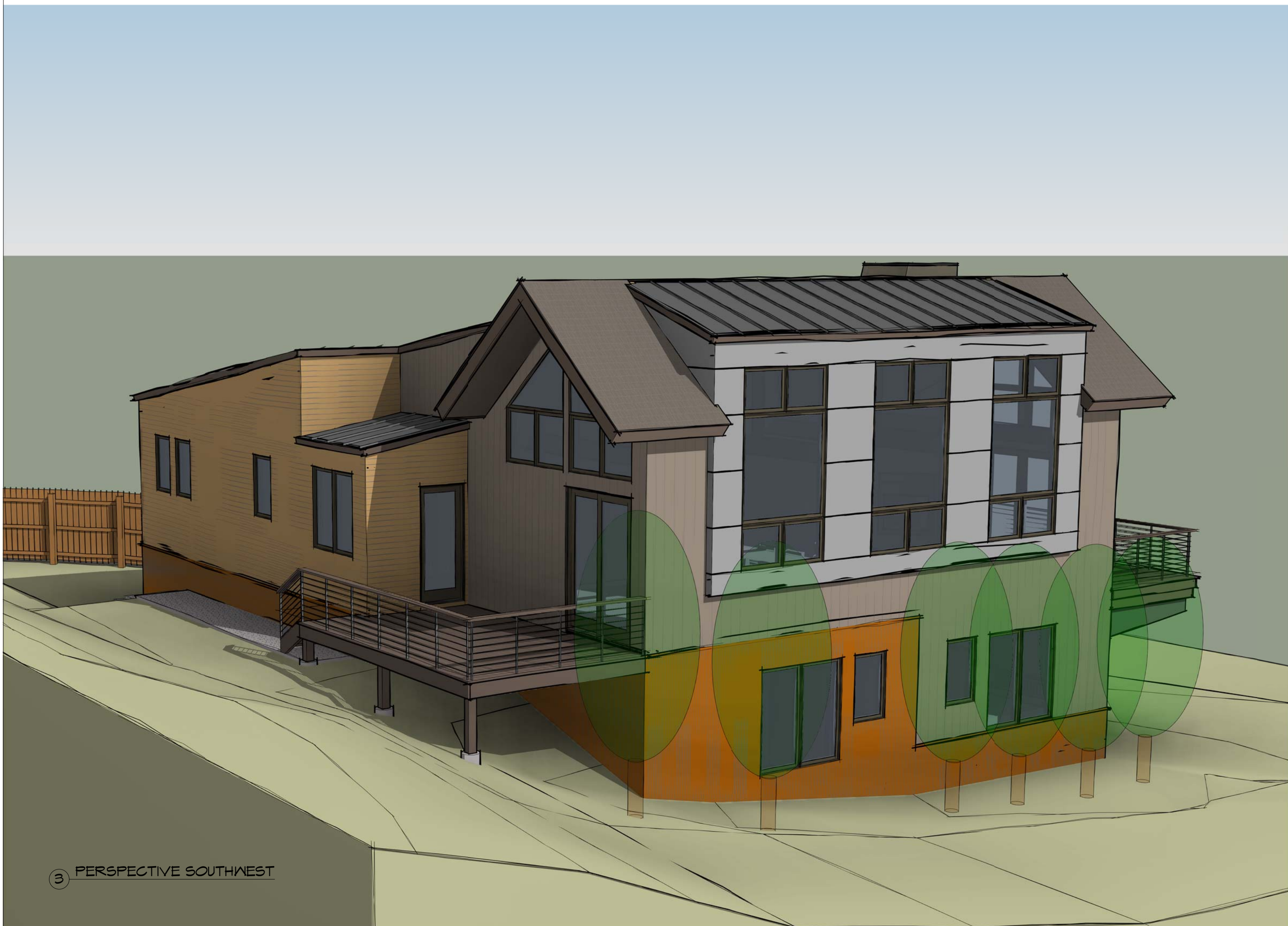
AERIAL VIEWS



4 PERSPECTIVE NORTHWEST



2 PERSPECTIVE NORTHEAST



3 PERSPECTIVE SOUTHWEST



1 PERSPECTIVE SOUTHEAST

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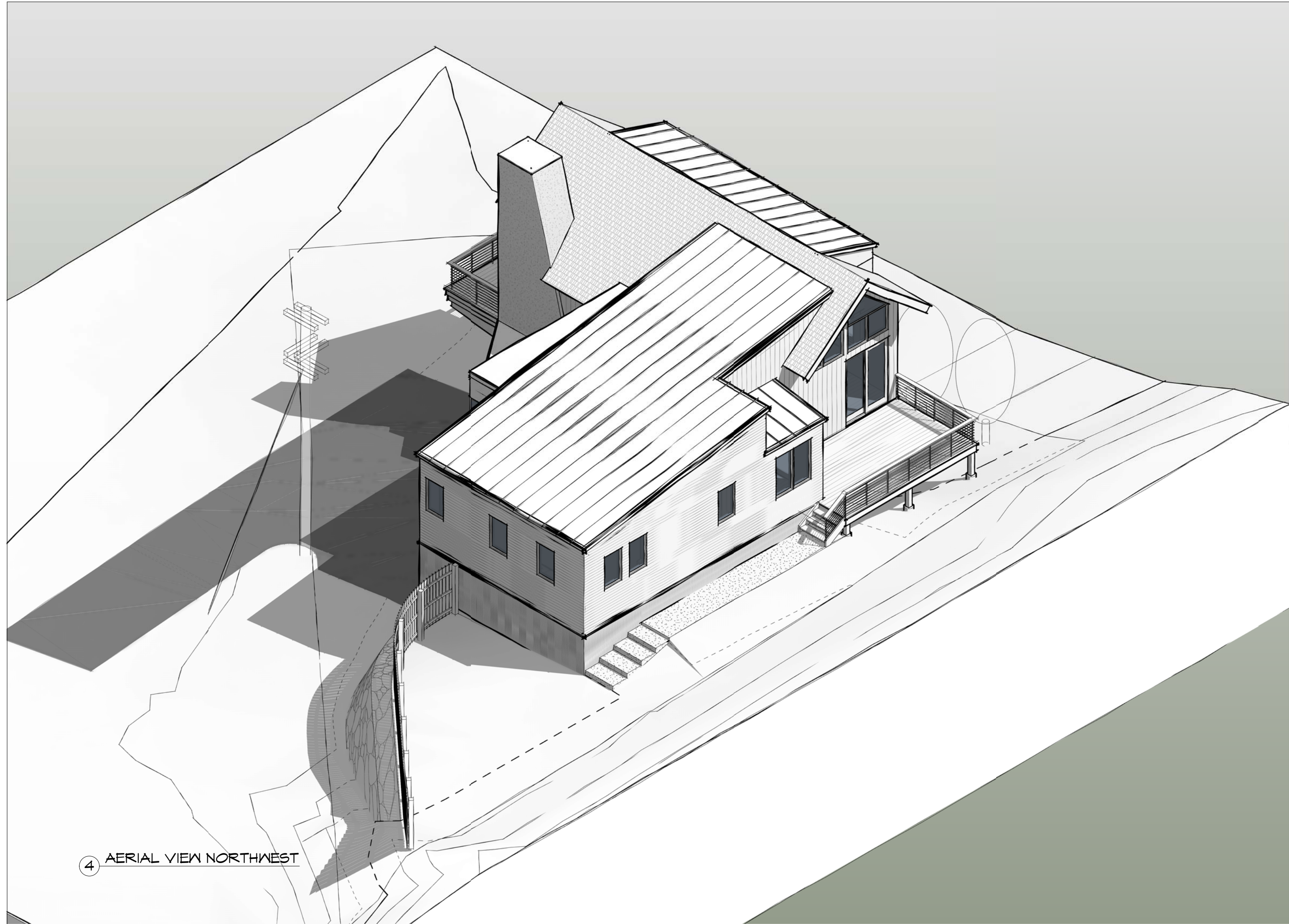
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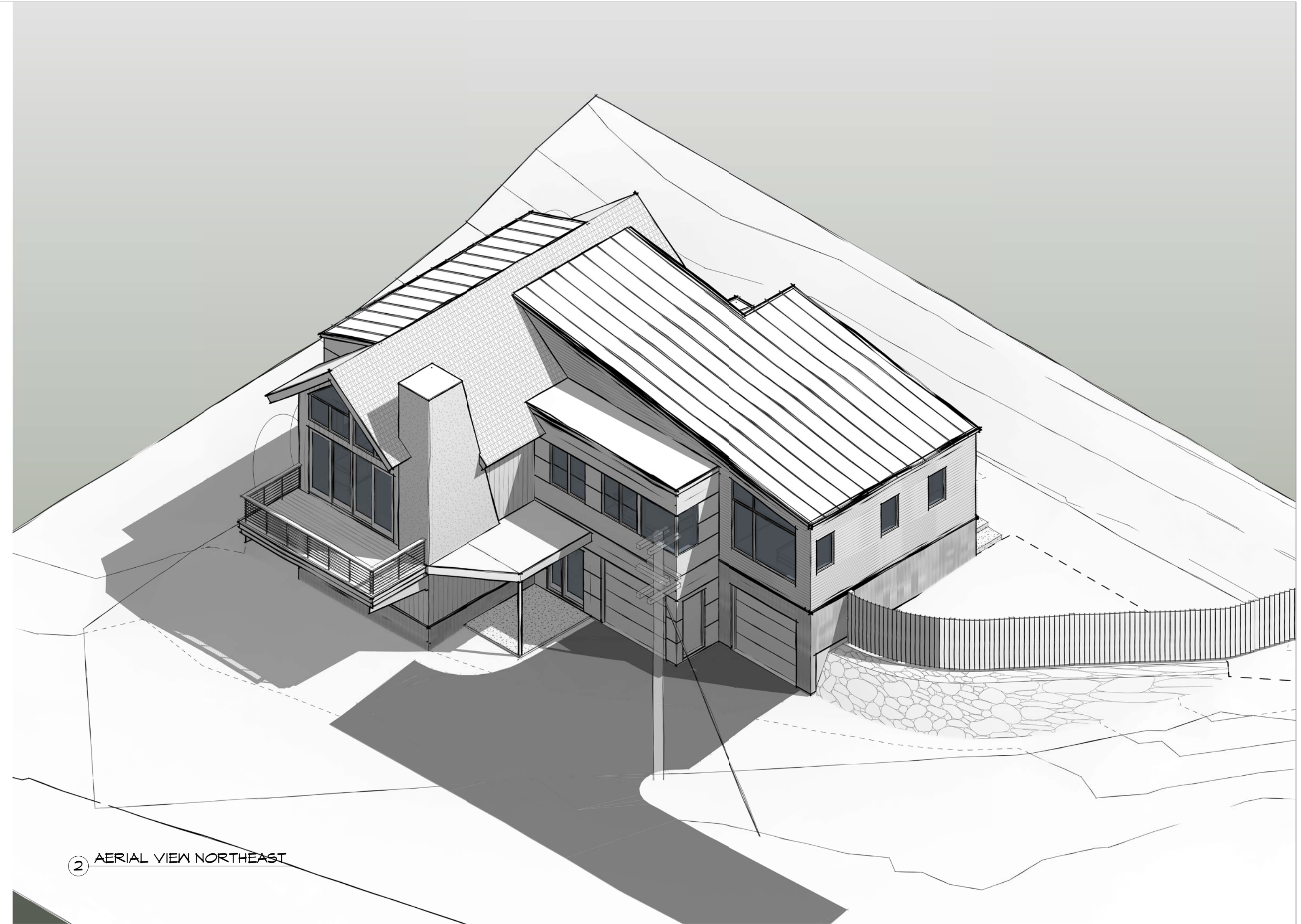
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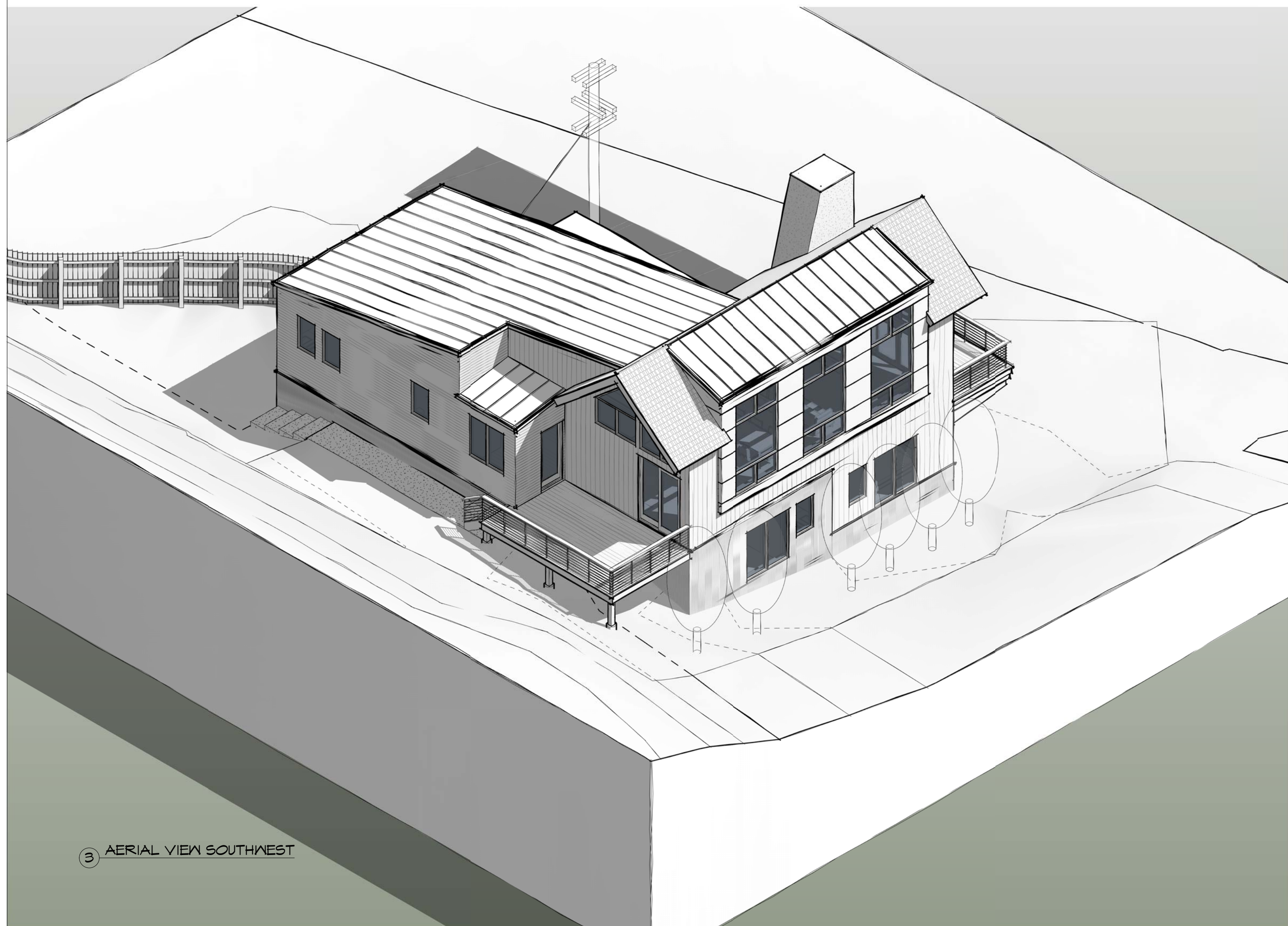
PERSPECTIVE VIEWS



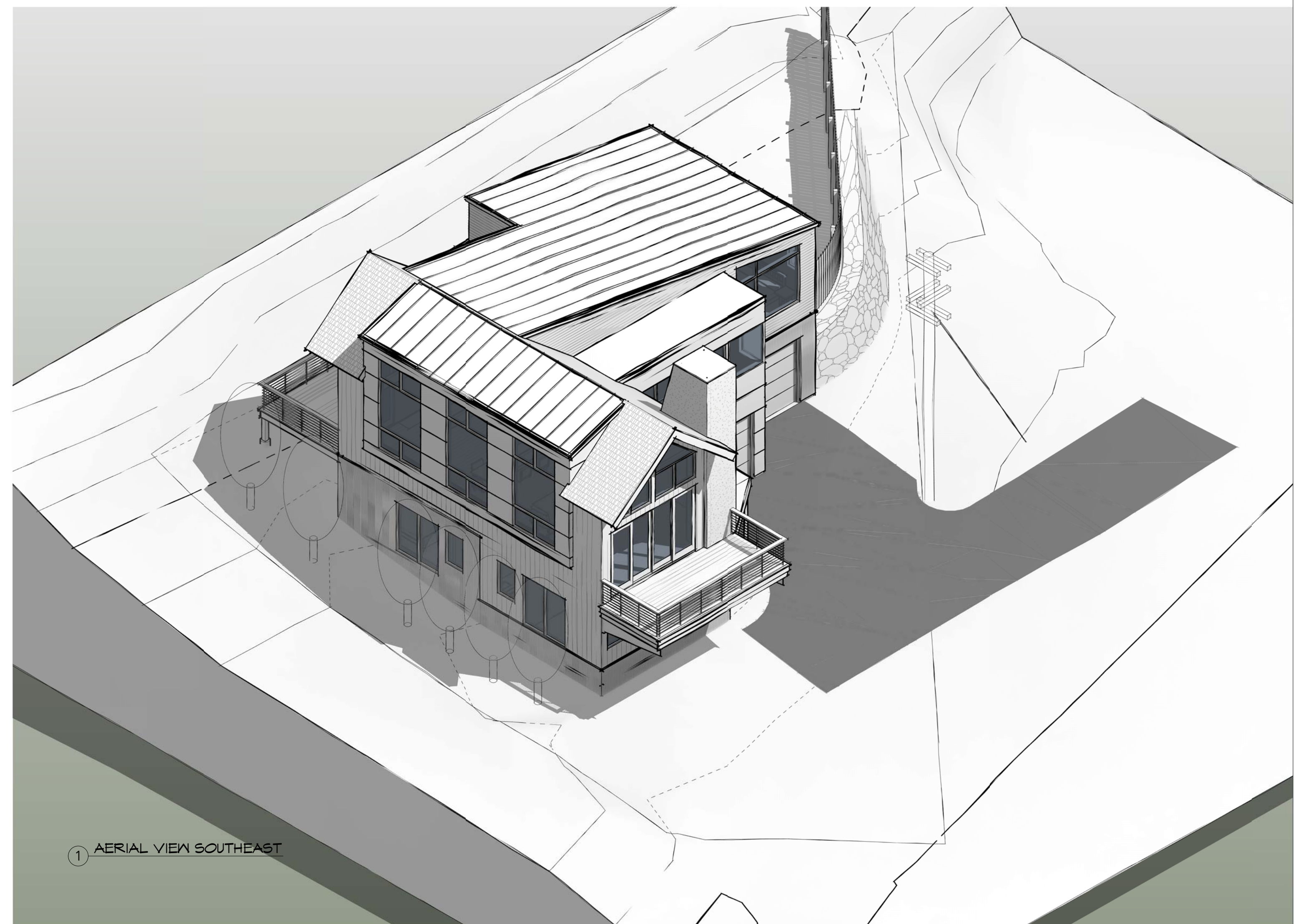
4 AERIAL VIEW NORTHWEST



2 AERIAL VIEW NORTHEAST



3 AERIAL VIEW SOUTHWEST



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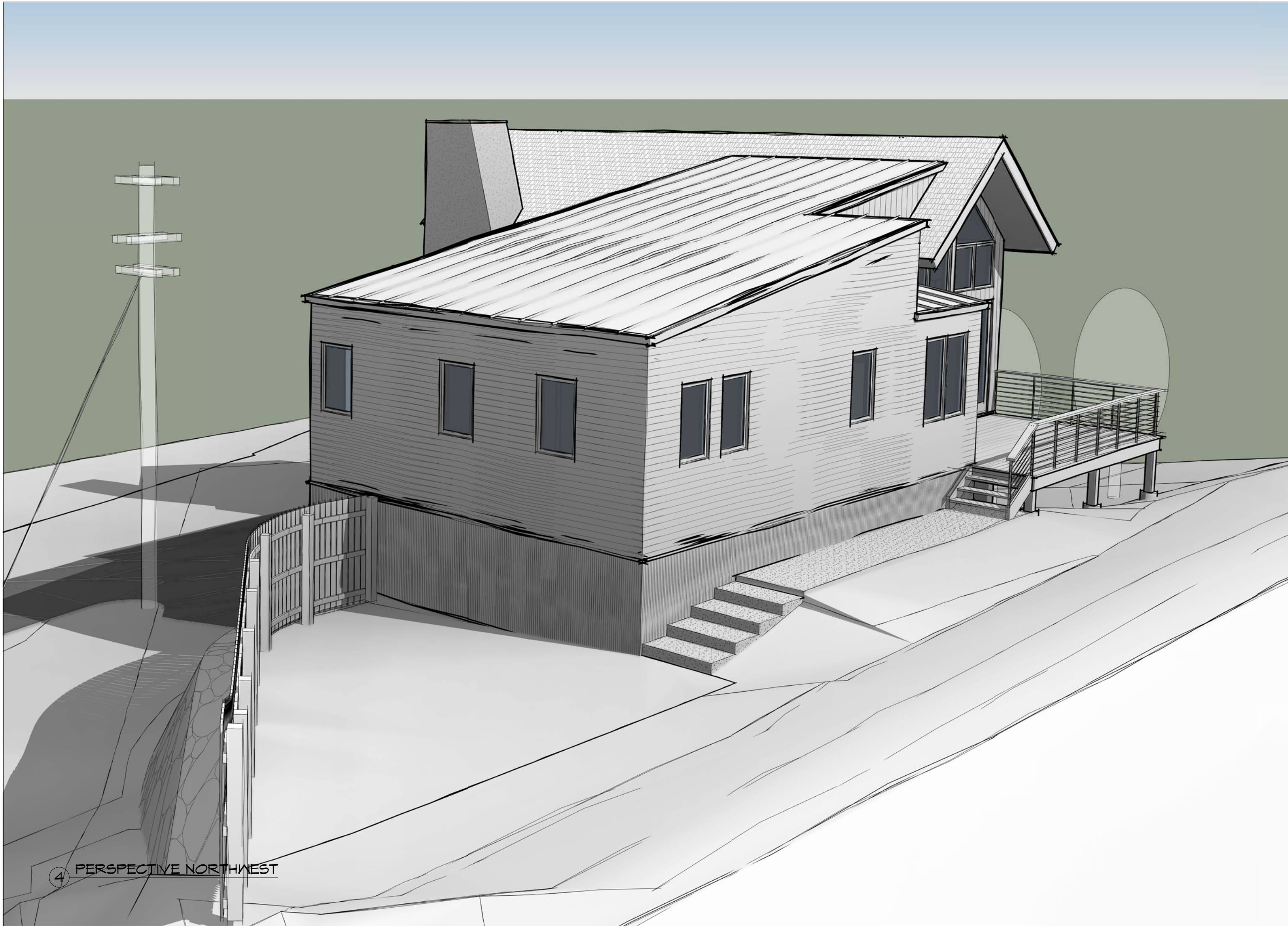
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AERIAL VIEWS



4 PERSPECTIVE NORTHWEST



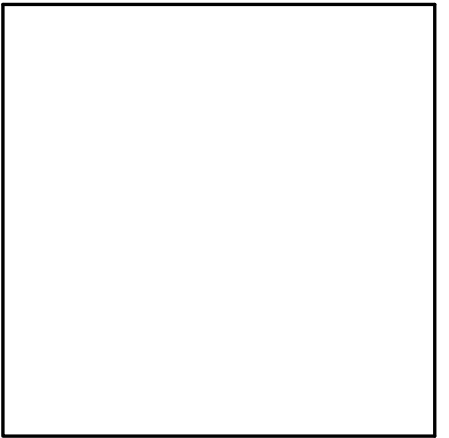
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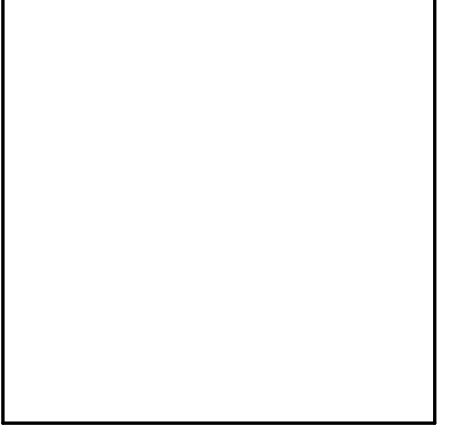
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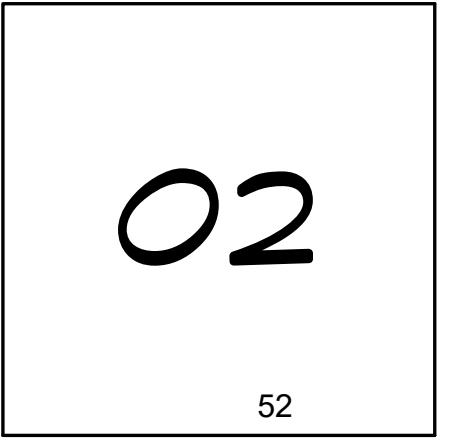
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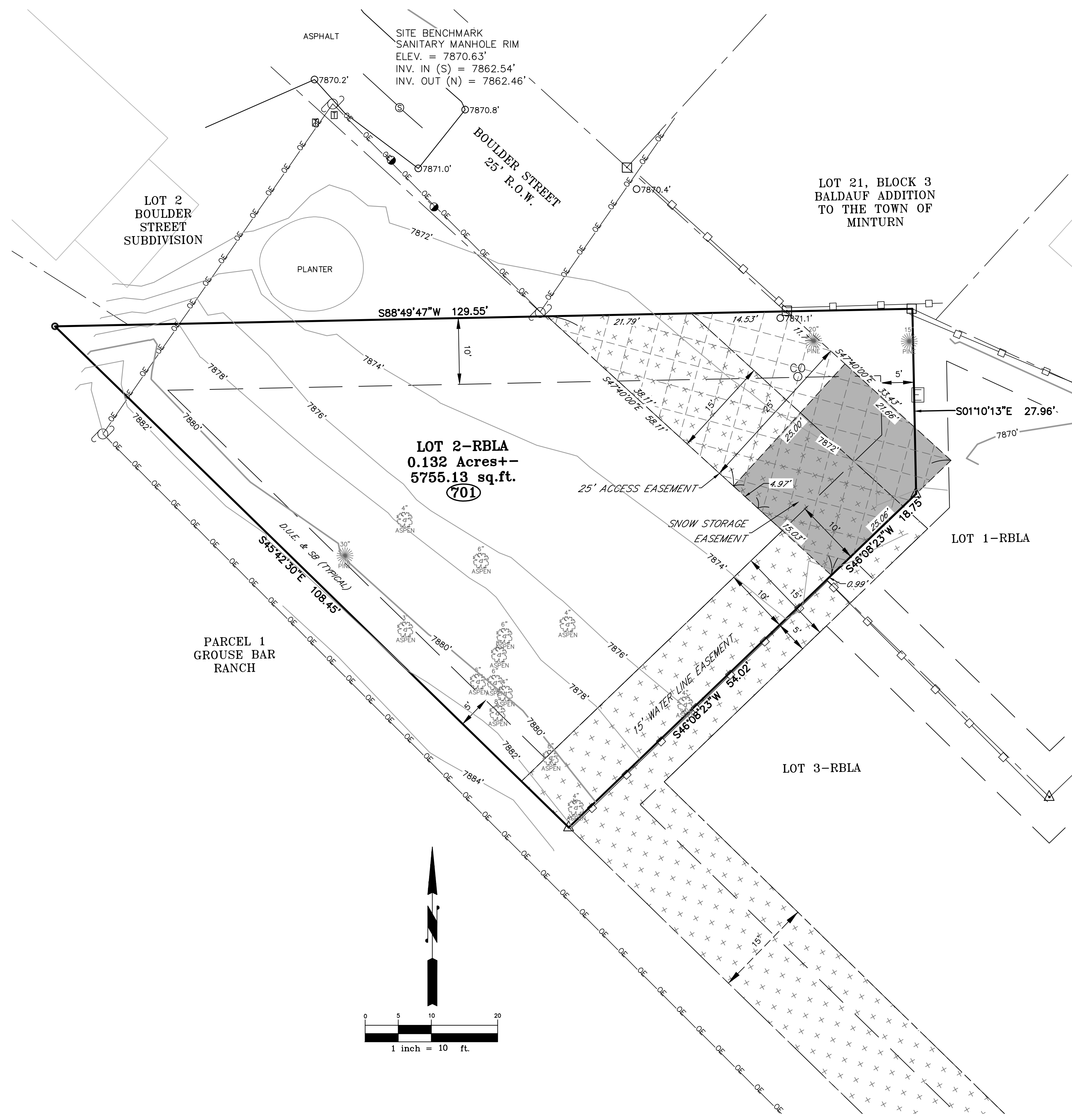
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 Drawn by: mpp
 Checked by: mpp

PERSPECTIVE VIEWS



IMPROVEMENT LOCATION CERTIFICATE
WITH TOPOGRAPHY
LOT 2, RBLA MINTURN SUBDIVISION
Town of Minturn, County of Eagle, State of Colorado



LEGAL DESCRIPTION:

LOT 2, RBLA MINTURN SUBDIVISION, according to the the Corrected Plat recorded August 2, 2018, at reception #201813165 in the Office of the Clerk and Recorder, County of Eagle, State of Colorado.

NOTES:

- 1) DATE OF SURVEY: 7-13-20
- 2) Street Address: 701 Boulder Street (Not-Posted)
- 3) Benchmark: 3.25" Aluminum Cap, CDOT MM 145.8 Elevation = 7869.72'
Site Benchmark: Sanitary Manhole Rim Elevation = 7870.63' NAVD Vertical Datum
- 4) One foot contours shown hereon.
- 5) Location of improvements, lot lines, set backs, and easements are based upon the above-referenced Final Plat, Survey Monuments found at the time of this survey as shown hereon and Title Commitment Order No. V50057124 from Land Title Guarantee Company with an effective date of 6-15-20. This Survey does not constitute a boundary survey nor any investigation into record easements or encumbrances associated with this property.
- 6) This is not a monumented survey, Land Survey Plat, or Improvement Survey plat. No boundary resolution was performed in making this survey. All lot lines, setback lines, and easement lines shown hereon should be considered approximate and should not be relied upon for the placement of any future improvements.
- 7) NOTICE: According to Colorado law you MUST commence any legal action based upon any defect in this survey within three years after you first discovered such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

CERTIFICATION:

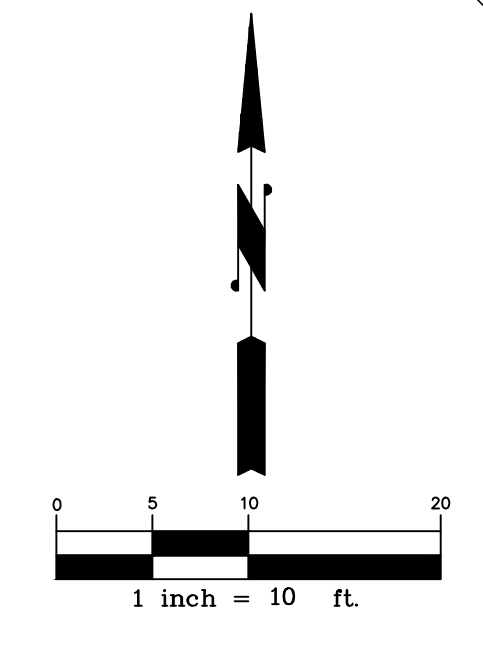
I hereby certify that this Improvement Location Certificate was prepared for Michael Anthony Bilello and Carlee S., and this is NOT a Land Survey Plat or Improvement Survey Plat, and that it is not to be relied upon for the establishment of fence, building, or other future improvements lines. This certificate is valid only for use by Michael Anthony Bilello and Carlee S. and describes the parcels appearance on 7-13-20.

I further certify that the improvements on the above described parcel on this date, 7-13-20, except utility connections, are entirely within the boundaries of the parcel, except as shown, that there are no encroachments upon the described premises by improvements on any adjoining premises, except as indicated, and that there is no apparent evidence or sign of any easement crossing or burdening any part of said parcel, except as noted.



Randall P. Kipp P.L.S. #38079
Colorado Professional
Land Surveyor

LEGEND:	
NO0°00'00"E 0.00'	DENOTES BOUNDARY LINE BEARING AND DISTANCE
---	DENOTES ACCESS & UTILITY EASEMENT LINE
---	DENOTES DRAINAGE/ UTILITY EASEMENT AND SETBACK LINE (D.U.E. & SB)
---	DENOTES OVERHEAD WIRES
---	DENOTES ADJOINING PROPERTY LINES
□	DENOTES WOOD POST AND RAIL FENCE
---○---	DENOTES OVERHEAD WIRE
□	DENOTES FOUND SURVEY MONUMENTS 1.5" ALUMINUM CAP ON #5 REBAR, LS #9337
○	DENOTES FOUND SURVEY MONUMENT 1.25" RED PLASTIC CAP ON #5 REBAR, LS #4551
△	DENOTES FOUND SURVEY MONUMENT - 1.5" ALUMINUM CAP ON #5 REBAR, LS #38079
○	DENOTES UTILITY POLE
○	DENOTES SANITARY CLEANOUT
○	DENOTES SANITARY MANHOLE
□	DENOTES ELECTRIC PEDESTAL
○	DENOTES GUY WIRE
□	DENOTES TELEPHONE PEDESTAL



IMPROVEMENT LOCATION CERTIFICATE WITH TOPOGRAPHY LOT 2, RBLA SUBDIVISION Town of Minturn, County of Eagle, Colorado		KIPP LAND SURVEYING RANDY KIPP P.L.S. P.O. Box 3154 Eagle, CO 81631 (970) 390-9540 email: randy@kipplandsurveying.com web: kipplandsurveying.com
JOB NO.: 15048	DATE: 7-13-20	
SHEET 1 OF 1	DWG NAME: 05048-Lot 2 RBLA	

LOT 2
BOULDER STREET SUBDIVISION
SHANE SORENSEN
BOOK 641 PAGE 873

LOT 21, BLOCK 3
BALDAUF ADDITION TO THE TOWN OF MINTURN
IAN, J. LOCHHEAD
REC. NO. 65797

LOT 22,
BALDAUF ADDITION TO
ADAM
REC. N

LOT 1-RBLA
0.117 Acres+-
5087.02 sq.ft.

LOT 2-RBLA
0.132 Acres+-
5755.13 sq.ft.

LOT 3-RBLA
0.292 Acres+-
12735.88 sq.ft.

Planting Schedule		
Type	Count	Type
1	6	Quaking aspen/ <i>Populus tremuloides</i>

BUILDING HEIGHT							
POINT	NATURAL GRADE ELEVATION	FINISHED GRADE ELEVATION	MEASURED FROM	ROOF ELEVATION	CALCULATION	HEIGHT	COMMENTS
A	1812.4	1813.4	NATURAL GRADE	1800.5	1800.5-1812.4	21.6	
B	1813.3	1813.3	NATURAL GRADE	1800.5	1800.5-1813.3	21.2	
C	1813.6	1813.0	FINISHED GRADE	1800.5	1800.5-1813.0	22.5	
D	1813.4	1813.5	NATURAL GRADE	1800.5	1800.5-1813.4	22.1	
E	1814.2	1812.3	NATURAL GRADE	1811.1	1811.1-1814.2	19.4	
F	1814.1	-	NATURAL GRADE	1811.1	1811.1-1814.1	24.4	

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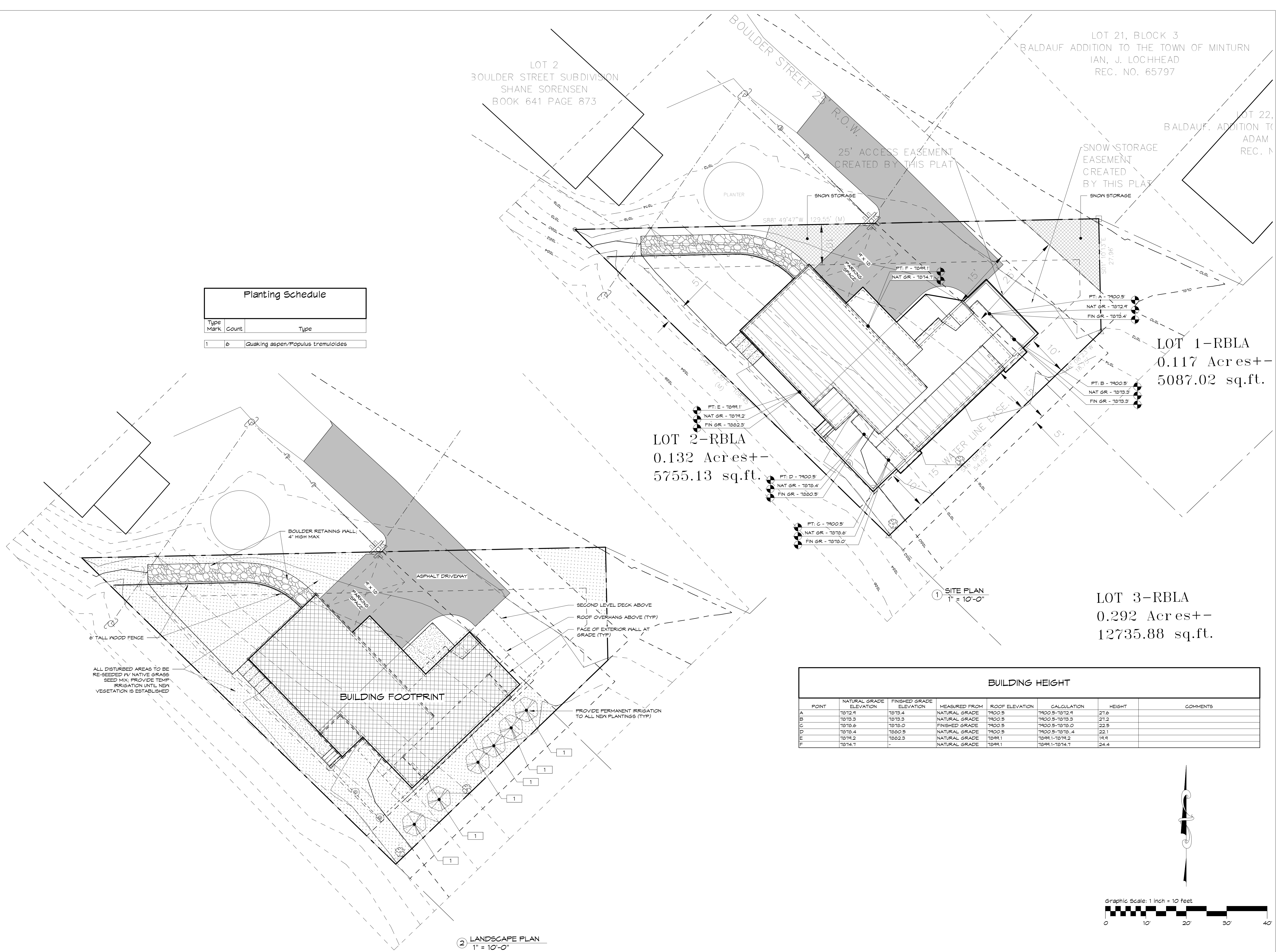
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Checked by: mpp

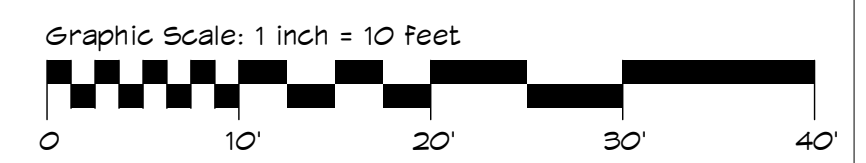
SITE & LANDSCAPE PLANS

AS101



② LANDSCAPE PLAN
1" = 10'-0"

① SITE PLAN
1" = 10'-0"



SITE AND BUILDING ANALYSIS

LOT SIZE:	0.132 ACRES / 5,755 SF
DRIVENWAY AREA:	694 SF
SNOW STORAGE REQUIRED @ 5%:	35 SF
SNOW STORAGE PROPOSED:	311 SF
TOTAL BEDROOMS PROPOSED:	4
PARKING SPACES REQUIRED:	3
PARKING SPACES PROPOSED:	3 (2 ENCLOSED, 1 SURFACE)

LOT AREA & ALLOWABLE COVERAGE		
LOT AREA	BUILDING LOT COVERAGE @ 40%	IMPERVIOUS SURFACE COVERAGE @ 50%
5,755 SF	2,302 SF	2,878 SF

BUILDING LOT COVERAGE	
BUILDING LOT COVERAGE	1,668 SF
	1,668 SF

IMPERVIOUS SURFACE COVERAGE	
BACK DECK COVERAGE	195 SF
BUILDING LOT COVERAGE	1,667 SF
DRIVENWAY COVERAGE	694 SF
FRONT DECK COVERAGE	142 SF
WALKWAY COVERAGE	132 SF
	2,830 SF

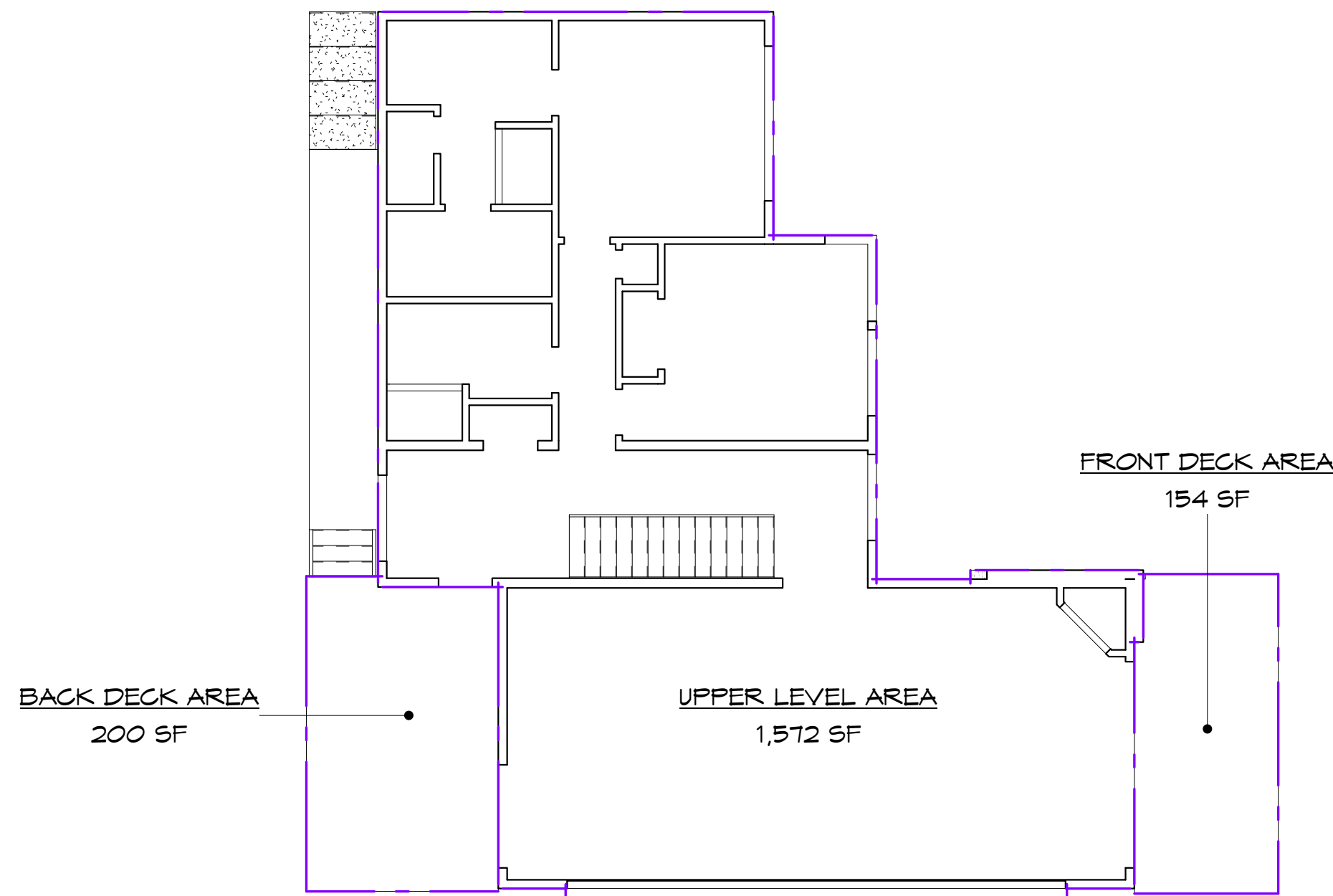
SNOW STORAGE AREA	
SNOW STORAGE	142 SF
SNOW STORAGE	169 SF
	311 SF

LIVEABLE FLOOR AREA	
LOWER LEVEL AREA	895 SF
UPPER LEVEL AREA	1,572 SF
2ND LEVEL DECK COVERAGE	65 SF
	2,532 SF

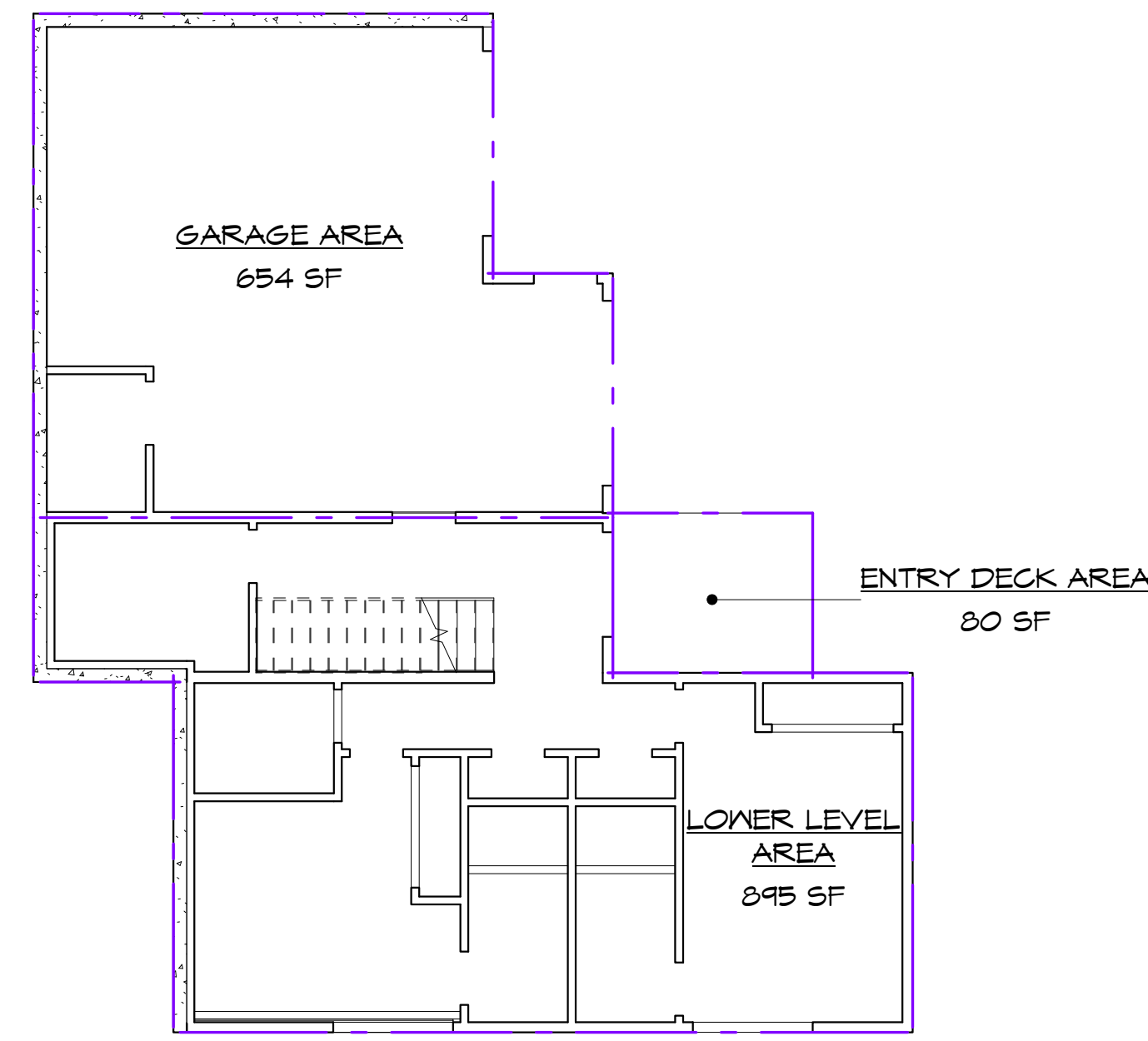
GARAGE AREA	
GARAGE AREA	654 SF
	654 SF

DECK AREA	
ENTRY DECK AREA	80 SF
FRONT DECK AREA	154 SF
BACK DECK AREA	200 SF
	434 SF

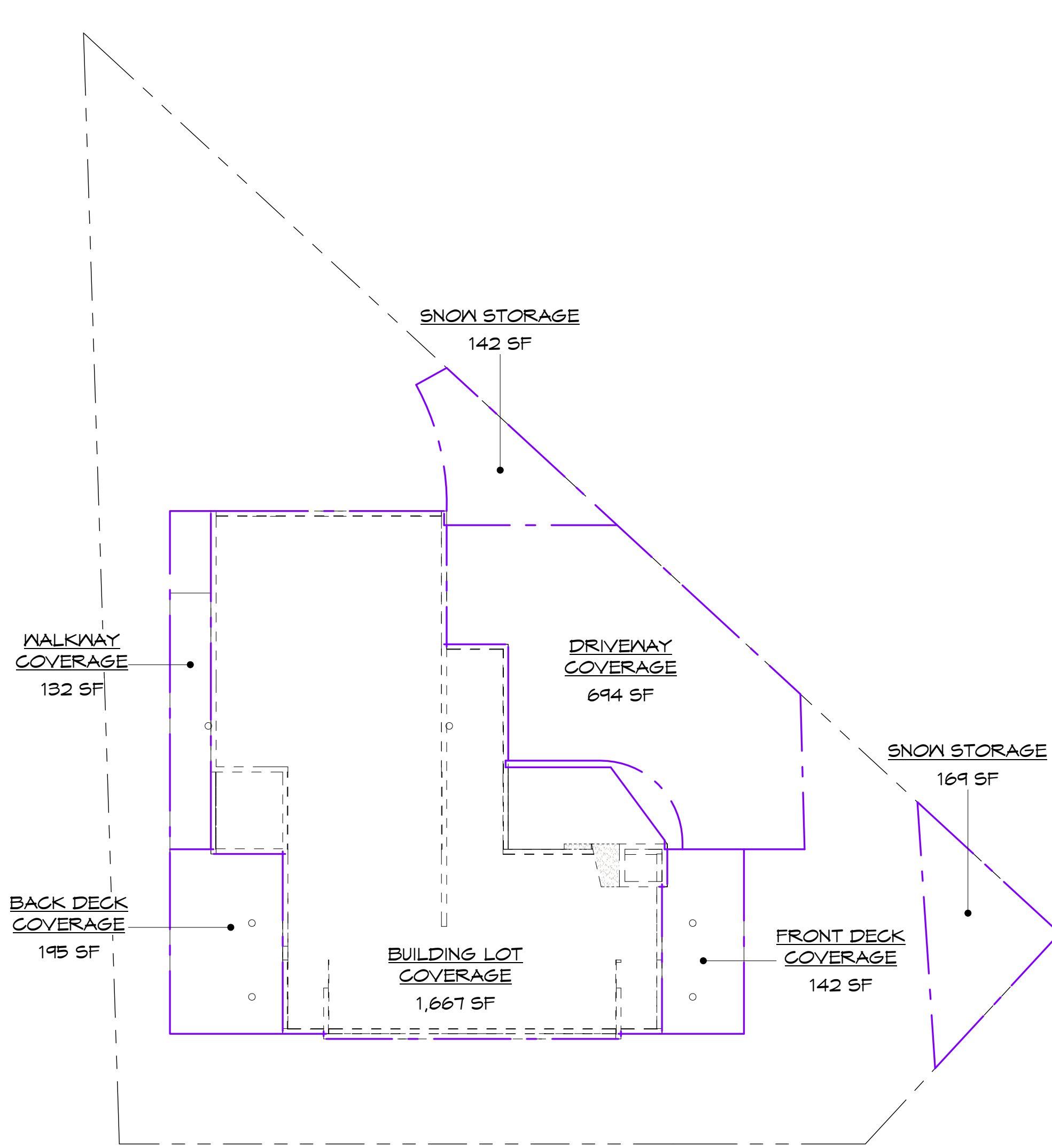
TOTAL BUILDING AREA	
GARAGE AREA	654 SF
LOWER LEVEL AREA	895 SF
UPPER LEVEL AREA	1,572 SF
TOTAL BUILDING AREA	3,121 SF



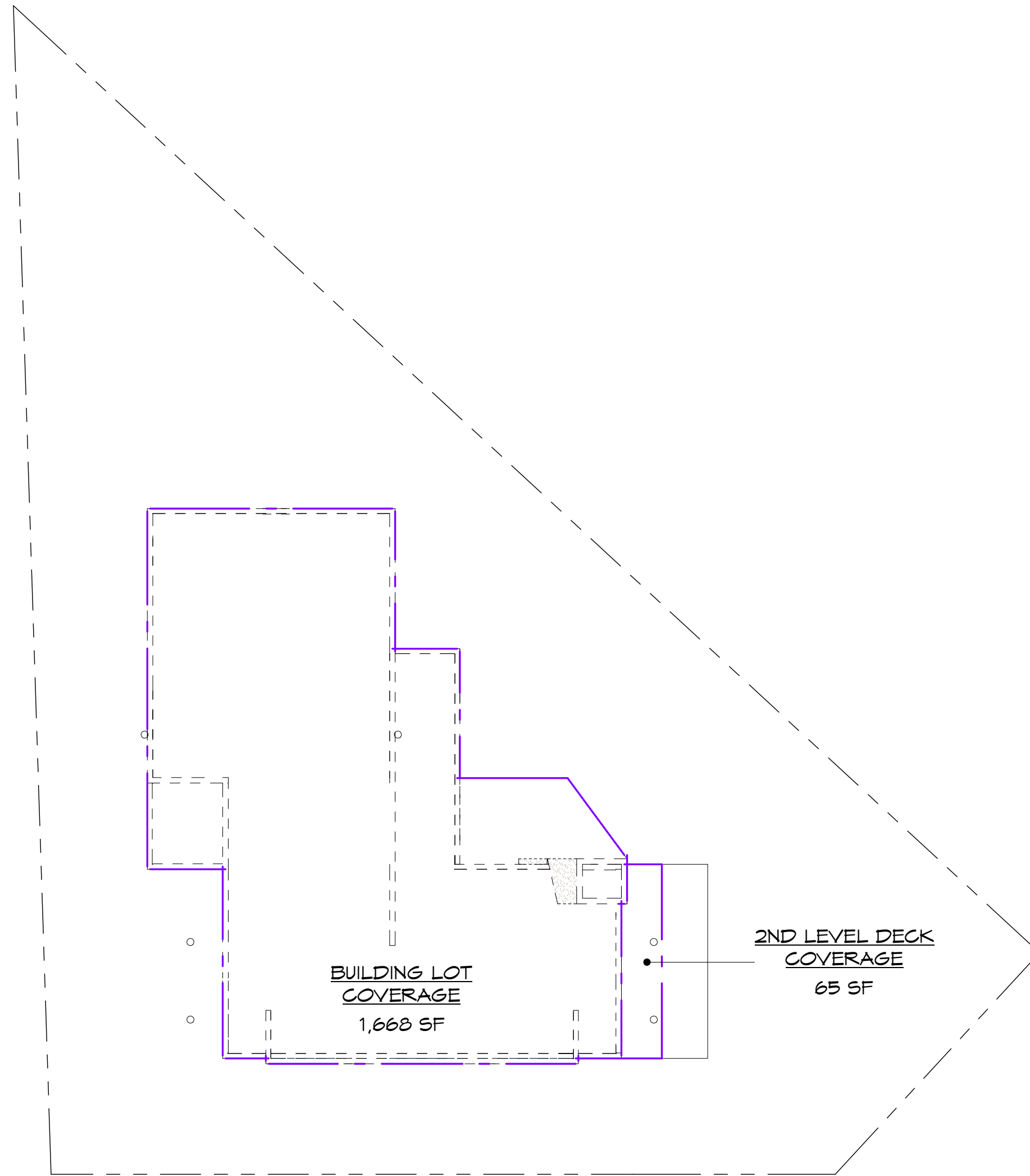
⑤ UPPER LEVEL AREA PLAN
1/8" = 1'-0"



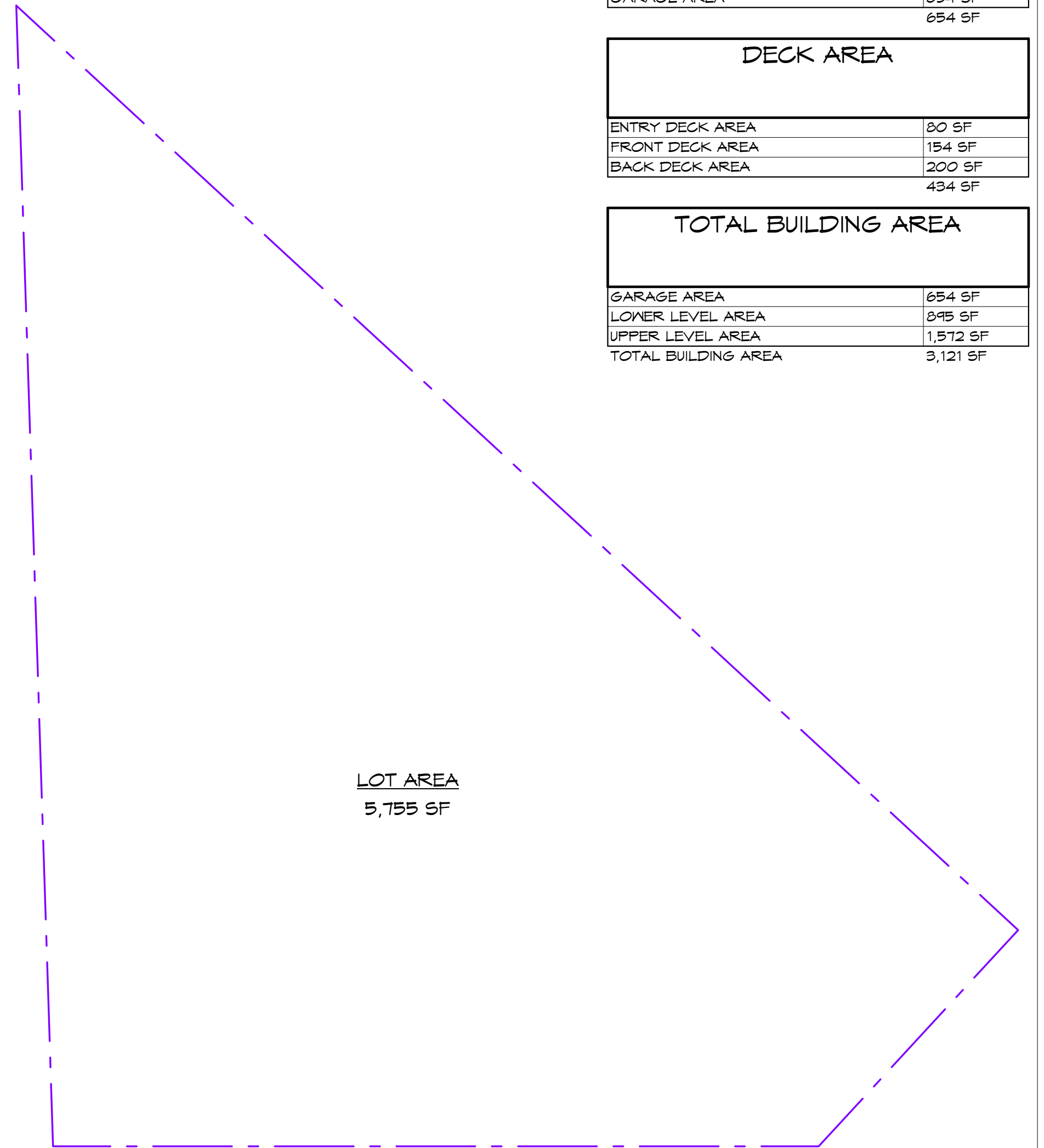
④ LOWER LEVEL AREA PLAN
1/8" = 1'-0"



③ IMPERVIOUS SURFACE COVERAGE
1" = 10'-0"



② BUILDING LOT COVERAGE
1" = 10'-0"



① LOT AREA
1" = 10'-0"

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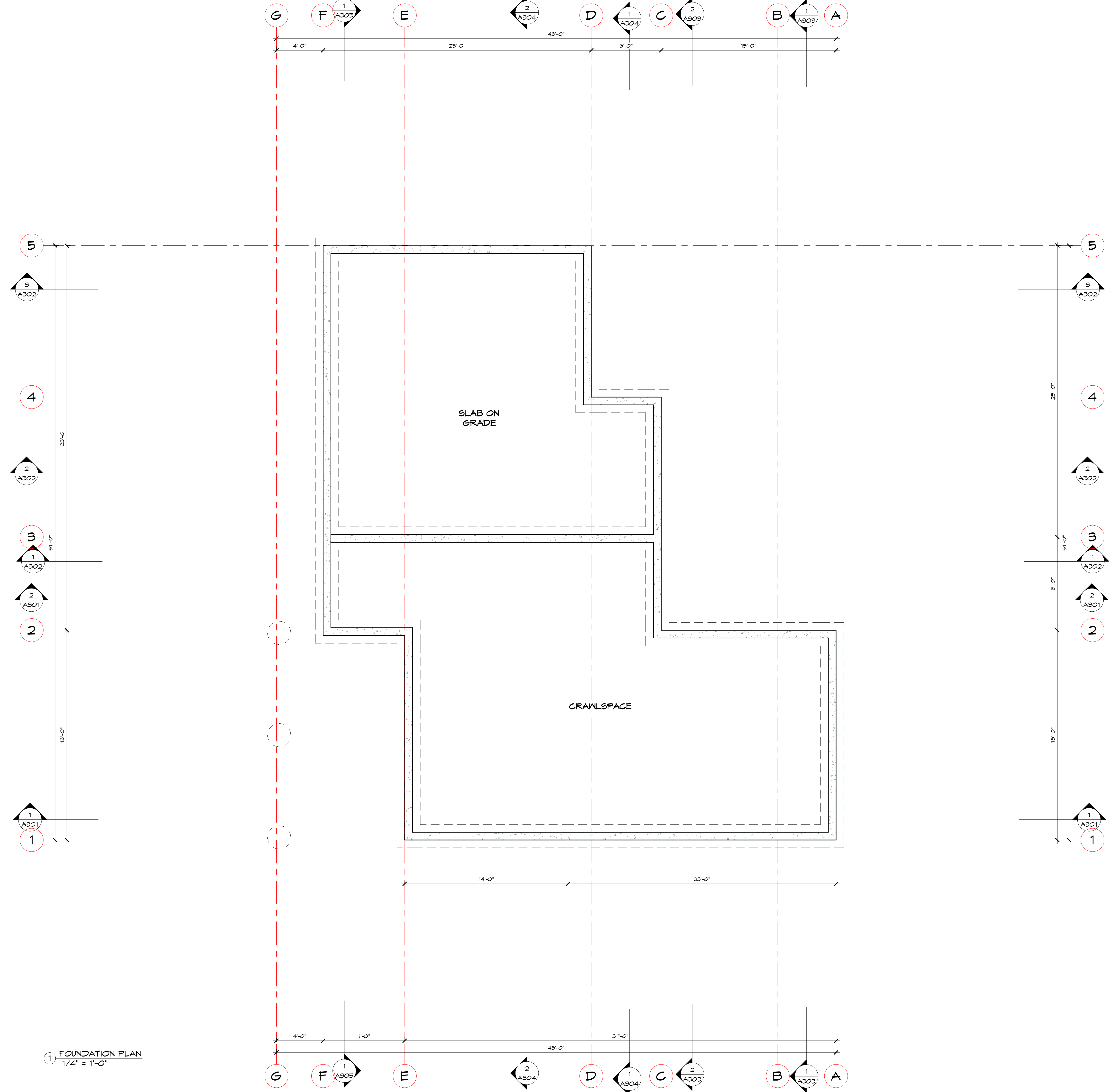
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AREAS, SCHEDULES

A100



1 FOUNDATION PLAN
1/4" = 1'-0"

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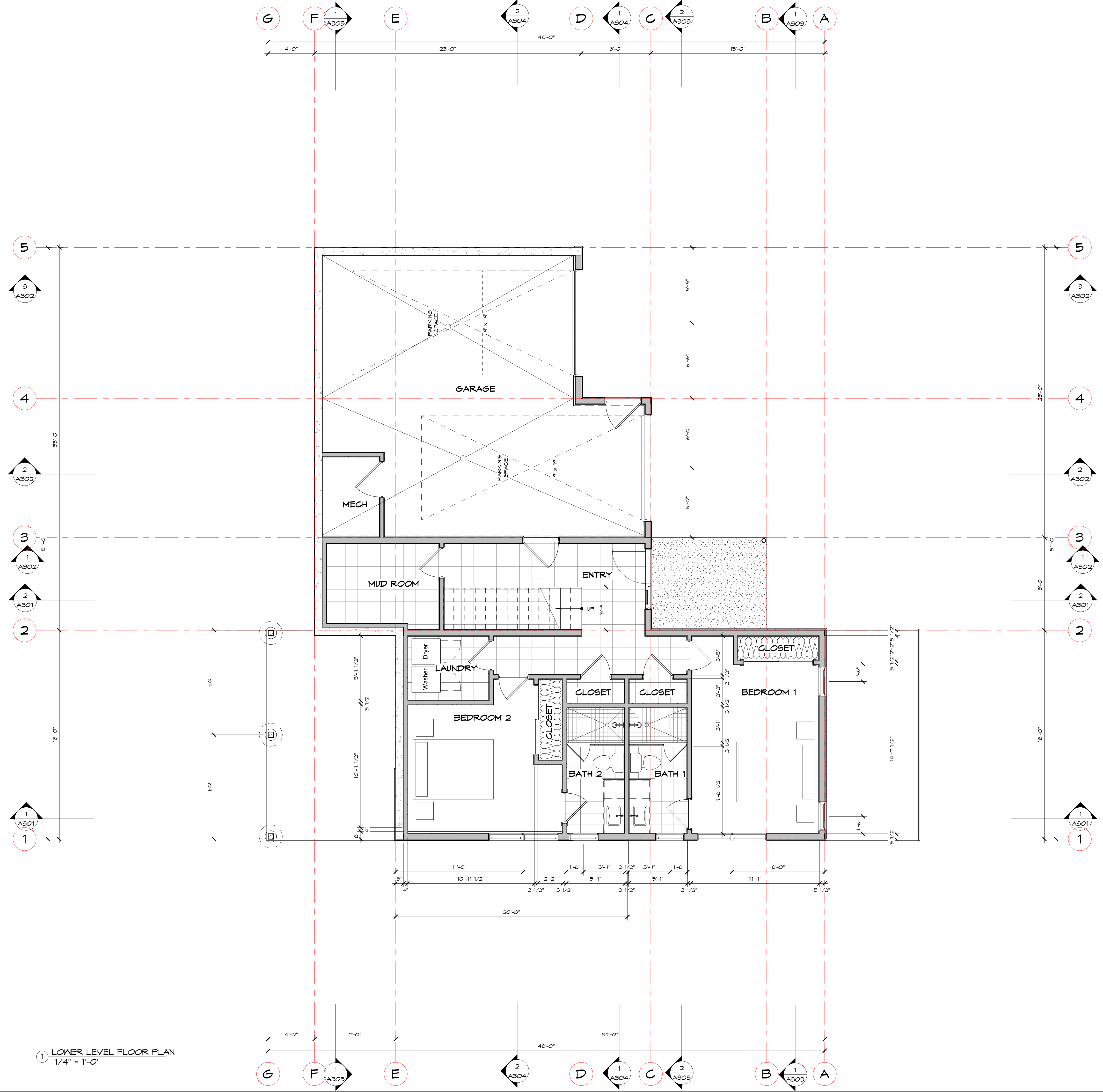
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FOUNDATION PLAN

A101
56



1 LOWER LEVEL FLOOR PLAN
1/4" = 1'-0"

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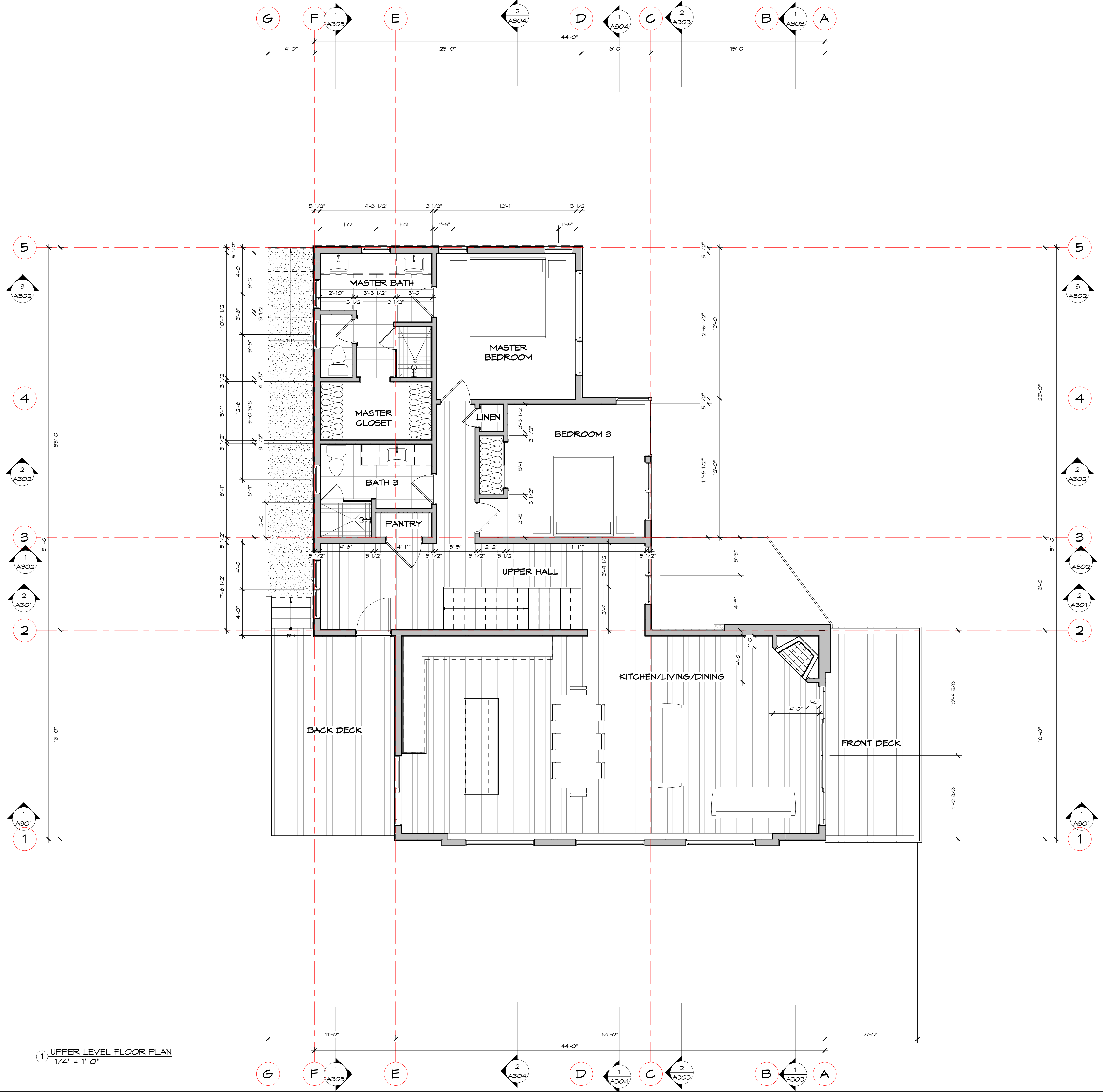
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LOWER LEVEL FLOOR PLAN

A102



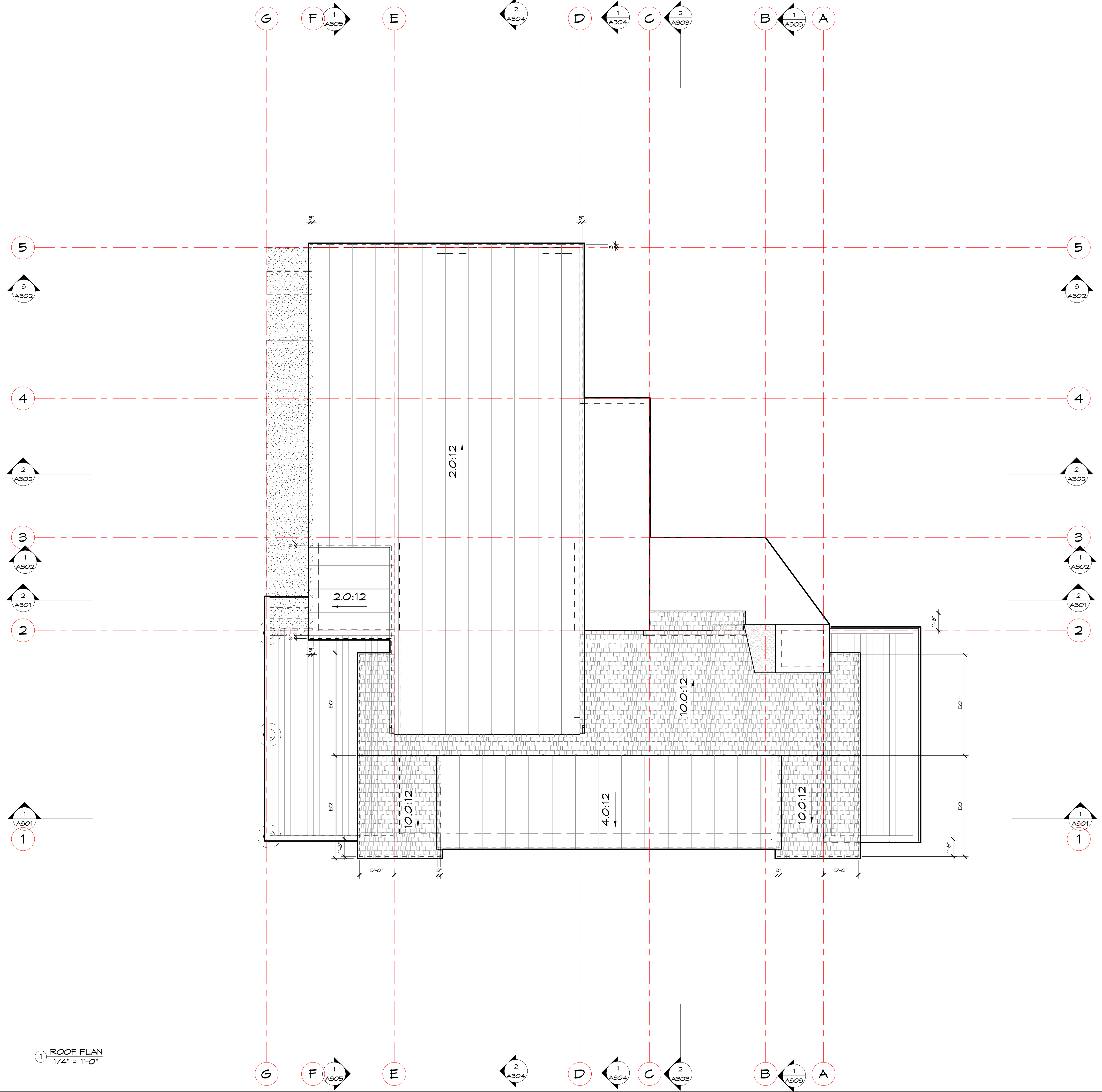
1 UPPER LEVEL FLOOR PLAN
1/4" = 1'-0"

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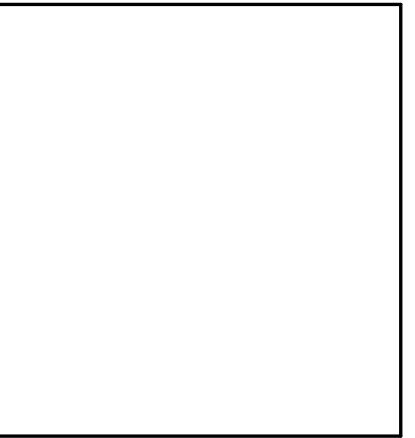
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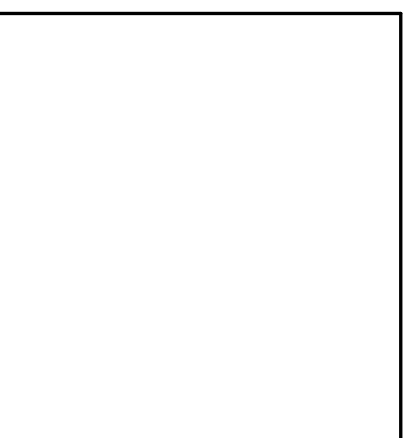
UPPER LEVEL FLOOR PLAN



1 ROOF PLAN
1/4" = 1'-0"



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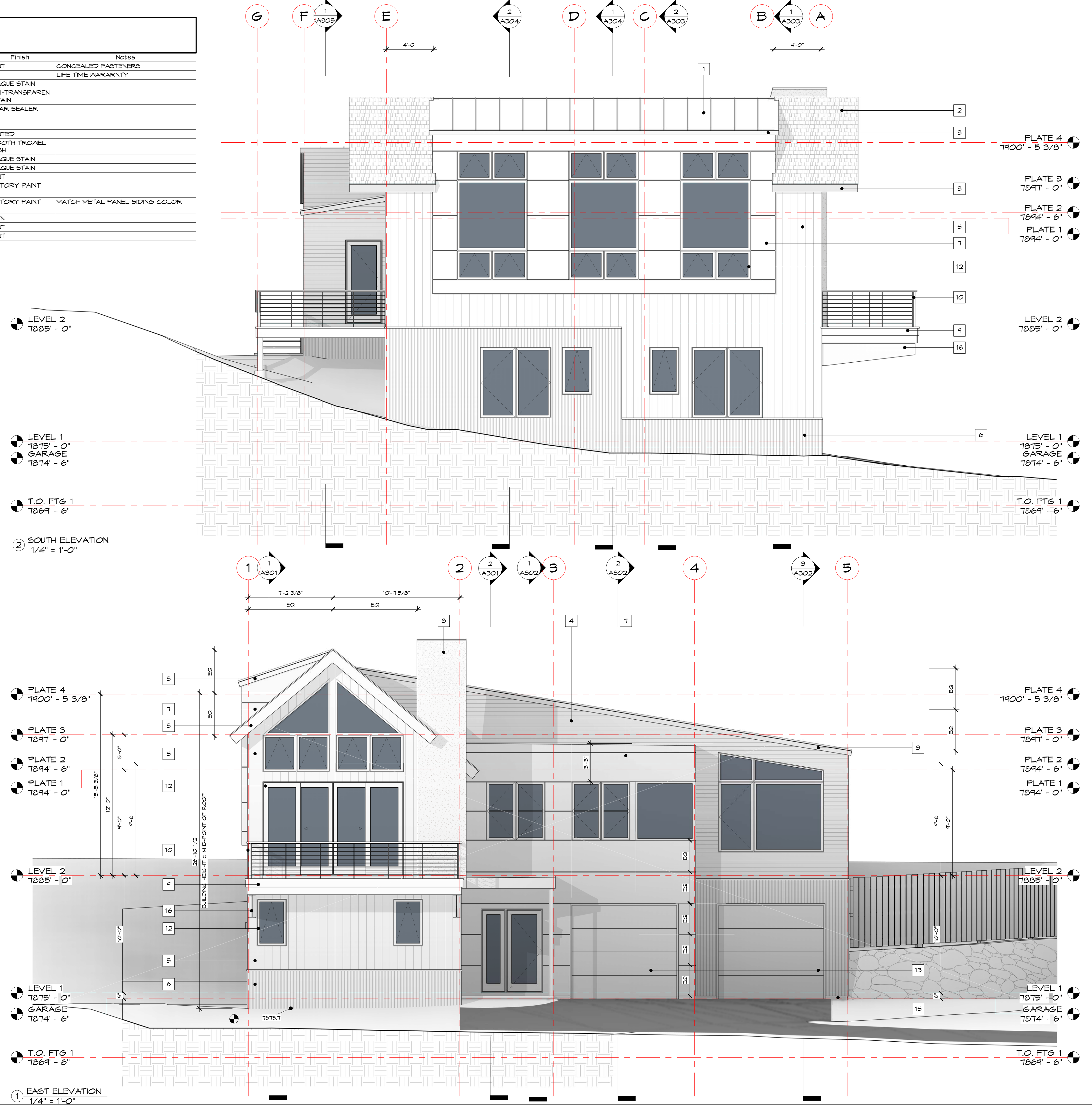
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ROOF PLAN

A104
59

EXTERIOR MATERIAL LEGEND						
Key	Material	Manufacturer	Model	Color	Finish	Notes
1	STANDING SEAM METAL ROOF			GRAY	PAINT	CONCEALED FASTENERS
2	ASPHALT SHINGLES			WEATHERED WOOD		LIFE TIME WARRANTY
3	2X WOOD FASCIA			BROWN	OPAQUE STAIN	
4	HORIZONTAL WOOD LAP SIDING			NATURAL CEDAR	SEMI-TRANSPARENT STAIN	
5	VERTICAL BARN WOOD SIDING			NATURAL WEATHERED	CLEAR SEALER	
6	CORRUGATED COR-TEN SIDING			NATURAL RUST		
7	METAL PANEL SIDING			CHARCOAL GRAY	PAINTED	
8	STUCCO SIDING			LIGHT GRAY	SMOOTH TROWEL FINISH	
9	2X RS FASCIA			BROWN	OPAQUE STAIN	
10	METAL RAILING IV/ WOOD TOP RAIL			BROWN	OPAQUE STAIN	
11	4" ROUND METAL COLUMNS			CHARCOAL GRAY	PAINT	
12	ALUMINUM GLAZ, WOOD FRAME WINDOWS & DOORS			BRONZE	FACTORY PAINT	
13	INSULATED METAL GARAGE DOORS, METAL CLAD			CHARCOAL GRAY	FACTORY PAINT	MATCH METAL PANEL SIDING COLOR
14	WOOD DECKING			BROWN	STAIN	
15	METAL GRADE FLASHING			GRAY	PAINT	
16	STEEL BEAM IV/ ANGLED BOTTOM CUT			CHARCOAL GRAY	PAINT	



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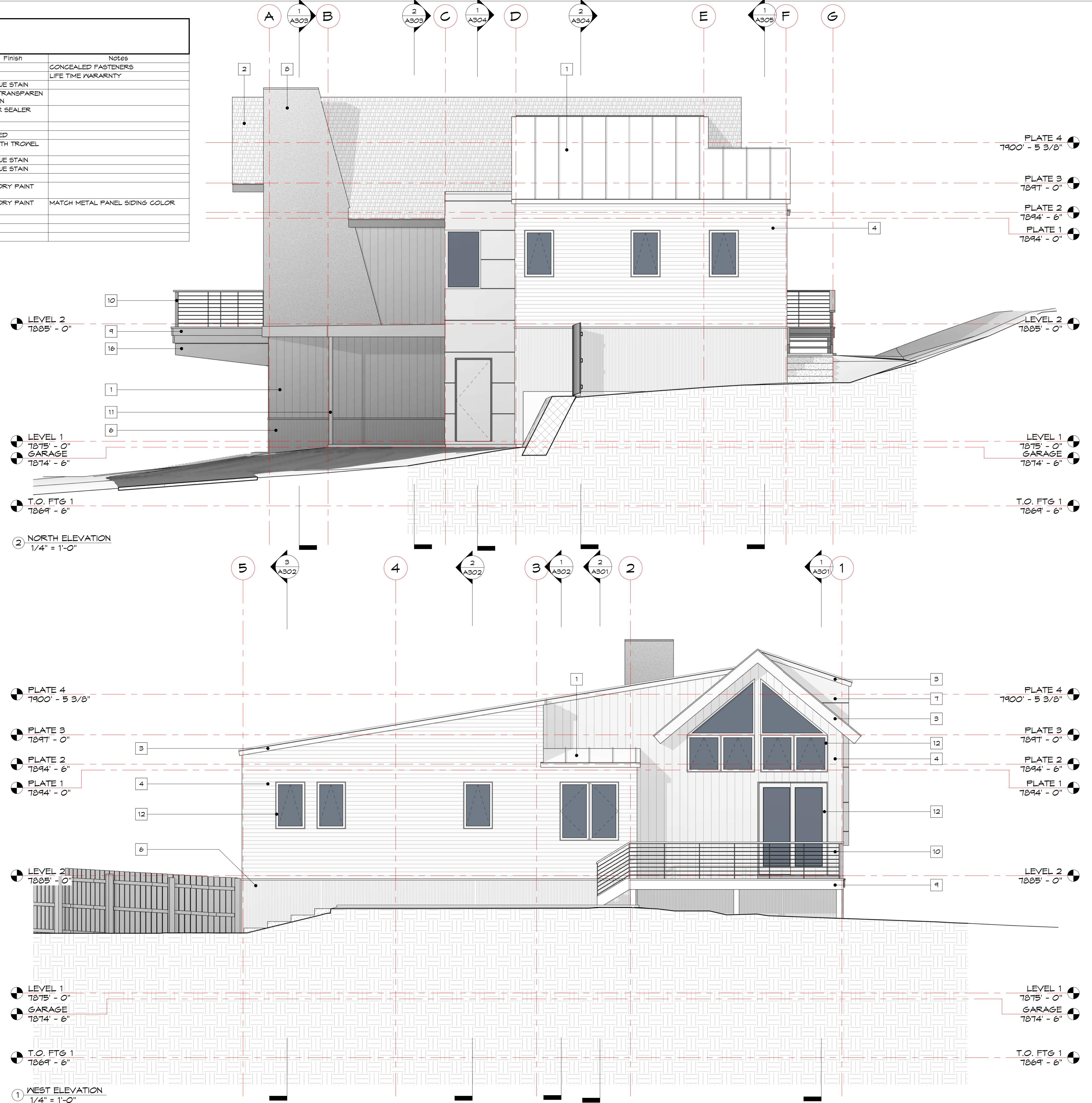
EAST & SOUTH ELEVATIONS

A201

60

EXTERIOR MATERIAL LEGEND

Key	Material	Manufacturer	Model	Color	Finish	Notes
1	STANDING SEAM METAL ROOF			GRAY	PAINT	CONCEALED FASTENERS
2	ASPHALT SHINGLES			WEATHERED WOOD		LIFE TIME WARRANTY
3	2x WOOD FASCIA			BROWN	OPAQUE STAIN	
4	HORIZONTAL WOOD LAP SIDING			NATURAL CEDAR	SEMI-TRANSPARENT STAIN	
5	VERTICAL BARN WOOD SIDING			NATURAL WEATHERED	CLEAR SEALER	
6	CORRUGATED COR-TEN SIDING			NATURAL RUST		
7	METAL PANEL SIDING			CHARCOAL GRAY	PAINTED SMOOTH TROWEL FINISH	
8	STUCCO SIDING			LIGHT GRAY		
9	2x R5 FASCIA			BROWN	OPAQUE STAIN	
10	METAL RAILING W/ WOOD TOP RAIL			BROWN	OPAQUE STAIN	
11	4" ROUND METAL COLUMNS			CHARCOAL GRAY	PAINT	
12	ALUMNIUM GLAZ, WOOD FRAME WINDOWS & DOORS			BRONZE	FACTORY PAINT	
13	INSULATED METAL GARAGE DOORS, METAL CLAD			CHARCOAL GRAY	FACTORY PAINT	MATCH METAL PANEL SIDING COLOR
14	WOOD DECKING			BROWN	GRAY STAIN	
15	METAL GRADE FLASHING			GRAY	PAINT	
16	STEEL BEAM W/ ANGLED BOTTOM CUT			CHARCOAL GRAY	PAINT	



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WEST & NORTH ELEVATIONS

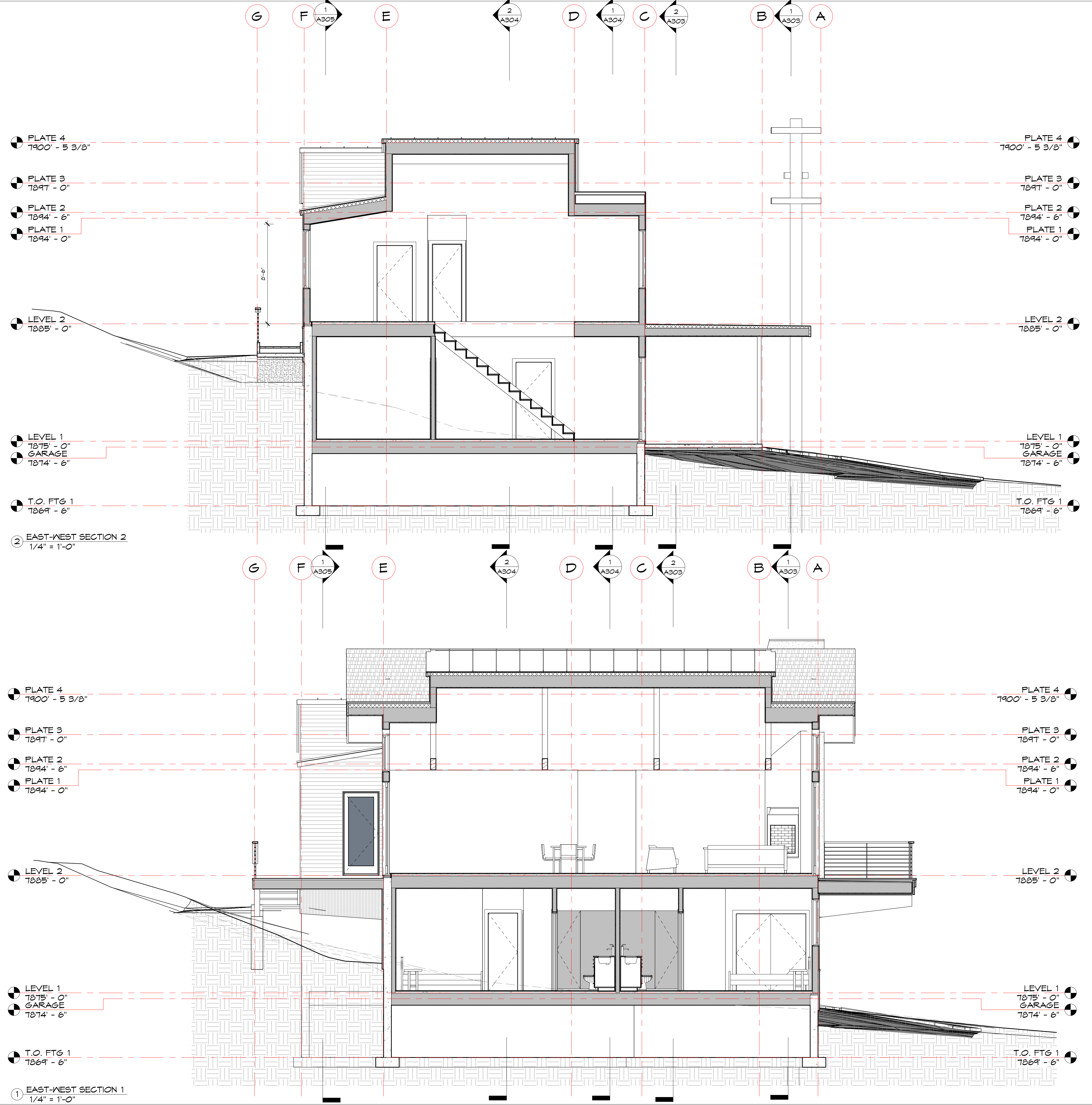


PLATE 4
 7900' - 5 3/8"
 PLATE 3
 7897' - 0"
 PLATE 2
 7894' - 6"
 PLATE 1
 7894' - 0"
 LEVEL 2
 7885' - 0"
 LEVEL 1
 7875' - 0"
 GARAGE
 7874' - 6"
 T.O. FTG 1
 7869' - 6"

PLATE 4
 7900' - 5 3/8"
 PLATE 3
 7897' - 0"
 PLATE 2
 7894' - 6"
 PLATE 1
 7894' - 0"
 LEVEL 2
 7885' - 0"
 LEVEL 1
 7875' - 0"
 GARAGE
 7874' - 6"
 T.O. FTG 1
 7869' - 6"

② EAST-WEST SECTION 2
1/4" = 1'-0"

PLATE 4
 7900' - 5 3/8"
 PLATE 3
 7897' - 0"
 PLATE 2
 7894' - 6"
 PLATE 1
 7894' - 0"
 LEVEL 2
 7885' - 0"
 LEVEL 1
 7875' - 0"
 GARAGE
 7874' - 6"
 T.O. FTG 1
 7869' - 6"

PLATE 4
 7900' - 5 3/8"
 PLATE 3
 7897' - 0"
 PLATE 2
 7894' - 6"
 PLATE 1
 7894' - 0"
 LEVEL 2
 7885' - 0"
 LEVEL 1
 7875' - 0"
 GARAGE
 7874' - 6"
 T.O. FTG 1
 7869' - 6"

① EAST-WEST SECTION 1
1/4" = 1'-0"

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EAST-WEST BUILDING SECTIONS

A301

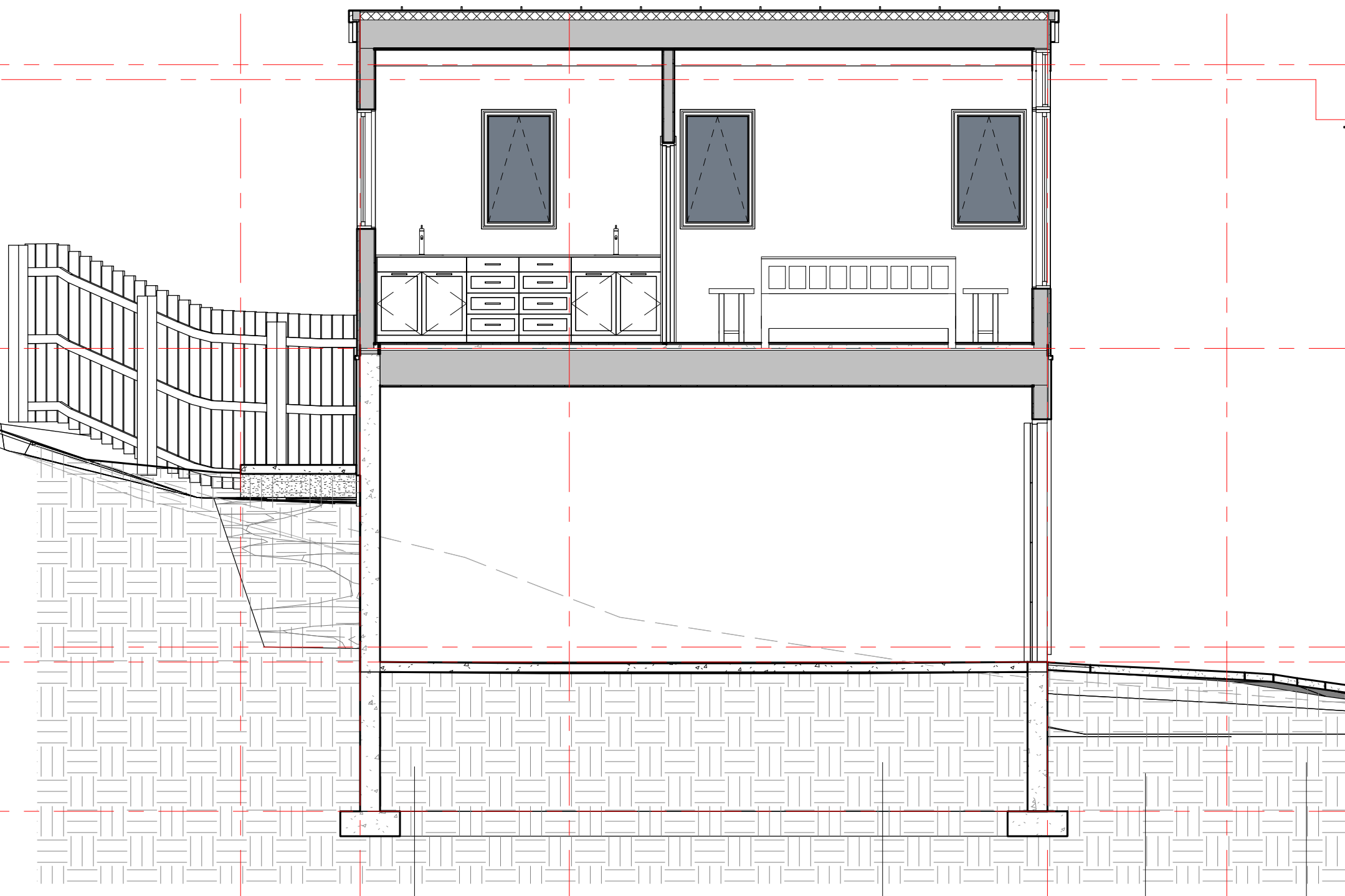
- PLATE 4
7900' - 5 3/8"
- PLATE 3
7897' - 0"
- PLATE 2
7894' - 6"
- PLATE 1
7894' - 0"

LEVEL 2
7885' - 0"

LEVEL 1
GARAGE
7875' - 0"
7874' - 6"

T.O. FTG 1
7869' - 6"

EAST-WEST SECTION 5
1/4" = 1'-0"



G F 1 A305 E

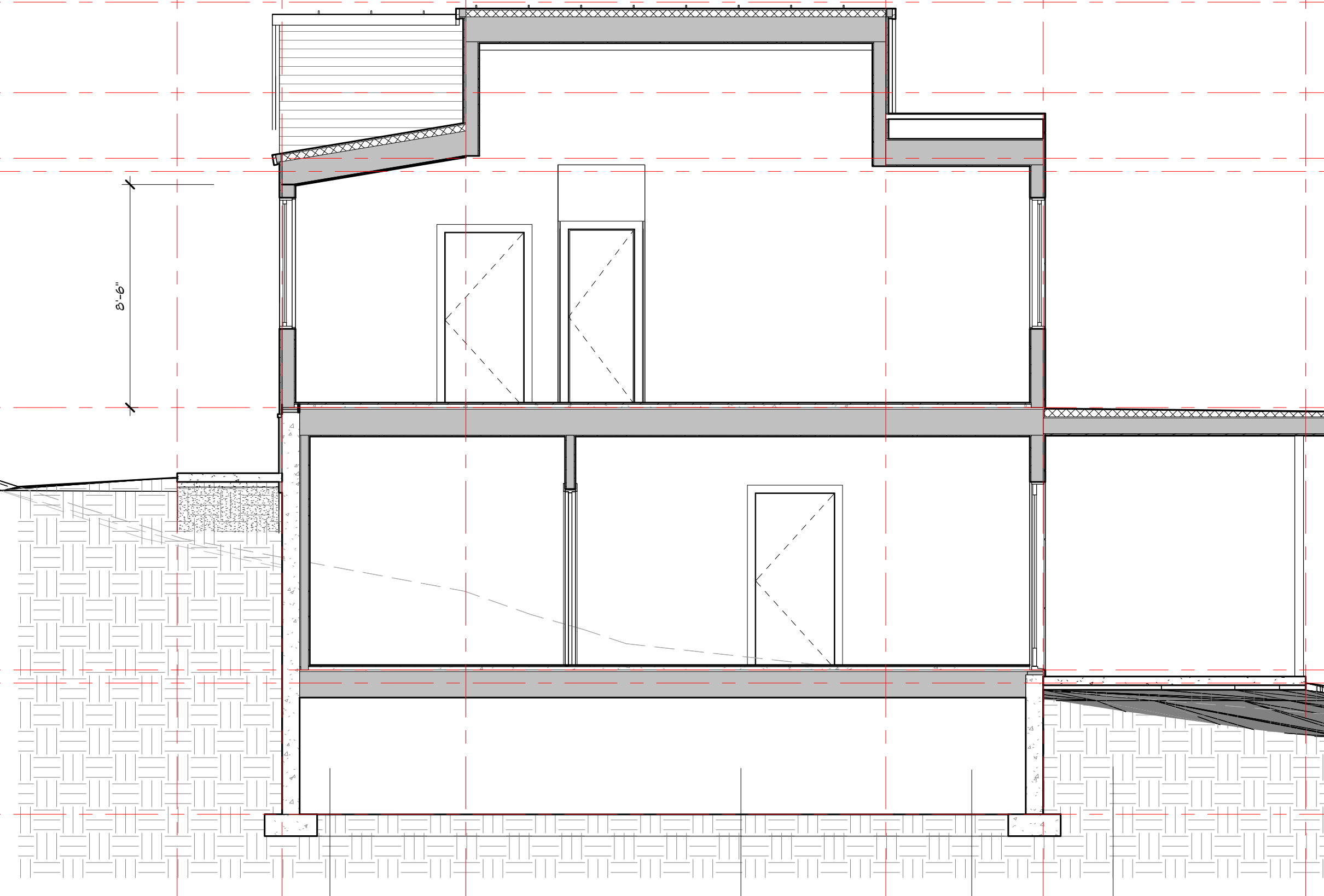
- PLATE 4
7900' - 5 3/8"
- PLATE 3
7897' - 0"
- PLATE 2
7894' - 6"
- PLATE 1
7894' - 0"

LEVEL 2
7885' - 0"

LEVEL 1
7875' - 0"
GARAGE
7874' - 6"

T.O. FTG 1
7869' - 6"

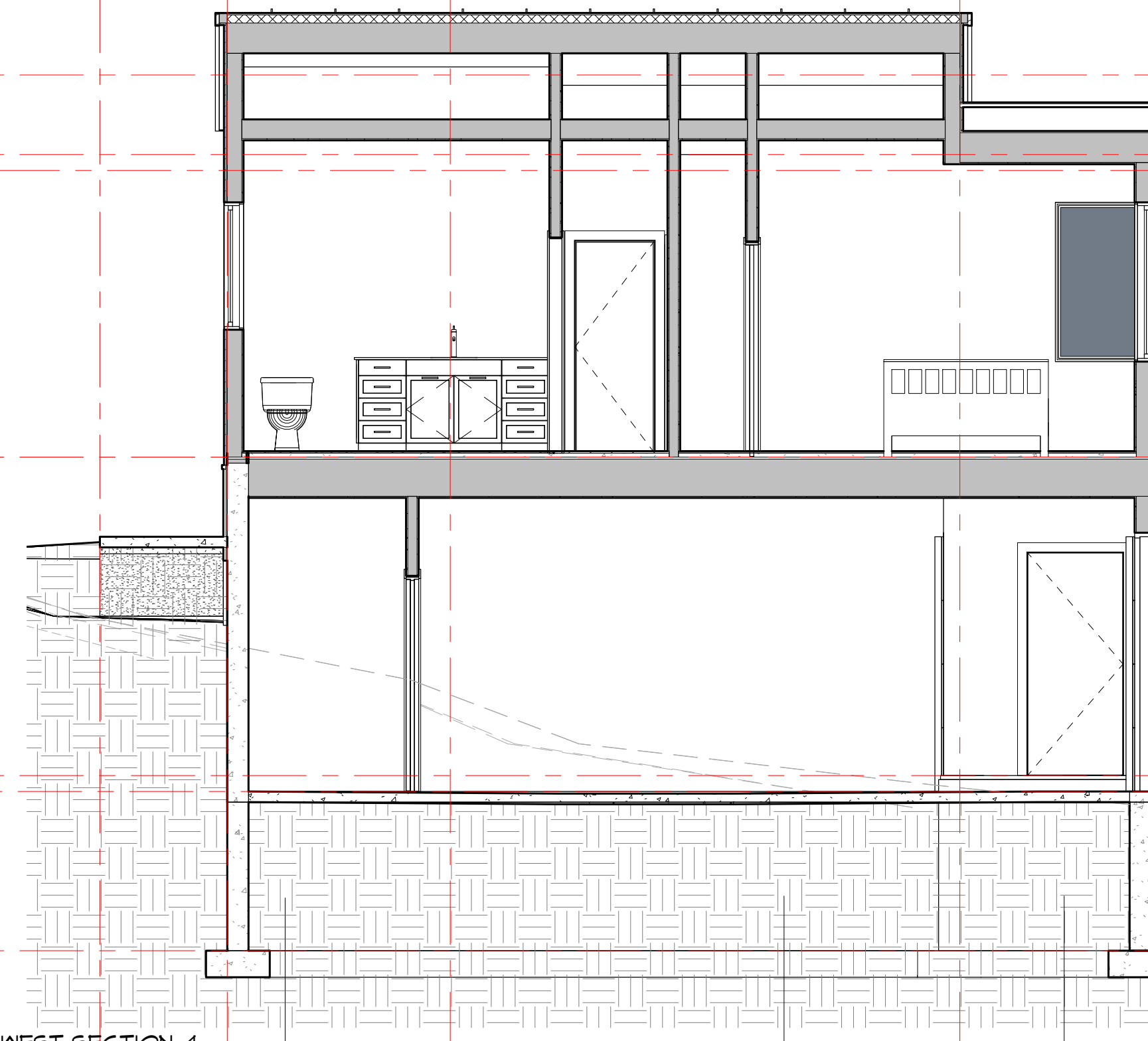
EAST-WEST SECTION 3
1/4" = 1'-0"



G F 1 A305 E

EAST-WEST SECTION 4
1/4" = 1'-0"

2 A304 D 1 A304 C 2 A303



- PLATE 4
7900' - 5 3/8"
- PLATE 3
7897' - 0"
- PLATE 2
7894' - 6"
- PLATE 1
7894' - 0"

LEVEL 2
7885' - 0"

LEVEL 1
7875' - 0"
GARAGE
7874' - 6"

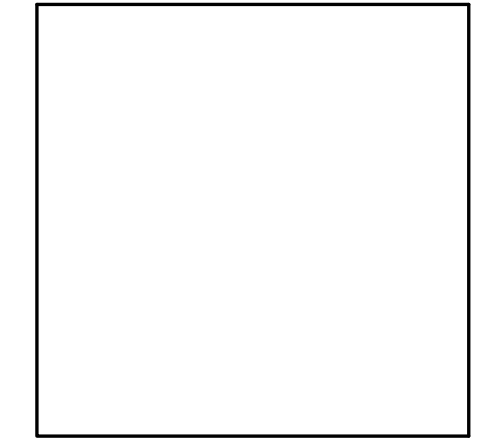
T.O. FTG 1
7869' - 6"

- PLATE 4
7900' - 5 3/8"
- PLATE 3
7897' - 0"
- PLATE 2
7894' - 6"
- PLATE 1
7894' - 0"

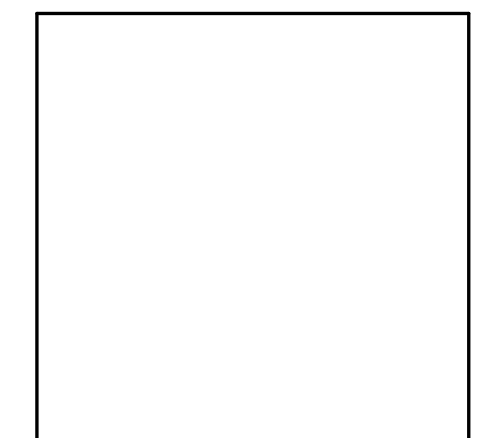
LEVEL 2
7885' - 0"

LEVEL 1
7875' - 0"
GARAGE
7874' - 6"

T.O. FTG 1
7869' - 6"



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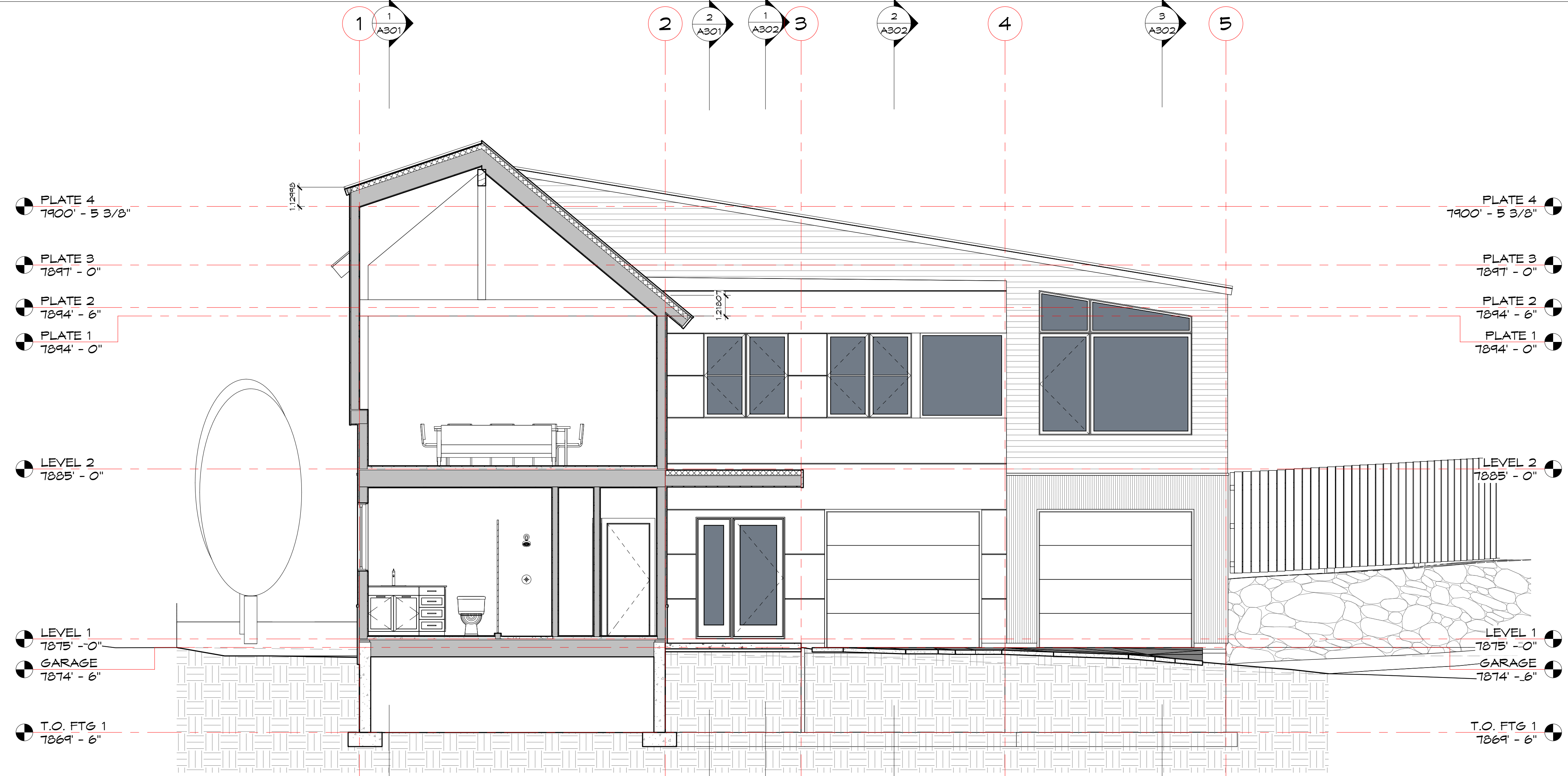
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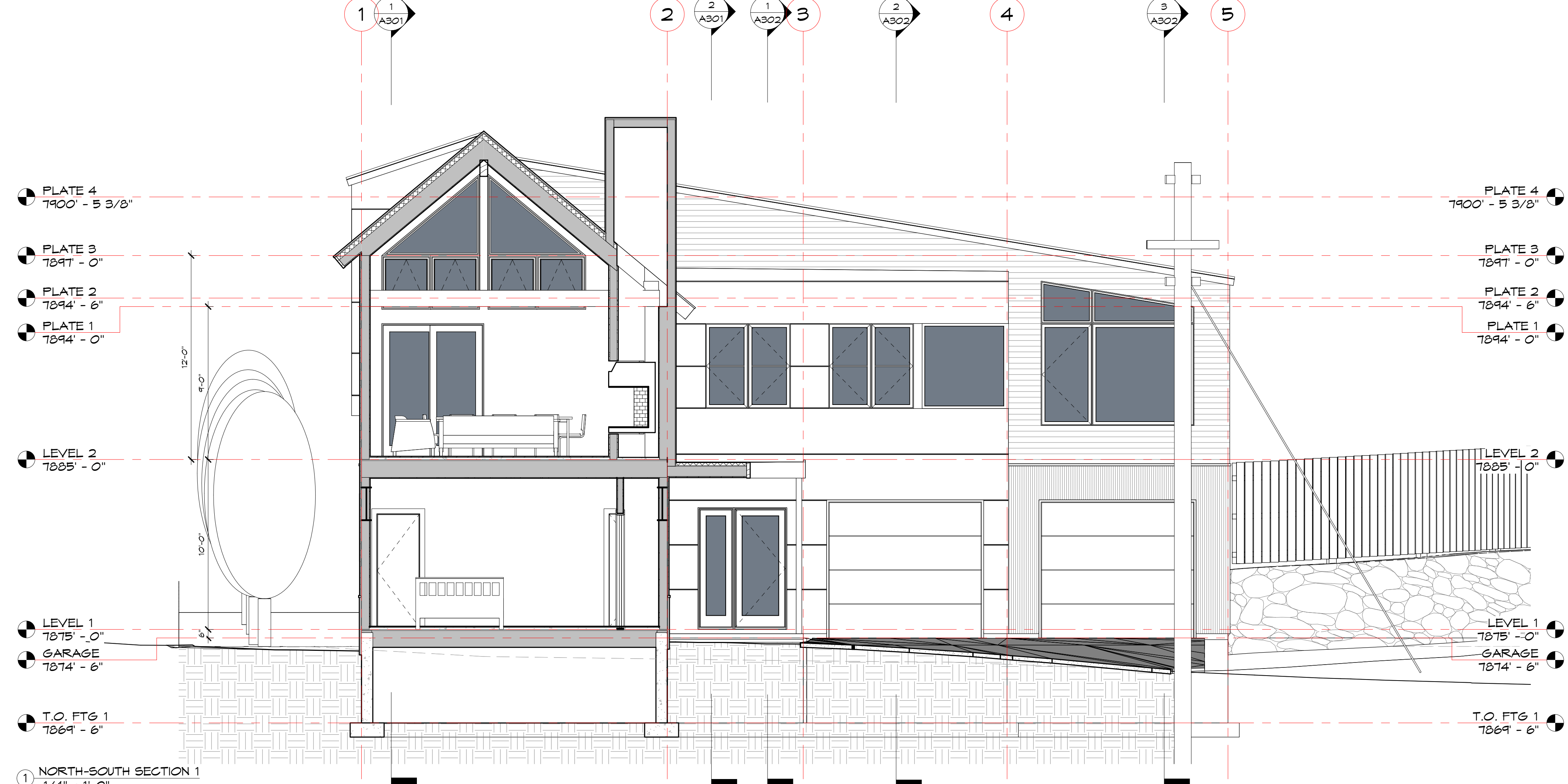
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EAST-WEST BUILDING SECTIONS

A302
63



2 NORTH-SOUTH SECTION 2
1/4" = 1'-0"



1 NORTH-SOUTH SECTION 1
1/4" = 1'-0"

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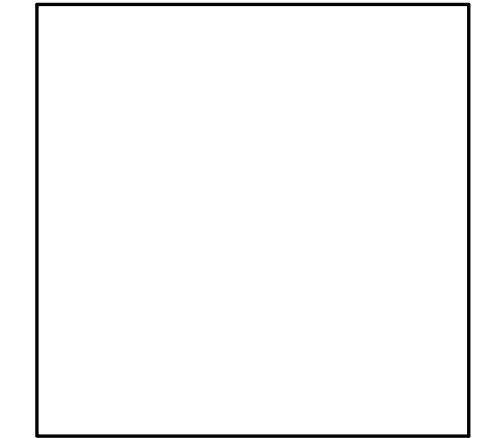
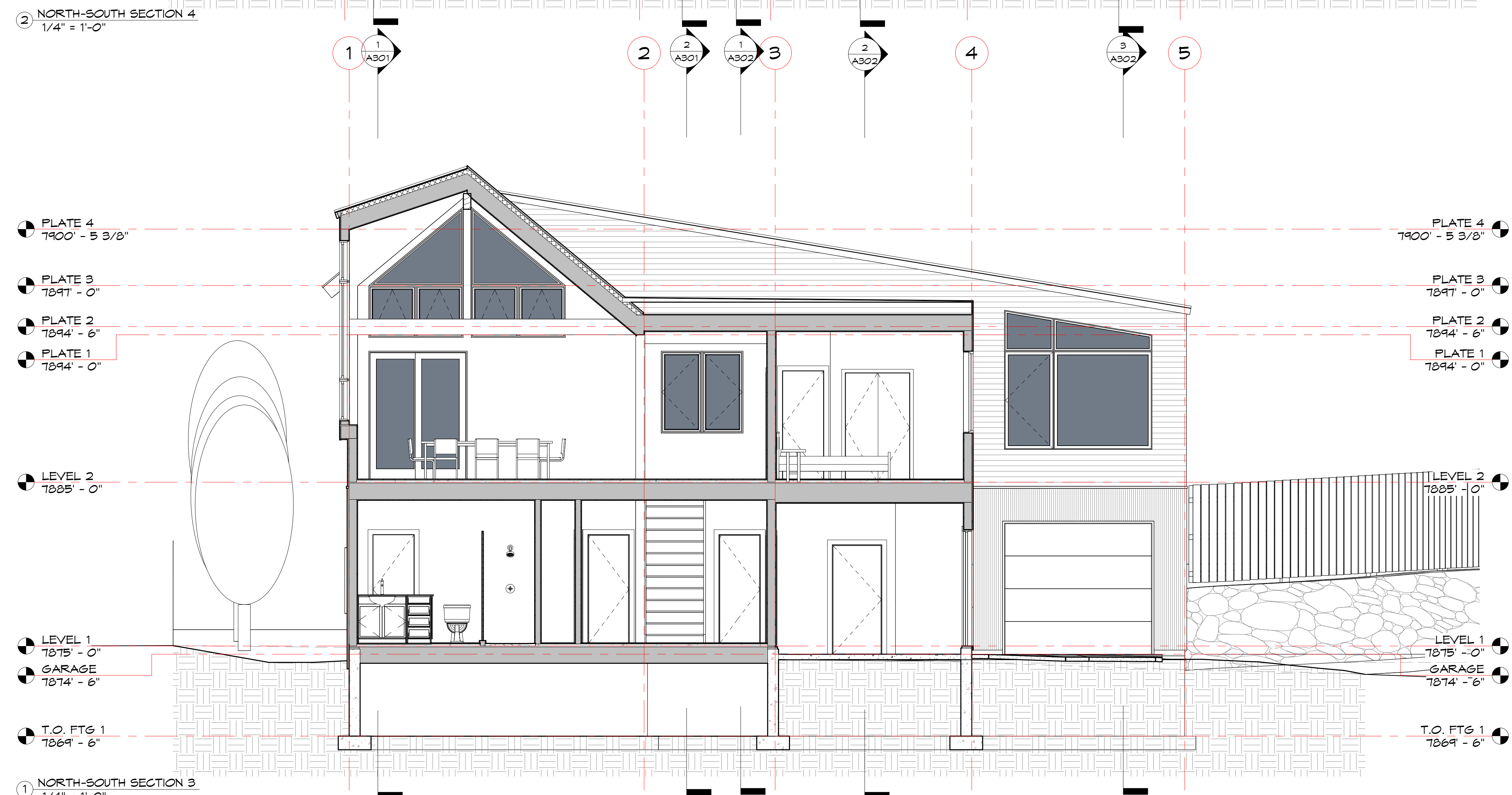
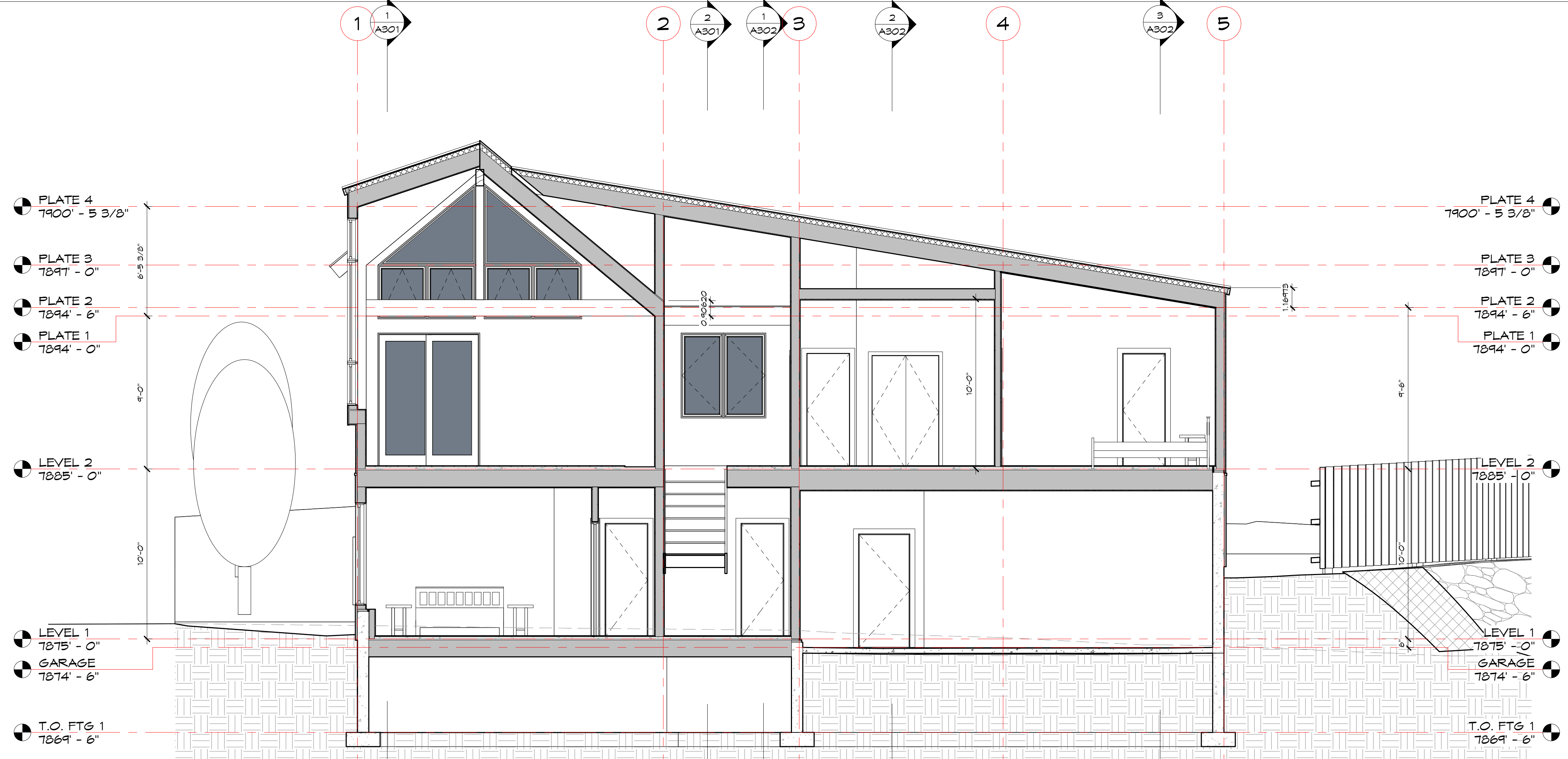
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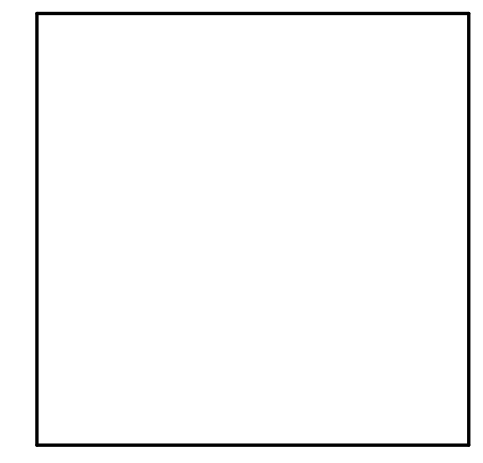
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NORTH-SOUTH BUILDING SECTIONS

A303



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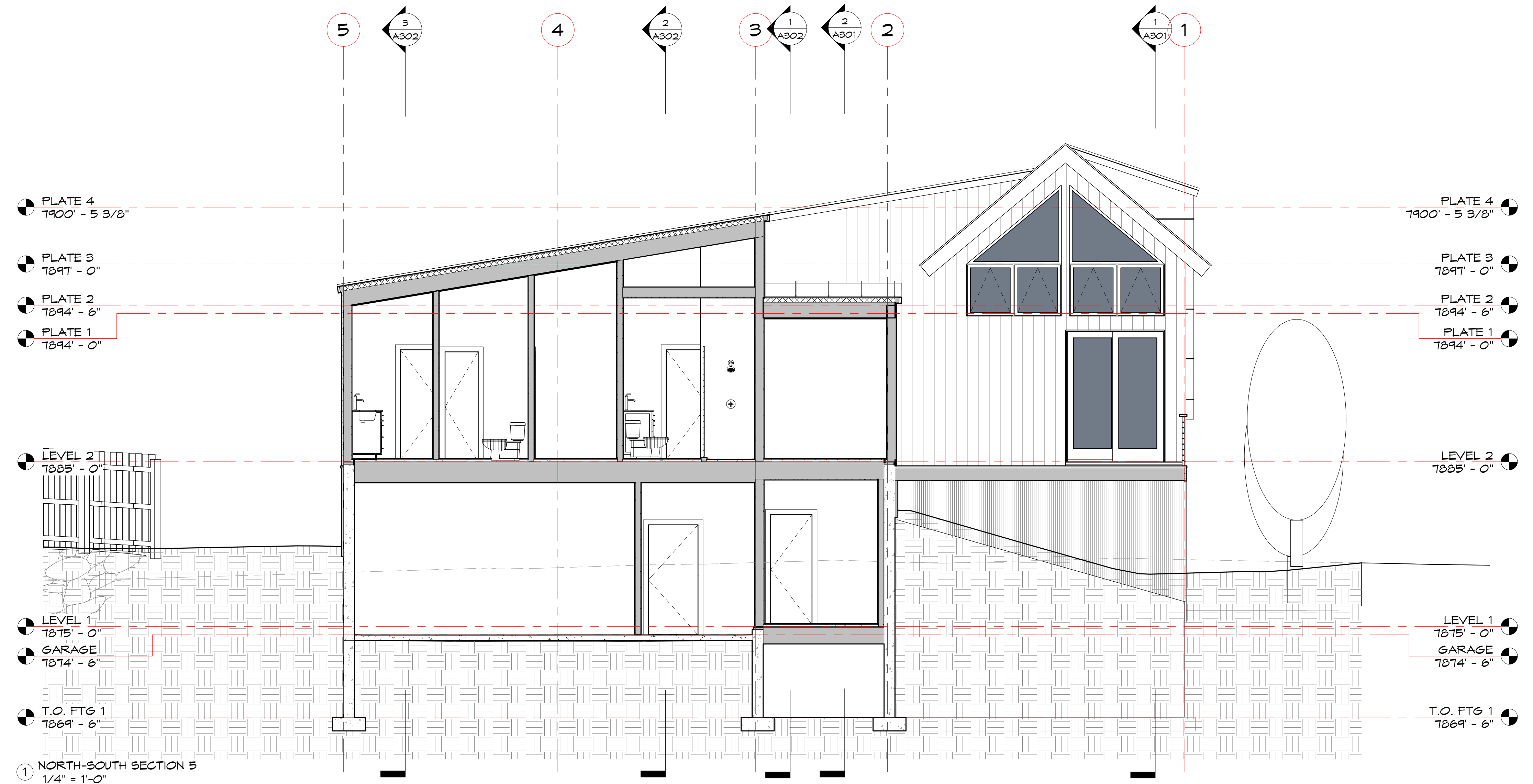
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NORTH-SOUTH BUILDING SECTIONS

A304



1 NORTH-SOUTH SECTION 5
1/4" = 1'-0"

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NORTH-SOUTH BUILDING SECTIONS

A305
66

VISTA

Motivation

COVID-19 has deeply impacted Eagle County's social and economic systems and has compounded existing inequities in housing, transportation, childcare, and healthcare. Systemic inequality and the spread of COVID-19 disproportionately affect young families, lower-income, disabled, and communities of color. Many of these individuals comprise our essential workforce and experience crowded living conditions, food insecurity, and face barriers to moving ahead and accessing assistance programs.

Eagle County is leading the development of a Community Vision and Strategy Project (VISTA) to address inequities. Community members will design a future for Eagle County that is healthy, equitable, and resilient. Information shared between Eagle County residents through the VISTA process will inform Eagle County's Comprehensive Plan, Strategic Plan, and other community policies, programs, and initiatives.

Goals:

1. Articulate a **shared vision** for the future
2. Strengthen the **civic capacity** and **leadership** of our community
3. Engage **historically disenfranchised** and **disproportionately impacted** communities
4. Enable meaningful **progress** and **impact** in addressing inequitable systems
5. **Leverage findings** into other Eagle County Government planning efforts

Outcomes:

1. Foster an **equitable, resilient, and sustainable** community
2. Cultivate a **diverse team** of community partners invested in **collaboratively** addressing local challenges and opportunities
3. Frame **planning** and **policy** decisions around **public input** and **experience**
4. Shape **actions** for **community members, anchor institutions, and governments**
5. **Redesign** county systems to support **equitable community engagement**

Approach:



Activity 1: Groundwork

VISTA partners will build the systems and partnerships necessary to carry out the project. Eagle County will convene a Stewardship Team to guide the process.



Activity 2: Our Community Values

The Stewardship and Project Management Teams will engage our community to learn community values and priorities for the future.

VISTA



Activity 3: Community Assessment

By assessing qualitative data from Activity 2 and existing quantitative data, we will understand current conditions and future projections.



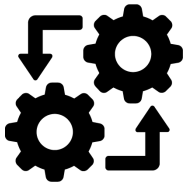
Activity 4: Goals and Vision

Building on our qualitative and quantitative data assessment, the Project Management Team will return to the community to identify goals and shape a clear vision for our future.



Activity 5: Strategies and Action Planning

Project Management and Stewardship Teams will develop the strategies and actions to act upon community-identified values and priorities.



Activity 6: Implementation and Stewardship

VISTA partners will convene to share action plans and sustain the momentum, partnerships, and commitments that come out of the project.

How can you support the VISTA effort?

To achieve an equitable and resilient community, we need to work together. Strong participation, advocacy, and support will build a plan for all of us to own and work toward.

Please consider nominating community members to serve on the Stewardship Team, a group of 25 community members that will guide the VISTA engagement process. You can either [nominate a person](#) you feel should be involved in this project or [nominate yourself](#).

VISTA

Motivación

El COVID-19 ha impactado profundamente los sistemas sociales y económicos del Condado de Eagle y ha agravado las inequidades existentes en vivienda, transporte, cuidado de niños y atención médica. La desigualdad sistémica y la propagación del COVID-19 afectan de manera desproporcionada a las familias jóvenes, las personas con discapacidades y a las comunidades de color. Muchas de estas personas componen nuestra fuerza laboral esencial y experimentan condiciones de vida hacinadas, inseguridad alimentaria, y enfrentan barreras que les impiden avanzar y acceder a programas de asistencia.

El Condado de Eagle lidera el desarrollo de un Proyecto de Estrategia y Visión Comunitaria (VISTA, por sus siglas en inglés) para abordar estas desigualdades. Los miembros de la comunidad diseñarán un futuro que sea saludable, equitativo y resiliente para el Condado de Eagle. La información compartida entre los residentes del Condado de Eagle a través del proceso de VISTA informará el Plan Integral, el Plan Estratégico y otras políticas, programas e iniciativas de la comunidad del Condado de Eagle.

Objetivos:

1. Articular una **visión compartida** para el futuro
2. Reforzar la **capacidad cívica** y el **liderazgo** de nuestra comunidad
3. Involucrar a las comunidades **históricamente privadas de sus derechos** y **afectadas de una manera desproporcionada**
4. Permitir un **progreso** e **impacto** significativos que aborden sistemas no equitativos.
5. **Aprovechar los hallazgos** de otros esfuerzos de planificación del Gobierno del Condado de Eagle

Resultados:

1. Fomentar una comunidad **equitativa, resiliente, y sostenible**
2. Cultivar un **equipo diverso** de socios comunitarios que inviertan en la **colaboración** para hacer frente a los desafíos y oportunidades locales
3. Plantear las decisiones de **planificación** y **políticas** en torno a **los aportes y experiencias del público**
4. Dar forma a las **acciones** para **los miembros de la comunidad**, las **instituciones ancla** y los **gobiernos**.
5. **Rediseñar** los sistemas del condado para apoyar **la participación equitativa de la comunidad**.

Enfoque:



Actividad 1: Trabajo Preparatorio

Los socios de VISTA construirán los sistemas y formarán las asociaciones necesarias para llevar a cabo el proyecto. El condado de Eagle convocará un Equipo Administrativo que guíe el proceso.

VISTA



Actividad 2: Nuestros Valores Comunitarios

Los equipos de Administración y Gestión de Proyectos involucrarán a nuestra comunidad para aprender los valores y prioridades para el futuro de la comunidad.



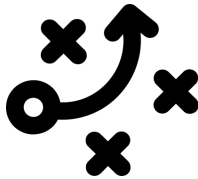
Actividad 3: Evaluación de la Comunidad

Al evaluar los datos cualitativos de la Actividad 2 y los datos cuantitativos existentes, comprenderemos las condiciones actuales y las proyecciones futuras.



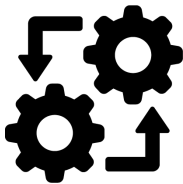
Actividad 4: Metas y Visión

Basándose en nuestra evaluación de datos cualitativos y cuantitativos, el Equipo de Gestión de Proyectos regresará a la comunidad para identificar metas y dar forma a una visión clara para nuestro futuro.



Actividad 5: Estrategias y Planificación de Acciones

Los equipos de Administración y Gestión de Proyectos desarrollarán las estrategias y acciones para actuar sobre los valores y prioridades identificados por la comunidad.



Actividad 6: Implementación y Administración

Los socios de VISTA se reunirán para compartir planes de acción y mantener el impulso, las colaboraciones y los compromisos que surjan del proyecto.

¿Cómo puede apoyar el esfuerzo de VISTA?

Para lograr una comunidad equitativa y resiliente, debemos trabajar juntos. Una fuerte participación, promoción y apoyo nos ayudará a crear un plan del que todos nos sintamos parte y trabajemos para lograrlo.

Considere la posibilidad de nominar a miembros de la comunidad para que formen parte del Equipo Administrativo, un grupo de 25 miembros de la comunidad que guiará el

VISTA

proceso de participación de VISTA. Puede nominarse o nominar a alguien a quien conozca y considere que podría participar en este proyecto.

[Formulario nominacion para el Equipo Administrativo de VISTA](#)

[Formulario auto nominacion para el Equipo Administrativo de VISTA](#)

Jay Brunvand

From: Michelle Metteer
Sent: Thursday, January 28, 2021 2:57 PM
To: Jay Brunvand
Subject: Fwd: Vista project to enhance public participation in local policies now seeking Stewardship Team

Please include the below notice with the VISTA information in the packet. Thank you.

Michelle Metteer
Town Manager
Minturn, Colorado

Begin forwarded message:

From: Eagle County Government <ecgweb@eaglecounty.us>
Date: January 28, 2021 at 2:47:28 PM MST
To: Council <Council@minturn.org>
Subject: Vista project to enhance public participation in local policies now seeking Stewardship Team
Reply-To: Eagle County Government <ecgweb@eaglecounty.us>

[View this email in your browser](#)



Eagle County News Release



Vista project to enhance public participation in local policies now seeking Stewardship Team

Jan. 28, 2020 - Eagle County is leading the soon-to-be launched Community Vision and Strategy

Contact

Adam Palmer
Sustainable Communities
Director

Project, Vista, by inviting community members to help identify solutions to challenges created by COVID-19, and design a future for Eagle County with health, equity, and resilience in mind.

Information received from Eagle County residents through the Vista process will inform Eagle County's Comprehensive Plan, Strategic Plan, and other community policies, programs, and initiatives.

The [county seeks community members](#) interested in participating on the Stewardship Team for the Vista Project. This Stewardship Team will help ensure that the process identifies what matters to the community, works towards developing a values-based vision, and creates commitment to action items. The Stewardship Team will represent a wide spectrum of partners and voices to help guide efforts and support and realize a community built upon collective values.

The Stewardship Team will meet 8 to 12 times through the Fall of 2021. At least initially, participation will be virtual to respect public health needs.


Team Members expectations:

-Encourage and enable an equitable representation of the community

970-328-8734


adam.palmer@eaglecounty.us

Connect with the County

 Facebook

 Twitter

 Vimeo

 www.eaglecounty.us

- Build public and political support, ownership, and implementation capacity
- Provide a diverse range of views and experience within project leadership
- Be champions and ambassadors that can speak to the the community
- Utilize existing connections to networks and leadership structures
- Enable and strengthen regional partnerships and collaboration
- Provide feedback and accountability to ensure that Vista is on track meeting project goals
- Create community and institutional legitimacy of the project

"Traditional planning processes often don't reach community members impacted by policy decisions," said Deputy County Manager Angelo Fernandez. "We believe we can do better. With Vista as an engagement vehicle for the Comprehensive Plan and other major strategies for Eagle County, we wanted to design a process that is accessible for our entire community and provides valuable feedback for decision makers to consider in developing policies. The Stewardship Team presents a wonderful opportunity to begin to engage."

Interested Eagle County residents are encouraged to [submit an application](#) to join the Stewardship Team.

Residents can also [nominate a person](#) they believe would make a good candidate.

For additional information and for questions, contact adam.palmer@eaglecounty.us or (970) 328-8734.

El proyecto Vista para mejorar la participación pública en las políticas locales, está en busca de un equipo administrativo

28 de enero del 2020: El Condado de Eagle está liderando el proyecto Vista de Visión y Estrategia Comunitaria, el cual se lanzará próximamente, y está invitando a miembros de la comunidad para ayudar a identificar soluciones a los desafíos creados por el COVID-19 y diseñar un futuro para el Condado de Eagle que considere la salud, la equidad y la resiliencia. La información recibida de los residentes del Condado de Eagle a través del proceso del proyecto Vista informará el plan integral, el plan estratégico y otras políticas, programas e iniciativas de la comunidad del Condado de Eagle.

El Condado busca miembros de la comunidad interesados en participar en el Equipo Administrativo del Proyecto Vista. Este Equipo Administrativo ayudará a garantizar que el proceso identifique lo que es importante para la comunidad, trabaje para desarrollar una visión basada en valores y cree un compromiso con los elementos de acción. El Equipo Administrativo representará un amplio espectro de socios y voces para ayudar a guiar los esfuerzos, apoyar y hacer realidad una comunidad construida sobre valores colectivos.

El Equipo Administrativo se reunirá de 8 a 12 veces hasta el otoño del 2021. Al menos inicialmente, la participación será virtual para respetar las necesidades de salud pública.

Expectativas de los miembros del equipo:

- Fomentar y permitir una representación equitativa de la comunidad
- Generar apoyo político, sentido de la responsabilidad y capacidad de implementación
- Proporcionar diversos puntos de vista y experiencias dentro del liderazgo del proyecto
- Ser defensores y embajadores que puedan hablar con toda la comunidad
- Utilizar las conexiones existentes con las redes y

estructuras de liderazgo

-Habilitar y fortalecer las alianzas y la colaboración a nivel regional

-Proporcionar retroalimentación y asumir responsabilidad para asegurar que estemos cumpliendo con los objetivos del proyecto

-Crear legitimidad comunitaria e institucional para el proyecto

"Los procesos de planificación tradicionales a menudo no involucran a los miembros de la comunidad afectados por las decisiones políticas ", dijo el subdirector del condado, Angelo Fernandez. "Creemos que podemos hacerlo mejor. Con el proyecto Vista como un vehículo de participación para el Plan Integral y otras estrategias importantes para el Condado de Eagle, hemos querido diseñar un proceso que sea accesible para toda nuestra comunidad y que proporcione información valiosa para la consideración de aquellos que toman las decisiones en las políticas de desarrollo. El Equipo Administrativo presenta una maravillosa oportunidad para comenzar a participar ".

Animamos a los residentes del condado de Eagle que estén interesados a [enviar una solicitud](#) para unirse al equipo de administración.

Los residentes también pueden [nominar a una](#)

[persona](#) que crean que sería un buen candidato.

Para obtener mayor información y si tiene preguntas, comuníquese con

adam.palmer@eaglecounty.us o llame al (970) 328-8734.

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Our mailing address is:

Eagle County Government
500 Broadway
P.O. Box 850
Eagle, Colorado 81631

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Want to change how you receive these emails? You can [update your preferences](#) or [unsubscribe from this list](#).

Front Country Ranger Program



End of Season 2020



The Front Country Crew

Joel - Lead

Keely

Eliott

Emily

Nadia – Developed Rec/ Admin.
support



Focused Management Priorities



Garbage &
Abandoned Property



Unattended Fires &
Adherence to Stage 1
& 2 Fire Restrictions



Monitor Residential Camps



Illegal Access Prevention



Address Illegal Dispersed
Camping

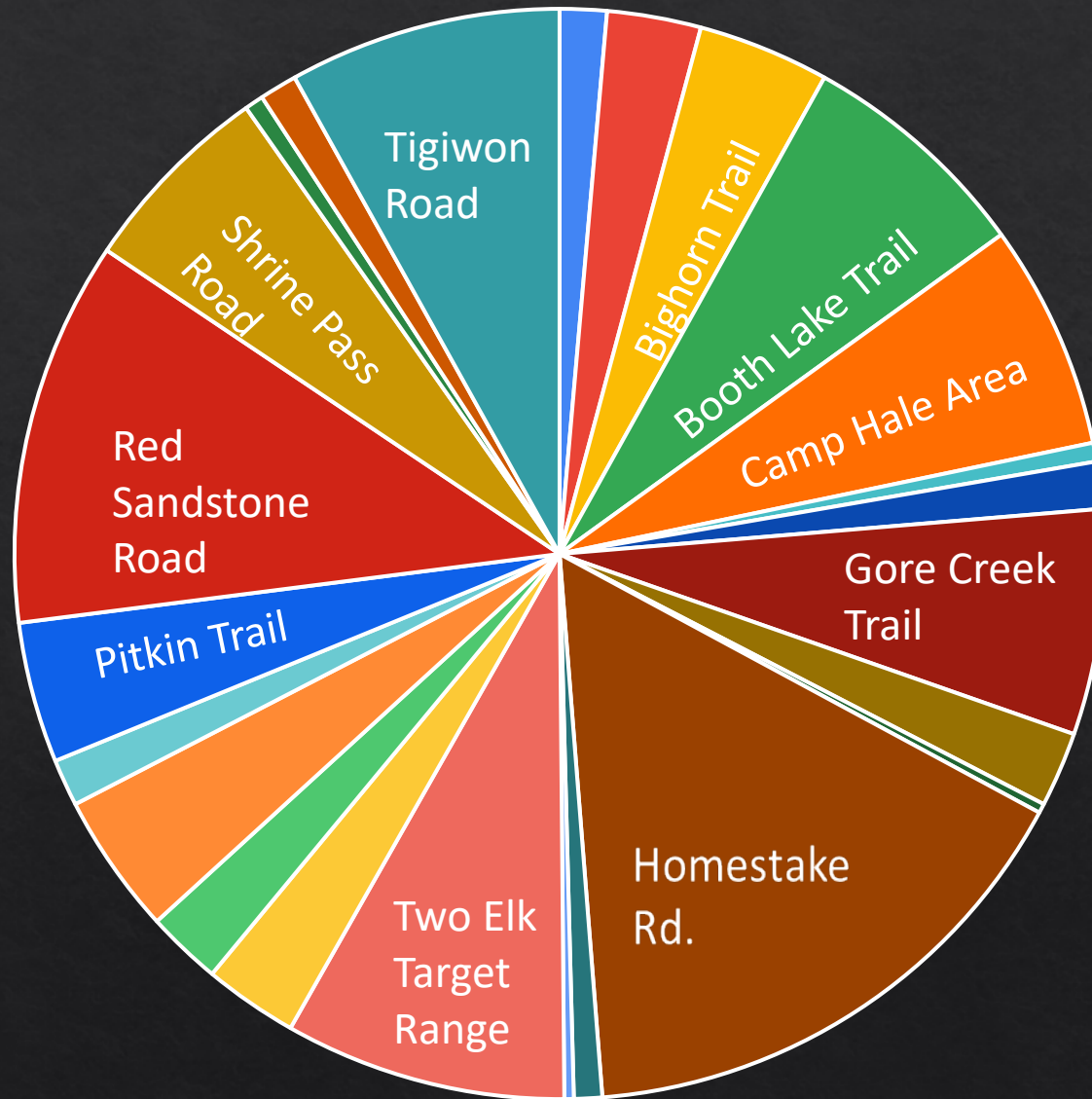
The COVID Effect

- ◆ We saw large increases in use District-wide
- ◆ Use at all trailheads – parking on highways, along forest roads, new parking areas formed...
- ◆ Increased dispersed camping use
- ◆ Increased length of stays
- ◆ Increased occupancy at the Campgrounds
- ◆ Higher volumes of trash
- ◆ Additional campsites carved into the landscape



Crowding at Missouri Creek Trailhead

Patrol Areas by Number of Patrols



- 1/2 Moon TH
- Berry Creek to June Creek
- Bighorn TH/Trail
- Booth TH/Trail
- Camp Hale Area
- Cross Creek TH
- Davos TH/Trail
- Gore TH/Trail
- Grouse Creek TH/Trail
- Holy Cross Overlook TH/Trail
- Homestake Road
- Lost Lake Road
- Meadow Mountain TH/Trail
- Minturn Shooting Range
- Missouri/Fancy Road
- Missouri/Fancy TH/Trail
- Muddy Pass
- No Name Road
- Pitkin TH/Trail
- Red Sandstone Road
- Shrine Pass
- Shrine Ridge TH/Trail
- Squaw Creek TH/Trail
- Tigiwon Road
- (blank)

Spring Wildlife Closures

- It was our intention to have Front Country Crew members begin work at the end of April 2020 to help enforce the Seasonal Wildlife Closures.
- Due to COVID, We were unable to start the Crew until the last week of May.
- Three of the four front country crew members did not have the Forest Protection Officer (FPO) Certification and all FPO trainings were cancelled in 2020 due to COVID.
- Their first two weeks of work were mostly spent on online trainings, area familiarization and working through new COVID protocols.
- As a result the crew did not get to spend much time at our seasonally closed trails.
- We intend to make this support happen in 2021 and have our crew lead start at the end of April and the rest of the crew to start work in May to support these closures.

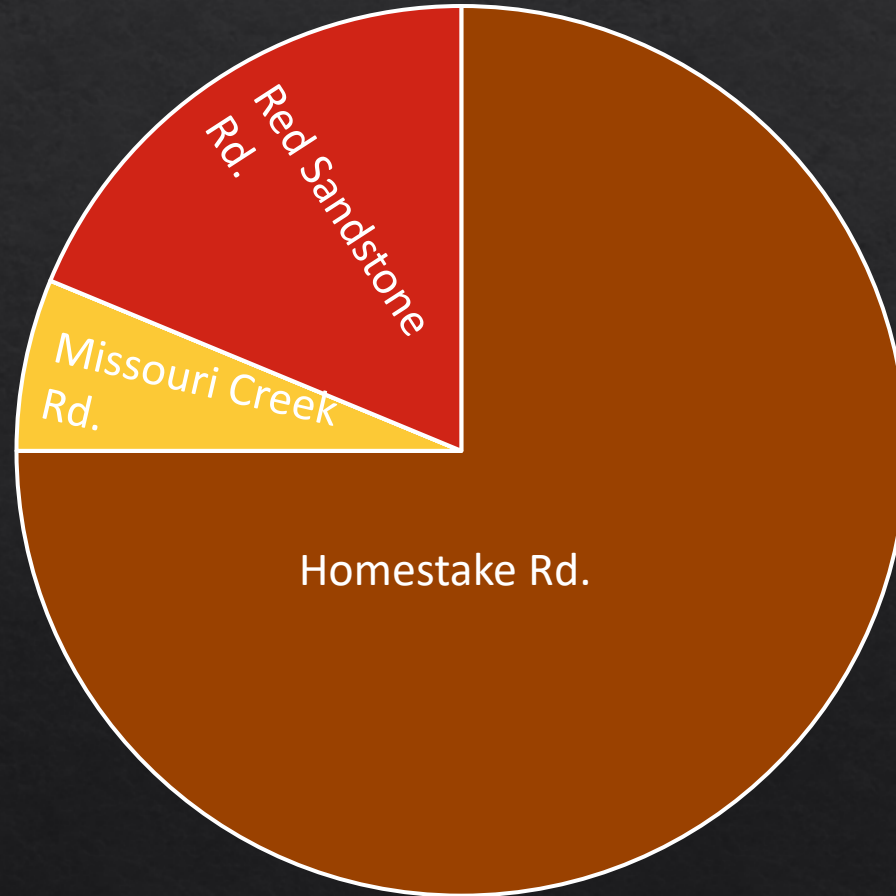


Fire Patrols – Stage 1 & 2 Fire Restrictions

- 32 Unattended fires
- 279 Rock Fire rings in dispersed sites - dismantled
- Extinguished 6 active fires with campers present, resulting in 2 citations
- Temporary signs posted for Stage 1 and 2 Fire Restrictions
- Thousands of forest road miles traveled patrolling during the summer/fall of 2020



Unattended Fires by Patrol Area



Dispersed Site Management

- 39 Dispersed campsites permanently closed and naturalized - compacted ground was scarified and covered with debris to facilitate site restoration.
- 30 new signs installed



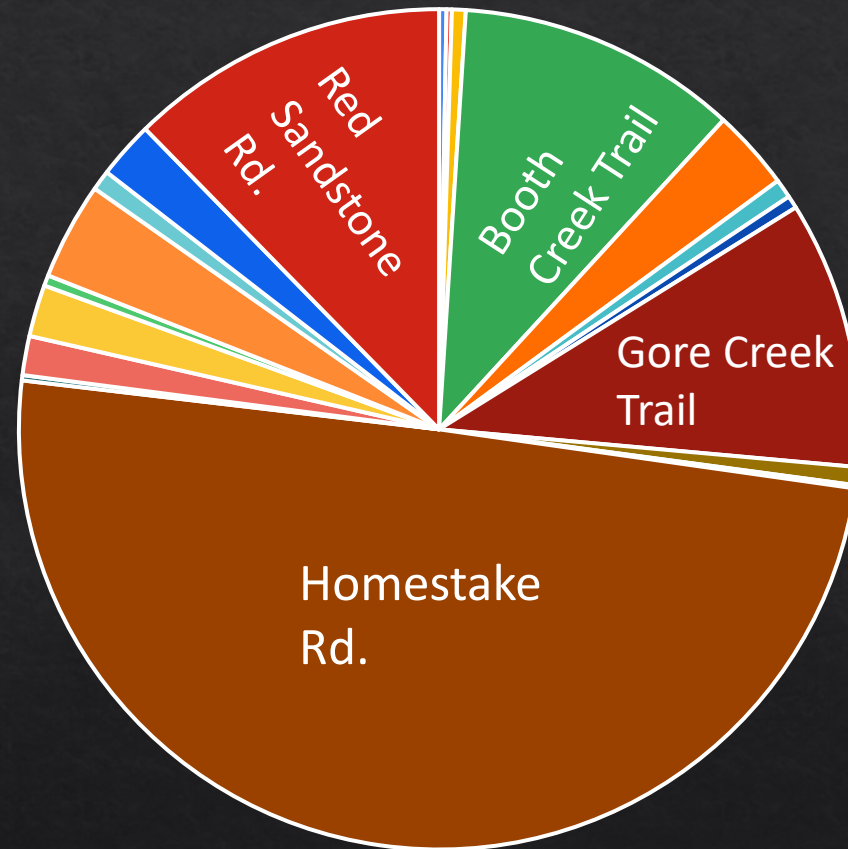
Closed Sites within 100 feet of water to protect sensitive riparian areas



Dispersed Site Mgt.

- **1958 (239% increase from 2019) Individual dispersed sites or trailheads visited**
- **3051 (170% increase from 2019) Visitors Contacted**
- **Law enforcement: 182 Educational Notes, 15 Warnings, 1 Citation- Written for things like residential use, camping too close to water, dogs off leash, or fires**

Number of Contacts by Patrol Area



Gypsum Creek Rd. Dispersed Campsite Inventory

- ◆ The crew inventoried all dispersed camp sites along the Gypsum Creek Road to develop future management for dispersed use.
- ◆ 16 Dispersed campsites were inventoried. In the current locations, only 2 sites meet the WRNF standard of 100 foot from water requirement.



COVID Camper Storage Phenomenon

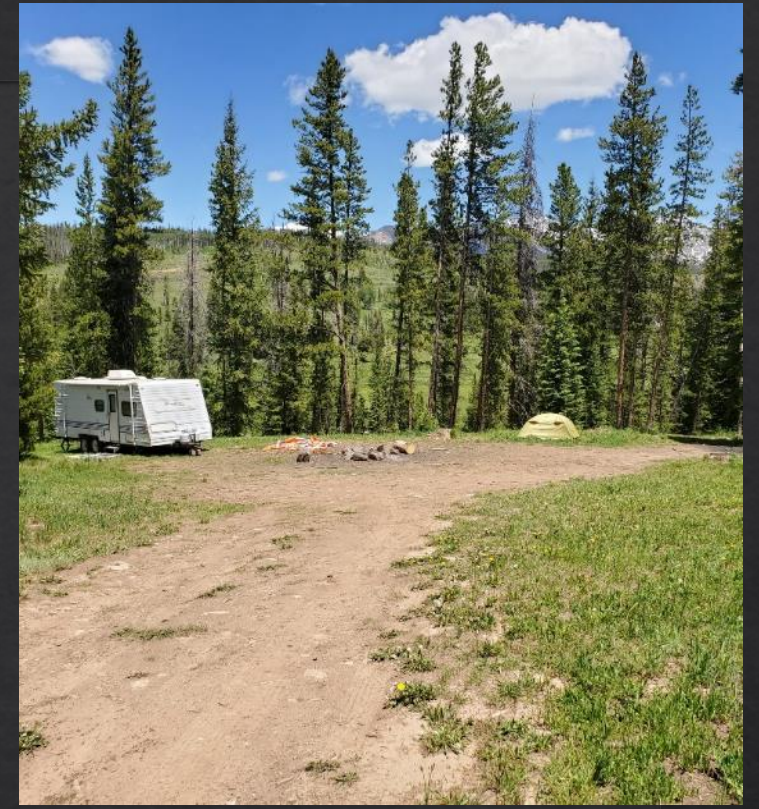
CO residents were under different stages of “Safer at Home” orders well into the summer months.

They took head to these orders and went camping.

Anecdotally, we believe some visitors decided to leave their campers in place rather than drive them home to the front range each week.

We saw the same RV's/Campers in place in many campsites for weeks at a time.





Residential Camps

- 17 (13 in 2019) Suspected residential camps inventoried and tracked as well as cleaned up if abandoned
- Suspected an increase in forest residential users due to displacement from COVID-19.

Waste Management

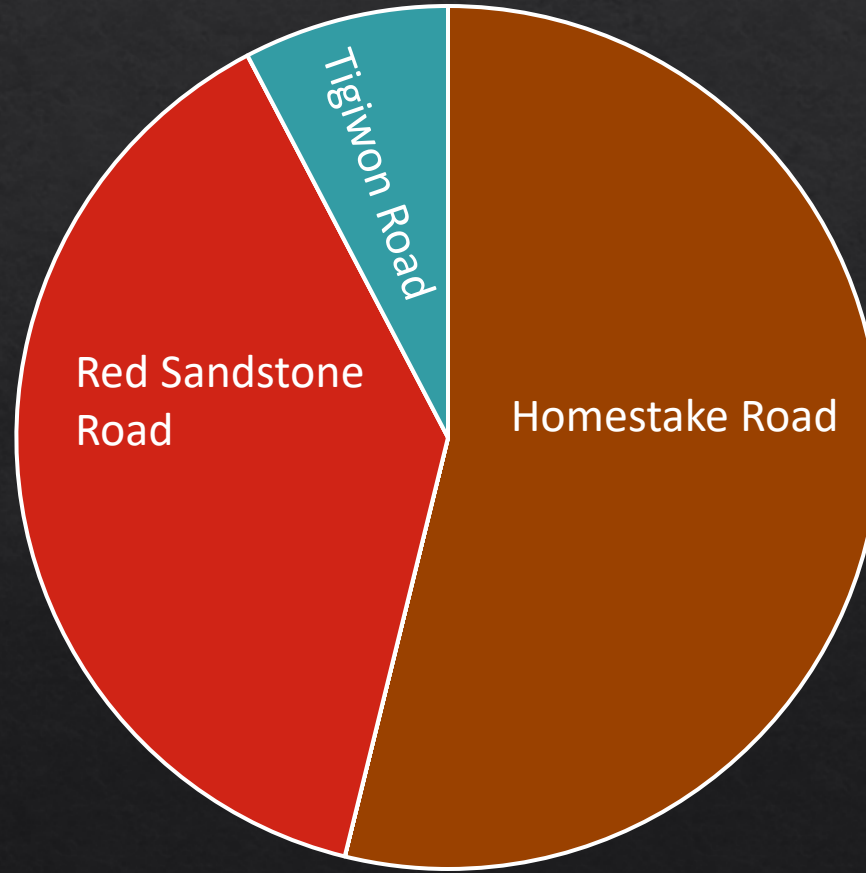


Waste Management

- ◆ Found on the Forest -
- ◆ 40+ Human waste piles
- ◆ 10 homemade toilets
- ◆ 70+ dog waste bags found on Trails and at THs
- ◆ 326 Personal human waste bags were handed out to help reduce the number of improperly disposed of waste on the Forest



Instances of improperly buried human waste by patrol area



Toilet Vault Pumping

- ◆ Pumped 12 Toilet Vaults with funds contributed from the Front Country Program \$7,700
- ◆ Included Yeoman, Sweetwater, Fulford Campgrounds & up-valley trailheads



Two Elk Target Range

- ◆ 30 Patrols of the Two Elk Target Range
- ◆ Due to COVID we had to forego the monthly clean-ups – Crews removed 12 large bags of trash (approximately – 500 lbs)
- ◆ But 10 Walking Mountain high school interns came out to help clean up the range
- ◆ The Rec Mgt. question to these potential new land managers was – do you want to be a custodian and clean up the mess left behind or be pro-active and do the planning so the site can be managed effectively?



Project Work



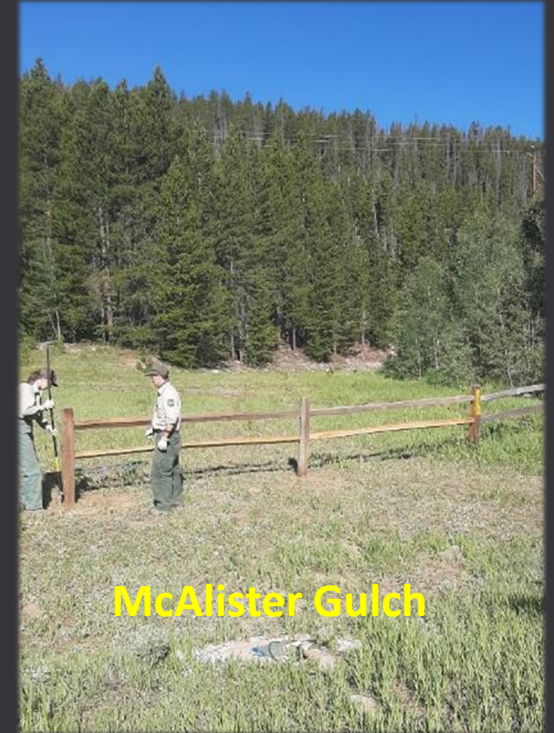
Fall Creek Trailhead



Grouse Creek TH



Berry/June Loop



McAlister Gulch

5 New Kiosks
Installed

16 Signs and Kiosks
Maintained

49 New Signs
Installed

3 Illegal Roads Blocked
with Signage

Repaired/Installed Buck
n' Rail and Split Rail
Fence in Camp Hale and
Tigiwon Area

Project work



Assembling Buck N' Rail Fence at Metcalf Rd, preventing illegal snowmobile access



Decommissioning, blocking, and signing illegal access route on Berry Creek area

Project Work Cont.



Removal of an illegal
Cabin on Red and White
Road



Abandoned Property



- 5145 lbs. of garbage removed (147 large garbage bags)
- Along with other large items including a Sailboat, kayaks, and many tents
- Again, suspect a result from the increase of use due to COVID



Spraddle Creek Abandoned Camp



- Coordinated with Vail Stables to remove approximately 600 lbs. of trash from an abandoned camp off Spraddle Creek rd.



Developed Campgrounds

- ◆ Front Country Funds supported improvements at Yeoman, Fulford, and Sweetwater Campgrounds by purchasing supplies and crew time to lead RMYC crews who:
 - ◆ Installed #15 bear boxes at Fulford and Sweetwater campgrounds
 - ◆ Spread gravel at Sweetwater Campground to enhance living spaces
 - ◆ Installation of new barrier fence at Sweetwater
 - ◆ Sanded and stained over 25 tables between the 3 campgrounds
 - ◆ Stained 3 entrance kiosks to the 3 campgrounds
 - ◆ Routine Maintenance and upkeep at Fulford, Sweetwater, and Yeoman Campgrounds.



East Vail Wilderness Trails Patrols



Front Country and FS Wilderness Rangers

- 111 Patrols
- 1,014 Contacts
- 12 Warnings

ESWA Volunteer Wilderness Rangers

- 70 Patrols
- 910 Contacts



Use Patterns for East Vail Wilderness Trails

- ◆ Overall use was up from 2019 to 2020 on the East Vail Wilderness trails. From June through the end of September;
 - ◆ Pitkin Creek Trail saw an overall increase in use of 65%
 - ◆ Bighorn Creek Trail saw an overall increase of 14%
 - ◆ Gore Creek Trail saw an overall increase of 52%
 - ◆ Booth Creek Trail saw an overall increase of 73%
- ◆ July was the busiest month

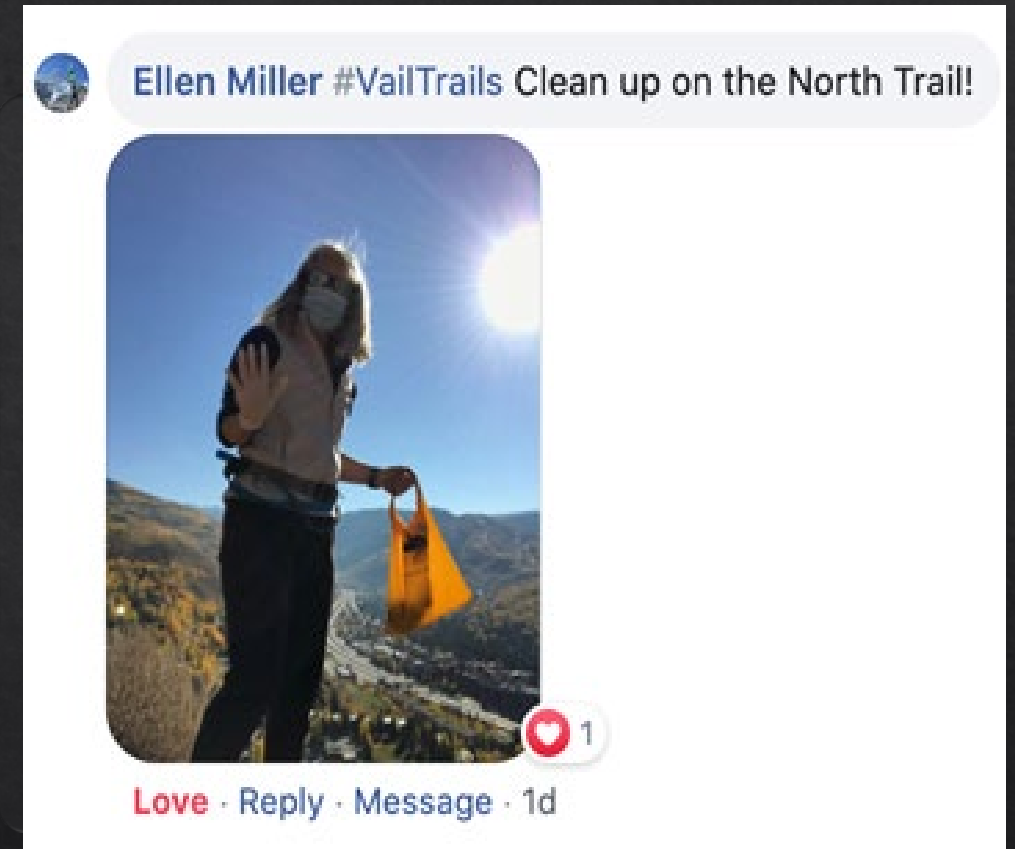


Booth Lake trail use counter data 2019 vs 2020

Month	2019	2020	% use increase
May	1578	2800	77%
June	5679	8176	44%
July	9007	10523	17%
August	5057	8349	65%
September	4085	6939	70%

Community Involvement

- ◆ The increased use on our trails did not go unnoticed. The amount of trash that built up along the trails was becoming a problem.
- ◆ In early October, the Town of Vail pulled together a community clean up weekend that drew 47 participants.
- ◆ Thank you, Town of Vail for pulling this initiative together. We would support an annual clean up day of our trails.



FY2020 FS FINANCIAL COMMITMENT TO FCRP

- FS DEVELOPED PRGM MGT SALARY \$27,540 – Yeoman, Sweetwater, Fulford, and 5 Trailheads
- Toilet vault pumping \$8400
- \$5000 vault toilet and COVID specific cleaning supplies
- Misc signs, materials and supplies, and safety supplies for employees \$6900
- Other personnel costs \$3000
- Cost of 1 FS vehicle \$6000
- \$20,400 – cost of 3 weeks of RMYC crew time working in Yeoman, Fulford and Sweetwater Campgrounds
- Forest-wide cleaning contract for EHX's vault toilets \$65,000 (COVID WO funds in April)

- Total = \$142,240

Working together the FCRP is making a huge difference on the Eagle-Holy Cross RD.

Looking to 2021 - Cost of a 4 Person Front Country Crew and 1 Developed Recreation Crew Member

= patrols 6 days a week

- ◆ Salary - \$89,050.00
 - ◆ Training- \$9,000.00
 - ◆ Uniforms/safety supplies - \$2,000.00
 - ◆ Materials and Supplies (Toilet pumping, garbage bags, buck and rail supplies, garbage pickers, etc.) - \$9,000.00
 - ◆ Travel and Dispersed Camping Management Supplies (signs, WAG Bags) - \$8,000.00
 - ◆ Trucks - \$3,000
 - ◆ Total \$120,000.00
-
- ◆ Forest Service will continue it's FY2020 contributions (vehicles, overhead, etc)

Ramped up Front Country Program option

- ◇ 7 Person Front Country Crew- Support Dispersed and Developed Work =
Patrols 7 days/week
 - ◇ Salary - \$123,916
 - ◇ Training - \$10,284
 - ◇ Uniform Safety Supplies - \$2800
 - ◇ Materials and Supplies - \$9,000
 - ◇ Travel and Dispersed Management Camping Supplies - \$8,000
 - ◇ Supplemental Trucks - \$6,000
 - ◇ Total = \$160,000

- ◇ Forest Service will continue it's FY2020 contributions (vehicles, overhead, etc)

**Thank You Eagle County and all our
community partners!!!!**

Questions for our staff?

Michelle Metteer
 Town Manager
 301 Boulder St #533
 Minturn, CO 81645
 970-827-5645
manager@minturn.org
www.minturn.org



Town Council
 Mayor – John Widerman
 Mayor Pro Tem – Earle Bidez
 Council Members:
 Terry Armistead
 George Brodin
 Brian Eggleton
 Eric Gotthelf
 Gusty Kanakis

February 3, 2021

Council,

Below is an outline of the Front Country Ranger Program increase in funding for 2021.

The Minturn Town Manager will be administratively approving the additional expenditure of \$399.14 which will be covered from the Memberships/Dues and Fees line item in the 2021 Minturn Budget.

If any Council members have concerns arising from this expenditure please advise during the Council meeting.

Front Country Ranger Program						
Total USFS Request			\$ 120,000	\$ 140,000	\$ 160,000	
Calculation of contribution from each municipality based upon 2018 revenue from governmental activities:						
Municipality	2018 Governmental Activities Only	% of Total	2021 Allocation - \$120,000	2021 Allocation - \$140,000	2021 Allocation - \$160,000	Increase from \$120,000 to \$160,000
Vail	\$ 86,313,921	37.82%	\$ 45,389.19	\$ 52,954.06	\$ 60,518.92	\$ 15,129.73
Avon	\$ 23,243,493	10.19%	\$ 12,222.86	\$ 14,260.01	\$ 16,297.15	\$ 4,074.29
Minturn	\$ 2,277,047	1.00%	\$ 1,197.41	\$ 1,396.98	\$ 1,596.55	\$ 399.14
Red Cliff	\$ 356,362	0.16%	\$ 187.40	\$ 218.63	\$ 249.86	\$ 62.47
Eagle	\$ 8,253,000	3.62%	\$ 4,339.94	\$ 5,063.26	\$ 5,786.58	\$ 1,446.65
Gypsum	\$ 10,680,000	4.68%	\$ 5,616.20	\$ 6,552.24	\$ 7,488.27	\$ 1,872.07
Eagle County	\$ 97,073,023	42.54%	\$ 51,046.99	\$ 59,554.82	\$ 68,062.66	\$ 17,015.66
Total Revenues:	\$ 228,196,846	100.00%	\$ 120,000.00	\$ 140,000.00	\$ 160,000.00	\$ 40,000.00

Thank you,

Michelle Metteer
 Town Manager
 Minturn, Colorado

Water Report 3 February 2021

The Water Committee is currently working on two more elements pertaining to water. God Bless the Town Staff and the Work that gets Done behind the Scenes

Grants and Loans

In the last two weeks we engaged meetings with CDPHE (Colorado Department of Public Health and Environment), DOLA (Department of Local Affairs), and the CWCB (Colorado Water Conservation Board), in pursuit of grant moneys for our Water Capital Improvements Plan. These are the three main State (Colorado) sources of grant funding. We have learned a lot and are drafting an annual calendar of Grant Cycles, their deadlines and issue dates (when you get the money if you do) and how they integrate with planning, design, construction drawings, and actual construction costs. Different Grant Moneys have different match amounts, and rules for usage and disbursement as well. At this time, as we further understand and explore this, SGM is currently preparing a grant application to DOLA for this February to get planning money for WTP (Water Treatment Plant) planning late summer early fall.

Drought Management Strategy Plan

The current low snow year, last summers' wildfire season, and continuing Colorado drought conditions demands attention. As a natural part of water improvements, water efficiency, and good stewards of our water resources, in/for Minturn and greater Eagle County and Colorado as well, the Water Committee is developing a drought strategy for Minturn. There are some great leaders already involved in this; ERWSD, being the closest and most accessible for us. Many of the recommendations will come from the work of ERWSD.

Thank You.

Why are we doing this? What impacts can we have?

- 1.) Protect and Sustain Minturn drinking water supply.
- 2.) Protect Cross Creek Streamflow and therefor Eagle River Streamflow.
- 3.) Sustain resources to be used in Wildfire suppression and control.
- 4.) Protect the health of the River(s) fishes, bugs, and occupants of the riparian area.

Most of the recommendations are aimed at outdoor water use as approximately 95% of the water we use in our homes is treated and returned to river flows. That being said, water use and conservation within the individual homes impacts, to some degree, how many households Minturn can provide with water. The water debt mentioned earlier can be shared with more users, easing the burden some.

Voluntary

There are voluntary, common sense, measure that can be taken like:
Don't water during the heat of the day.

Let the grass grow a little longer so the roots go deeper and become more drought/heat resistant.

Water only every other day.

The sidewalk is not going to grow, no matter how much you water it. (Sorry, I meant say, look where the sprinkler is reaching and try not to water the sidewalk.)

Visit Pastor Dan at Vail New Life Assembly, St Patrick's Parish, or the church of your choice and reach to a higher power for some moisture relief. (How could it hurt, and I am sure my friend Pastor Dan, and all others would welcome your presence.)

Mandatory

The closer we get to summer and better understand existing conditions, there may be necessary mandatory cutbacks that need to happen.

Wildfire: Another related concern:

Free home ignition zone assessment; (Eagle River Fire Protection District)

This recent communication from Tracy LeClair:

Please share with your audiences, and encourage them to schedule a free home ignition zone assessment in the spring. We would also love to come talk to HOAs or other groups about the importance of defensible space.

https://www.tahoelivingwithfire.com/wp-content/uploads/2021/01/LWF_RetrofitGuide_Accessible_for_Web.pdf?fbclid=IwAR3pnqp7eEvUzKOzdQzjr3iLovD2nb3DwDiY-o2RuzoQshQ3WkNxeGlixLM

If there are others who would be a good addition to this distribution list (property managers, HOAs, etc.), please feel free to have them contact me and I would be happy to add them!

Tracy LeClair

Community Risk Manager

Public Information Officer (PIO1t)

Eagle River Fire Protection District

READY TO SERVE

1050 Edwards Village Blvd

PO Box 2942

Edwards, CO 81632

Direct: (970) 736-3103

Mobile: (970) 471-5284

Fax: (970) 949-7965

www.eagleriverfire.org



To: Mayor and Council
From: Michelle Metteer
Date: February 4, 2021
Agenda Item: Water Tank Design and Permitting Proposal

REQUEST:

Approve Request for Proposal from Ryan Gordon, SGM, for the project management of the design and permitting of two new water tanks in the Town of Minturn.

INTRODUCTION:

The Minturn Town Council approved the Water CIP in the fall of 2019 and followed up with an amended approval of the CIP in December 2020. The amended CIP allowed for the construction of two water tanks to be located on the northern hillside of Tank Road just across from the current, as well as the newly proposed, water treatment plant. This land is owned by the Town of Minturn and was identified through the Water Tank Analysis Study as the best location for a new water storage tank(s).

ANALYSIS:

This proposal is the next step in the execution of building a new water storage tank. Once design is completed, design review by CDPHE will commence and permitting will be underway. This is also the first step in preparing the documents for taking this project out to bid for construction

COMMUNITY INPUT: Ongoing

BUDGET / STAFF IMPACT: \$75,549

STRATEGIC PLAN ALIGNMENT: The Water CIP and its projects encompasses all initiatives of the Strategic Plan.

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RECOMMENDED ACTION OR PROPOSED MOTION:

Approve Resolution 06 – Series 2021

ATTACHMENTS:

- Resolution 06 – Series 2021
- SGM Proposal (Exhibit A)

**TOWN OF MINTURN, COLORADO
RESOLUTION 06 – SERIES 2021**

**A RESOLUTION TO APPROVE A PROJECT MANAGEMENT
AGREEMENT BETWEEN SGM, INC AND THE TOWN OF
MINTURN FOR THE PURPOSE OF DESIGNING AND
PERMITTING TWO WATER STORAGE TANKS FOR THE
MINTURN SYSTEM WITHIN THE TOWN OF MINTURN,
COLORADO**

WHEREAS, The Town Council recognizes the need and desire to more effectively manage and maintain our water plant, storage, system and infrastructure; and,

WHEREAS, The Town Council has previously contracted with SGM, INC to create an in-depth Capital Improvements Plan for the Minturn Water system; and,

WHEREAS, the Town of Minturn Town Council has reviewed and approved the submitted Capital Improvements Plan; and,

WHEREAS, the Town of Minturn Town Council and Staff have reviewed and support the submitted Water Tank Design and Permitting Management proposal; and,

NOW, THEREFOE, BE IT RESOLVED by the Minturn Town Council of the Town of Minturn, that:

SECTION 1: The Minturn Town Council supports and directs approval and adoption of the submitted Proposal for Design and Permitting of two New Reinforced Concrete tanks as detailed in Exhibit A attached to this Resolution,

SECTION 2: The Minturn Town Council herby authorizes The Town Mayor or his designee to execute any and all contracts necessary to implement the proposed agreement,

SECTION 3: This resolution to be in full force and effect from and after its passage and approval.

**INTRODUCED, READ, APPROVED, AND ADOPTED THIS 3rd DAY OF
FEBRUARY, 2021.**

John Widerman, Mayor

Attests:

Jay Brunvand, Town Clerk/Treasurer

January 27, 2021

Michelle Metteer
Town Manager
Town of Minturn
302 Pine Street
Minturn, Colorado, 81645

RE: Letter Proposal for Design and Permitting of 2 New Reinforced Concrete Tanks

Dear Ms. Metteer,

SGM is pleased to present this letter proposal for professional engineering related to design and permitting for the Town of Minturn's (Town) water storage tanks. It is our understanding that there will be 2 tanks, each approximately 325,000 gallons (0.325 MG); the tanks will be pre-stressed reinforced concrete. SGM provided a comprehensive inspection of the tank on May 7, 2019 and provided an inspection memorandum summarizing structural, safety and sanitary findings and recommendations for rehabilitation or replacement.

We greatly appreciate the opportunity to further demonstrate our experience with tank design and provide the Town with the necessary bidding documents to replace the critical infrastructure. The following summarizes our proposed scope of services for the replacement of the 0.60 MG bolted steel tank with 2 new concrete tanks. SGM will monitor, measure, and report regularly to the Town Project Manager on project details to include project cost, schedule, and monthly budget estimates.

SCOPE OF WORK

Task 1 – Project Management

- Perform contract negotiations with the Town as applicable
- Coordinate and facilitate a project kick-off meeting with Town staff and members of the SGM team in order to obtain input from Town staff regarding project goals deliverables
- Provide monthly schedule and budget updates in a monthly progress report to accompany monthly invoices
- Hold regular progress meetings and maintain communication with the Town
- Perform quality assurance and quality control measures throughout the duration of the projects
- Conduct project close-out activities

Task 2 – Tank Design and Bidding Document Preparation

- Perform code reviews:
 - CDPHE, AWWA D110, and OSHA codes applicable to tank design
- Develop tank specific design criteria for current code requirements
- Perform a structural analysis of key elements of the tank's framing system (roof, shell, framing, interior columns, foundation, slab, etc.)

- Perform vent capacity analysis for current and future operating conditions
- Perform overflow capacity analysis for current and future operating conditions
- Perform analysis to size the inlet, outlet, and drain lines
- Consider operational limitations for water turn-over, i.e., passive and active mixing systems
- Specify tank appurtenances with input provided from the Town, i.e., stairs vs ladder, number of hatches, etc.
- Develop existing tank demolition plans and sections
- Develop earthwork plans associated with excavation, backfill and grading limits
- Identify potential wall areas and heights
- Develop drawing and project manual (bidding requirements, contracts and technical specifications) packages for 60%, 90% and Final for Bidding submittals
- Coordinate and facilitate in-person review meetings with Town staff following each design submission

SGM anticipates an AWWA D110 wire-wound prestressed concrete tank will be designed and constructed. SGM will work with DN Tanks and Preload to develop the above appropriate drawings and specification package.

Task 3 – Tank Permit Support

- Prepare a Basis of Design Report (BDR) as required by Section 1.2 of CDPHE’s Design Criteria for Potable Water Systems
- Complete Application for Construction
- Submit plans, specifications, BDR and Application for Construction Approval to the Town of review
- Prepare for and facilitate a review meeting with Town staff to collect comments
- Incorporate Town comments and submit plans, specifications, BDR and Application for Construction Approval to CDPHE
- Coordinate with CDPHE during the review process, answering requests for information (RFI’s)
- Complete and submit a construction completion form upon construction completion

Task 4 – Access Road Design and Bidding Document Preparation

- Conduct a detailed site survey of the access road
- Conduct utility investigation and SUE determination.
- Develop plan and profile drawings for the access road to include retaining walls.
- Develop drainage plans for access road and tank platform.
- Develop drawing and project manual (bidding requirements, contracts and technical specifications) packages for 60%, 90% and Final for Bidding submittals
- Coordinate and facilitate in-person review meetings with Town staff following each design submission

Task 5 – Environmental Support

- Review and develop necessary environmental permitting which would include a Stormwater Discharge Permit

SCHEDULE

The schedule for completing the tasks is listed below. These are estimates and may be impacted by review time requirements. Prior to issuing for bidding, the necessary funding will need to be in place.

Design/Permitting -	12 weeks
CDPHE Review –	12 -16 weeks
Bidding –	4 weeks
Award -	2- 4 weeks
Construction –	24 weeks

PROJECT FEES

SGM has estimated our fees based on our interpretation of the Town’s goals and past project experience preparing similar tank design packages. The table below is a summary of fees identified to complete the scope of work.

Task Description	SGM Labor	Reimbursable	Total Fee
Task 1 – Project Management	\$7,176	\$65	\$7,241
Task 2 – Tank Design / Bid Documents	\$22,781	\$130	\$22,911
Task 3 – Tank Permit Support	\$6,552	-	\$6,552
Task 4 – Access Road and Pipeline Design/ Bid Documents	\$34,164	\$195	\$34,359
Task 5 – Environmental Support	\$4,486	-	\$4,486
Total Fee	\$83,212	\$331.40	\$75,549

SGM will bring any out-of-scope efforts to the Town’s attention as they arise and seek authorization to proceed in advance of performing out-of-scope tasks.

We are enthusiastic about the opportunity to provide the proposed scope of services to the Town. Please review and feel free to contact me with any questions. Thank you for the opportunity to submit this letter proposal.

Sincerely,



Ryan Gordon, PE
SGM



To: Mayor and Council
From: Michelle Metteer
Date: February 4, 2021
Agenda Item: Community Plan Update – Funding & RFQ

REQUEST:

Approve Request for Qualifications document and corresponding funds associated with the execution of updating the 2009 Community Plan.

Create a Council ad hoc committee of two Council members for the purposes of selecting an organization to lead the 2009 Community Plan update process.

INTRODUCTION:

Through the 2021 budget process, Council approved \$130,000 toward the updating of the 2009 Community Plan, a parking study of the 100-Block and surrounding area and updating of the Design Review guidelines. During the budget process Council and staff both acknowledged the funding shortfall in completing these three tasks within the approved funding and recognized the need for additional grant dollars.

ANALYSIS:

Staff is prepared to begin the Community Plan Update process. The traditional RFP is a significant undertaking for companies and may deter perspective applicants in showing interest for the project. Therefore, staff has divided the qualifications process into two steps. The first step is the request for qualifications. Companies are asked to submit their resumes, references, and any pertinent additional materials for review by the committee. The ad hoc committee will then select a group of finalists who will be sent an invitation to provide a completed Request for Proposal. The prepared RFQ is attached. Staff anticipates the ad hoc committee will finalize the formal Request for Proposal, which is more extensive than the RFQ, prior to inviting the finalists to apply.

COMMUNITY INPUT:

The Community Plan update will be an extensive public process expected to take 12+ months

BUDGET / STAFF IMPACT:

Up to \$100,000

STRATEGIC PLAN ALIGNMENT: The Community Plan update will encompass all initiatives of the Strategic Plan.

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MOUNTAIN TOWN TO “KEEP MINTURN MINTURN”**

RECOMMENDED ACTION OR PROPOSED MOTION:

- Affirmation of \$100,000 toward the execution of the update to the 2009 Community Plan and use as matching funds toward grant applications.
- Approval for the creation of a Council ad hoc committee for the purposes of reviewing all RFQ submissions, selecting RFQ finalists and conducting the Request for Proposal interviews and final selection.

ATTACHMENTS:

- Resolution 07 – Series 2021
- 2009 Community Plan Update RFQ



TOWN OF MINTURN

REQUEST FOR QUALIFICATIONS

TOWN OF MINTURN COMMUNITY PLAN UPDATE PROJECT

**Town of Minturn
301 Boulder Street #309
Minturn, CO. 81645
Phone: 970-827-5645**

Prepared by: Scot Hunn, Planning Director

Date: February 4, 2021

REQUEST FOR QUALIFICATIONS

TOWN OF MINTURN 2009 COMMUNITY PLAN UPDATE PROJECT

STATEMENT OF QUALIFICATIONS SUBMISSION DEADLINE: Friday, February 26, 2021

QUESTION SUBMISSION DEADLINE: Friday, February 19, 2021

Introduction and Background:

The Town of Minturn (the “Town”) invites and welcomes statements of qualification for the update of the 2009 Town of Minturn Community Plan (the “2009 Plan”). All statements of qualification must be received by the time specified herein.

Project and Location:

The project associated with this Request for Qualifications covers the entirety of the Town of Minturn’s corporate limits.

Project Manager Contact Information:

For questions or information, contact:

Name:	Scot Hunn	OR	Madison Harris
Title:	Planning Director		Planner I
Phone:	970-343-2161		970-827-5645 Ext. 2
Email:	scot@hunnplanning.com		planner1@minturn.org

All questions and responses will be subject to information provided to all respondents.

Project Overview:

The Town desires to complete a comprehensive update to the 2009 Plan (the “Update Project”) and seeks the professional services of a firm, or an interdisciplinary team of firms to lead the effort for the Town; advise the Town on the phasing, prioritization, and timely execution of individual tasks and elements of the Update Project; and, if deemed desirable by the Town, to provide on-call services to execute portions of the Update Project based on Town resources, available grant funding, prioritization of Update Project elements, and/or a determination by the Town that ongoing professional services are required to more effectively implement the Update Project objectives, to monitor progress of Plan implementation, and to further the Town’s strategic priorities.

The Update Project will be guided by a robust community outreach effort which may overlap and/or be coordinated with certain sub-area master planning projects already initiated by the Town, and which may be ongoing throughout the Update Project.

While the Town has budgeted up to \$100,000 for the Update Project, full execution of the project will rely heavily upon grant funding. Any response to the RFQ will need to address the respondent's ability and expertise in seeking, securing and leveraging grant funds.

The Town is experiencing significant growth pressure as well as changes in demographics, community attitudes, preferences, and needs, and therefore seeks to add additional analyses and tools that may not have been used during the development and adoption of the 2009 Plan.

The Updated Plan will serve first to verify and confirm the Town's vision to reflect current conditions and priorities - while identifying the many opportunities and challenges facing the Town in the coming 10-15 years.

The result of the Update Project will be the adoption by the Town of Minturn Planning Commission and Council of the Town of Minturn Community Plan Update document and any appendices.

Desired Qualifications:

The Town has determined that proper, successful and cost-effective facilitation and execution of the Update Project will rely upon securing the services of a firm or team of firms possessing the following minimum qualifications and areas of expertise. The respondent(s) must have demonstrated working knowledge, experience, and a professional track record – in the public, private and/or not-for-profit sectors – in the following core competency areas:

1. Designing and facilitating robust, innovative public engagement, public relations and outreach processes specifically including virtual components and utilizing multiple layers, platforms and techniques such as surveys, online data collection, mapping, and online polling to ensure safe, inclusive, equitable, and engaging opportunities for public input associated with a public project or initiative.
2. Establishing and successfully cultivating/maintaining relationships with stakeholders and strategic partners (e.g. regional partner jurisdictions, community organizations, and other agencies) as a key component to community engagement, building civic capacity and leveraging regional partnerships and cooperation.
3. Working well with municipal staff, as well as appointed and elected officials in a professional manner to deliver projects in a timely, cost-efficient manner.
4. Interpreting, using, crafting, evaluating and amending land use regulations, comprehensive planning documents and policies including sub-area master plans successfully.
5. Completing assessments and analyses of existing conditions, inclusive of physical conditions, economic and fiscal conditions, strategic priorities and policy efficacy, and public opinions; then, making recommendations and using existing conditions analyses to inform the development of planning and policy documents.
6. Representing clients in public settings, making public presentations, and facilitating in-person and virtual public open houses and events.

7. Performing growth management, real estate and fiscal/economic development analyses through modeling, scenario planning and analyses.
8. Providing out-of-the-box, creative solutions to challenges and opportunities facing clients including solutions or ideas that may not have been considered or that leverage a client's attributes and assets in new and creative ways.
9. Creating and curating Geographic Information Systems (GIS) mapping as a planning tool as well as a communication tool when interfacing with the public as well as appointed and elected officials.
10. Interpreting and applying Colorado State statutes with regard to land use, comprehensive planning, and growth management.
11. Proposing and executing multi-month, interdisciplinary projects, working with multiple team members to establish and meet project goals, critical paths and milestones, and budgets.
12. Performing sub-area master plan activities and tasks including completion of parking analyses and studies as well as the development of sub-area land use controls and design standards.
13. Completing editing of regulatory and comprehensive plan documents and leading processes to publicly review and adopt new codes, comprehensive plans and ordinances.

Additional, preferred qualifications, working knowledge and experience:

1. Knowledge of the Eagle River Valley portion of Eagle County about regulatory, political conditions, partnerships and initiatives addressing transportation, housing, and economic development.
2. Design and execution of Form Based Codes for sub-areas or entire jurisdictions.
3. Developing and/or enhancing multi-modal transportation standards, policies and implementation strategies.
4. Using and understanding Capital Improvements Plans (CIPs) and municipal budgeting as part of comprehensive land planning and growth management scenario analyses and modeling, economic development and fiscal planning exercises.
5. Experience supporting the Town of Minturn for professional purposes related to land planning, code updates, design charrettes or other initiatives related to the Town's growth and development.

RFQ Submittal, Evaluation and Decision Schedule:

- RFQ approved by Council February 4, 2021
- Formal RFQ publicly issued February 5, 2021
- RFQ Questions Deadline: February 19, 2021
- RFQ Submittal Deadline: February 26, 2021
- Town evaluation of Qualifications: March 1-5, 2021
- Determination of Qualified Firms: March 5, 2021
- Selected submittals will be issued an invitation to submit a formal Request for Proposal.

*****The town reserves the right to amend the schedule, as needed*****

Submission:

All submittals regarding this RFQ shall be directed to Madison Harris, Planner I. One (1) electronic copy of all Statements of Qualifications shall be submitted **on or before 4:00 p.m. on Friday, February 26, 2021 to the email address provided below:**

Madison Harris

Planner1@minturn.org

Qualifications to Be Delivered:

For proper comparison and evaluation, the Town requests that all Statements of Qualifications be formatted as directed. Respondents are required to indicate their interest in this Project, show their specific experience and address their capability to perform the desired core competencies. For proper comparison and evaluation, the Town requires that proposals be formatted **A to F**.

- A. Cover Letter:** Cover letter shall be provided which explains the Respondent's interest in and qualifications to successfully complete the project. The letter shall contain the name/address/phone number/email of the person who will serve as the Respondent's principal contact person with the Town and shall identify individual(s) who will be authorized to make presentations on behalf of the firm or team. The statement shall bear the signature of the person having proper authority to make formal commitments on behalf of the firm. By submitting a response to this solicitation, the Respondent agrees to all requirements herein.
- B. Qualifications/Experience/Credentials:** Respondents shall provide their resumes for consideration as a partnership participant with the Town and include prior experience in similar projects.
- C. Wage Rates:** Provide wage rates, for Respondent firm and any consultant firms, which are billed to the Town for all employees who will work on the project. The wage rates will prevail during the contractual period.
- D. Additional Services:** Provide rates for all additional services, such as, travel, copying, reprographics, etc.
- E. References:** A minimum of three (3) references with name, address, telephone number, and email address that can attest to your experience in projects of similar scope and size.
- F. Additional Data (optional):** Provide any additional information that will aid in evaluation of your qualifications with respect to this project.

Evaluation Criteria:

- A. Evaluation:** An evaluation team shall review all responses and select the firms or team of firms that have best demonstrated the capability to perform the scope of services to submit a formal Request for Proposal.
- B. Intent:** Only Respondents whose resumes meet the qualification criteria will be considered. Therefore, it is imperative that the submitted Statements of Qualifications clearly indicate the firm's ability to provide the services and core competencies described herein.

Evaluation of submittals will be performed in accordance with the criteria and procedure defined herein. The following parameters will be used to evaluate the submittals (in no particular order of priority):

- Responsiveness of the submittal to the required, desired and preferred qualifications, experience and knowledge;
- Understanding of the project and the objectives;
- Relevancy and/or uniqueness of experience and required skills;
- Demonstrated capability; and
- References.

The Town, in its sole discretion, will invite the top-rated Respondent(s) to respond to a Request for Proposals following the Town's evaluations of Statements of Qualifications.

- C. Oral Interviews:** No oral interviews will be conducted as part of the evaluation of responses to the RFQ.

Other Provisions:

- A. Implementation Agreements:** N/A.
- B. Conflict of Interest:** No public official and/or Town employee shall have interest in any invitation to the RFP resulting from this RFQ.
- C. Cancellation of Solicitation:** Any solicitation may be canceled by the Town or any solicitation response by a vendor may be rejected in whole or in part when it is in the best interest of the Town. The Town may determine that no responses to this RFQ are responsive to the Town's objectives and criteria and provide an opportunity for additional Respondents to respond to the RFQ.
- D. Public Record:** All materials submitted in response to this RFQ shall ultimately become public record and shall be subject to inspection after contract award.

Attachments:

1. None

**TOWN OF MINTURN, COLORADO
RESOLUTION NO. 07 – SERIES 2021**

**A RESOLUTION TO SUPPORT AND ENCOURAGE THE
UPDATE OF THE ADOPTED 2009 COMMUNITY PLAN
FOR THE TOWN OF MINTURN**

WHEREAS, The Minturn Town Council is tasked with the protection of the community and citizens; and,

WHEREAS, The Town Council encourages the development and implementation of proactive measures designed to continue governmental services to the citizens of Minturn; and,

WHEREAS, The Town recognizes the existing 2009 Community Plan is in need of updating and that this process will take significant time potentially over the course of multiple years; and,

WHEREAS, The Town has included within the Fiscal Year 2021 budget funds to begin the process to update the exiting 2009 Community Plan; and,

**NOW THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF
THE TOWN OF MINTURN, COLORADO:**

1. The Minturn Town Council hereby supports and directs the update of the 2009 Community Plan.
2. The Minturn Town Council directs the use of this Resolution as support for any available grant programs which may be applicable.
3. The Town Council authorizes the Town Manager on behalf of the Town of Minturn to begin commencement of any and all necessary negotiated documents required to proceed with said update.

**INTRODUCED, READ, APPROVED, ADOPTED AND RESOLVED this
3rd day of FEBRUARY, 2021**

TOWN OF MINTURN

**By: _____
Mayor**

ATTEST:

Town Clerk

To: Mayor and Council
From: Jay Brunvand
Date: February 3, 2021
Agenda Item: Status and update of Marijuana



REQUEST:

During the January 6, 2021 Council Meeting a discussion to reconsider the existing ban for any person to operate, cause to be operated, or permit to be operated a medical marijuana center, an optional premises cultivation operation, or a medical marijuana-infused product manufacturing facility in the Town. During that meeting the Council requested additional research and then the discussion be brought back at the February 3, 2021 meeting.

Staff is requesting Council discussion and direction regarding the sale in Minturn of Medical Marijuana and/or Recreational Marijuana. During the January 6 meeting discussion centered primarily on the aspect of retail sales. Most retail outlets also have a medical marijuana license and medical sales operations are rarely standalone. With this in mind part of this discussion should involve the conjoining, separation, or standalone aspect of operations and what Minturn would like to allow or not allow.

INTRODUCTION:

In 2000 an amendment was passed by the voters of the State of Colorado approving medical marijuana sales, growth, etc.

On November 2, 2010 Minturn voters approved to allow the sale of medical marijuana within the Town of Minturn. At the time of the election only medical sale was legal. As of June, 2012, the town has had a completed ban for any person to operate, cause to be operated, or permit to be operated a medical marijuana center, an optional premises cultivation operation, or a medical marijuana-infused product manufacturing facility in the Town.

In September 2013 this ban was expanded to include recreational marijuana (retail sales). It should be noted that both of these Ordinances only pertained to the outlets, they did not restrict personal freedoms of possession or consumption as allowed by State law.

ANALYSIS:

In general, the Council was pretty well split at the January 6, 2021 meeting with four in support, three opposed. All felt it was at least worth further discussion.

Comments expressed at the January 6th meeting included:

- It would provide a positive NEW revenue stream, it is legal in the state, many of the contentious issues of enforcement have been hashed out over the ensuing years since its legalization. Discussion included how much tax money would make it worth the effort.
- The Council did not want to spend a lot of time discussing and background work by Staff just to do nothing.
- This should be a Council discussion; it should not be referred to the voters for a public election.
- There are several stores located in Eagle-Vail about 3 miles west of the town boarder.

- Concern that the influx of marijuana shoppers could be an issue for our limited parking and street capacity. And the concern of how this sort of business might affect the small town/neighborhood feel.
- During the January 6 Council Meeting, two members of the public spoke during the comment section. One was opposed and one was in favor.

Staff has spent the last month researching some of the Council questions presented at the January 6 meeting and has found:

- The Town never pursued an excise tax, common with the sale of such items. This tax would be specifically levied on retail marijuana and retail marijuana products that are not medically prescribed and therefore tax exempt.
- Potential tax predictions:
 - In an adjacent county scenario of three stores in town and three stores in close proximity out of the town stores generate approximately \$2m annually. At 4% sales tax based on \$2m annual sales PER STORE would generate APPROXIMATELY \$80k in sales tax.
 - A second scenario indicates an increase with an estimated \$100k in sales tax collected per store annually.
 - Other models fluctuate downward but still within this estimated range.
 - Our current annual ACTUAL sales tax for all businesses in 2020 is \$790k. This would make marijuana the number one sales in town over any other single tax payer and would increase our sales tax collections by an estimated 13% annually.
- In May of 2012 the then sitting Council reviewed Ordinance 03-2012, however, voted to not approve passage in favor of the current ban on marijuana sales. This ban and subsequent actions banned the consumerism of the medical and retail trade. Although NOT approved, Ordinance 03-2012 included the following factors among others:
 - Section 6-3-6: A permit fee was set for each medical marijuana center at \$1500, an optional premise cultivation fee of \$1500, and infused products manufacturer of \$1500.
 - Section 6-3-7 et sec: Similar to liquor licenses, an applicant needed to prove authorization from the land owner to use the property for such use AND of good character of the applicant(s) as well as an operational plan and compliance with all existing applicable law.
 - Section 6-3-25 set specific conditions on the center location to include:
 - No medical marijuana center shall be located:
 - Within 1000 feet of a school, drug treatment center, college, university, seminary child care center
 - Within 500 feet of any halfway house
 - Within 500 feet of any residential use
 - Within any building that contains a residential unit
 - Within 500 feet of another medical
 - The intent was to naturally limit the stores without saying a set number. As it stands the only place a store would currently be allowed is in the Meadow Mountain Business park and only ONE store would be allowed there. Everywhere else is in conflict with this section. This section explicitly calls out MMBP as an eligible site and also explicitly excludes a store as a home occupation even though it is excluded as it would be within the residential unit restrictions.
 - Comment has been made that the Dowd Jct property would/could have a store. It is possible, but as this was written it would be limited if there were residential units on the property.

This Ordinance could be resurrected and expanded to include retail. Obviously, it would need to be reviewed by Michael S. to ensure it meets all current state laws.

COMMUNITY INPUT:

This is only a discussion requested by Council to revisit the existing Town laws. In the event Council directs to move forward the Ordinance process allows for extensive public input.

BUDGET / STAFF IMPACT:

The Town would receive 4% sales tax on recreational sales of product and consumption devises as well as licensing fees.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #4 to advance decision, projects, and initiatives that expand future opportunity and viability for Minturn.

RECOMMENDED ACTION OR PROPOSED MOTION:

This is a discussion item, only direction will be given to the Staff.

ATTACHMENTS:

- Ord 03-2012 allowance of Medical Marijuana (FAILED TO PASS ON A 3-4 VOTE)

ORDINANCE NO. 93

Series 20112012

AN ORDINANCE AMENDING CHAPTER 6 OF THE MINTURN MUNICIPAL CODE
BY ADOPTING PROVISIONS FOR THE REGULATION OF MEDICAL MARIJUANA CENTERS

THE TOWN OF MINTURN, COLORADO ORDAINS:

Section 1. Regulations Adopted. Chapter 6 of the Minturn Municipal Code is amended by the addition of a new article 3, to be entitled "Medical Marijuana Centers", which shall read in its entirety as follows:

ARTICLE 3

MEDICAL MARIJUANA CENTERS

SECTION:

- 6-3-1: SHORT TITLE
- 6-3-2: FINDINGS
- 6-3-3: PURPOSE
- 6-3-4: AUTHORITY
- 6-3-5: DEFINITIONS
- 6-3-6: PERMIT REQUIRED
- 6-3-7: APPLICATION FOR PERMIT
- 6-3-8: APPLICATION FEE
- 6-3-9: INVESTIGATION OF APPLICATION
- 6-3-10: STANDARDS FOR ISSUANCE OF PERMIT
- 6-3-11: DENIAL OF PERMIT
- 6-3-12: AUTHORITY TO IMPOSE CONDITIONS ON PERMIT
- 6-3-13: DECISION BY TOWN ADMINISTRATOR
- 6-3-14: NOTICE OF DECISION
- 6-3-15: APPEAL OF DENIAL OR CONDITIONAL APPROVAL OF PERMIT
- 6-3-16: CONTENTS OF PERMIT
- 6-3-17: INSPECTION OF PREMISES
- 6-3-18: PERMIT NOT TRANSFERABLE
- 6-3-19: NOTICE OF ISSUANCE OF PERMIT
- 6-3-20: DURATION OF PERMIT; RENEWAL
- 6-3-21: DUTIES OF PERMITTEE
- 6-3-22: POSTING OF PERMIT
- 6-3-23: SUSPENSION OR REVOCATION OF PERMIT
- 6-3-24: LIMITATION ON SALE OF MARIJUANA
- 6-3-25: CENTER LOCATION
- 6-3-26: HOURS OF OPERATION
- 6-3-27: SIGNAGE
- 6-3-28: REQUIRED WARNINGS TO BE POSTED
- 6-3-29: ON-SITE CONSUMPTION
- 6-3-30: PARAPHERNALIA
- 6-3-31: ON-SITE CULTIVATION, GROWING AND PROCESSING
- 6-3-32: ALCOHOL
- 6-3-33: DISPLAY OF MEDICAL MARIJUANA

- 6-3-34: SECURITY REQUIREMENTS
- 6-3-35: BUSINESS LICENSE REQUIRED
- 6-3-36: TAXES
- 6-3-37: REQUIRED RECORD
- 6-3-38: PENALTIES; INJUNCTIVE RELIEF
- 6-3-39: NO WAIVER OF GOVERNMENTAL IMMUNITY
- 6-3-40: NO TOWN LIABILITY
- 6-3-41: INDEMNIFICATION OF TOWN
- 6-3-42: OTHER LAWS REMAIN APPLICABLE
- 6-3-43: RULES AND REGULATIONS

6-3-1: SHORT TITLE: This chapter shall be known and may be cited as the "Town of Minturn Medical Marijuana Center Ordinance."

6-3-2: FINDINGS: The Town Council adopts this article based upon the following findings of fact:

- A. Because federal and state law prohibits the possession and sale of marijuana generally, marijuana sales have never been specifically addressed by Town ordinance.
- B. On November 7, 2000 the voters of the State of Colorado approved Amendment 20. Amendment 20 added §14 of article 18 to the Colorado Constitution, and created a limited exception from criminal liability under Colorado law (as opposed to federal law) for seriously ill persons who are in need of marijuana for specified medical purposes and who obtain and use medical marijuana under the limited, specified circumstances described in Amendment 20.
- C. The intent of Amendment 20 [and all subsequent C.R.S revisions and amendments pertaining to medical marijuana](#), was to enable certain specified persons who comply with the registration provisions of the law to legally obtain, possess, cultivate, grow, use, and distribute marijuana without fear of criminal prosecution under Colorado (as opposed to federal) law.
- D. Despite the adoption of Amendment 20 [and all subsequent C.R.S revisions and amendments pertaining to medical marijuana](#), marijuana is still a controlled substance under Colorado and federal law. As a result, making it legal for a person to obtain, possess, cultivate, grow, use, transport and distribute marijuana, even for medical use as contemplated by Amendment 20, has the potential for abuse that should be closely monitored and regulated by local authorities to the extent possible.
- E. If not closely monitored and regulated the presence of marijuana, even for the purposes legally permitted by Amendment 20 [and all subsequent C.R.S revisions and amendments pertaining to medical marijuana](#), may cause an increase in illegal activities within the Town affecting the health, safety, order, comfort, convenience and general welfare of the residents of the Town, as well as the health, safety and welfare of the operators of medical marijuana Centers and their customers.

F. If medical marijuana centers operating pursuant Amendment 20 [and all subsequent C.R.S revisions and amendments pertaining to medical marijuana](#), were allowed to be established and to operate without appropriate local regulation of their location, medical marijuana Centers might be established in areas that would conflict with the Town's comprehensive land use plan; be inconsistent with surrounding uses; or otherwise be detrimental to the public health, safety and welfare.

G. Nothing in this article allows a person to:

1. engage in conduct that endangers others or causes a public nuisance;
2. possess, cultivate, grow, use, or distribute marijuana for any purpose other than for use as medical marijuana as authorized and limited by Amendment 20 [and all subsequent C.R.S revisions and amendments pertaining to medical marijuana](#), and the implementing state statutes and administrative regulations;
3. possess, cultivate, grow, use, or distribute marijuana that is otherwise illegal under applicable law; or
4. engage in any activity related to the possession, cultivation, growing, use, or distribution of marijuana that is otherwise not permitted under the laws of the Town or the State of Colorado.

H. This article is necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort, and convenience of the Town and the inhabitants thereof.

I. No person, business, activity or use that distributed or involved the distribution of marijuana within the Town prior to the enactment of this chapter shall be deemed to have been legally established under this code, and no such person, business, activity, or use shall be entitled to claim legal nonconforming status under any provision of this code or applicable law.

6-3-3: PURPOSE: Recognizing that there is a potential conflict between federal and state law with respect to the operation of medical marijuana centers, it is the purpose of this chapter to:

- A. Impose specific requirements and limitations for those individuals registering with the State of Colorado as a "patient" or "primary care-giver" as those terms are defined in Amendment 20, and the statutes and administrative regulations implementing Amendment 20 [and all subsequent C.R.S revisions and amendments pertaining to medical marijuana](#).
- B. Require that a medical marijuana Center (as defined in this chapter) be operated in a safe manner that does not endanger the public welfare.
- C. Mitigate potential negative impacts that a medical marijuana center might cause on surrounding properties and persons.

- D. Regulate the conduct of persons owning, operating, and using a medical marijuana center in order to protect the public health, safety and welfare.
- E. Establish a non-discriminatory mechanism by which the Town can control, through appropriate regulation, the location and operation of medical marijuana centers within the Town.

6-3-4: AUTHORITY: The Town Council hereby finds, determines, and declares that it has the power to adopt this chapter pursuant to:

- A. The Local Government Land Use Control Enabling Act, article 20 of title 29, C.R.S.;
- B. Part 3 of article 23 of title 31, C.R.S. (concerning municipal zoning powers);
- C. Section 31-15-103, C.R.S. (concerning municipal police powers);
- D. Section 31-15-401, C.R.S. (concerning municipal police powers);
- E. Section 31-15-501, C.R.S. (concerning municipal authority to regulate businesses);
- F. The authority granted to home rule municipalities by article XX of the Colorado Constitution; and
- G. The powers contained in the Minturn Town Charter.

6-3-5: DEFINITIONS:

- A. As used in this chapter the following words shall have the following meanings, unless the context clearly requires otherwise:

ADJACENT:	Adjacent to or contiguous with the proposed location of a medical marijuana center. Adjacency shall be determined without regard to the existence of a platted or dedicated public street or alley, and real property that would otherwise be determined to be adjacent to a proposed medical marijuana center does not lose its adjacency by virtue of the existence of a platted or dedicated public street or alley.
ALCOHOLIC BEVERAGE:	Has the meaning provided in Section 10-10-10 of this code.
AMENDMENT 20:	A voter-initiated amendment to the Colorado Constitution adopted November 7, 2000. Amendment 20 added §14 of Article 18 to the Colorado Constitution.

APPLICANT:	A person twenty one years of age or older who has submitted an application for permit pursuant to this chapter.
APPLICATION:	An application for permit submitted pursuant to this chapter.
BUILDING OFFICIAL:	The Building Official of the Town.
BUSINESS LICENSE:	A Business License to operate a medical marijuana center issued by the Town pursuant to this chapter.
DAY:	A calendar day, unless otherwise indicated.
GOOD CAUSE (for the purpose of refusing or denying a permit renewal under this chapter):	<p>Means:</p> <ul style="list-style-type: none"> A. the permittee has violated, does not meet, or has failed to comply with any of the terms, conditions, or provisions of this chapter and any rule and regulation promulgated pursuant to this chapter; B. the permittee has failed to comply with any special terms or conditions that were placed on its permit at the time the permit was issued, or that were placed on its permit in prior disciplinary proceedings or that arose in the context of potential disciplinary proceedings; or C. the permittee's medical marijuana center have been operated in a manner that adversely affects the public health, welfare, or safety of the immediate neighborhood in which the medical marijuana center is located. Evidence to support such a finding can include: (i) a continuing pattern of disorderly conduct as defined in section 10-8-90 of this code; (ii) a continuing pattern of drug-related criminal conduct within the premises of the medical marijuana center, or in the immediate area surrounding the medical marijuana center; or (iii) a continuing pattern of criminal conduct directly related to or arising from the

	operation of the medical marijuana center.
GROUND FLOOR:	The floor of a structure at approximately the same elevation as the natural grade of the surrounding area.
HALFWAY HOUSE:	A group care facility for adults or juveniles who have been placed on probation or parole under applicable law.
LAND USE GUIDELINES:	Chapter 16 of the Minturn Municipal Code.
LOCAL LICENSING AUTHORITY	For the purposes of this article, means the Town Administrator of the Town of Minturn or Administrator's designee.
MEDICAL MARIJUANA CENTER OR CENTER:	The use of any property or structure within the Town to distribute, transmit, provide, dispense, or otherwise provide marijuana in any manner to patients or primary care-givers in accordance with Section 14, Article XVIII of the Colorado Constitution, and the implementing state statutes and administrative regulations. A medical marijuana center may not be used as a physician's office to examine or consult with patients.
PATIENT:	Has the meaning provided in Amendment 20.
PERMIT:	A permit to operate a medical marijuana center issued by the Town pursuant to this chapter.
PERMITTEE:	The person to whom a permit has been issued pursuant to this chapter.
PERSON:	Has the meaning provided in section 1-2-10 of this code.
PRIMARY CARE-GIVER:	Has the meaning provided in Amendment 20.
RESIDENTIAL USE:	A single family, duplex or multi-family structure or hotel, long or short term occupancy.
SPLIT LEVEL STRUCTURE:	A structure or portion of a structure that includes multiple floors with the lowest floor visible from the street front having a finished grade below the finished grade level of the street front sidewalk.

STATE: Shall mean the state of Colorado.

TOWN: Has the meaning provided in section _1-2-10 of this code.

TOWN ADMINISTRATOR : The Town Administrator of the Town, or the Town Administrator's designee authorized to act pursuant to section 2-3-10 – 2-3-40 of this code.

- B. In addition to the definitions provided in subsection A of this section, the other defined terms in Amendment 20 [and all subsequent C.R.S revisions and amendments pertaining to medical marijuana](#), are incorporated into this chapter by reference.

6-3-6: PERMIT [REQUIRED FEE](#): No person shall operate a medical marijuana center within the Town without a valid permit issued in accordance with this chapter. [For permits filed in 2012 the permit fees shall be set as follows: medical marijuana center: is \\$1500.00, optional premise cultivation operation: \\$1500, and marijuana infused products manufacturer: \\$1500. Thereafter, the amount of the permit fees shall be fixed by the Town Council as part of its annual budget process.](#)

6-3-7: APPLICATION FOR PERMIT:

- A. A person seeking to obtain a permit pursuant to this chapter shall file an application with the Town Administrator. The form of the application shall be provided by the Town Administrator.
- B. A permit issued pursuant to this chapter does not eliminate the need for the permittee to obtain other required State and Town licenses and permits related to the operation of the approved medical marijuana center, including, without limitation:
1. a State sales tax license;
 2. **any and all State licensing requirements**
 3. a Town business license; and
 4. a Medical Marijuana center permit has been obtained from the Town of Minturn and all applicable fees shall be paid in full.
 5. a building permit, mechanical permit, plumbing permit, or electrical permit as necessary
- C. An application for a permit under this chapter shall contain the following information:

1. the applicant's name, address, telephone number, birthdate and social security number;
2. the street address of the proposed medical marijuana center;
3. if the applicant is not the owner of the proposed location of the medical marijuana center, a notarized statement from the owner of such property authorizing the submission of the application;
4. a copy of any deed reflecting the applicant's ownership of, or lease reflecting the right of the applicant to possess the proposed licensed premises;
5. a statement of the applicant's personal history;
6. a completed set of the applicant's fingerprints on a form approved by the Town Administrator;
7. an operation plan for the center to ensure compliance with law. The operation plan must contain the following items:
 - i. description of security provisions and systems as required by the Colorado Medical Marijuana Enforcement Division Rules
 - ii. Plans and specifications for the interior of the building if the building to be occupied is in existence at the time. If the building is not in existence, the applicant shall file a plot plan and a detailed sketch for the interior and submit an architect's drawing of the building to be constructed. C.R.S 12-43.3-301(4)
 - iii. If cultivating on site, a description of any cultivation within the center, including
 - a. Where plants are grown
 - b. The number of plants that will be grown
 - c. The number of plants within a given stage of growth at any given time
 - d. A description of the ventilation system for the premises
 - e. A description of the lighting system for the grow area
8. a statement to be initialed by the applicant that the applicant and the employees of the medical marijuana center may be subject to prosecution under federal marijuana laws;
9. a statement to be initialed by the applicant that the Town accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana center; and
10. any additional information that the Town Administrator reasonably determines to be necessary in connection with the investigation and review of the application.

Applications shall be processed by the Town Administrator in order of receipt.

6-3-8: APPLICATION FEE: An applicant shall pay to the Town a non-refundable application fee when the application is filed. The purpose of the fee is to cover the administrative costs of processing the application. For applications filed in 2012 the application fee is \$800.00. Thereafter, the amount of the application fee shall be fixed by the Town Council as part of its annual budget process.

6-3-9: INVESTIGATION OF APPLICATION:

- A. Upon receipt of a properly completed application, together with all information required in connection therewith, and the payment of the application fee as required by section 6-3-8, the Town Administrator shall transmit copies of the application to:
 - 1. the Police Department;
 - 2. the Town Attorney
 - 3. the Planning Department; and
 - 4. any other person or agency which the Town Administrator determines should properly investigate and comment upon the application.
- B. Upon receipt of a completed application the Police Department shall obtain and review a criminal background records search on the applicant from the Colorado Bureau of Investigation.
- C. Within twenty days of receipt of a completed application those Town departments and other referral agencies described in subsection A of this section shall provide the Town Administrator with comments concerning the application.

6-3-10: STANDARDS FOR ISSUANCE OF PERMIT: The Town Administrator shall issue a permit under this chapter when, from a consideration of the application and from such other information as may otherwise be obtained, the Town Administrator determines that:

- A. The application (including any required attachments and submissions) is complete and signed by the applicant;
- B. The applicant has paid the application fee and any other fees required by section 6-3-8;
- C. The application does not contain a material falsehood or misrepresentation;
- D. The application complies with all of the requirements of this chapter;
- E. The applicant has good moral character. In making this determination or when considering a criminal conviction, the Town Administrator shall be governed by the provisions of section 24-5-101, C.R.S. If the Town Administrator takes into consideration information concerning the applicant's criminal history record, the

Town Administrator shall also consider any information provided by the applicant regarding such criminal history record, including but not limited to evidence of rehabilitation, character references, and educational achievements, especially those items pertaining to the period of time between the applicant's last criminal conviction and the consideration of the application for a permit; and

- F. The proposed location of the medical marijuana center is permitted under section 6-3-25.

6-3-11: DENIAL OF PERMIT: The Town Administrator shall deny an application for a permit under this chapter if the Town Administrator determines that:

- A. Information contained in the application, or supplemental information requested from the applicant, is found to be false in any material respect; or
- B. The application fails to meet any of the standards sets forth in section 6-3-10. A standard cure time of seven(7) business days will be extended.

If an application is denied the application fee shall not be refunded.

6-3-12: AUTHORITY TO IMPOSE CONDITIONS ON PERMIT: The Town Administrator shall have the authority to impose such reasonable terms and conditions on a permit as may be necessary to protect the public health, safety, and welfare, and to obtain compliance with the requirements of this chapter and applicable law.

6-3-13: DECISION BY TOWN ADMINISTRATOR:

- A. The Town Administrator shall approve, deny, or conditionally approve a permit within thirty days of the receipt of the completed application unless, by written notice to the applicant, the decision period is extended for an additional ten days if necessary for the Town Administrator to complete the review of the application.
- B. If an application is denied, the Town Administrator shall clearly set forth in writing the grounds for denial.
- C. In the event an application is conditionally approved, the Town Administrator shall clearly set forth in writing the conditions of approval.

6-3-14: NOTICE OF DECISION: The Town Administrator shall notify the applicant of the decision on the application within three business days of rendering the decision. Notice shall be given by mailing a copy of the Town Administrator's decision to the applicant by certified mail, postage prepaid, at the address shown in the application. Notice is deemed to have been properly given upon mailing.

6-3-15: APPEAL OF DENIAL OR CONDITIONAL APPROVAL OF PERMIT:

- A. An applicant has the right to appeal the Town Administrator's denial or conditional approval of an application to the Town Council.

- B. The applicant's written notice of appeal shall be filed with the Town Administrator within ten days after the date of mailing of the Town Administrator's decision on the application.
- C. The applicant shall be provided with not less than ten days' prior written notice of the appeal hearing to be held by the Town Council.
- D. The burden of proof in an appeal filed under this section shall be on the applicant.
- E. Any decision made by the Town Council pursuant to this section shall be a final decision and may be appealed to the district court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure. The applicant's failure to timely appeal the decision is a waiver the applicant's right to contest the denial or conditional approval of the application.
- F. If there is any conflict between the provisions and requirements of this section and the provisions and requirements of chapter __ of title __ of this code, the provisions and requirements of this section shall control.

6-3-16: CONTENTS OF PERMIT: A permit shall contain the following information:

- A. The name of the permittee;
- B. The date of the issuance of the permit;
- C. The address at which the permittee is authorized to operate the medical marijuana center;
- D. Any special conditions of approval imposed upon the permit by the Town Administrator pursuant to section 6-3-12; and
- E. The date of the expiration of the permit.
- F. a statement to be initialed by the applicant that the applicant and the employees of the medical marijuana center may be subject to prosecution under federal marijuana laws;
- G. a statement to be initialed by the applicant that the Town accepts no legal liability in connection with the approval and subsequent operation of the medical marijuana center;

A permit must be signed by both the applicant and the Town Administrator to be valid.

6-3-17: INSPECTION OF PREMISES:

- A. Prior to the issuance of a permit, the premises at which the medical marijuana center will be operated shall be inspected by the Town's Building Official to determine compliance with the Town's building and technical codes. No permit

shall be issued if the premises at which the medical marijuana dispensary will be operated do not comply with the Town's building and technical codes. Throughout the term of the permit the Building Official may inspect the premises at which the medical marijuana dispensary is operated to determine continuing compliance with the Town's building and technical codes. Access to such premises may be obtained by the Building Official in accordance with the applicable provisions of such codes or other applicable law.

- B. During all business hours and other times of apparent activity, all licensed premises shall be subject to inspection by Police Services, Fire Services, and all other Town departments designated by the Town Administrator for the purpose of investigating and determining compliance with the provisions of this Article and any other applicable state and local laws or regulations. Said inspection may include, but need not be limited to, the inspection of books, records, inventory and security. Where any part of the licensed premises consists of a locked area, such area shall be made available for inspection without delay, upon request.
- C. Reoccurring inspections shall be conducted not less than once per year and proof of a completed, passing inspection by either the State Licensing Authority or a pre-approved third party, as determined by the Town Administrator, must be submitted at time of permit renewal. Any and all possible costs for inspections, and required maintenance requested as a condition of a passing inspection shall be the sole responsibility of the applicant.

6-3-18: PERMIT NOT TRANSFERABLE: A permit is non-transferable and non-assignable. Any attempt to transfer or assign a permit voids the permit.

6-3-19: NOTICE OF ISSUANCE OF PERMIT: Immediately upon the issuance of a permit, the Town Administrator shall send a copy of the permit to:

- A. The Town Clerk;
- B. The Town Attorney;
- C. The Police Department;
- D. The Planning Department;
- E. The Town Treasurer; and
- F. Any other person as determined by the Town Administrator.

~~Do we need to have a caveat to review this prior to the state's passage on July 2012
Start here on second meeting in July Worksession~~

6-3-20: DURATION OF PERMIT; RENEWAL

- A. The term of the permit shall be from April 1 to March 31 of the following year.

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- B. An application for the renewal of an existing permit shall be made to the Town Administrator not less than forty-five days prior to the date of expiration. No application for renewal shall be accepted by the Town Administrator after the date of expiration. The Town Administrator may waive the forty-five day time requirement set forth in this subsection if the applicant demonstrates an adequate reason.
- C. The provisions of sections 6-3-9 through 6-3-15, inclusive, and section 6-3-17(C), shall apply to the processing of an application to renew a permit. The timely filing of a renewal application shall extend the current permit until a final decision is made on the renewal application, including any appeal of the Town Administrator's decision to the Town Council.
- D. At the time of the filing of an application for the renewal of an existing permit the applicant shall pay a renewal fee in an amount fixed by the Town Council as part of its annual budget process.
- E. The Town Administrator may refuse to renew a permit for good cause.

6-3-21: DUTIES OF PERMITTEE: It is the duty and obligation of each permittee to do the following:

- A. Comply with all of the terms and conditions of the permit, and any special conditions on the permit imposed by the Town Administrator pursuant to section 6-3-12;
- B. Comply with all of the requirements of this article;
- C. Comply with all other applicable Town ordinances;
- D. Comply with all state laws and administrative regulations pertaining to the medical use of marijuana, including, but not limited to, the Colorado Medical Marijuana Enforcement Division Rules, Amendment 20; section 18-18-406.3, C.R.S.; and the administrative regulations issued by the Colorado Department of Public Health and Environment found at 5 CCR 1006-2, all as amended from time to time.
- E. Comply with all applicable federal laws, rules or regulations, other than a federal law, rule or regulation concerning the possession, sale or distribution of marijuana that conflicts with Amendment 20; and
- F. If the Town Administrator has a reasonable suspicion that the permittee is or has violated the terms and conditions of the permit: allow inspection of its records, building or structure, and operation by the Town Administrator for the purpose of determining the permittee's compliance with the terms and conditions of the permit. However, nothing in this section shall abrogate or affect: (i) any applicable confidentiality provision of state or federal law, or (ii) any applicable statutory or constitutional prohibition against unreasonable searches and seizure of property. In the event of any conflict between this section and any applicable state or federal law, the applicable provision of state or federal law shall control.

6-3-22: POSTING OF PERMIT: A permit shall be continuously posted in a conspicuous location at the medical marijuana center.

6-3-23: SUSPENSION OR REVOCATION OF PERMIT:

- A. A permit issued pursuant to this chapter may be suspended or revoked by the Town Administrator after a hearing for the following reasons:
 - 1. fraud, misrepresentation, or a false statement of material fact contained in the permit application;
 - 2. a violation of any Town, state, or federal law or regulation, other than a federal law or regulation concerning the possession, sale or distribution of marijuana that conflicts with Amendment 20;
 - 3. a violation of any of the terms and conditions of the permit, including any special conditions of approval imposed upon the permit by the Town Administrator pursuant to section 6-3-12;
 - 4. a violation of any of the provisions of this chapter;
 - 5. ownership of the medical marijuana center has been transferred without the new owner obtaining a permit pursuant to this chapter.
- B. In connection with the suspension of a permit, the Town Administrator may impose reasonable conditions.
- C. A hearing held pursuant to this section shall be processed in accordance with 6-3-15 of this code.
- D. In deciding whether a permit should be suspended or revoked, and in deciding what conditions to impose in the event of a suspension, if any, the Town Administrator shall consider:
 - 1. the nature and seriousness of the violation;
 - 2. corrective action, if any, taken by the permittee;
 - 3. prior violation(s), if any, by the permittee;
 - 4. the likelihood of recurrence;
 - 5. all circumstances surrounding the violation;
 - 6. whether the violation was willful;
 - 7. the number of previous violations by the permittee; and
 - 8. previous sanctions, if any, imposed against the permittee.
- E. If the Town Administrator suspends a permit, the permittee may appeal the suspension or revocation to the Town Council, in accordance with the process

outlined in section 6-3-15 of this article. The burden of proof in such an appeal is on the permittee. If the Town Council finds by a preponderance of the evidence that the Town Administrator acted correctly in suspending or revoking the permit, the Town Council shall uphold the Town Administrator's order of suspension or revocation. If the Town Council finds by a preponderance of the evidence that the Town Administrator acted improperly in suspending or revoking the permit, the appeal shall be sustained, and the Town Administrator's order of suspension or revocation shall be set aside. Any decision made by the Town Council pursuant to this section shall be a final decision by the Town of Minturn. The permittee may appeal to the district court pursuant to Rule 106(a)(4) of the Colorado Rules of Civil Procedure. The applicant's failure to timely appeal the decision is a waiver the applicant's right to contest the denial or conditional approval of the application.

- F. No fee previously paid by a permittee in connection with the application shall be refunded if such permit is suspended or revoked.

6-3-24: LIMITATIONS:

- A. No marijuana may be sold, given away, or transferred at a medical marijuana center except to patients and to primary care-givers.
- B. All cultivation of medical marijuana shall be conducted entirely within a building or other fully enclosed, permanent structure.

6-3-25: CENTER LOCATION:

- A. Except as provided in subsection F of this section, no medical marijuana center shall be located at a location that does not conform to the requirements of this section.
- B. No medical marijuana center shall be located:
 - 1. within 1000 feet of a school, an alcohol or drug treatment facility, the principal campus of a college, university, or seminary, or a residential child care facility;
 - 2. within 500 feet of any halfway house;
 - 3. within 500 feet of any property being used for a residential use;
 - 4. within any building or structure that contains a residential unit;
 - 5. within 500 feet of another medical marijuana center.
- C. The distances described in subsection B shall be computed by direct measurement from the nearest property line of the land used for the purposes stated in subsections (B)(1), (B)(2), (B)(3), (B)(4) and (B)(5) to the nearest

portion of the building, or unit proposed to house the medical marijuana center, using a straight line.

- D. Each medical marijuana center shall be operated from a permanent and fixed location. No medical marijuana center shall be permitted to operate from a moveable, mobile, or transitory location.
- E. Subsection D shall not prevent the physical delivery of medical marijuana to a patient or the patient's primary caregiver at a location off of the premises of the permittee's medical marijuana center if:
 - 1. the marijuana was lawfully purchased by the patient or the patient's primary caregiver from the permittee's medical marijuana center;
 - 2. the marijuana is delivered only to the patient or the patient's primary caregiver;
 - 3. the marijuana is delivered only by the permittee or an employee of the permittee;
 - 4. the marijuana is delivered to a location within the Town; and
 - 5. the marijuana is delivered only by the use of a motor vehicle, bicycle, or other lawful means of transportation.
- F. The suitability of a location for a medical marijuana center shall be determined at the time of the initial issuance of the permit for such center. The fact that changes in the neighborhood that occur after the initial issuance of the permit might render the site unsuitable for a medical marijuana center under this section shall not be grounds to suspend, revoke or refuse to renew the permit for such center so long as the permit for the center remains in effect.
- G. Meadow Mountain Business Park shall be deemed an approved site if allowed by section 6-3-25(B)(5).
- H. No medical marijuana center shall be operated as a "home occupation" or a "home business" as described in 16-2-20 of this code.

6-3-26: HOURS OF OPERATION: A medical marijuana center may open no earlier than 9 A.M. and shall close no later than 7 P.M. the same day. A medical marijuana center may be open seven days a week.

6-3-27: SIGNAGE: All signage for a medical marijuana center shall comply with the requirements of article 19 of chapter 16 of this code. No signage associated with medical marijuana Centers shall use the word "marijuana," "cannabis" or any other word or phrase commonly understood to refer to marijuana unless such word or phrase is immediately preceded by the word "medical." In addition no signage shall contain a graphic/image of any portion of a marijuana plant.

6-3-28: REQUIRED WARNINGS TO BE POSTED: There shall be posted in a conspicuous location in each medical marijuana center a legible sign, approved by the Town Administrator, containing the following warnings:

- A. A warning that the diversion of marijuana for non-medical purposes is a violation of state law;
- B. A warning that the use of medical marijuana may impair a person's ability to drive a motor vehicle or operate machinery, and that it is illegal under state law to drive a motor vehicle or to operate machinery when under the influence of or impaired by marijuana; and
- C. A warning that loitering in or around the medical marijuana center is prohibited by state law.
- D. A warning that possession and distribution of marijuana is a violation of federal law.
- E. A warning that no person may be permitted on the licensed premises other than:
 - 1. The licensee, the licensee's manager, licensed employees and financial interest holders
 - 2. A patient in possession of a registry identification card under Article XVIII, Section 14(3)(d) of the Colorado Constitution
 - 3. A minor patient accompanied by a parent or lawful guardian in possession of the minor patient's registry identification card
 - 4. A primary caregiver in possession of his or her patient's registry identification card under Article XVIII, Section 14(3)(d) of the Colorado Constitution and the patient's written designation of said person as the patient's primary caregiver
 - 5. A person whose physical presence and assistance are necessary to assist a patient, or
 - 6. A person who is actively engaged in the maintenance, repair or improvement of the licensed premises or in the provision of accounting, inspection, or other professional services directly related to the conduct of the licensee's marijuana business.

6-3-29: ON-SITE CONSUMPTION: The consumption or inhalation of marijuana on or within the premises of a medical marijuana center is prohibited.

6-3-30: PARAPHERNALIA: Devices, contrivances, instruments, and paraphernalia for inhaling or otherwise consuming marijuana including, but not limited to, rolling papers and related tools, water pipes, and vaporizers may lawfully be sold at a medical marijuana center. Such items may be sold or provided only to patients or primary care-givers.

6-3-31: ON-SITE CULTIVATION, GROWING AND PROCESSING: The growing, cultivation, or processing of marijuana on or within the premises of a medical marijuana center is prohibited unless:

- A. All activities of medical marijuana business, including, without limitation, cultivating, growing, processing, displaying, manufacturing, selling and storage, shall be conducted indoors
- B. Sufficient measures and means of preventing smoke, odors, debris, dust, fluids and other substances from exiting a medical marijuana business must be provided at all times

6-3-32: ALCOHOL: The sale or consumption of an alcoholic beverage within a medical marijuana center is prohibited.

6-3-33: DISPLAY OF MEDICAL MARIJUANA: No marijuana shall be displayed so as to be visible through glass, windows, or doors by a person of normal visual acuity standing at the outside perimeter of the medical marijuana center.

6-3-34: SECURITY REQUIREMENTS: A permittee shall provide adequate security on the premises including:

- A. Security requirements as outlined in the Medical Marijuana Enforcement Division Rules 10.200-10.400.
- B. A locking safe permanently affixed to the premises that is suitable for storage of all of the saleable inventory of marijuana if marijuana is to be stored overnight on the premises; and
- C. Exterior lighting that illuminates the exterior walls of the business and is compliant with section 16-17-180 of this code.

6-3-35: BUSINESS LICENSE REQUIRED: At all times while a permit is in effect the permittee shall possess a valid license issued under article 2 of chapter 6 of this code.

6-3-36: TAXES: Each permittee shall collect and remit sales tax on all medical marijuana, paraphernalia, and other tangible personal property sold by the permittee at the medical marijuana center.

6-3-37: REQUIRED RECORD:

- A. Each permittee shall maintain an accurate and complete record of all marijuana sold or dispensed at the medical marijuana center. The record shall contain the following information:
 - 1. The quantity of marijuana sold or dispensed; and
 - 2. The date and time the marijuana was sold or dispensed
- B. The permittee's records described in subsection A of this section shall be available for inspection by the Town's police department pursuant to Rule 41 of

the Colorado Rules of Criminal Procedure or Rule 241 of the Colorado Municipal Court Rules of Procedure.

- C. Nothing in this section shall abrogate or affect : (i) any applicable confidentiality provision of state or federal law, or (ii) any applicable statutory or constitutional prohibition against unreasonable searches and seizure of property. In the event of any conflict between this section and any applicable state or federal law, the applicable provision of state or federal law shall control.

6-3-38: PENALTIES; INJUNCTIVE RELIEF:

- A. It is a misdemeanor offense for any person to violate any provision of this chapter. Any person convicted of having violated any provision of this chapter shall be punished as set forth in article 4 of chapter 1 of this code.
- B. The operation of a medical marijuana center without a valid permit issued pursuant to this chapter may be enjoined by the Town in an action brought in a court of competent jurisdiction. In any case in which the Town prevails in a civil action initiated pursuant to this section, the Town may recover its reasonable attorney fees plus costs of the proceeding.
- C. The remedies provided in this section are in addition to any other remedy provided by applicable law.

6-3-39: NO WAIVER OF GOVERNMENTAL IMMUNITY: In adopting this chapter the Town Council is relying on, and does not waive or intend to waive by any provision of this chapter, the monetary limitations (presently \$150,000 per person and \$600,000 per occurrence) or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, section 24-10-101 et seq., C.R.S., as from time to time amended, or any other limitation, right, immunity, or protection otherwise available to the Town, its officers, or its employees.

6-3-40: NO TOWN LIABILITY: By accepting a permit issued pursuant to this chapter a permittee releases the Town, its officers, elected officials, employees, attorneys, and agents from any liability for injuries, damages, or liabilities of any kind that result from any arrest or prosecution of center owners, operators, employees, clients, or customers for a violation of state or federal laws, rules or regulations. The Town Administrator may require a permittee to execute a written instrument confirming the provisions of this section.

6-3-41: INDEMNIFICATION OF TOWN: By accepting a permit issued pursuant to this chapter a permittee, jointly and severally if more than one, agrees to indemnify and defend the Town, its officers, elected officials, employees, attorneys, agents, insurers, and self-insurance pool against all liability, claims, and demands, on account of injury, loss, or damage, including, without limitation, claims arising from bodily injury, personal injury, sickness, disease, death, property loss or damage, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the operation of the medical marijuana center that is the subject of the permit. The permittee further agrees to investigate, handle, respond to, and to provide defense for and defend against, any such liability, claims, or demands at its expense, and to bear all other costs and expenses related thereto, including court costs and attorney fees. The Town Administrator may require a permittee to execute a written instrument confirming the provisions of this section.

6-3-42: OTHER LAWS REMAIN APPLICABLE: The provisions of this chapter do not protect permittees, operators, employees, customers and clients of a permitted medical marijuana center from prosecution pursuant to any laws that may prohibit the cultivation, sale, use, or possession of controlled substances. In addition, as of the date of the adoption of this chapter the cultivation, sale, possession, distribution, and use of marijuana remain violations of federal and state law (except for conduct covered by Amendment 20), and this chapter affords no protection against prosecution under such federal and state laws. Permittees, operators, employees, customers and clients of a permitted medical marijuana center assume any and all risk and any and all liability arising or resulting from the operation of the center under any state or federal law. Further, to the greatest extent permitted by law, any actions taken under the provisions of this chapter by any public officer or officers, elected or appointed officials, employees, attorneys and agents of the Town of Minturn shall not become a personal liability of such person or of the Town.

6-3-43: RULES AND REGULATIONS: The Town Administrator shall have the authority from time to time to adopt, amend, alter, and repeal administrative rules and regulations as may be necessary for the proper administration of this chapter. Such regulations shall be adopted in accordance with the procedures established by chapter 18, title 1 of this code.

Section 2. Municipal Code. Except as specifically amended hereby, the Minturn Municipal Code, and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 3. Severability. If any section, paragraph, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid or ineffective by the final, nonappealable order or judgment of any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance. The Town Council hereby declares that it would have adopted each section, paragraph, sentence, clause and phrase of this ordinance irrespective of the fact that any one or more sections, paragraphs, sentences, clauses or phrases may be declared unconstitutional, invalid or ineffective.

Section 4. Effective Date. This ordinance shall be published and become effective ~~as provided by section 11.5 of the Minturn Town Charter eighteen months after approved by motion of the Minturn Town Council.~~

Section 5. The Town Council hereby finds, determines and declares that this Ordinance is necessary and proper for the health, safety and welfare of the Town of Minturn and the inhabitants thereof.

Section 6. The repeal or the repeal and re-enactment of any provision of the Minturn Municipal Code as provided in this ordinance shall not affect any right which has accrued, and duty imposed, any violation that occurred prior to the effective date hereof, any prosecution commenced, nor any other action or proceeding as commenced under or by virtue of the provision repealed or repealed and re-enacted. The repeal of any provision hereby shall not revive any provision or any ordinance previously repealed or superseded unless expressly stated herein.

INTRODUCED, READ BY TITLE IN FULL, APPROVED ON THE FIRST READING,
APPROVED AND ORDERED PUBLISHED IN FULL THE _____ DAY OF _____,

~~2011~~2012. A public hearing on this ordinance shall be held at the regular meeting of the Town Council of the Town of Minturn, Colorado on the ____ day of _____, 2012, at 7:00 p.m. at the Minturn Town Center, 302 Pine Street, Minturn, Colorado.

MAYOR

ATTEST:

TOWN CLERK

THE TOWN OF MINTURN, COLORADO, ORDAINS THIS ORDINANCE, READ BY TITLE, ENACTED AND ORDERED PUBLISHED BY TITLE ONLY ON SECOND READING THIS ____ DAY OF _____, 2012.

MAYOR

ATTEST:

TOWN CLERK

Michelle Metteer
Town Manager
301 Boulder St. #309
Minturn, CO 81645
970-827-5645
manager@minturn.org
www.minturn.org



Town Council
Mayor – John Widerman
Mayor Pro Tem – Earle Bidez
Council Members:
Terry Armistead
George Brodin
Brian Eggleton
Eric Gotthelf
Gusty Kanakis

February 3, 2021 Manager Report

Colorado City and County Manager's Association

I had the opportunity to participate in the CCCMA Connection Forum this week which took a look at Pandemic Lessons, Wins and Losses throughout the State of Colorado. The overall consensus is what Minturn has experienced this last year is mostly in line with what other communities around the state have dealt with. Moving forward, most communities are taking an optimistic yet conservative approach.

National Forest Foundation

I had a Zoom meeting with Marcus Selig, regional vice president of field operations, for the National Forest Foundation (NFF) for the purposes of understanding facilitation opportunities they provide. This is in relation to the Two Elk Target Range (TETR) discussions that have been taking place over the last several years and steps for moving forward. Marcus is expected to get back to me next week on services they may be able to provide for helping community stakeholders through the Dingle Act process.

NAIOP/Rocky Mountain Real Estate Challenge

The kickoff event took place January 26th. Mayor John Widerman, Pro Tem Bedez, Planning Director Scot Hunn and I all had an opportunity to participate. The next step will be online interviews by the students in mid-February.

Water Availability Task Force

I participated in the Water Availability Task Force meeting on January 21st. This group was activated by the State of Colorado for only the second time in Colorado's history. We will look to address and coordinate drought relief operations and communications among municipalities. Colorado is currently in phase 3 of the Colorado Drought Plan.

Minturn to Dowd ECO Trail

The team met to review comments as well as considered trail location and right-of-way usage. From this meeting I coordinated some time with Matt Yamashita, Department of Natural Resources Area Wildlife Manager to discuss trail alignment and trail closure steps (if necessary) due to elk migration patterns. This meeting is scheduled for February 5th.

Jay Brunvand
 Clerk/Treasurer
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 970-827-5645 x1
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www.minturn.org



Town Council
 Mayor – John Widerman
 Mayor Pro Tem – Earle Bidez
 Council Members:
 Terry Armistead
 George Brodin
 Brian Eggleton
 Eric Gotthelf
 Gusty Kanakis

Below reflects proposed topics to be scheduled at future Town Council meetings and is informational only. Dates and topics are subject to change.

REGULAR TOWN COUNCIL MEETINGS
February 3, 2021
Special Presentation – Vista Project
Discussion/Direction – Water Supply Plan Proposal – Metteer
Continuation of Marijuana Discussion – Brunvand
February 17, 2021
March 3, 2021
DATE TO BE DETERMINED
An Ordinance adopting Specified Sustainability Building Codes
Water Supply Plan Proposal – Metteer
Minturn Fitness Center Update – Metteer